

The Insolvency Act 1986

Liquidator's Progress
Report**S.192**Pursuant to Sections 92A and 104A
of the Insolvency Act 1986

For Official Use

To the Registrar of Companies

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Company Number

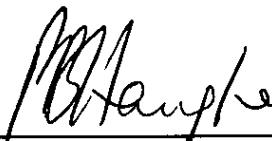
03254409

Name of Company

C & D Recruitment Limited

I / ~~We~~Patrick Bernard Harrington
Blandford House
77 Shrivenham Hundred Business Park
Majors Road, Watchfield
Swindon, SN6 8TYthe liquidator(s) of the company attach a copy of my/~~our~~ progress report
under section 192 of the Insolvency Act 1986

Signed



Date

19/09/2012

BHG, Chartered Accountants
Blandford House
77 Shrivenham Hundred Business Park
Majors Road, Watchfield
Swindon, SN6 8TY

Ref 63053/PBH

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Insolvency Sect

Post Room

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COMPANIES HOUSE

C & D Recruitment Limited
(In Liquidation)
Liquidator's Abstract of Receipts & Payments

Statement of Affairs		From 22/07/2011 To 21/07/2012	From 22/07/2010 To 21/07/2012
ASSET REALISATIONS			
NIL	Motor vehicles	NIL	NIL
13,495 51	Sundry debtors and prepayments	10,490 53	10,490 53
NIL	Due by associated company	NIL	NIL
	Tax refund	NIL	64,297 28
8,729 72	VAT refund	NIL	8,729 72
244,784 58	Cash at bank	NIL	244,784 58
55,000 00	Pre-packaged sale of business	NIL	55,000 00
	Bank interest gross	1,130 99	2,061 02
	Other gross interest	NIL	495 34
	Refund of OR's deposit - C&D Elite	NIL	715 00
	Contribution to costs of winding up	NIL	206 46
		<u>11,621 52</u>	<u>386,779 93</u>
COST OF ADMINISTRATION			
	Specific bond	NIL	1,200 00
	Administrator's fees	NIL	10,733 00
	Administrator's disbursements	NIL	13 80
	Liquidator's fees	24,622 00	45,228 00
	Office holder's expenses	13 60	62 75
	Records management costs	NIL	505 12
	Debt collection & payroll fees	NIL	2,850 00
		<u>(24,635 60)</u>	<u>(60,592 67)</u>
COST OF REALISATIONS			
	Search fees	6 60	6 60
	Corporation tax	390 26	650 45
	Statutory advertising	NIL	151 20
		<u>(396 86)</u>	<u>(808 25)</u>
322,009.81		<u>(13,410 94)</u>	<u>325,379.01</u>
REPRESENTED BY			
	VAT receivable		442 40
	Bank current account		124,150 48
	Bank deposit account		200,786 13
			<u>325,379.01</u>

Patrick Bernard Harrington
Liquidator

**C & D RECRUITMENT LIMITED
(IN CREDITORS VOLUNTARY LIQUIDATION)**

**THE LIQUIDATOR'S PROGRESS REPORT TO MEMBERS AND CREDITORS
FOR THE PERIOD
22 JULY 2011 TO 21 JULY 2012**

C & D Recruitment Limited (In Liquidation)

Liquidator's progress report to Members and Creditors for the period from 22 July 2011 to 21 July 2012

Introduction

I write to provide my progress report on the conduct of the liquidation for the period from 22 July 2011 to 21 July 2012

The report is dealt with under the following headings

- 1 Background
- 2 Assets specifically pledged
- 3 Assets not specifically pledged
- 4 Investigations
- 5 Costs of realisations
- 6 Preferential creditors
- 7 Unsecured creditors
- 8 Liquidators' remuneration and disbursements
- 9 Creditors' right of challenge
- 10 Conclusion of the liquidation

The following schedules are attached to the report

- 1 Receipts and Payments Account from 22 July 2011 to 21 July 2012
- 2 Liquidator's Time Analysis Summary

Further details about the amounts shown on the schedules are set out below

1. Background

The company, having previously been in Administration was, in accordance with a modification of the Administration proposals stipulated by a creditor, moved to Liquidation on 22 July 2010. Following a meeting of creditors held on 6 September 2010 my appointment as Liquidator was confirmed.

The company's registered number is 03254409 and the registered office is at Blandford House, 77 Shrivenham Hundred Business Park, Majors Road, Watchfield, Swindon SN6 8TY

The company's former registered office was at C & D House, College Court, Regent Circus, Swindon SN1 1PZ

The E C Regulations will apply

The company's principal activity was that of an employment business and agency

The main causes of the company's failure cited by the director were set out fully in the Administrator's proposals, but put simply the company was hit by three unforeseen events in the first few months of 2009 and the combined effect of those was to bring the company to the brink of failure

2. Assets specifically pledged

The trade debtors were secured by way of a Charge to a debt factoring company but these have been collected in the Administration and the Charge has been released

3. Assets not specifically pledged

The realisation of the company's assets during the period from 22 July 2010 to 21 July 2011 was dealt with in my first report. As reported, at the end of the first year the only remaining assets were the sundry debtors and prepayments totalling £13,495 51

Of this figure, £3,000 related to a security deposit in respect of some leased office premises which had been vacated a number of years before the onset of the Administration. I contacted the former managing agents for this property and was successful in realising the deposit in full

The balance of £10,495 51 related to the prepaid element of expenses which had been paid by the company prior to the onset of the Administration, but where the economic benefit of those costs would be spread over a number of months following payment and would therefore benefit the purchaser of the business

I reviewed this list with the purchasers of the business in order to eliminate those prepayments which were not transferrable and, after negotiation, agreed that a sum of £7,490 53 be paid in respect of the prepayments. I agreed that the settlement could be paid in instalments and the final instalment was received in June 2012. This concludes the realisation of the company's assets

Bank and other gross interest received during the period to 21 July 2012 totalled £1,130 99

There have been no other realisations during the period

4. Investigations

As previously reported, in accordance with the Company Directors Disqualification Act 1986 a report on the conduct of the directors of the company has been submitted to the Insolvency Service. In the period covered by this report no further work has been undertaken in this respect

Following conversations with the Official Receiver and, after conducting a review of the company's books, records and accounts, I investigated the possibility that the company might have had a claim for misfeasance against the former directors in respect of transactions between the company and its associated company

After taking legal advice and, having undertaken a detailed review of the issues involved, I do not believe that it would be in the interests of creditors to commence legal proceedings. I do not believe that, given the inherent uncertainty surrounding the outcome of any legal action undertaken, together with the uncertain financial position of those against whom a judgement would be made, the potential benefit of instigating legal proceedings outweighs the anticipated costs of doing so

I am undertaking other enquiries regarding the conduct of officers of the company and hope to conclude these enquiries before the end of 2012

5. Costs of realisations

The costs incurred in the liquidation are as detailed in the attached receipts and payments account and are, in the main, self explanatory

During the period 22 July 2011 to 21 July 2012 I have incurred no statutory costs

Other non statutory disbursements incurred during the period are as follows

Mileage & travel	£11 40
Search fees	£ 8 80

To date BHG, Chartered Accountants have been repaid £20 20 in respect of the disbursements detailed above

6. Preferential creditors

There are no preferential creditors

7. Unsecured creditors

I have received claims from unsecured creditors totalling £1,397,025 50 The estimated value of claims for creditors who were identified in the company's estimated statement of affairs but who have yet to submit a proof of debt to me total £427 There will be a dividend distribution to unsecured creditors and now that the company's assets have been realised in full, I will be looking to agree the creditor claims with a view to paying first distribution shortly

8. Liquidator's remuneration and disbursements

In the period since appointment I have incurred total time costs of £47,269 (£22,753 in the period from 22 July 2011 to 21 July 2012) which represents 209 6 hours of work at an average hourly rate of £225 52 An analysis of time costs, in accordance with Statement of Insolvency Practice No 9 issued by the Association of Business Recovery Professionals, R3, is attached

These amounts are calculated using BHG, Chartered Accountants' normal rates for time properly given by me and my staff in attending to matters arising in this insolvency Where members of my 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 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, have charged time directly to the assignment and are included in the analysis of time spent The cost of staff employed in secretarial functions is not charged directly to the assignment but is reflected in the general level of charge out rates

We would advise you that our scale rates increase from time to time over the period of the administration of each insolvency area A table detailing the charge out rates for BHG, Chartered Accountants for the years to 31 March 2012 and 2013 follows

	Average Charge Out Rates	
	2011-12	2012-13
Partner/Director	£340 per hour	£360 per hour
Senior Manager/Manager	£235 per hour	£250 per hour
Supervisor/Senior Administrator/Cashier	£170 per hour	£180 per hour
Administrators	£138 per hour	£148 per hour

A Creditors' Guide to Liquidator's fees can be found on the Insolvency Practitioners Association website www.insolvency-practitioners.org.uk/ A copy can be obtained from this office upon request

As previously reported, external disbursements incurred during the period to 21 July 2011 totalled £1,200. These are called Category 1 expenses and are expenses which are specifically identifiable to the case. Category 1 expenses totalling £8 80 were incurred during the period covered by this report.

Internal, or Category 2, expenses contain an element of overhead recovery. Category 2 disbursements totalling £3,355 12 were incurred in the period from appointment to 21 July 2011. In the period covered by this report Category 2 expenses totalling £11 40 were incurred.

9. Creditors' right of challenge

Within 21 days of receipt of a progress report a creditor may request the office holder to provide further information about the remuneration and expenses set out in that report.

Such a request must be made in writing and may be made by

- A secured creditor, or
- An unsecured creditor with the concurrence of at least 5% in value of the creditors (including that creditor) or the permission of the court.

The office holder must, within 14 days, provide the information requested unless he considers that

- The time or cost involved in preparing the information would be excessive, or
- Disclosure would be prejudicial to the conduct of the proceedings or might be expected to lead to violence against any person, or
- The office holder is subject to an obligation of confidentiality in relation to the information requested,

In which case he must give the reason(s) for not providing the information.

Any creditor may apply to the court within 21 days of the office holders' refusal to provide the information requested, or the expiry of 14 days time limit for the provision of the information.

If any creditor believes that the office holder's remuneration is, in all the circumstances, excessive, the basis is inappropriate, or the expenses incurred by the office holder are, in all the circumstances, excessive they may apply to the court.

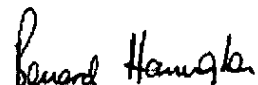
Application may be made to the court by any secured creditor or any unsecured creditor with either the concurrence of at least 10% in value of the creditors (including that creditor) or the permission of the court.

Any such application must be made within 8 weeks of the applicant receiving the office holder's progress report in which the charging of the remuneration or incurring of the expenses is first reported.

If the court considers the application to be well founded, it may order that the remuneration be reduced, the basis be changed, or the expenses disallowed or repaid. Unless the court orders otherwise, the costs of the application must be paid by the applicant and not out of the assets.

10. Conclusion of liquidation

Now that the realisation of the company's assets has been completed, I will engaged in agreeing the creditor claims with a view to paying a first distribution to unsecured creditors. If you have not already submitted a claim and wish to do so then please complete the enclosed proof of debt form



Bernard Harrington
Liquidator
14 September 2012

Attachments

- 1 Receipts and Payments Account from 22 July 2011 to 21 July 2012
- 2 Liquidators' Time Analysis Summary
- 3 Proof of debt form

**C & D RECRUITMENT LIMITED (IN LIQUIDATION)
LIQUIDATOR'S RECEIPTS AND PAYMENTS ACCOUNT
FOR THE PERIOD FROM 22 JULY 2011 TO 21 JULY 2012**

C & D Recruitment Limited
(In Liquidation)
Liquidator's Abstract of Receipts & Payments

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C & D RECRUITMENT LIMITED (IN LIQUIDATION)
LIQUIDATOR'S TIME ANALYSIS SUMMARY TO 21 JULY 2012

Classification of work function	Hours					Time cost £	Average hourly rate £
	Partner	Manager	Other senior professionals	Assistants & support staff	Total hours		
Administration and planning	4 1	11 2	-	6 9	22 2	4,945	222 75
Investigations & potential claims	19 9	13 3	-	3 2	36 4	10,136	278 47
Realisation of assets	2 1	6 9	-	2 7	11 7	2,646	226 11
Creditors	0 4	24 0	-	4 3	28 7	6,021	209 78
Case general & cashiering	5 2	8 5	7 9	27 3	48 9	10,072	205 98
Insolvency tax matters	1 9	1 1	30 2	6 6	39 8	9,462	237 73
Employees	0 3	6 2	-	15 4	21 9	3,988	182 09
Total hours	33 9	71 2	38 1	66 4	209 6		
Total fees claimed (£)	11,481	15,347	9,447	10,994	47,269		225 52

	<u>Average Rate (£)</u>
Partner	338 67
Manager	215 55
Other senior professionals	247 95
Assistants & support staff	165 57