

Liquidator's Progress Report

S.192

Pursuant to Sections 92A and 104A and 192
of the Insolvency Act 1986

To the Registrar of Companies

Company Number

01658989

Name of Company

Centerpac Limited

I / We

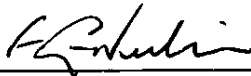
Francis Graham Newton, 1 Bridgewater Place, Water Lane, Leeds, LS11 5RU

Paul Bates, 1 Bridgewater Place, Water Lane, Leeds, LS11 5RU

the liquidator(s) of the company attach a copy of my/our Progress Report
under section 192 of the Insolvency Act 1986

The Progress Report covers the period from 21/12/2013 to 20/12/2014

Signed



Date

13 February 2015

BDO LLP
1 Bridgewater Place
Leeds
LS11 5RU

Ref 00183002/FGN/PJB/AR/JK/SBU/DE

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COMPANIES HOUSE



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www.bdo.co.uk Leeds
LS11 5RU

To all known members and creditors

13 February 2015

Our Ref 00183002/CVL/FGN/AMR/JK

Please ask for James Kershaw
Tel 0113 290 6162
Email james.kershaw@bdo.co.uk

Dear Sirs

Centerpac Limited - In Liquidation ("the Company")
Annual progress report to members and creditors pursuant to Section 104(A) of the
Insolvency Act 1986

Paul Bates and I were appointed as Joint Liquidators of the Company on 21 December 2012, following the Company moving from Administration to a Creditors' Voluntary Liquidation ("CVL")

We enclose for your information the Joint Liquidators' annual progress report in accordance with Section 104A of the Insolvency Act 1986 and Rule 4.49C of the Insolvency Rules 1986 for the period 21 December 2013 to 20 December 2014 ("the Reporting Period").

Please note that we do not intend to report in detail on matters previously disclosed. This report should therefore be read in conjunction with our previous reports issued in both the Administration and Liquidation.

The Company's statutory information is attached as Appendix 1.

Joint Liquidators' receipts and payments account

A copy of our receipts and payments account for the Reporting Period and the cumulative period to 20 December 2014 is attached at Appendix 2.

Further comments on the Company's assets and liabilities are as follows:

Receipts

There have been no realisations in the Reporting Period other than bank interest in the sum of £39.

Investigations - payments made to Director

Following our review of the Company's books and records, there were a number of payments made to the Company's former director during the period January 2011 to December 2011.

As Joint Liquidators, we have a statutory requirement to investigate whether these payments were antecedent transactions that could be potentially recovered by the Joint Liquidators for the benefit of the Company's creditors.





Since our previous report, we have entered into detailed correspondence with the director in order to understand the reasoning for the various payments. Based on the information provided, these payments were in respect of the following:

- Rental payments due in respect of an informal agreement between him (as landlord of the property) and the Company;
- Wages and expenses; and
- Dividends.

The ultimate beneficiaries of any potential recoveries from the Company's director would be the secured creditors. There are however limited assets in the Liquidation and we are therefore currently liaising with the secured creditors in order to establish whether they would be prepared to fund any legal action that may be commenced. This is to ensure that the outcome for unsecured creditors is not detrimentally affected by further costs that may be incurred.

Liabilities

Secured creditors

Close Invoice Finance Limited ("Close")

Close have a fixed charge over the Company's book debts and a floating charge over all other assets. Close were owed £836,000 (excluding interest and termination charges) at the date of the Administration.

To date, we understand that Close have recovered book debts totalling £850,743 in respect of its fixed charge security.

Based on current information, however, it is anticipated that Close will suffer a shortfall in respect of its lending to the Company.

National Westminster Bank plc ("Natwest")

At the date of Administration, Natwest were owed approximately £175,000. NatWest have a floating charge security that ranks in priority to the floating charge security of Close.

Distributions totalling £90,000 were made to Natwest during the Administration.

Based on current information, it is anticipated that a further distribution will be paid to Natwest in the region of £18,000. This is higher than previously reported due to the amount claimed by the Redundancy Payments Office ("RPO") in respect of its preferential claim against the Company being lower than previously estimated. Further details are below.

Preferential creditors

Following protracted correspondence, the RPO recently provided details of their preferential claim against the Company in respect of arrears of wages and outstanding pension contributions totalling £672. This will be paid in full shortly.



Unsecured creditors

To date, we have received unsecured creditor claims totalling £478,000. These have however yet to be verified and agreed for dividend purposes.

Based on current information, it is anticipated that there will be sufficient funds available to pay a small dividend to the unsecured creditors by virtue of the Prescribed Part. The amount available is estimated to be in the region of £18,000. This is however subject to the deduction of specific professional costs incurred in agreeing creditor claims and paying the dividend.

There will be no funds available to unsecured creditors other than by virtue of the Prescribed Part.

Professional costs

Joint Liquidators' remuneration for the period 21 December 2012 to 20 December 2014

As at 20 December 2014, we have incurred time costs totalling £18,110. This represents 91 hours at an average hourly rate of £198.

Joint Liquidators' remuneration for the period 21 December 2013 to 20 December 2014

We have incurred time costs totalling £13,450 for the Reporting Period. This represents 66 hours at an average hourly rate of £204.

Detailed time cost summaries for the above periods are attached at Appendix 3, together with a schedule of office holders' normal charge-out rates and disbursements at Appendix 4.

To date, no fees have been drawn in respect of the Joint Liquidators' time costs.

The amounts previously charged are derived by reference to BDO LLP's normal rates for time properly spent by them and their staff in attending to matters arising in the Liquidation. Where members of our staff have been employed on this insolvency they have been so based on their experience and abilities in dealing with a case of this nature. Where appropriate, certain staff have dealt with a specific area of the Liquidation due to their specialist skills in that area.

All staff who have worked on this assignment, including cashiers and secretarial staff, have charged time directly to the assignment and are included in the analysis of time spent. The cost of staff employed in central administration functions is not charged directly to the assignment but is reflected in the general level of charge out rates. It should be noted that the charge-out rates may vary from time to time over the period of the Liquidation.

A copy of the "Creditors' Guide to Insolvency Practitioners' fees in Liquidation" is attached at Appendix 5.

Joint Liquidators' disbursements

As at 20 December 2014, the Joint Liquidators have incurred Category 1 disbursements in the sum of £151 in respect of statutory advertising. To date, no disbursements have been paid.

Please find attached at Appendix 6 an extract from the Insolvency Rules 1986 setting out the rights of creditors to request further information and/or challenge the remuneration or fees within the Liquidation.



Broadstone Limited ("Broadstone")

Broadstone were engaged to deal with the Company's pension scheme which included liaising with the pension provider to enable pension contributions not paid over by the Company to be reclaimed from the Redundancy Payments Office

Broadstone has been paid £819 plus VAT.

Meeting of creditors

In accordance with Rule 4.54 of the Insolvency Rules 1986, the Joint Liquidators have convened a meeting of creditors in order to consider and vote on the resolution proposed below and to determine whether creditors wish to form a creditors' committee

1. That the Joint Liquidators' remuneration be fixed by reference to the time properly given by them and their staff in attending to matters arising in the Liquidation

The Joint Liquidators' propose to fix their remuneration in the Liquidation in accordance with Rule 4.127(2)(b) of the Insolvency Rules 1986.

In the absence of additional realisations in the Liquidation, the Joint Liquidators' will only draw fees in respect of the time costs incurred by them and their staff in dealing with the dividend to the Company's creditors by virtue of the Prescribed Part

For the avoidance of doubt, the time costs associated with dealing with the dividend by virtue of the Prescribed Part will involve providing creditors with formal notice of the intended dividend, agreeing and verifying submitted claims and calculating and paying the dividend.

We enclose at the end of this report notice of the meeting of creditors together with a Proxy Form and a proof of debt Form. In order to vote at the meeting, a Proxy Form must be completed and returned by no later than 12 noon on the business day preceding the meeting together with a completed proof of debt Form and any supporting documentation, unless this has already been submitted

Other

The Insolvency Service has established a central gateway for considering complaints in respect of Insolvency Practitioners. In the event that you make a complaint to us but are not satisfied with the response from us then you should visit <http://bis.gov.uk/insolvency/contactus/IP-Complaints-Gateway> where you will find further information on how you may pursue the complaint.

Should you require any further information please contact James Kershaw on 0113 290 6162

Yours faithfully
For and on behalf of Centerpac Limited

F G Newton and P J Bates
Joint Liquidators

F G Newton and P J Bates are authorised by the Insolvency Practitioners Association in the UK



Appendix 1 - Statutory Information

Company Name	Centerpac Limited
Company Number	01658989
Liquidators' details	Francis Graham Newton BDO LLP 1 Bridgewater Place Water Lane Leeds LS11 5RU Paul Bates BDO LLP 1 Bridgewater Place Water Lane Leeds LS11 5RU
Registered Office	1 Bridgewater Place Water Lane Leeds LS11 5RU
Date of Appointment	21 December 2012
Appointed by	Creditors - move from Administration to Creditors' Voluntary Liquidation

**Centerpac Limited
(In Liquidation)**

JOINT LIQUIDATORS' RECEIPTS AND PAYMENTS ACCOUNT

	Statement of affairs £	From 21/12/2013 To 20/12/2014 £	From 21/12/2012 To 20/12/2014 £
RECEIPTS			
Admin VAT Refund		0 00	14,227.57
Transfer from Administration		0 00	25,577.67
Bank Interest Gross		38 61	77.42
		<u>38.61</u>	<u>39,882 66</u>
PAYMENTS			
Broadstone Fees		0 00	819 00
Corporation Tax		8.98	8 98
Stationery & Postage		210 39	344 12
Statutory Advertising		0 00	422.16
		<u>219 37</u>	<u>1,594 26</u>
Net Receipts/(Payments)		<u>(180.76)</u>	<u>38,288 40</u>
MADE UP AS FOLLOWS			
Current Account		(56 17)	38,249 19
VAT Receivable / (Payable)		(124 59)	39 21
		<u>(180 76)</u>	<u>38,288 40</u>

Centerpac Limited – In Liquidation

Joint Liquidators' detailed time costs summary for the period 21 December 2012 to 20 December 2014

Description	PARTNER		MANAGER		ASSISTANT MANAGER		SENIOR ADMINISTRATOR		ADMINISTRATOR		GRAND TOTAL		AVERAGE HOURLY RATE £
	Hours	Total £	Hours	Total £	Hours	Total £	Hours	Total £	Hours	Total £	Hours	Total £	
B. Steps on Appointment			1 25	290 00	3 00	555 00					4 25	845 00	198 82
C. Planning and Strategy			1 80	399 40	7 35	1,345 05					9 15	1,744 45	190 65
D. General Administration	1 75	761 75	3 60	738 80	23 15	4,263 35	1 50	255 00	14 30	2,191 30	44 30	8,210 20	185 33
E. Assets Realisation/Dealing			13 55	3,379 65	2 15	402 75					15 70	3,782 40	240 92
G. Employee Matters					0 30	55 50					0 30	55 50	185 00
H. Creditor Claims			0 70	142 10	1 60	293 20	1 25	212 50			3 55	647 80	182.48
I. Reporting	0 50	185 50	7 50	1,522 50	5 30	971 10	0 50	85 00			13 80	2,764 10	200 30
J. Distribution and Closure			0 30	60 90							0 30	60 90	203 00
Total	2 25	947 25	28 70	6,533 35	42 85	7,885 95	3 25	552 50	14 30	2,191 30	91 35	18,110 35	198 25

Centerpac Limited - In Liquidation

Joint Liquidators' detailed time costs summary for the period 21 December 2013 to 20 December 2014

Description	PARTNER		MANAGER		ASSISTANT MANAGER		SENIOR ADMINISTRATOR		GRAND TOTAL		AVERAGE HOURLY RATE
	Hours	Total £	Hours	Total £	Hours	Total £	Hours	Total £	Hours	Total £	
C Planning and Strategy			1 60	358 80	7 35	1,345 05			8 95	1,703 85	190 37
D General Administration	1 25	576 25	2 10	426 30	16 75	3,086 95	6 90	1,069 50	27 00	5,159 00	191 07
E Assets Realisation/Dealing			13 55	3,379 65	1 95	366 15			15 50	3,745 80	241 66
H Creditor Claims			0 70	142 10	1 40	256 20			2 10	398 30	189 67
I Reporting			7 50	1,522 50	4 70	860 10			12 20	2,382 60	195 30
J Distribution and Closure			0 30	60 90					0 30	60 90	203 00
Total	1 25	576 25	25 75	5,890 25	32 15	5,914 45	6 90	1,069 50	66 05	13,450 45	203 64



Appendix 4 - A schedule of office holder's normal charge-out rates and disbursements

BDO LLP

Schedule of Office Holders' Normal Charge-Out Rates and Disbursements

Normal Charge-Out Rates

The table detailed below sets out the hourly charge-out rates utilised by BDO LLP in the North Region for charging staff time

Job Title	Hourly Rates £
Partner	461
Director	319
Senior Manager	271
Manager	230
Assistant Manager	183
Supervisor	172
Senior Administrator/Administrator/Assistant Administrator	172 - 155
Secretarial & Support Staff	63

It should be noted that the above rates increase from time to time over the period of the administration of each insolvency case. Time is charged in increments of 6 minutes.

Category 1 Disbursements

Category 1 disbursements: These are costs where there is a specific expenditure directly referable both to the appointment in question and a payment to an independent third party. These may include, for example, advertising, room hire, storage, postage telephone charges, travel expenses, and equivalent costs reimbursed to the office holder or his or her staff.

All category 1 disbursements will be charged at the actual cost incurred.

Category 2 Disbursements

Category 2 disbursements. These are costs that are directly referable to the appointment in question but not to a payment to an independent third party. They may include shared or allocated costs that can be allocated to the appointment on a proper and reasonable basis, for example, business mileage, internal room hire, storage and photocopying and printing.

Category 2 disbursements are subject to approval and as part of the approval process the basis on which these costs are calculated and charged will be explained.

Mileage is currently charged at 45 pence per mile with an additional surcharge of 5 pence if there is a passenger(s).



Appendix 5 - Creditors' guide to Insolvency Practitioners' fees in Liquidation

A CREDITORS' GUIDE TO LIQUIDATORS' FEES

ENGLAND AND WALES

1 Introduction

- 1 1 When a company goes into liquidation the costs of the proceedings are paid out of its assets. The creditors, who hope to recover some of their debts out of the assets, therefore have a direct interest in the level of costs, and in particular the remuneration of the insolvency practitioner appointed to act as liquidator. The insolvency legislation recognises this interest by providing mechanisms for creditors to fix the basis of the liquidator's fees. This guide is intended to help creditors be aware of their rights to approve and monitor fees and explains the basis on which fees are fixed.

2 Liquidation procedure

- 2 1 Liquidation (or 'winding up') is the most common type of corporate insolvency procedure. Liquidation is the formal winding up of a company's affairs entailing the realisation of its assets and the distribution of the proceeds in a prescribed order of priority. Liquidation may be either voluntary, when it is instituted by resolution of the shareholders, or compulsory, when it is instituted by order of the court.
- 2 2 Voluntary liquidation is the more common of the two. An insolvent voluntary liquidation is called a creditors' voluntary liquidation (often abbreviated to 'CVL'). In this type of liquidation an insolvency practitioner acts as liquidator throughout and the creditors can vote on the appointment of the liquidator at the first meeting of creditors.
- 2 3 In a compulsory liquidation on the other hand, the function of liquidator is, in most cases, initially performed not by an insolvency practitioner but by an official called the official receiver. The official receiver is an officer of the court and a member of The Insolvency Service, an executive agency within the Department of Trade and Industry. In most compulsory liquidations, the official receiver becomes liquidator immediately on the making of the winding-up order. Where there are significant assets an insolvency practitioner will usually be appointed to act as liquidator in place of the official receiver, either at a meeting of creditors convened for the purpose or directly by the Secretary of State for Trade and Industry. Where an insolvency practitioner is not appointed the official receiver remains liquidator.
- 2 4 Where a compulsory liquidation follows immediately on an administration the court may appoint the former administrator to act as liquidator. In such cases the official receiver does not become liquidator. An administrator may also subsequently act as liquidator in a CVL.

3 The liquidation committee

- 3 1 In a liquidation (whether voluntary or compulsory) the creditors have the right to appoint a committee called the liquidation committee, with a minimum of 3 and a maximum of 5 members, to monitor the conduct of the liquidation and approve the liquidator's fees. The committee is usually established at the creditors' meeting which appoints the liquidator, but in cases where a liquidation follows immediately on an administration any committee established for the purposes of the administration will continue in being as the liquidation committee.
- 3 2 The liquidator must call the first meeting of the committee within 3 months of its establishment (or his appointment if that is later), and subsequent meetings must be held either at specified dates agreed by the committee, or when requested by a member of the committee, or when the liquidator decides he needs to hold one. The liquidator is required to report to the committee at least every 6 months on the progress of the liquidation, unless the committee directs otherwise. This provides an opportunity for the committee to monitor and discuss the progress of the insolvency and the level of the liquidator's fees.

4 Fixing the liquidator's fees

- 4 1 The basis for fixing the liquidator's remuneration is set out in Rules 4.127 - 4.127B of the Insolvency Rules 1986. The Rules state that the remuneration shall be fixed either
- a) as a percentage of the value of the assets which are realised or distributed or both, or
 - b) by reference to the time properly given by the liquidator and his staff in attending to matters arising in the liquidation.
- 4 2 It is for the liquidation committee (if there is one) to determine on which of these bases the remuneration is to be fixed, and if it is to be fixed as a percentage, to fix the percentage to be applied. Rule 4.127 says that in arriving at its decision the committee shall have regard to the following matters
- the complexity (or otherwise) of the case,
 - any responsibility of an exceptional kind or degree which falls on the liquidator in connection with the insolvency,
 - the effectiveness with which the liquidator appears to be carrying out, or to have carried out, his duties,
 - the value and nature of the assets which the liquidator has to deal with.
- 4 3 If there is no liquidation committee, or the committee does not make the requisite determination, the liquidator's remuneration may be fixed by a resolution of a meeting of creditors. The creditors take account of the same matters as the committee would. A resolution specifying the terms on which the liquidator is to be remunerated may be taken at the meeting which appoints the liquidator. If the remuneration is not fixed in any of these ways, it will be in accordance with a scale set out in the Rules.

5 What information should be provided by the liquidator?

5 1 When seeking fee approval

- 5 1 1 When seeking agreement to his fees the liquidator should provide sufficient supporting information to enable the committee or the creditors to form a judgement as to whether the proposed fee is reasonable having regard to all the circumstances of the case. The nature and extent of the supporting information which should be provided will depend on

- the nature of the approval being sought,
- the stage during the administration of the case at which it is being sought, and
- the size and complexity of the case

5 1 2 Where, at any creditors' or committee meeting, the liquidator seeks agreement to the terms on which he is to be remunerated, he should provide the meeting with details of the charge-out rates of all grades of staff, including principals, which are likely to be involved on the case

5 1 3 Where the liquidator seeks agreement to his fees during the course of the liquidation, he should always provide an up to date receipts and payments account. Where the proposed fee is based on time costs the liquidator should disclose to the committee or the creditors the time spent and the charge-out value in the particular case, together with, where appropriate, such additional information as may reasonably be required having regard to the size and complexity of the case. The additional information should comprise a sufficient explanation of what the liquidator has achieved and how it was achieved to enable the value of the exercise to be assessed (whilst recognising that the liquidator must fulfil certain statutory obligations that might be seen to bring no added value for creditors) and to establish that the time has been properly spent on the case. That assessment will need to be made having regard to the time spent and the rates at which that time was charged, bearing in mind the factors set out in paragraph 4 1 above. To enable this assessment to be carried out it may be necessary for the liquidator to provide an analysis of the time spent on the case by type of activity and grade of staff. The degree of detail will depend on the circumstances of the case, but it will be helpful to be aware of the professional guidance which has been given to insolvency practitioners on this subject. The guidance suggests the following areas of activity as a basis for the analysis of time spent:

- Administration and planning
- Investigations
- Realisation of assets
- Trading
- Creditors
- Any other case-specific matters

The following categories are suggested as a basis for analysis by grade of staff

- Partner
- Manager
- Other senior professionals
- Assistants and support staff

The explanation of what has been done can be expected to include an outline of the nature of the assignment and the liquidator's own initial assessment, including the anticipated return to creditors. To the extent applicable it should also explain:

- Any significant aspects of the case, particularly those that affect the amount of time spent
- The reasons for subsequent changes in strategy
- Any comments on any figures in the summary of time spent accompanying the request the liquidator wishes to make
- The steps taken to establish the views of creditors, particularly in relation to agreeing the strategy for the assignment, budgeting, time recording, fee drawing or fee agreement
- Any existing agreement about fees
- Details of how other professionals, including subcontractors, were chosen, how they were contracted to be paid, and what steps have been taken to review their fees

It should be borne in mind that the degree of analysis and form of presentation should be proportionate to the size and complexity of the case. In smaller cases not all categories of activity will always be relevant, whilst further analysis may be necessary in larger cases.

5 1 4 Where the fee is charged on a percentage basis the liquidator should provide details of any work which has been or is intended to be sub-contracted out which would normally be undertaken directly by a liquidator or his staff

5 2 After fee approval

Where a resolution fixing the basis of fees is passed at any creditors' meeting held before he has substantially completed his functions, the liquidator should notify the creditors of the details of the resolution in his next report or circular to them. When subsequently reporting to creditors on the progress of the liquidation, or submitting his final report, he should specify the amount of remuneration he has drawn in accordance with the resolution. Where the fee is based on time costs he should also provide details of the time spent and charge-out value to date and any material changes in the rates charged for the various grades since the resolution was first passed. He should also provide such additional information as may be required in accordance with the principles set out in paragraph 5 1 3. Where the fee is charged on a percentage basis the liquidator should provide the details set out in paragraph 5 1.4 above regarding work which has been sub contracted out.

5 3 Expenses and disbursements

There is no statutory requirement for the committee or the creditors to approve the drawing of expenses or disbursements. However, professional guidance issued to insolvency practitioners requires that, where the liquidator proposes to recover costs which, whilst being in the nature of expenses or disbursements, may include an element of shared or allocated costs

(such as room hire, document storage or communication facilities provided by the liquidator's own firm), they must be disclosed and be authorised by those responsible for approving his remuneration. Such expenses must be directly incurred on the case and subject to a reasonable method of calculation and allocation

5 4 Realisations for secured creditors

Where the liquidator realises an asset on behalf of a secured creditor and receives remuneration out of the proceeds (see paragraph 8 1 below), he should disclose the amount of that remuneration to the committee (if there is one), to any meeting of creditors convened for the purpose of determining his fees, and in any reports he sends to creditors

5 5 Reporting in compulsory liquidations

It should be borne in mind that in compulsory liquidations there is no statutory requirement for the liquidator to report to creditors until the conclusion of the assignment. In most such cases, therefore, creditors will receive no information during the course of the liquidation unless they specifically request it

6 What if a creditor is dissatisfied?

6 1 Except in cases where there is a liquidation committee it is the creditors as a body who have authority to approve the liquidator's fees. To enable them to carry out this function they may require the liquidator to call a creditors' meeting. In order to do this at least ten per cent in value of the creditors must concur with the request, which must be made to the liquidator in writing

6 2 If a creditor believes that the liquidator's remuneration is too high he may, if at least 25 per cent in value of the creditors (including himself) agree, apply to the court for an order that it be reduced. If the court does not dismiss the application (which it may if it considers that insufficient cause is shown) the applicant must give the liquidator a copy of the application and supporting evidence at least 14 days before the hearing. Unless the court orders otherwise, the costs must be paid by the applicant and not out of the assets of the insolvent company

7 What if the liquidator is dissatisfied?

If the liquidator considers that the remuneration fixed by the committee is insufficient he may request that it be increased by resolution of the creditors. If he considers that the remuneration fixed by the committee or the creditors or in accordance with the statutory scale is insufficient, he may apply to the court for it to be increased. If he decides to apply to the court he must give at least 14 days' notice to the members of the committee and the committee may nominate one or more of its members to appear or be represented at the court hearing. If there is no committee, the liquidator's notice of his application must be sent to such of the creditors as the court may direct, and they may nominate one or more of their number to appear or be represented. The court may order the costs to be paid out of the assets

8 Other matters relating to fees

8 1 Where the liquidator realises assets on behalf of a secured creditor he is entitled to be remunerated out of the proceeds of sale in accordance with a scale set out in the Rules. Usually, however, the liquidator will agree the basis of his fee for dealing with charged assets with the secured creditor concerned

8 2 Where two (or more) joint liquidators are appointed it is for them to agree between themselves how the remuneration payable should be apportioned. Any dispute between them may be referred to the court, the committee or a meeting of creditors.

8 3 If the appointed liquidator is a solicitor and employs his own firm to act in the insolvency, profit costs may not be paid unless authorised by the committee, the creditors or the court

8 4 There may also be occasions when creditors will agree to make funds available themselves to pay for the liquidator to carry out tasks which cannot be paid for out of the assets, either because they are deficient or because it is uncertain whether the work undertaken will result in any benefit to creditors. Arrangements of this kind are sometimes made to fund litigation or investigations into the affairs of the insolvent company. Any arrangements of this nature will be a matter for agreement between the liquidator and the creditors concerned and will not be subject to the statutory rules relating to remuneration.

9 Provision of information - additional requirements

In any case where the liquidator is appointed on or after 1 April 2005 he must provide certain information about the time spent on the case, free of charge, upon request by any creditor, director or shareholder of the company

The information which must be provided is -

- the total number of hours spent on the case by the liquidator or staff assigned to the case,
- for each grade of staff, the average hourly rate at which they are charged out,
- the number of hours spent by each grade of staff in the relevant period

The period for which the information must be provided is the period from appointment to the end of the most recent period of six months reckoned from the date of the liquidator's appointment, or where he has vacated office, the date that he vacated office

The information must be provided within 28 days of receipt of the request by the liquidator, and requests must be made within two years from vacation of office



Appendix 6 - Statement from the Insolvency Rules 1986 (as amended) regarding the rights of creditors in respect of the Joint Liquidators' fees and expenses



Statement from the Insolvency Rules 1986 (as amended) regarding the rights of creditors in respect of the Joint Liquidators' fees and expenses:

Rule 4.49E Creditors' and members' request for further information

(1) If-

- (a) within the period mentioned in paragraph (2)-
 - (i) a secured creditor, or
 - (ii) an unsecured creditor with the concurrence of at least 5% in value of the unsecured creditors (including the creditor in question), or
 - (iii) members of the company in a members' voluntary winding up with at least 5% of the total voting rights of all the members having the right to vote at general meetings of the company, or
- (b) with the permission of the court upon an application made within the period mentioned in paragraph (2)-
 - (i) any unsecured creditor, or
 - (ii) any member of the company in a members' voluntary winding up,

makes a request in writing to the liquidator for further information about remuneration or expenses set out in a progress report in accordance with Rule 4.49B(1)(e) or (f) (including by virtue of Rule 4.49C(5)) or in a draft report under Rule 4.49D, the liquidator must, within 14 days of receipt of the request, comply with paragraph (3) except to the extent that the request is in respect of matter[s] in a draft report under Rule 4.49D or a progress report required by Rule 4.108 which (in either case) was previously included in a progress report not required by Rule 4.108

(2) The period referred to in paragraph (1)(a) and (b) is-

- (a) 7 business days of receipt (by the last of them in the case of an application by more than one member) of the progress report where it is required by Rule 4.108, and
- (b) 21 days of receipt (by the last of them in the case of an application by more than one member) of the report or draft report in any other case

(3) The liquidator complies with this paragraph by either-

- (a) providing all of the information asked for, or
- (b) so far as the liquidator considers that-
 - (i) the time or cost of preparation of the information would be excessive, or
 - (ii) disclosure of the information would be prejudicial to the conduct of the liquidation or might reasonably be expected to lead to violence against any person, or
 - (iii) the liquidator is subject to an obligation of confidentiality in respect of the information, giving reasons for not providing all of the information

Rule 4.131 Creditors' claim that remuneration is or other expenses are excessive

- (1) Any secured creditor, or any unsecured creditor with either the concurrence of at least 10% in value of the creditors (including that creditor) or the permission of the court, may apply to the court for one or more of the orders in paragraph (4)
- (1A) Application may be made on the grounds that-
 - (a) the remuneration charged by the liquidator,

- (b) the basis fixed for the liquidator's remuneration under Rule 4 127, or
- (c) expenses incurred by the liquidator,

is or are, in all the circumstances, excessive or, in the case of an application under sub paragraph (b), inappropriate

- (1B) The application must, subject to any order of the court under Rule 4 49E(5), be made no later than 8 weeks (or, in a case falling within Rule 4 108, 4 weeks) after receipt by the applicant of the progress report, or the draft report under Rule 4 49D, which first reports the charging of the remuneration or the incurring of the expenses in question ("the relevant report")
- (2) The court may, if it thinks that no sufficient cause is shown for a reduction, dismiss the application, but it shall not do so unless the applicant has had an opportunity to attend the court for a hearing, of which he has been given at least 5 business days' notice but which is without notice to any other party

If the application is not dismissed under this paragraph, the court shall fix a venue for it to be heard, and give notice to the applicant accordingly.
- (3) The applicant shall, at least 14 days before the hearing, send to the liquidator a notice stating the venue and accompanied by a copy of the application, and of any evidence which the applicant intends to adduce in support of it
- (4) If the court considers the application to be well-founded, it must make one or more of the following orders-
 - (a) an order reducing the amount of remuneration which the liquidator was entitled to charge,
 - (b) an order fixing the basis of remuneration at a reduced rate or amount,
 - (c) an order changing the basis of remuneration;
 - (d) an order that some or all of the remuneration or expenses in question be treated as not being expenses of the liquidation,
 - (e) an order that the liquidator or the liquidator's personal representative pay to the company the amount of the excess of remuneration or expenses or such part of the excess as the court may specify,and may make any other order that it thinks just, but an order under sub-paragraph (b) or (c) may be made only in respect of periods after the period covered by the relevant report
- (5) Unless the court orders otherwise, the costs of the application shall be paid by the applicant, and are not payable as an expense of the liquidation

**Notice of meeting of creditors
of
Centerpac Limited - In Liquidation**

TAKE NOTICE that a meeting of the creditors of Centerpac Limited is to be held

At BDO LLP, 1 Bridgewater Place, Water Lane, Leeds, LS11 5RU

On 13 March 2015

At 10:30am

To consider whether creditors wish to form a creditors' committee and to vote on the following ordinary resolution proposed at the meeting:

- 1 That the Joint Liquidators' remuneration be fixed by reference to the time properly given by them and their staff in attending to matters arising in the Liquidation

Creditors who wish to be represented and vote at the meeting should complete and return the Proxy Form (please ensure that a representatives name(s) or "the Chairman of the Meeting" is written on the Proxy Form), together with a completed proof of debt Form and any supporting documentation to the Joint Liquidators by 12 noon on the business day preceeding the meeting, unless this has already been submitted.

Any questions regarding this notice or the meeting should be addressed to the Joint Liquidators at BDO LLP, 1 Bridgewater Place, Water Lane, Leeds, LS11 5RU


F G Newton
Joint Liquidator

13 February 2015

Proxy (Members' or Creditors' Voluntary Winding Up)

Centerpac Limited - In Liquidation

Name of Creditor/Member _____

Address _____

Please insert name of person (who must be 18 or over) or the chairman of the meeting (see note below) if you wish to provide for alternative proxy holders in the circumstances that your first choice is unable to attend please state the name(s) of the alternatives as well

If you nominate the chairman of the meeting to be your proxy holder he will either be a director of the company or the current liquidator

Name of Proxy Holder

1 _____

2 _____

3 _____

Please delete words in brackets if the proxy holder is only to vote as directed i.e. he has no discretion

I appoint the above person to be my/the creditor's/member's proxy holder at the meeting of creditors/members to be held on 13 March 2014, or at any adjournment of that meeting. The proxy holder is to propose or vote as instructed below [and in respect of any resolution for which no specific instruction is given, may vote or abstain at his/her discretion]

Resolution to be proposed and voting Instructions:

*Delete as applicable

- 1 That the Joint Liquidators' remuneration be fixed by reference to the time properly given by them and their staff attending to matters arising in the Liquidation.
*FOR / AGAINST

*Please delete either FOR / AGAINST as appropriate.

Creditors' Committee:

for the appointment of _____

of _____

representing (if appropriate): _____

as a member of the creditors' committee

[In the event of further resolutions being proposed the proxy-holder may vote or abstain in any further ballot at his/her discretion]

Delete words in brackets if the proxy holder is only to vote as directed i.e. he has no discretion

Any other resolutions which the proxy holder is to propose or vote in favour of or against should be set out in numbered paragraphs in the space provided

If more room is required please use the other side of this form

This form must be signed

Signature _____ Date _____

Name in CAPITAL LETTERS _____

Position with creditor/member or relationship to creditor/member or other authority for signature _____

Only to be completed if the creditor/member has not signed in person

Proof of Debt - General Form

Centerpac Limited - In Liquidation

1	Name of creditor (If a company please also give company registration number)	
2	Address of creditor for correspondence	
2a	Email address (By including an email address on this form you are consenting to receive future correspondence by email)	
2b	Your reference or account number If applicable	
3	Total amount of claim Include any Value Added Tax and outstanding uncapitalised interest as at the date the company went into liquidation	£
4	Details of any documents by reference to which the debt can be substantiated Please attach any such supporting documentation to this form	
5	Uncapitalised interest If amount in 3 above includes outstanding uncapitalised interest please state amount	£
6	Particulars of how and when debt incurred If you need more space append a continuation sheet to this form	
7	Particulars of any security held Include the value of the security and the date it was given	
8	Particulars of any reservation of title Include full details of the goods supplied to which the claim relates	
9	Signature of creditor or person authorised to act on his behalf _____ Name in BLOCK LETTERS _____ Position with or in relation to creditor _____ Address of person signing _____ (if different from 2 above) _____	

To be completed by the joint liquidators when admitting claims

Admitted to vote for £ _____	Admitted for dividend for £ _____
Date _____	Date _____
Joint Liquidator _____	Joint Liquidator _____