

LIQ03

Notice of progress report in voluntary winding up



Companies House

MONDAY



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29/01/2018

#125

COMPANIES HOUSE

1 Company details

Company number 0 4 5 0 5 5 8 5

Company name in full Ascott Smallholding Supplies Limited

→ Filling in this form

Please complete in typescript or in
bold black capitals.

2 Liquidator's name

Full forename(s) Neil Frank

Surname Vinnicombe

3 Liquidator's address

Building name/number Universal House

Street

Post town 1-2 Queens Parade Place

County/Region Bath

Postcode B A 1 2 N N

Country

4 Liquidator's name ①

Full forename(s) Simon Robert

Surname Haskew

① Other liquidator

Use this section to tell us about
another liquidator.

5 Liquidator's address ②

Building name/number Harbourside House

Street

Post town 4-5 The Grove

County/Region Bristol

Postcode B S 1 4 Q Z

Country

② Other liquidator

Use this section to tell us about
another liquidator.

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6 Period of progress report

From date	^d 2	^d 6	^m 1	^m 1	^y 2	^y 0	^y 1	^y 6
To date	^d 2	^d 5	^m 1	^m 1	^y 2	^y 0	^y 1	^y 7

7 Progress report

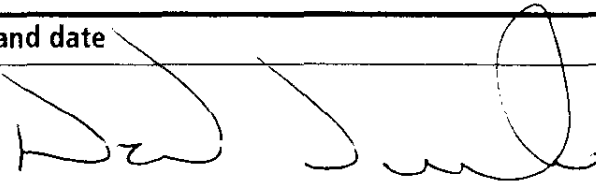
☒ The progress report is attached

8 Sign and date

Liquidator's signature

Signature

X



X

Signature date

^d 2	^d 4	^m 0	^m 1	^y 2	^y 0	^y 1	^y 8
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**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	Dan James
Company name	Begbies Traynor (Central) LLP
Address	Universal House
Post town	1-2 Queens Parade Place
County/Region	Bath
Postcode	B A 1 2 N N
Country	
DX	
Telephone	01225 316040

**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 or email 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

Ascott Smallholding Supplies Limited (In Creditors' Voluntary Liquidation)

Progress report

Period: 26 November 2016 to 25 November 2017

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
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- ☐ Assets that remain to be realised and work that remains to be done
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 - 2. Liquidators' time costs and disbursements
 - 3. Statement of Liquidators' expenses

1. INTERPRETATION

<u>Expression</u>	<u>Meaning</u>
"the Company"	Ascott Smallholding Supplies Limited (In Creditors' Voluntary Liquidation)
"the liquidation"	The appointment of liquidators on 26 November 2013.
"the liquidators", "we", "our" and "us"	Neil Frank Vinnicombe of Begbies Traynor (Central) LLP, 14 Queen Square, Bath, BA1 2HN and Simon Robert Haskew of Begbies Traynor (Central) LLP, Harbourside House, 4-5 The Grove, Bristol, BS1 4QZ
"the Act"	The Insolvency Act 1986 (as amended)
"the Rules"	The Insolvency (England and Wales) Rules 2016
"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):	Ascott Smallholding Supplies Ltd
Company registered number:	04505585
Company registered office:	14 Queen Square, Bath BA1 2HN
Former trading address:	The Firs, Quarry Hill, Box, Wiltshire, SN13 8HT

3. DETAILS OF APPOINTMENT OF LIQUIDATORS

Date winding up commenced:	26 November 2013
Date of liquidators' appointment:	26 November 2013
Changes in liquidator (if any):	None

4. PROGRESS DURING THE PERIOD

Receipts and Payments

Attached at Appendix 1 is our abstract of receipts and payments for the period from 26 November 2016 to 25 November 2017.

RECEIPTS

Bank Charge Refund

Pre-appointment bank charges of £148.75 were refunded in this period.

What work has been done in the period of this report, why was that work necessary and what has been the financial benefit (if any) to creditors?

Details of the types of work that generally fall into the headings mentioned below are available on our firm's website - <http://www.begbies-traynorgroup.com/work-details> . Under the following headings we have explained the specific work that has been undertaken on this case. Not every piece of work has been described, but we have sought to give a proportionate overview which provides sufficient detail to allow creditors to understand what has been done, why it was necessary and what financial benefit (if any) the work has provided to creditors.

The costs incurred in relation to each heading are set out in the Time Costs Analysis which is attached at Appendix 2. There is an analysis for the period of the report and also an analysis of time spent on the case since the date of our appointment. The details below relate to the work undertaken in the period of the report only. Our previous reports contain details of the work undertaken since our appointment.

General case administration and planning

General administration such as filing paperwork and maintaining the Company records fall under this category. It is vital to efficiently maintain the Company records in order to properly document how this case has been undertaken.

Case review meetings have been held to ensure that all asset realisations and statutory duties have been carried out efficiently.

Compliance with the Insolvency Act, Rules and best practice

The Insolvency Act 1986, the Insolvency Rules 1986 (as amended) and other rules and regulations, including best practice guidance require us to carry out certain tasks.

During this period we have issued our progress report to all relevant parties such as the creditors, Companies House and HM Revenue & Customs. These are requirements in order to comply with the insolvency act.

We have also had to prepare vouchers for receipts and payments, and undertake monthly bank reconciliations.

Other matters which includes meetings, tax, litigation, pensions and travel

During the period we submitted VAT and Corporation Tax returns to HM Revenue & Customs.

5. ESTIMATED OUTCOME FOR CREDITORS

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

Secured creditor

A realisation has been made in respect of goodwill and intellectual property, which is subject to the Bank's fixed charge. The validity of its security has been agreed and we will make a small distribution to the Bank prior to closure.

Preferential creditors

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

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, used or allocated for defraying the expenses of the liquidation.

6. REMUNERATION & DISBURSEMENTS

Remuneration

Our remuneration has been fixed by the liquidation a resolution of creditors at a meeting 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 winding up 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, which is attached at Appendix 2 of this report.

Our time costs for the period from 26 November 2016 to 25 November 2017 amount to £3,756.50 which represents 13.7 hours at an average rate of £274.20 per hour.

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

- ☐ Time Costs Analysis for the period 26 November 2016 to 25 November 2017
- ☐ Begbies Traynor (Central) LLP's charging policy

To 25 November 2017, we have drawn the total sum of £6,940.66 on account of our remuneration, against total time costs of £43,559.00 incurred since the date of our appointment.

Time Costs Analysis

The Time Costs Analysis for the period of this report attached at Appendix 2 shows the time spent by each grade of staff on the different types of work involved in the case, and gives the total costs and average hourly rate charged for each work type. An additional analysis is also attached which details the time costs for the entire period for which we have administered the liquidation.

Please note that each analysis provides details of the work undertaken by us and our staff following our appointment only.

Disbursements

To 25 November 2017, we have not drawn any disbursements.

A copy of 'A Creditors' Guide to Liquidators Fees (E&W) 2011 which provides guidance on creditors' rights on how to approve and monitor a Liquidator's remuneration and on how the remuneration is set can be obtained online at www.begbies-traynor.com/creditorsguides. Alternatively, if you require a hard copy of the Guide, please contact our office and we will arrange to send you a copy.

7. LIQUIDATORS' EXPENSES

A statement of the expenses incurred during the period of this progress report is attached at Appendix 3. A cumulative statement showing the total expenses incurred since the date of our appointment also appears at Appendix 3.

8. ASSETS THAT REMAIN TO BE REALISED AND WORK THAT REMAINS TO BE DONE

Assets that remain to be realised:

There are no further assets to realise.

What work remains to be done, why is this necessary and what financial benefits (if any) will it provide to creditors?

General case administration and planning

We will continue to regularly review the case and maintain the case files in the manner carried out to date.

Compliance with the Insolvency Act, Rules and best practice

The Insolvency Act and Rules requires Insolvency Practitioners to produce progress reports on an annual basis and to produce a final report once the liquidation has been finalised.

The time costs related to the production of this progress report are not included in the attached SIP9 time costs analysis as the analysis is for the period 26 November 2016 to 25 November 2017. These time costs will be included in our next report to creditors.

A copy of this report will also be filed with Registrar of Companies as will all future reports.

We will continue to undertake bank reconciliations and post receipts and payment vouchers where necessary.

A final report will also be required once the liquidation has been concluded.

Dealing with all creditors' claims (including employees), correspondence and distributions

A small distribution will be made to the secured creditor under it fixed charge prior to the closure of this liquidation. There are insufficient funds available to declare a dividend to unsecured creditors so will not take steps to agree creditor claims.

Other matters which includes meetings, tax, litigation, pensions and travel

A final report will be issued once final clearance has been obtained from HMRC.

How much will this further work cost?

Details of the work that the liquidators and their staff propose to undertake	Hours	Time cost £	Average hourly rate £
Case administration	3	795	265
Compliance with the Insolvency Act, Rules and best practice, including the preparation of this progress report and our final progress report	10	2,910	291
Creditor correspondence, including distributions to the secured creditor	1	265	265

Closing matters which includes issuing final VAT and Corporation Tax returns and seeking tax clearance	3	795	265
Total hours	17		
Total time costs		4,765	
Overall average hourly rate £			280

Expenses

Details of the expenses that we expect to incur in connection with the work that remains to be done referred to above are as follows:

Type of Expense	Amount
Statutory Advertising	£79.40
Storage Costs	£20.00

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, 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 Energy and Industrial Strategy. We can confirm that we have discharged our duties in these respects.

10. CREDITORS' RIGHTS

Right to request further information

Pursuant to Rule 18.9 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 the we provide further information about our remuneration or expenses which have been incurred during the period of this progress report.

Right to make an application to court

Pursuant to Rule 18.34 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 during the period of this progress report are excessive or, the basis fixed for our remuneration is inappropriate.

11. CONCLUSION

We will report again in approximately twelve months time or at the conclusion of the liquidation, whichever is the sooner.

Neil Vinnicombe

Joint Liquidator

Dated: 24 January 2018

ACCOUNT OF RECEIPTS AND PAYMENTS

Period: 26 November 2016 to 25 November 2017

Statement of Affairs £		From 26/11/2013 To 25/11/2016 £	From 26/11/2016 To 25/11/2017 £	Total From 26/11/2013 to 25/11/17 £
5,000.00	SECURED ASSETS			
	Goodwill/Intellectual Property	15,500.00	NIL	15,500.00
		15,500.00	NIL	15,500.00
	COSTS OF REALISATION			
	Office Holders Fees	6,940.66	NIL	6,940.66
	Legal Fees	750.00	NIL	750.00
	Agents/Valuers Fees	750.00	NIL	750.00
	IT Developer Fees	725.00	NIL	725.00
	Fulfilment/Warehouse Settlement	3,000.00	NIL	3,000.00
		(12,165.66)	NIL	(12,165.66)
(280,000.00)	SECURED CREDITORS			
	Lloyds Bank Plc	NIL	NIL	NIL
		NIL	NIL	NIL
	ASSET REALISATIONS			
3,000.00	Equipment	NIL	NIL	NIL
15,000.00	Stock	10,000.00	NIL	10,000.00
6,000.00	Book Debts	967.16	NIL	967.16
	Bank Charge Refund	0.00	148.75	148.75
	Bank Interest Gross	27.73	NIL	27.73
		10,994.89	148.75	11,143.64
	COST OF REALISATIONS			
	Statement of Affairs Fee	500.00	NIL	500.00
	Pre-Appointment Fees	2,059.34	NIL	2,059.34
	Retention of Title Claims	2,288.78	NIL	2,288.78
	Agents/Valuers Fees (1)	400.59	NIL	400.59
	Legal Fees (1)	500.00	NIL	500.00
		(10,994.21)	NIL	(10,994.21)
(1,307.06)	PREFERENTIAL CREDITORS			
	RPO re Arrears/Holiday Pay	NIL	NIL	NIL
		NIL	NIL	NIL

	UNSECURED CREDITORS			
(67,079.91)	Trade Creditors	NIL	NIL	NIL
(7,097.50)	RPO re Redundancy Pay	NIL	NIL	NIL
(51,195.00)	Banks/Institutions	NIL	NIL	NIL
(2,145.00)	HMRC (PAYE)	NIL	NIL	NIL
(6,710.00)	HMRC (VAT)	NIL	NIL	NIL
(20,485.00)	Directors Loan Account	NIL	NIL	NIL
		NIL	NIL	NIL

	DISTRIBUTIONS			
(2.00)	Ordinary Shareholders	NIL	NIL	NIL
		NIL	NIL	NIL

(428,013.19)			<u>3,483.77</u>
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REPRESENTED BY	
Bank 1 Current	<u>3,483.77</u>

TIME COSTS AND DISBURSEMENTS

- a. Begbies Traynor (Central) LLP's charging policy;
- b. Time Costs Analysis for the period from 26 November 2016 to 25 November 2017 and
- c. Cumulative Time Costs Analysis for the period from 26 November 2013 to 25 November 2017.

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

- Telephone and facsimile

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

² Ibid 1

- 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 Bath 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 such as secretarial, administrative and cashiering staff is charged directly to cases. It is not carried as an overhead.

Time is recorded in units 6 minute units.

SLIP9: Ascott Smallholding Supplies L. Creditors Voluntary Liquidation. 31/AS093 CVL : Time Costs Analysis From 26/11/2016 To 25/11/2017

[illegible]

SIP9 Ascott Smallholding Supplies L - Creditors Voluntary Liquidation - 31AS093 CVL - Time Costs Analysis From 26/11/2013 To 25/11/2017

Staff Name	Consultant Referral	Duration	Sr. Prop	Prgr	Asst Prgr	Sr Admin	Admin	Un Admin	Support	Total Hours	Time Cost	Average hourly rate £
General Case Administration and Planning												
	Case planning	23		55			30			108	2,771.00	256.57
	Administration	04		76	15		113			215	4,222.00	196.37
	Total for General Case Administration and Planning	27	07	131	15		113			323	6,993.00	216.50
Compliance with the Insolvency Act Rules and best practice												
	Appointment	22					90			112	2,084.00	186.07
	Banking and Bonding	39		10	08		84			141	3,103.50	220.11
	Case Closure											0.00
	Statutory reporting and statement of affairs	17		280						297	8,091.50	272.44
	Total for Compliance with the Insolvency Act Rules and best practice	78	250	290	08		174			550	13,276.00	241.44
Investigations	COA and investigations	10			100		157			267	4,564.50	170.96
	Total for Investigations	10			100		157			267	4,564.50	170.96
Realisation of assets	Debt collection	20					86			106	1,951.00	184.06
	Property, business and asset sales	62		32	271					365	8,652.50	242.53
	Retention of Third Party assets				133					133	2,726.50	205.00
	Total for Realisation of assets	82	32	32	404		86			604	13,330.00	224.01
Trading	Trading											0.00
	Total for Trading											0.00
Dealing with all creditors claims (including employees), correspondence and distributions	Secured			70						70	1,855.00	265.00
	Others	04		30			41			75	1,506.50	200.87
	Creditors committee											0.00
	Total for Dealing with all creditors claims (including employees), correspondence and distributions	04		100			41			145	3,361.50	231.83
Other matters which includes meetings, tax, litigation, pensions and travel	Seeking decisions of creditors including meetings	20								20	790.00	395.00
	Other											0.00
	Tax	04		16			34			54	1,041.00	192.78
	Litigation											0.00
	Total for Other matters	24		16			34			74	1,831.00	247.43
	Total hours by staff grade:	225	07	568	527		635			1963		
	Total time cost by staff grade:	8,067.50	217.00	15,078.50	10,803.00		8,572.50				43,550.00	
	Average hourly rate £:	395.00	310.00	265.00	205.00	0.00	135.00	0.00	0.00		221.90	
	Total fees drawn to date £:										6,940.66	

STATEMENT OF EXPENSES

Type of expense	Name of party with whom expense incurred	Amount incurred £	Amount discharged £	Balance (to be discharged) £
Expenses incurred with entities not within the Begbies Traynor Group				
Storage	Restore	9.60	NIL	9.60

CUMULATIVE STATEMENT OF EXPENSES

Type of expense	Name of party with whom expense incurred	Amount incurred £
Agent's fees	Lambert Smith Hampton	1096.00
	Inskmoor	54.59
Legal fees	Clarke Willmott LLP	1250.00
Statutory advertising	The Stationery Office	223.89
Storage	Restore	23.44
Bond	Marsh	20.00