

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

04274463

Name of Company

Act Recruitment Limited

I / We

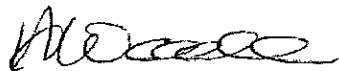
Amanda Wade, 30 Finsbury Square, London, EC2P 2YU

Stephen Hunt, Tavistock House South, Tavistock Square, London, WC1H 9LG

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 20/03/2016 to 19/03/2017

Signed



Date

25/04/17

Grant Thornton UK LLP
30 Finsbury Square
London
EC2P 2YU

Ref: A00995/AWA/GEM/HOB/LKG

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COMPANIES HOUSE

Our Ref AWA/JYC/HOB/LKG/A00995/

To the creditors and members

Recovery and Reorganisation

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25 April 2017

Dear Sirs

Act Recruitment Limited - In Liquidation

1 Introduction

- 1.1 I refer to the above liquidation which commenced on 17 August 2010 with the appointment of Nicola Lesley Francis of Francis & Associates as liquidator.
- 1.2 By way of an Order of the High Court of Justice dated 20 March 2015, Ms Francis was removed as liquidator and myself and Stephen Hunt of Griffins, Tavistock House South, Tavistock Square, London, WC1H 9LG were appointed joint liquidators in her place.
- 1.3 In accordance with section 104A of the Insolvency Act 1986 (IA'86) I now report on the progress of the liquidation for the year ended 19 March 2017 and attach:
 - Appendix A, an account of our receipts and payments for the year ended 19 March 2017, which includes a cumulative account to that date
 - Appendix B, an account of the previous liquidator's receipts and payments from 17 August 2010 to 19 March 2015 (the whole period of her office)
 - Appendix C, a statement of the remuneration charged by the joint liquidators in the period 20 March 2016 to 19 March 2017 and a statement of expenses incurred in the period
 - Appendix D, an analysis of time costs as required by Statement of Insolvency Practice 9 (SIP9)
 - Appendix E, an extract from the Insolvency Rules 1986 (IR'86) relating to creditors' rights to request additional information from the liquidator (rule 4.49E).
 - Appendix F, an extract from the Insolvency Rules 1986 relating to creditors' rights to challenge the liquidator's remuneration or expenses if excessive (rule 4.131).
- 1.4 I am authorised to act as an insolvency practitioner by the Insolvency Practitioners Association and Stephen Hunt is authorised to act as an insolvency practitioner by the Institute of Chartered Accountants in England and Wales. We are both bound by the Insolvency Code of Ethics when carrying out all professional work relating to an insolvency appointment.

Chartered Accountants

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2 Statutory information

2.1 The company's statutory details are as follows:

Registered number 04274463

Registered office 30 Finsbury Square, London, EC2P 2YU

3 Progress report

Assets

- 3.1 As previously reported, the Company's statement of affairs disclosed plant & machinery with a book value (BV) of £100 and an estimated to realise (ETR) value of £100, cash at bank with a BV and ETR of £930 and cash in hand with a BV and ETR of £4,700. According to Ms Francis' receipts and payments account the sum of £100 was received in relation to the plant and machinery, £882.56 in respect of cash and bank and nil realisations in respect of cash in hand.
- 3.2 In addition, Ms Francis' receipts and payments account indicate that a sum of £700 was received in respect of a VAT refund.
- 3.3 I have now reviewed the Company's bank statements and identified various transactions of interest which require further investigation. I am continuing my enquiries to determine whether all potential assets have been pursued and appropriate recoveries made.

4 Investigations

- 4.1 It is a statutory requirement that all practising licensed insolvency practitioners have suitable insurance in place to protect the creditors in the event of fraud and dishonesty by the practitioner. This is commonly known as a bond. It is a requirement that there should be both a specific bond, in relation to the specific assets of each individual case and a general bond in relation to a practitioner's whole portfolio of cases.
- 4.2 To the extent that creditors' prospects may have been jeopardised by the actions (or omissions) of any party, including the former liquidator, a claim may be made against her and/or her insolvency bond.
- 4.3 A bond claim has been submitted in this case and this may result in further recoveries. At this stage no finding has been made in respect of fraud and dishonesty.
- 4.4 In addition to the bond claim, a claim has been submitted against the former liquidator's professional indemnity insurance in respect of any losses which may have been caused by negligence rather than fraud or dishonesty. This claim may also result in further recoveries but the insurers have not yet reviewed the claim.

5 Creditors

- 5.1 There are no secured creditors of which I am aware and I have received 1 preferential claim in the sum of £1,534.00.
- 5.2 The Company's Statement of Affairs disclosed unsecured creditors totalling £57,899. To date I have received 5 unsecured claims totalling £59,227.76.
- 5.3 Unfortunately, there are insufficient funds available at present for a distribution to be made to creditors. The dividend prospects for creditors are dependent upon the results of my on-going investigations and the outcome of the bond claim, and must at this stage remain remote.

6 Liquidators' Remuneration and Expenses

- 6.1 In accordance with SIP 9 office holders are obliged to provide creditors with certain information as regards their fees and disbursements accrued and/or drawn.

Former Liquidator

- 6.2 At the meeting of creditors held on 17 August 2010 a resolution was passed authorising Ms Francis' remuneration to be drawn on a time costs basis. According to her receipts and payments account, Ms Francis did not draw liquidator's fees, however, she did draw £1,200.00 plus VAT, on account of the agreed Statement of Affairs fee of £5,000.00 plus VAT.

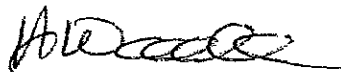
Joint Liquidators

- 6.3 At a meeting of creditors on 11 May 2016, the following fee resolution was approved:
- "That the basis of the joint liquidators' remuneration be fixed by reference to the time properly given by the joint liquidators and their staff in attending to matters arising in the liquidation and that the joint liquidators be authorised to draw such remuneration on account from time to time."*
- 6.4 In accordance with SIP 9, I attach at Appendix D a summary of my time costs, by grade of staff and the type of work. This shows total time costs to 19 March 2017 of £31,849.30 represented by 126.69 hours at an average charge out rate of £251.40 per hour. During the period of this report I have incurred time costs of £21,147.95 represented by 84.13 hours at an average charge out rate of £251.37 per hour. To date, no fees have been drawn.
- 6.5 Time is charged in units of 6 minutes. Background information regarding the fees of liquidators can be found at https://www.r3.org.uk/media/documents/technical_library/SIPS/SIP%209%20Dec%202015.pdf. Alternatively, I will supply this information by post on request.

7 Other expenses incurred by the joint liquidators

- 7.1 In addition, we have incurred expenses of £230.32 as indicated in Appendix C. To date, no expenses have been drawn.
- 7.2 If you have any questions or wish to discuss any aspect of this report, please contact Mrs Siân Barraclough of this office on 0113 200 2629 or email sian.l.barracough@uk.gt.com.

Yours faithfully
for and on behalf of Act Recruitment Limited



Amanda Wade
Joint Liquidator

A Abstract of the joint liquidators' receipts and payments

	Statement of Affairs Book value £	Statement of Affairs estimated to realise £	20/03/15 To 19/03/16 £	20/03/16 to 19/03/17 £	Total to 19/03/17 £
Receipts					
Balance of funds from former liquidator	Nil	Nil	3.02	Nil	3.02
Total receipts	Nil	Nil	3.02	Nil	3.02
Payments					
Professional Fees			Nil	99.00	99.00
VAT on purchases			Nil	19.80	19.80
Total payments			Nil	118.80	118.80
Balance of funds in hand as at 19 March 2017			3.02	(118.80)	(115.78)
Represented by:					
Liquidator's Estate Account					3.02
Loan Account					(118.80)
					(115.78)

B Abstract of former liquidators receipts and payments

	Statement of Affairs Book Value £	Statement of Affairs estimated to realise £	Total from 17/08/2010 to 19/03/2015 £
Receipts			
Plant & machinery	100.00	100.00	Nil
Cash at bank	930.00	930.00	882.56
Cash in hand	4,700.00	4,700.00	Nil
VAT refund	Nil	Nil	700.00
Bank interest net	Nil	Nil	0.08
Business rates refund	Nil	Nil	63.73
Total receipts	5,730.00	5,730.00	1,646.37
Payments			
Preparation of S of A	Nil	Nil	1,200.00
Statutory advertising	Nil	Nil	180.00
VAT receivable	Nil	Nil	271.50
Total payments	Nil	Nil	1,651.50
Balance of funds in hand as at 19 March 2015			(5.13)

C Remuneration charged and expenses incurred by the joint liquidators in the period

	Charged/incurred in period 20/03/2016 to 19/03/2017	Cumulative charged/incurred to 19/03/2017	Of which paid to 19/03/2017
	£	£	£
Joint liquidators' fees:	21,147.95	31,849.30	Nil
Time costs			
JLT -- bond premium	Nil	10.00	Nil
Insolvency Loan -- (re search fees)	99.00	99.00	Nil
Statutory Advertising	101.52	101.52	Nil
Total:	21,348.47	32,059.82	Nil

D SIP9 Information

Transaction period : 20/03/2016 to : 19/03/2017

Standard	Partner		Manager		Executive		Administrator		Total	
	Hrs	£ Avg. Hrly Rate	Hrs	£ Avg. Hrly Rate	Hrs	£ Avg. Hrly Rate	Hrs	£ Avg. Hrly Rate	Hrs	£ Avg. Hrly Rate
Administration and Planning	100	566.2	33.5	1125 332.09	13	223.75 172.2	22.4	3,933 142.1	58.28	5,087.95 258.89
Creditors			0.1	33 330					0.1	33 330
Investigations			11.9	3,927 330	0.5	24 287.5	12.5	1579 128.9	24.55	5,820 234.21
Pensions										
Realisation of Assets										
Taxation			0.3	135 450					0.9	207 230
Trading										
Total	1.08	566.2	45.8	15,220 332.31	2.1	437.75 208.45	35.15	4,934 140.37	84.13	21,147.95 251.37

Total fees billed to date (Time) : £

Transaction period : 20/03/2015 to : 19/03/2017

Standard	Partner		Manager		Executive		Administrator		Total	
	Hrs	£ Avg. Hrly Rate	Hrs	£ Avg. Hrly Rate	Hrs	£ Avg. Hrly Rate	Hrs	£ Avg. Hrly Rate	Hrs	£ Avg. Hrly Rate
Administration and Planning	2.54	1308.10	38.65	2,814.50 33155	13.13	3,609.65 274.92	32.62	4,833.95 148.19	86.94	22,566.20 259.56
Creditors			0.1	33 330					0.1	33 330
Investigations			14.04	4,841.80 344.98	161	446.8 277.52	12.65	1,759 139.05	28.3	7,047.60 249.03
Pensions			0.1	50 500					0.4	96.5 241.25
Realisation of Assets					0.3	87 280			0.3	87 280
Taxation			2.1	911 433.81	0.8	229.5 286.88	7.75	876.5 113.35	10.65	2,079 199.55
Trading										
Total	2.54	1,308.10	54.89	18,850.30 338.16	15.84	4,372.95 276.07	53.32	7,517.95 141	128.69	31,949.30 251.4

Total fees billed to date (Time) : £

Description of work carried out	
Activity	Examples of work
Administration and Planning	Case review, administrative set up, dealing with practitioners' bank account. Copy and filing previous officerholders papers for review. Dealing with company tax position. Treasury statutory work.
Creditors	Transferring claims from previous liquidator's IPS. Dealing with creditor queries, agreeing claims, dealing with 'addressee gone away' post.
Investigations	Reviewing previous office holders records and prepare strategy note. Investigating areas identified in the strategy and establish the company trading position. Reviewing solicitors and agents files. Letters to various parties.
Pensions	Pension compliance. Initial searches, review search results to ascertain whether any statutory reporting requirements, update registers.
Realisation of Assets	Dealing with the realisation of assets.
Taxation	Complete taxation checklists, correspondence with HM Revenue & Customs, completion of tax diary lines and submission of returns where applicable.

Grant Thornton chargeout rates:

	2014/2015	2015/2016	2016/2017
	£ per hour	£ per hour	£ per hour
Partner	495-615	495-615	495-615
Director	470-515	470-515	470-515
Senior Manager	430-470	430-470	430-470
Manager	290-400	290-400	290-400
Other Senior Professional	240-305	240-305	240-305
Administrator	160-230	160-230	160-230

**E An extract from the Insolvency Rules 1986 relating to
creditors' rights to request additional information from the
liquidator**

Rule 4.49E edited for application to a progress report in a creditors' voluntary liquidation

- (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
 - (b) with the permission of the court upon an application made within the period mentioned in paragraph (2), any unsecured creditor makes a request in writing to the liquidator for further information about remuneration or expenses set out in the progress report, 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 a matter which was previously included in a progress report.
- (2) The period referred to in paragraph (1)(a) is 21 days of receipt of the progress report.
- (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.
- (4) Any creditor, who need not be the same as the creditor who requested further information, may apply to the court within 21 days of -
 - (a) the giving by the liquidator of reasons for not providing all of the information asked for, or
 - (b) the expiry of the 14 days provided for in paragraph (1),and the court may make such order as it thinks just.
- (5) Without prejudice to the generality of paragraph (4), the order of the court under that paragraph may extend the period of 8 weeks provided for in Rule 4.131(1B) by such further period as the court thinks just.

**F An extract from the Insolvency Rules 1986 relating to
creditors' rights to challenge the liquidator's remuneration or
expenses if excessive**

Rule 4.131

- (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 by a creditor 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 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 specifyand 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.

Liquidators' ref: AWA/GEM/HOB/A00995/J

Claimant's ref:

Act Recruitment Limited - In Liquidation

Creditor's Claim Form

Name and address of creditor: _____

Amount claimed in the liquidation: £ _____

Particulars of any security held _____

Value of security: £ _____

Signature: _____

Name and position of signatory
(if not personally the creditor): _____

Telephone: _____

E-mail: _____

Date: _____

Please provide appropriate documentation in support of your claim.

If you are registered for VAT the amount claimed should include VAT even if VAT bad debt relief has been claimed under the Value Added Tax Act 1994.

Please return this form when you have completed it to:

Gill MacNaughton
Grant Thornton UK LLP
No.1 Whitehall Riverside
Leeds
LS1 4BN