

Section 106

Return of Final Meeting in a
Creditors' Voluntary Winding UpPursuant to Section 106 of the
Insolvency Act 1986

To the Registrar of Companies

S.106

Company Number

03802110

Name of Company

A & E Consultancy Limited T/A Raggs & Grapevine

~~At~~ We David Hill
5th Floor
Riverside House
31 Cathedral Road
Cardiff
CF11 9HB

Peter Richard Dewey
5th Floor, Riverside House
31 Cathedral Road
Cardiff
CF11 9HB

Note: The copy account must be
authenticated by the written
signature(s) of the Liquidator(s)

1 give notice that a general meeting of the company was duly ~~held on~~/summoned for 16 August 2013 pursuant to section 106 of the Insolvency Act 1986, for the purpose of having an account (of which a copy is attached) laid before it showing how the winding up of the company has been disposed of, and that ~~the same was done accordingly~~ / no quorum was present at the meeting,

2 give notice that a meeting of the creditors of the company was duly ~~held on~~/summoned for 16 August 2013 pursuant to Section 106 of the Insolvency Act 1986, for the purpose of having the said account laid before it showing how the winding up the company has been conducted and the property of the company has been disposed of and that ~~the same was done accordingly~~/no quorum was present at the meeting

The meeting was held at 5th Floor, Riverside House, 31 Cathedral Road, Cardiff, CF11 9HB

The winding up covers the period from 18 July 2011 (opening of winding up) to the final meeting (close of winding up)

The outcome of any meeting (including any resolutions passed) was as follows

The final report and account was laid before the meeting No quorum was present

Signed

Date 21 August 2013

Begbies Traynor (Central) LLP
5th Floor
Riverside House
31 Cathedral Road
Cardiff
CF11 9HB

Ref AE014CVL/DH/PRD/NA/DXF

THURSDAY



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22/08/2013

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COMPANIES HOUSE

A & E Consultancy Limited T/A Raggs & Grapevine (In Creditors' Voluntary Liquidation)

Final report and account of the liquidation pursuant to Section 106 of the Insolvency Act 1986 and Rule 4.126 of the Insolvency Rules 1986

Period: 18 July 2011 to 16 August 2013

Important Notice

This progress report has been produced solely to comply with our statutory duty to report to creditors and members of the Company on the progress of the liquidation. The report is private and confidential and may not be relied upon, referred to, reproduced or quoted from, in whole or in part, by creditors and members for any purpose other than this report to them, or by any other person for any purpose whatsoever.

Contents

- ☐ Interpretation
- ☐ Company information
- ☐ Details of appointment of liquidators
- ☐ Progress since appointment
- ☐ Outcome for creditors
- ☐ Remuneration and disbursements
- ☐ Liquidators' expenses
- ☐ Assets that remain to be realised
- ☐ Other relevant information
- ☐ Creditors' rights
- ☐ Conclusion
- ☐ Appendices
 - 1 Liquidators' final account of receipts and payments
 - 2 Liquidators' time costs and disbursements
 - 3 Statement of Liquidators' expenses

1. INTERPRETATION

<u>Expression</u>	<u>Meaning</u>
"the Company"	A & E Consultancy Limited T/A Raggs & Grapevine (In Creditors' Voluntary Liquidation)
"the liquidation"	The appointment of liquidators pursuant to Section 98 of the Act on 18 July 2011
"the liquidators", "we", "our" and "us"	David Hill of Begbies Traynor (Central) LLP, 5th Floor, Riverside House, 31 Cathedral Road, Cardiff, CF11 9HB and Peter Richard Dewey of Begbies Traynor (Central) LLP, 5th Floor, Riverside House, 31 Cathedral Road, Cardiff, CF11 9HB
"the Act"	The Insolvency Act 1986 (as amended)
"the Rules"	The Insolvency Rules 1986 (as amended)
"secured creditor" and "unsecured creditor"	Secured creditor, in relation to a company, means a creditor of the company who holds in respect of his debt a security over property of the company, and "unsecured creditor" is to be read accordingly (Section 248(1)(a) of the Act)
"security"	(i) In relation to England and Wales, any mortgage, charge, lien or other security (Section 248(1)(b)(i) of the Act), and (ii) In relation to Scotland, any security (whether heritable or moveable), any floating charge and any right of lien or preference and any right of retention (other than a right of compensation or set off) (Section 248(1)(b)(ii) of the Act)
"preferential creditor"	Any creditor of the Company whose claim is preferential within Sections 386, 387 and Schedule 6 to the Act

2. COMPANY INFORMATION

Trading name(s)	A & E Consultancy Limited T/A Raggs & Grapevine
Company registered number	03802110
Company registered office	5th Floor, Riverside House, 31 Cathedral Road, Cardiff, CF11 9HB
Former trading addresses	23 High Street, Cowbridge, South Glamorgan, CF71 7AE 25 High Street, Caerleon, Newport, Gwent, NP18 1AG

3. DETAILS OF APPOINTMENT OF LIQUIDATORS

Date winding up commenced	18 July 2011
Date of liquidators' appointment	18 July 2011
Changes in liquidator (if any)	None

4. PROGRESS SINCE APPOINTMENT

Attached at Appendix 1 is our abstract of receipts and payments covering the entire duration of the liquidation

Receipts

Book Debts

Prior to our appointment, the Company's stock was sold for a gross consideration of £18,000. We have recovered this amount in full.

Payments

Administrative costs

The administrative costs to date include statutory advertising of £362, and a specific bond of £30.

5. FINAL OUTCOME FOR CREDITORS

Details of the sums owed to each class of the Company's creditors were provided in the directors' statement of affairs included within the report sent to creditors further to our appointment as liquidators'.

Secured creditor

The debt due to HSBC Bank plc ("Bank") is subject to a fixed and floating charge over the Company's assets and secured by a debenture. In respect of this security we have made a distribution of £6,000 to the Bank.

Preferential creditors

A dividend of 100 pence in the £1 has been paid to the preferential creditors

Prescribed Part for unsecured creditors pursuant to Section 176A of the Act

Section 176A of the Act provides that, where the company has created a floating charge on or after 15 September 2003, the liquidator must make a prescribed part of the Company's net property available for the unsecured creditors and not distribute it to the floating charge holder except in so far as it exceeds the amount required for the satisfaction of unsecured debts. Net property means the amount which would, were it not for this provision, be available to floating charge holders out of floating charge assets (i.e. after accounting for preferential debts and the costs of realising the floating charge assets). The prescribed part of the Company's net property is calculated by reference to a sliding scale as follows

- ☐ 50% of the first £10,000 of net property,
- ☐ 20% of net property thereafter,
- ☐ Up to a maximum amount to be made available of £600,000

A liquidator will not be required to set aside the prescribed part of net property if

- ☐ the net property is less than £10,000 and the liquidator thinks that the cost of distributing the prescribed part would be disproportionate to the benefit, (Section 176A(3)) or
- ☐ the liquidator applies to the court for an order on the grounds that the cost of distributing the prescribed part would be disproportionate to the benefit and the court orders that the provision shall not apply (Section 176A(5))

There will be no distribution of the prescribed part as our estimate of the Company's net property is less than the minimum prescribed by the Insolvency Act 1986 (Prescribed Part) Order 2003 and we think, in accordance with Section 176A(3)(b) of the Act, that the costs of making a distribution of the prescribed part to unsecured creditors would be disproportionate to the benefits

Unsecured creditors

No dividend is available for unsecured creditors because the funds realised have already been distributed or used or allocated for defraying the expenses of the liquidation

6. REMUNERATION & DISBURSEMENTS

Our remuneration has been fixed by a resolution of creditors at the meeting held pursuant to Section 98 of the Act by reference to the time properly given by us (as liquidators) and the various grades of our staff calculated at the prevailing hourly charge out rates of Begbies Traynor (Central) LLP in attending to matters arising in the liquidation and we are authorised to draw disbursements, including disbursements for services provided by our firm (defined as category 2 disbursements in Statement of Insolvency Practice 9) in accordance with our firm's policy, details of which accompanied the Statement of Affairs and other information presented to the meeting of creditors convened pursuant to Section 98 of the Act and which is attached at Appendix 2 of this report

Our total time costs amount to £12,036 which represents 86.3 hours at an average rate of £139.47 per hour, in respect of which we have drawn remuneration of £6,069 and written off the balance as irrecoverable

The following further information in relation to our time costs and disbursements is set out at Appendix 2

- ☐ Narrative summary of time costs incurred
- ☐ Table of total time spent and charge-out value
- ☐ Begbies Traynor (Central) LLP's policy for re-charging disbursements
- ☐ Begbies Traynor (Central) LLP's charge-out rates

7 LIQUIDATORS' EXPENSES

A statement of the expenses incurred is attached at Appendix 3

8. ASSETS THAT REMAIN TO BE REALISED

There are no further assets to realise

9. OTHER RELEVANT INFORMATION

Investigations and reporting on directors conduct

You may be aware that a liquidator has a duty to enquire into the affairs of an insolvent company to determine its property and liabilities and to identify any actions which could lead to the recovery of funds. In addition, as explained in the report circulated prior to the meeting of creditors convened pursuant to Section 98 of the Act, a liquidator is also required to consider the conduct of the Company's directors and to make an appropriate submission to the Department for Business Innovation and Skills. We can confirm that we have discharged our duties in these respects.

Connected party transactions

In accordance with Statement of Insolvency Practice 13, we confirm that the following assets were sold to an associated company

Date of sale	Asset sold and nature of transaction	Consideration paid	Name of Purchaser	Relationship with the Company
Pre-appointment	Stock	£18,000	Fashionwell Limited	Associated business by way of common directorship

Prior to our appointment, the Company's stock was professionally valued by Messrs Brightwells Limited on 21 March 2011 on an Open Market basis. Although the stock was valued at £5,000, an agreement was made for the stock to be acquired by the associated business for a consideration of £18,000.

10. CREDITORS' RIGHTS

Right to request further information

Pursuant to Rule 4.49E of the Rules, within 21 days of the receipt of this report a secured creditor, or an unsecured creditor with the concurrence of at least 5% in value of the unsecured creditors, including that creditor, (or an unsecured creditor with less than 5% in value of the unsecured creditors, but with the permission of the court) may request in writing that we provide further information about our remuneration or expenses which have been detailed in this progress report

Right to make an application to court

Pursuant to Rule 4.131 of the Rules, any secured creditor or any unsecured creditor with the concurrence of at least 10% in value of the unsecured creditors including that creditor, (or any unsecured creditors with less than 10% in value of the unsecured creditors, but with the permission of the court) may, within 8 weeks of receipt of this progress report, make an application to court on the grounds that the remuneration charged or the expenses incurred as set out in this progress report are excessive or, the basis fixed for our remuneration is inappropriate

11. CONCLUSION

This report and account of receipts and payments will be laid before final meetings of the Company and the creditors to be held on 16 August 2013 in accordance with Section 106 of the Act. Formal notice of the meetings and a proxy form are enclosed with the covering letter accompanying this report

The meetings are a formal requirement of liquidation procedure and are a prelude to the formal dissolution of the Company, which will occur automatically, approximately three months later. Unless creditors otherwise resolve, pursuant to Section 173(2) of the Act we will be released from liability at the time that we vacate office

Although the meetings are rarely attended, if any creditor wishes to attend the meeting, it would assist us in making the necessary administrative arrangements if you would inform the case manager by telephone. This is particularly important for any creditor wishing to attend who considers that the proposed venue is inconvenient. In that event we will consider reconvening the meetings at an alternative venue to be agreed. Any such request should be made within the next seven days so that we may inform all creditors of the revised arrangements. Alternatively, if you wish a proxy to attend on your behalf, the proxy form should be returned by 12 noon on the business day before the meeting

Should you require further explanation of any matters contained within this report, you should contact our office and speak to the case administrator, Natasha Abeyweera, in the first instance, who will be pleased to assist



David Hill
Joint Liquidator

Dated 16 August 2013

FINAL ACCOUNT OF RECEIPTS AND PAYMENTS

**A & E Consultancy Limited T/A Raggs & Grapevine
(In Liquidation)
Joint Liquidators' Abstract of Receipts & Payments
From 18 July 2011 To 16 August 2013**

S of A £		£	£
	ASSET REALISATIONS		
18,000 00	Book Debts	18,000 00	
NIL	Fixtures & Fittings	NIL	
	Bank Interest Gross	8 16	
	Bank Interest Net of Tax	11 56	
NIL	Goodwill	NIL	
			18,019 72
	COST OF REALISATIONS		
	Specific Bond	30 00	
	Statement of Affairs Fee	5,000 00	
	Office Holders Fees	6,069 18	
	Office Holders Expenses	39 31	
	Statutory Advertising	354 37	
	Bank Charges	0 30	
			(11,493 16)
	PREFERENTIAL CREDITORS		
	RPO re Arrears/Holiday Pay	526 56	
			(526 56)
	FLOATING CHARGE CREDITORS		
(21,419 00)	HSBC Bank plc	6,000 00	
			(6,000 00)
	UNSECURED CREDITORS		
(77,604 00)	Trade Creditors	NIL	
(213,000 00)	Directors' Loan Account	NIL	
(1,672 00)	HMRC (non VAT)	NIL	
(29,930 00)	HMRC (VAT)	NIL	
			NIL
	DISTRIBUTIONS		
(25,002 00)	Ordinary Shareholders	NIL	
			NIL
(350,627 00)			NIL

REPRESENTED BY

NIL

David Hill
Joint Liquidator

TIME COSTS AND DISBURSEMENTS

- a Begbies Traynor (Central) LLP's policy for re-charging expenses/disbursements,
- b Begbies Traynor (Central) LLP's charge-out rates,
- c Narrative summary of time costs incurred, and
- d Table of time spent and charge-out value

BEGBIES TRAYNOR CHARGING POLICY

INTRODUCTION

This note applies where a licensed insolvency practitioner in the firm is acting as an office holder of an insolvent estate and seeks creditor approval to draw remuneration on the basis of the time properly spent in dealing with the case. It also applies where further information is to be provided to creditors regarding the office holder's fees following the passing of a resolution for the office holder to be remunerated on a time cost basis. Best practice guidance¹ requires that such information should be disclosed to those who are responsible for approving remuneration.

In addition, this note applies where creditor approval is sought to make a separate charge by way of expenses or disbursements to recover the cost of facilities provided by the firm. Best practice guidance² requires that such charges should be disclosed to those who are responsible for approving the office holder's remuneration, together with an explanation of how those charges are calculated.

OFFICE HOLDER'S FEES IN RESPECT OF THE ADMINISTRATION OF INSOLVENT ESTATES

The office holder has overall responsibility for the administration of the estate. He/she will delegate tasks to members of staff. Such delegation assists the office holder as it allows him/her to deal with the more complex aspects of the case and ensures that work is being carried out at the appropriate level. There are various levels of staff that are employed by the office holder and these appear below.

The firm operates a time recording system which allows staff working on the case along with the office holder to allocate their time to the case. The time is recorded at the individual's hourly rate in force at that time which is detailed below.

EXPENSES INCURRED BY OFFICE HOLDERS IN RESPECT OF THE ADMINISTRATION OF INSOLVENT ESTATES

Best practice guidance classifies expenses into two broad categories:

- ❑ *Category 1 disbursements (approval not required)* - specific expenditure that is directly related to the case usually referable to an independent external supplier's invoice. All such items are charged to the case as they are incurred.
- ❑ *Category 2 disbursements (approval required)* - items of incidental expenditure directly incurred on the case which include an element of shared or allocated cost and which are based on a reasonable method of calculation.

(A) The following items of expenditure are charged to the case (subject to approval):

- Internal meeting room usage for the purpose of statutory meetings of creditors is charged at the rate of £100 (London £150) per meeting,
- Car mileage is charged at the rate of 40 pence per mile,
- Storage of books and records (when not chargeable as a *Category 1 disbursement*) is charged on the basis that the number of standard archive boxes held in storage for a particular case bears to the total of all archive boxes for all cases in respect of the period for which the storage charge relates,

(B) The following items of expenditure will normally be treated as general office overheads and will not be charged to the case although a charge may be made

¹ Statement of Insolvency Practice 9 (SIP 9) – Remuneration of insolvency office holders in England & Wales

² Ibid 1

where the precise cost to the case can be determined because the item satisfies the test of a *Category 1 disbursement*

- Telephone and facsimile
- Printing and photocopying
- Stationery

BEGBIES TRAYNOR CHARGE-OUT RATES

Begbies Traynor is a national firm. The rates charged by the various grades of staff that may work on a case are set nationally, but vary to suit local market conditions. The rates applying to the Cardiff office as at the date of this report are as follows

	Standard 1 May 2011 – until further notice Regional
Partner	395
Director	345
Senior Manager	310
Manager	265
Assistant Manager	205
Senior Administrator	175
Administrator	135
Trainee Administrator	110
Support	110

Time spent by support staff for carrying out shorter tasks, such as typing or dealing with post, is not charged to cases but is carried as an overhead. Only where a significant amount of time is spent at one time on a case is a charge made for support staff.

Time is recorded in units 6 minute units

SUMMARY OF OFFICE HOLDERS' TIME COSTS

CASE NAME	A & E CONSULTANCY LIMITED T/AS RAGGS & GRAPEVINE
CASE TYPE	CREDITORS' VOLUNTARY LIQUIDATION
OFFICE HOLDERS	DAVID HILL AND PETER RICHARD DEWEY
DATE OF APPOINTMENT	18 JULY 2011

1 CASE OVERVIEW

1.1 This overview and the time costs analysis attached is intended to provide sufficient information to enable the body responsible for the approval of the office holders' fees to consider the level of those fees in the context of the case

1.2 Complexity of the case

The main actions in this liquidation have involved the realisation of the Company's assets and compliance with statutory requirements

1.3 Exceptional responsibilities

None

1.4 The office holders' effectiveness

We set out to maximise the value of the assets for the benefit of creditors and reduce claims against the Company. We believe this has been largely achieved.

1.5 Nature and value of property dealt with by the office holders

The Company's only assets were its book debts in respect of which recoveries amounted to £18,000.

1.6 Return to creditors

A distribution of £6,000 has been paid to HSBC Bank Plc on account of its floating charge security.

In addition the preferential creditors have received a dividend of 100 pence in the £.

We confirm that no dividend is available for unsecured creditors as the funds realised have already been distributed or used or allocated for defraying the expenses of the liquidation. Consequently we have not taken steps to formally agree the claims of unsecured creditors.

1.7 Time costs analysis

An analysis of post appointment time costs incurred prepared in accordance with Statement of Insolvency Practice 9 is attached showing the number of hours spent by each grade of staff on the different types of work involved in the case, and giving the average hourly rate charged for each work type.

The time costs analysis provides details of work undertaken by the Liquidators and their staff following their appointment only.

1 8 Work undertaken prior to appointment

In addition to the post appointment time costs detailed in the Time Costs Analysis, the costs relating to work undertaken prior to the Liquidators' appointment in summoning, advertising and holding the creditors' meeting and assisting the directors in preparing the statement of affairs were approved by the creditors at the Section 98 meeting

1 9 The views of the creditors

Creditors were circulated with notice of our appointment following the S98 meeting. Attached is our final progress report detailing the progress of the liquidation from our appointment to closure

1 10 Approval of fees

The joint liquidators remuneration is based on the time properly given by them (as liquidators) and the various grades of their staff calculated at the prevailing hourly charge-out rates of Begbies Traynor (Central) LLP in attending to matters arising in the liquidation and was approved at the initial meeting of creditors held on 18 July 2011

1 11 Approval of Expenses and Disbursements

In respect of expenses necessarily incurred, the joint liquidators are authorised to make a separate charge in accordance with their firm's policy note which accompanied the information presented to the creditors at the Section 98 meeting on 18 July 2011

2 SUMMARY OF WORK CARRIED OUT SINCE OUR APPOINTMENT

2 1 Since the date of our appointment, the following work has been carried out

- Realisation of Company's assets,
- Notifying and liaising with Crown Departments as necessary,
- Dealing with creditors' claims generally,
- Statutory reporting to members and creditors, and
- Scrutiny of the key reasons for the failure of the Company and reporting to the Department of Trade and Industry as required by statute

Total fees drawn to date £

STATEMENT OF EXPENSES

Type of expense	Name of party with whom expense incurred	Amount incurred £	Amount discharged £	Balance (to be discharged) £
Statutory advertising	TMP (UK) Limited	362 00	362 00	Nil
Bond	AUA Insolvency Risk Services Limited	30 00	30 00	Nil