

# LIQ03

## Notice of progress report in voluntary winding up



Companies House



A19 \*A885JE3F\* 22/06/2019 #60  
COMPANIES HOUSE

A16 \*A870NNZD\* 06/06/2019 #62  
COMPANIES HOUSE

### 1 Company details

Company number 0 3 6 8 5 4 5 6

Company name in full Chester-le-Track Limited

→ Filling in this form  
Please complete in typescript or in  
bold black capitals.

### 2 Liquidator's name

Full forename(s) Steven Philip

Surname Ross

### 3 Liquidator's address

Building name/number 1 St James' Gate

Street

Post town Newcastle upon Tyne

County/Region

Postcode N E 1 4 A D

Country

### 4 Liquidator's name ①

Full forename(s) Matthew

Surname Higgins

① Other liquidator  
Use this section to tell us about  
another liquidator.

### 5 Liquidator's address ①

Building name/number 1 ST JAMES GATE

Street

Post town NEWCASTLE UPON TYNE

County/Region

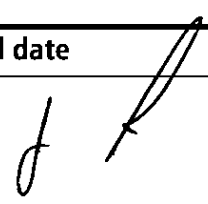
Postcode N E 1 4 A D

Country

① Other liquidator  
Use this section to tell us about  
another liquidator.

# LIQ03

## Notice of progress report in voluntary winding up

<b>6</b>	<b>Period of progress report</b>															
From date	d	2	d	5	m	0	m	4	y	2	y	0	y	1	y	8
To date	d	2	d	4	m	0	m	4	y	2	y	0	y	1	y	9
<b>7</b>	<b>Progress report</b>															
<input type="checkbox"/> The progress report is attached																
<b>8</b>	<b>Sign and date</b>															
Liquidator's signature	Signature 															
Signature date	d	0	d	7	m	0	m	6	y	2	y	0	y	1	y	9

# LIQ03

## Notice of progress report in voluntary winding up



### Presenter information

You do not have to give any contact information, but if you do it will help Companies House if there is a query on the form. The contact information you give will be visible to searchers of the public record.

Contact name	Steven Philip Ross
Company name	RSM Restructuring Advisory LLP
Address	1 St James' Gate
Post town	Newcastle upon Tyne
County/Region	
Postcode	N E 1 4 A D
Country	
DX	
Telephone	0191 255 7000



### Checklist

We may return forms completed incorrectly or with information missing.

Please make sure you have remembered the following:

- ☐ The company name and number match the information held on the public Register.
- ☐ You have attached the required documents.
- ☐ You have signed the form.



### Important information

All information on this form will appear on the public record.



### Where to send

You may return this form to any Companies House address, however for expediency we advise you to return it to the address below:

The Registrar of Companies, Companies House,  
Crown Way, Cardiff, Wales, CF14 3UZ.  
DX 33050 Cardiff.



### Further information

For further information please see the guidance notes on the website at [www.gov.uk/companieshouse](http://www.gov.uk/companieshouse) or email [enquiries@companieshouse.gov.uk](mailto:enquiries@companieshouse.gov.uk)

This form is available in an alternative format. Please visit the forms page on the website at [www.gov.uk/companieshouse](http://www.gov.uk/companieshouse)

**In the matter of**  
**Chester-le-Track Limited In Liquidation ('the Company')**  
**Joint Liquidators' progress report**  
**07 June 2019**

**Steven Philip Ross and Matthew Higgins - Joint Liquidators**  
**RSM Restructuring Advisory LLP**  
**1 St James' Gate**  
**Newcastle upon Tyne**  
**NE1 4AD**  
**Tel: 0191 255 7000**  
**Email: [restructuring.newcastle@rsmuk.com](mailto:restructuring.newcastle@rsmuk.com)**

## Sections

1. Progress of the liquidation in the previous twelve months
2. Details of what remains to be done and matters preventing closure
3. Creditors' claims and dividend prospects
4. Receipts and payments summary
5. Joint Liquidators' remuneration, expenses and disbursements
6. Creditors' right to information and ability to challenge remuneration and expenses

## Appendices

- A. Statutory and other information
- B. Dividend prospects
- C. Summary of receipts and payments
- D. RSM Restructuring Advisory LLP charging, expenses and disbursements policy statement
- E. RSM Restructuring Advisory LLP Newcastle current charge out and category 2 disbursement rates
- F. Statement of expenses incurred by the Joint Liquidators' in the period from 25 April 2018 to 24 April 2019

This report has been prepared in accordance with insolvency legislation to provide creditors, members and the registrar of companies with information relating to the progress of the liquidation in the period from 25 April 2018 to 24 April 2019.

This report has been prepared solely to comply with the statutory requirements of Section 104A of the Insolvency Act 1986 and the relevant legislation. It has not been prepared for use in respect of any other purpose, or to inform any investment decision in relation to any debt or financial interest in the Company. Any estimated outcomes for creditors are illustrative and may be subject to significant change.

Neither the Joint Liquidators nor RSM Restructuring Advisory LLP accept any liability whatsoever arising as a result of any decision or action taken or refrained from as a result of information contained in this report.

## **1 Progress of the liquidation in the previous twelve months**

### **1.1 Realisation of assets**

The Joint Liquidators are obliged to realise and get in the Company's property and maximise realisations. In some cases this does not result in sufficient realisations to enable a financial return to creditors, after taking into account the costs and expenses of realisation and dealing with the legislative requirements of administering the case. Details of the realisations made are set out below, with information relating to dividends, if any, contained within Appendix B.

#### **Office furniture and equipment**

Office furniture and equipment which had a book value of £1,638 had been estimated by the Director to realise £100. However, the assets had little or no value and it was not cost effective to instruct agents to collect and deal with the sale of the assets, as the costs of collection, outweighed their value.

#### **Commission/Book debts**

The company was due commission, in respect of ticket sales, which had been estimated in the director to realise £24,122.

In the current reporting period, £20,695.39 has been recovered, however a payment of £6,573.14 was received in error and subsequently returned to the correct 3rd party.

The final book debt has recently been received however, the receipt was outside the date of the current reporting period.

#### **Cash at bank**

£411.62 was recovered from the company's bankers.

#### **Potential claim for compensation for mis-selling of interest rate hedging product**

The Joint Liquidators have now completed their investigations and confirmed that, there is no evidence of mis-selling and therefore no redress due to the Company.

### **1.2 Connected party transactions**

There are no connected party transactions in this matter, as far as we are aware.

### **1.3 Investigations**

In accordance with our statutory obligations, we have filed the appropriate documentation with the Department for Business, Energy and Industrial Strategy (DBIS) in relation to the conduct of the directors. I can advise you that, following my initial assessment, no further investigations were deemed necessary

### **1.4 Administration and planning**

Certain aspects of the work that the Joint Liquidators undertake are derived from the underlying legal and regulatory framework for cases of this nature. This work, which does not usually result in any direct financial return to creditors, is a necessary aspect of ensuring that the Joint Liquidators are complying with both their legislative and best practice responsibilities, and ensuring that the case is managed efficiently and effectively.

It includes matters such as:

- Periodic case reviews, ongoing case planning and strategy
- Maintaining and updating computerised case management records
- Dealing with routine correspondence not attributable to other categories of work
- Ongoing consideration of ethical and anti-money laundering regulations
- General taxation matters, including seeking tax clearance from HMRC
- Preparation of receipts and payments accounts, maintenance of cashing records
- Pension schemes, liaising with PPF/Pensions Regulator/Trustees and
- Consideration of Health and Safety and environmental regulations.

## **1.5 Assets remaining to be realised**

All assets have now been recovered in full.

## **2 Creditors' claims and dividend prospects**

Dividend prospects and projected returns to creditors, where known, are detailed in Appendix B, including any amount under the prescribed part, if any. Please note that these are indicative only and should not be used as the sole or principal basis for any bad debt provision or other purposes. They may be subject to revision and additional costs.

The agreement of creditors' claims by the Joint Liquidators is a separate matter and will be dealt with as appropriate in due course, initially by reference to the proofs of debt lodged in the proceedings by creditors themselves.

The Joint Liquidators are obliged to deal with a number of matters in relation to creditors to comply with both the legislative and best practice requirements and to ensure creditors are kept informed. Creditors will only derive an indirect financial return from this work on cases where a dividend has been paid or is due to be paid in the subsequent liquidation.

These matters include:

- Preparation and issue of progress reports and associated documentation;
- Maintenance of schedules of preferential and unsecured creditors' claims;
- Dealing with correspondence and telephone calls;
- Where necessary, consideration of creditors' claims; acceptance or rejection of claims and complying with legislative obligations in relation to adjudication of creditors' claims generally for voting and, if applicable, dividend purposes;
- Review of creditor claim supporting documentation; and
- Calculation and payment of dividends to one or more classes of creditors.

## **2.1 Prescribed part**

The 'Prescribed Part' is a statutory amount, calculated as a percentage of net floating charge realisations, which entitles unsecured creditors to a share of realisations. This is calculated on a sliding scale up to maximum of £600,000 before costs.

There are no creditors secured by charges over the assets and undertakings of the Company. There is therefore no requirement to estimate the amount of the prescribed part of the assets under Section 176A of the Insolvency Act 1986.

## **3 Receipts and payments summary**

We attach as Appendix C a summary of our receipts and payments for the period from 25 April 2018 to 24 April 2019.

### **3.1 VAT basis**

Receipts and payments are shown net of VAT, with any amount due to or from HM Revenue and Customs shown separately.

#### **4 Joint Liquidators' remuneration, expenses and disbursements**

##### **4.1 Authority for remuneration, disbursements and expenses**

For a fixed amount of £12,500 plus VAT in accordance with the fee scope and assumptions dated 10 May 2018. The Joint Liquidators cannot draw more than this amount without obtaining the further approval of the general body of creditors.

##### **4.2 Remuneration and disbursements incurred in the period from 25 April 2018 to 24 April 2019 and since appointment**

Sums drawn, both in respect of the current period of the report, and since appointment, in accordance with the relevant approval set out above, are detailed in the attached receipts and payments account.

##### **4.3 Expenses and disbursements**

Attached are the Joint Liquidators' charging, expenses and disbursement policy statement, together with the current rates. Details of the expenses including category 1 and category 2 disbursements that the Joint Liquidators have incurred in the period of the report are also attached at Appendix F. Expenses paid in the period, along with cumulative figures, are shown in the attached receipts and payments account.

##### **Other professional costs**

Whilst professional costs are not subject to approval by the relevant approving body, all professional costs are subject to review before being paid.

Robert Gale & Co Accountants were instructed to review the company's records and bring the VAT returns up to date. Their fees were agreed at £850 plus VAT which have been paid.

##### **4.4 Pre-appointment fees and expenses**

Approval for the Joint Liquidators' reasonable and necessary expenses for assisting the directors with the preparation of the statement of affairs and in seeking the creditors' nomination of liquidator through the deemed consent procedure was obtained by a qualifying decision procedure by creditors on 30 May 2018. These costs have been paid from assets realised in the Liquidation.

#### **5 Creditors' right to information and ability to challenge remuneration and expenses**

In accordance with the provisions of the relevant legislation creditors have a right to request further information about remuneration or expenses and to challenge such remuneration or expenses.

A request for further information must be made in writing within 21 days of receipt of this report.

Any secured creditor, or any unsecured creditor with either the concurrence of at least 10% in value of the unsecured creditors (including that creditor) or the permission of the court, may apply to court that the remuneration charged, the basis fixed or expenses incurred by the liquidator are in all the circumstances excessive.

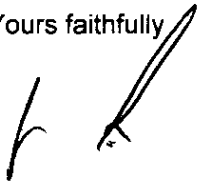
Any such challenge must be made no later than eight weeks after receipt of the report which first discloses the charging of remuneration or incurring of the expenses in question.

A Guide to Liquidators Fees, which provides information for creditors in relation to the remuneration of a Liquidator, can be accessed at <http://rsm.insolvencypoint.com/1102700> under 'general information for creditors'. A hard copy can be requested from my office by telephone, email or in writing.



Should you have any further queries please do not hesitate to contact me.

Yours faithfully



**Steven Philip Ross**  
**RSM Restructuring Advisory LLP**  
Joint Liquidator

Steven Philip Ross is licensed to act as an Insolvency Practitioner in the UK by the Institute of Chartered Accountants in England and Wales  
Matthew Higgins is licensed to act as an Insolvency Practitioner in the UK by the Institute of Chartered Accountants in England and Wales  
Insolvency Practitioners are bound by the Insolvency Code of Ethics when carrying out all professional work relating to an insolvency appointment

## Appendix A

### Statutory and other information

Company Information	
Company name:	Chester-le-Track Limited
Company number:	03685456
Date of incorporation:	17 December 1998
Previous company names:	None
Trading address:	The Railway Station, Station Road, Pelton, Chester le Street Co Durham DH2 1LX
Principal activity:	Passenger rail transport
Registered office:	RSM Restructuring Advisory LLP 1 St James' Gate Newcastle upon Tyne NE1 4AD

Liquidation information		
Joint Liquidators:	Steven Philip Ross and Matthew Higgins	
Date of appointment:	25/04/2018	
Functions:	<p>The Joint Liquidators' appointment specified that they would have power to act jointly and severally.</p> <p>The Joint Liquidators' have exercised, and will continue to exercise, all of their functions jointly and severally as stated in the notice of appointment.</p>	
Correspondence address and contact details of case manager	Martin Madgwick 0191 255 7000 RSM Restructuring Advisory LLP, 1 St James' Gate, Newcastle upon Tyne, NE1 4AD	
Name, address and contact details of Joint Liquidators	<b>Primary Office Holder</b>  Steven Philip Ross RSM Restructuring Advisory LLP 1 St James' Gate, Newcastle upon Tyne, NE1 4AD  0191 255 7000 IP Number: 9503	<b>Joint Office Holder</b>  Matthew Higgins RSM Restructuring Advisory LLP 1 St James Gate, Newcastle Upon Tyne NE1 4AD  0191 255 7000 IP Number: 13570

## Appendix B

### Dividend Prospects

Dividends	Owed*	Paid to Date	Estimated future Prospects
Unsecured creditors	£737,019	NIL	not known
Estimated net property	£N/A		
Estimated prescribed part available for unsecured creditors	£N/A		

\*Per Statement of Affairs

Any estimated outcome for creditors is illustrative and may be subject to change.

**Chester-le-Track Limited**  
**In Liquidation**  
**Joint Liquidators' Summary of Receipts & Payments**

Statement of Affairs £		From 25/04/2018 To 24/04/2019 £	From 25/04/2018 To 24/04/2019 £
	<b>ASSET REALISATIONS</b>		
	Bank Interest Gross	6.13	6.13
24,122.00	Book Debts	20,695.39	20,695.39
2.00	Cash at Bank on Appointment	411.62	411.62
100.00	Furniture & Equipment	NIL	NIL
		21,113.14	21,113.14
	<b>COST OF REALISATIONS</b>		
	Book debt received in error	6,573.14	6,573.14
	Bordereau Premium	85.00	85.00
	Office Holders Expenses		
	Postage	20.84	20.84
	Robert Gale & Co - Accountancy fees	850.00	850.00
	RSM - Office Holders Fees	5,000.00	5,000.00
	RSM - Preparation of S. of A.	6,000.00	6,000.00
	Statutory Advertising	253.80	253.80
	Website Charge	13.00	13.00
		(18,795.78)	(18,795.78)
	<b>UNSECURED CREDITORS</b>		
(700,500.00)	Associated Creditors	NIL	NIL
(30,000.00)	Employees	NIL	NIL
(6,484.00)	Trade & Expense Creditors	NIL	NIL
		NIL	NIL
	<b>DISTRIBUTIONS</b>		
(1,000.00)	Opening Balance	NIL	NIL
		NIL	NIL
<b>(713,760.00)</b>		<b>2,317.36</b>	<b>2,317.36</b>
	<b>REPRESENTED BY</b>		
	Allied Irish Current Account		2,317.36
	VAT Inputs (Outputs)		(2,274.53)
	Vat Receivable		2,274.53
			<b>2,317.36</b>

## Appendix D

### RSM Restructuring Advisory LLP charging, expenses and disbursements policy statement

#### Charging policy

- Partners, directors, managers, administrators, cashiers, secretarial and support staff are allocated an hourly charge out rate which is reviewed from time to time.
- Work undertaken by cashiers, secretarial and support staff will be or has been charged for separately and such work will not or has not also been charged for as part of the hourly rates charged by partners, directors, managers and administrators.
- Time spent by partners and all staff in relation to the insolvency estate is charged to the estate.
- Time is recorded in 6-minute units at the rates prevailing at the time the work is done.
- The current charge rates for RSM Restructuring Advisory LLP Newcastle are attached.
- Time billed is subject to Value Added Tax at the applicable rate, where appropriate.
- It is the office holder's policy to ensure that work undertaken is carried out by the appropriate grade of staff required for each task, having regard to its complexity and the skill and experience actually required to perform it.
- RSM Restructuring Advisory LLP's charge out rates are reviewed periodically.

#### Expenses and disbursements policy

- Only expenses and disbursements properly incurred in relation to an insolvency estate are re-charged to the insolvency estate.
- Expenses and disbursements which comprise external supplies of incidental services specifically identifiable to the insolvency estate require disclosure to the relevant approving party, but do not require approval of the relevant approving party prior to being drawn from the insolvency estate. These are known as 'category 1' disbursements.
- Expenses and disbursements which are not capable of precise identification and calculation (for example any which include an element of shared or allocated costs) or payments to outside parties that the firm or any associate has an interest, require the approval of the relevant approving party prior to being drawn from the insolvency estate. These are known as 'category 2' disbursements.
- A decision regarding the approval of category 2 disbursements at the rates prevailing at the time the cost is incurred to RSM Restructuring Advisory LLP Newcastle will be sought from the relevant approving party in accordance with the legislative requirements.
- General office overheads are not re-charged to the insolvency estate as a disbursement.
- Any payments to outside parties in which the office holder or his firm or any associate has an interest will only be made with the approval of the relevant approving party.
- Expenses and disbursements re-charged to or incurred directly by an insolvency estate are subject to VAT at the applicable rate, where appropriate.

## Appendix E

### RSM Restructuring Advisory LLP Newcastle current charge out and category 2 disbursement rates

Hourly charge out rates		
	Rates at commencement £	Current rates £
Partner	385 to 485	525
Directors / Associate Directors	275 to 330	290 to 365
Manager	215 to 275	240 to 290
Assistant Managers	230	240
Administrators	145.20 to 215	145 to 215
Support staff	75 to 127	85 to 140
Category 2 disbursement rates		
Internal room hire	£100 per hour	
Subsistence	£25 per night (from 3 <sup>rd</sup> September 2013) £23 per night (up to 2 <sup>nd</sup> September 2013)	
Travel (car)	38p per mile (up to and including 31 March 2010) 40p per mile (from 1 April 2010) 42.5p per mile (from 1 April 2011)	
'Tracker' searches	£10 per case	

## Appendix F

### Statement of expenses incurred in the period from 25 April 2018 to 24 April 2019

Expenses (excluding category 2 disbursements) Type and purpose	Incurred in period	
	Paid £	Unpaid £
Bond	85.00	-
Statutory advertising	253.80	-
Website fee	13.00	-
Robert Gale & Co - Accountancy fees	850.00	-
Postage	20.84	-
<b>Sub Total</b>	<b>£1,222.64</b>	<b>£Nil</b>
<b>Category 2 disbursements</b>		
<b>Recipient, type and purpose</b>		
RSM Restructuring Advisory LLP - Mileage	Nil	Nil
RSM Restructuring Advisory LLP - Tracker search	Nil	Nil
<b>Sub Total</b>	<b>£Nil</b>	<b>£Nil</b>
<b>Total</b>	<b>£1,222.64</b>	<b>£Nil</b>