

# 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

04562659

Name of Company

Lectus Therapeutics Limited

I / We

Mary Anne Currie-Smith, 1st Floor, 24 High Street, Whittlesford, Cambridgeshire, CB22 4LT

John A Lowe, 2 Merus Court, Meridian Business Park, Leicester, LE19 1RJ

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 20/06/2014 to 19/06/2015

Signed



Date

29.7.15

Begbies Traynor (Central) LLP  
1st Floor  
24 High Street  
Whittlesford  
Cambridgeshire  
CB22 4LT

Ref LE150MVL/MACS/JL/CXW/KDS

THURSDAY



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30/07/2015

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COMPANIES HOUSE

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## **Lectus Therapeutics Limited (In Members' Voluntary Liquidation)**

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Progress report pursuant to Section 92A of the  
Insolvency Act 1986 and Rule 4.49C of the  
Insolvency Rules 1986

Period: 20 June 2014 to 19 June 2015

### **Important Notice**

This report has been produced solely to comply with our statutory duty to report to members of the Company pursuant to Section 92A of the Insolvency Act 1986. This report is private and confidential and may not be relied upon, referred to, reproduced or quoted from, in whole or in part, by members for any purpose other than this report to them, or by any other person for any purpose whatsoever.

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# 1. INTERPRETATION

<u>Expression</u>	<u>Meaning</u>
"the Company"	Lectus Therapeutics Limited (In Members' Voluntary Liquidation)
"the liquidators", "we", "our" and "us"	Mary Anne Currie-Smith of Begbies Traynor (Central) LLP., 1st Floor, 24 High Street, Whittlesford, Cambridgeshire, CB22 4LT and John A Lowe of Begbies Traynor (Central) LLP 2 Merus Court, Mendenham Business Park, Leicester, LE19 1RJ
"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 creditors	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) -

Company registered number 04562659

Company registered office First Floor, 24 High Street, Whittlesford, Cambridgeshire, CB22 4LT

Former trading address Pall Mall Court, 61-67 King Street, Manchester, M2 4PD

## 3. DETAILS OF APPOINTMENT OF LIQUIDATORS

Date winding up commenced 20 June 2014

Date of liquidators' appointment 20 June 2014

Changes in liquidator (if any) None

## 4. PROGRESS DURING THE PERIOD

Attached at Appendix 1 is our abstract of receipts and payments for the period from 20 June 2014 to 19 June 2015

The only assets were cash at bank and a VAT refund of £1,129. By the time of liquidation the VAT refund had been credited to the company's bank account. I recovered the sum of £5,661.79 which was slightly less than expected as a result of bank charges.

As regards payments, the members agreed a total fixed fee of £5,000 of which £1,000 was attributable to the cost of liquidating Lectus Limited. There is a balance of £800 outstanding against my £4,000 fee for dealing with the liquidation of Lectus Therapeutics Limited which will be paid from the awaited post liquidation VAT reclaim.

The disbursements of £356.40 can be analysed as follows

Nature of disbursement	Paid to	£
Statutory advertising - appointment	Courts	253.80
Specific bond premium	IRS	18.00
Statutory advertising – closure	Courts	84.60
<b>Total</b>		<b>356.40</b>

## 5. CREDITORS

As in any liquidation, in a members' voluntary liquidation creditors are required to prove their claims and the liquidators must examine the proofs and the particulars of the claims and admit them, in whole or in part, or reject them. The liquidators must then settle the priorities of the creditors (as between secured, preferential and unsecured creditors) before paying them in full with statutory interest.

As expected no creditors' claims have been received

## 6. DISTRIBUTIONS TO MEMBERS

There have been no distributions to members

## 7. REMUNERATION & DISBURSEMENTS

Our remuneration has been fixed 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 subject to us having agreed that our remuneration shall not exceed the sum of £4,000 in circumstances where the value of time given by us and our staff in attending to matters arising in the winding up exceeds this sum

We are also 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 were sent to the members of the Company when written resolutions, including the special resolution that the Company be wound up voluntarily, and which is attached at Appendix 2 of this report

The fixed fee of £4,000 was applied first against the pre-liquidation time costs of £3,906 and the balance against our post-liquidation time costs

Our time costs for the period from 20 June 2014 to 19 June 2015 amount to £3,831 which represents 13.6 hours at an average rate of £281.69 per hour

I confirm that our outstanding time costs of £3,737 will be written off because there are funds in the liquidation estate to pay them

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

- ☐ Summary of pre-liquidation time costs
- ☐ Table of time spent and charge-out value for the period 20 June 2014 to 19 June 2015
- ☐ Begbies Traynor (Central) LLP's policy for re-charging disbursements
- ☐ Begbies Traynor (Central) LLP's charge-out rates

## 8. MEMBERS' RIGHTS

### Right to request further information

Pursuant to Rule 4.49E of the Rules, within 21 days of the receipt of this report a member or members of the Company with at least 5% of the voting total rights of all the members having the right to vote at general meetings of the Company (or any member or members with less than 5% of the total voting rights, 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 4.148C of the Rules, within 8 weeks of receipt of this progress report any member or members of the Company with at least 10% of the total voting rights of all the members having the right to vote at general meetings of the Company (or any member, or members with less than 10% of the total voting rights, but with the permission of the Court) may 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

## 9. CONCLUSION

I received the relevant tax clearances to close the liquidation in November 2014. Unfortunately, I have still not received the VAT refund which I requested in October 2014. Towards the end of last year HMRC re-structured and this appears to have caused delays at their end. As soon as I have received the VAT refund and paid the outstanding balance on my fixed fee I will convene the final meeting of members to conclude the liquidation.



**Mary Currie-Smith**  
Joint Liquidator

Dated 29 July 2015

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# ACCOUNT OF RECEIPTS AND PAYMENTS

Period 20 June 2014 to 19 June 2015



**Lectus Therapeutics Limited**  
**(In Liquidation)**  
**Joint Liquidators' Abstract of Receipts & Payments**  
**To 19/06/2015**

Dec of Sol £		£	£
	<b>ASSET REALISATIONS</b>		
1,129 00	VAT Refund	NIL	
4,571 00	Cash at Bank	5,661 79	
	Bank Interest Gross	0 59	
			5,662 38
	<b>COST OF REALISATIONS</b>		
	Liquidators' fees	3,200 00	
	Office Holders Expenses	356 40	
	Liquidators' fees re Lectus Limited	1,000 00	
	Irrecoverable VAT	200 00	
			(4,756 40)
<b>5,700.00</b>			<b>905.98</b>
	<b>REPRESENTED BY</b>		
	Bank 1 Current		105 98
	Vat Control Account		800 00
			<b>905 98</b>



Mary Anne Currie-Smith  
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 Summary of pre-liquidation time costs,
- d Table of time spent and charge-out value for the period from 20 June 2014 to 19 June 2015

Begbies Traynor is a trading name of Begbies Traynor (Central) LLP, a limited liability partnership, registered in England No OC306540, registered office 340 Deansgate, Manchester, M3 4LY

Mary Anne Curne-Smith is licensed in the United Kingdom to act as an Insolvency Practitioner by the Insolvency Practitioners Association

John A Lowe is licensed in the United Kingdom to act as an Insolvency Practitioner by the Secretary of State for the Department for Business Innovation & Skills

Any reference to a partner is to a member of the limited liability partnership. A list of partners is available for inspection at the registered office. A member of the Begbies Traynor Group. Specialist Professional Services [www.begbies-traynorgroup.com](http://www.begbies-traynorgroup.com)

Partners, Directors and Consultants acting as administrators or administrative receivers contract as agents and without personal liability

## **BEGBIES TRAYNOR CHARGING POLICY**

### **INTRODUCTION**

This note applies where a licensed insolvency practitioner in the firm is acting as an office holder of a solvent estate and seeks member 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 members 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 guidance<sup>1</sup> requires that such information should be disclosed to those who are responsible for approving remuneration.

In addition, this note applies where member 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 guidance<sup>2</sup> 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 SOLVENT 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 SOLVENT 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)

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<sup>1</sup> Statement of Insolvency Practice 9 (SIP 9) – Remuneration of insolvency office holders in England & Wales (Effective 6 April 2010)

<sup>2</sup> *Ibid* 1

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Partners, Directors and Consultants acting as administrators or administrative receivers contract as agents and without personal liability.

- Internal meeting room usage for the purpose of statutory meetings of creditors is charged at the rate of £100 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,
  - Displaying properties for sale on the 'Accelerated Properties for Sale from Begbies Traynor' section of the Begbies Traynor website is charged at the rate of £75.00 per property,
- (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
  - Printing and photocopying
  - Stationery

#### **HOURLY CHARGE OUT RATES**

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

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# Begbies Traynor Group

Time and Expenses Report - Detailed

29/07/2015 10 21

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Time Breakdown								
Name	Date	Action	Rank	Hours	Rate	Cost	Narrative	
Mary Currie Smith	19/11/2013	Pre-appointment work	Partner 1	1 00	395 00	395 00	case set up	
Mary Currie Smith	20/11/2013	Pre-appointment work	Partner 1	0 10	395 00	39 50	update ips	
Mary Currie Smith	06/12/2013	Pre-appointment work	Partner 1	1 50	395 00	592 50	review weightmans doc	
Mary Currie Smith	16/12/2013	Pre-appointment work	Partner 1	0 20	395 00	79 00	email rhan re written resolutions	
Carol Wilson	06/01/2014	Pre-appointment work	Administrator	1 00	135 00	135 00	file set up, checklists, conflict checks etc	
Mary Currie Smith	08/01/2014	Pre-appointment work	Partner 1	0 50	395 00	197 50	telcon lawyers re written resolutions etc	
Mary Currie Smith	09/01/2014	Pre-appointment work	Partner 1	0 40	395 00	158 00	telcon angus and email lawyers	
Mary Currie Smith	23/01/2014	Pre-appointment work	Partner 1	1 00	395 00	395 00	chase docs, update file	
Carol Wilson	27/01/2014	Pre-appointment work	Administrator	0 30	135 00	40 50	consents to act, forms 600 600A	
Carol Wilson	28/01/2014	Pre-appointment work	Administrator	0 50	135 00	67 50	engagement letter	
Mary Currie Smith	28/01/2014	Pre-appointment work	Partner 1	0 50	395 00	197 50	checklist and eng letter	
Carol Wilson	29/04/2014	Administration	Administrator	0 20	135 00	27 00	printing email docs	
Mary Currie Smith	06/05/2014	Pre-appointment work	Partner 1	0 20	395 00	79 00	update dec solve	
Mary Currie Smith	16/06/2014	Pre-appointment work	Partner 1	1 50	395 00	592 50	partner case progress review	
Mary Currie Smith	23/06/2014	Pre-appointment work	Partner 1	0 10	395 00	39 50	chase appoint docs	
Carol Wilson	26/06/2014	Administration	Administrator	0 20	135 00	27 00	Gazette notice	
Carol Wilson	27/06/2014	Appointment activity	Administrator	0 20	135 00	27 00	letter to bank	
Carol Wilson	30/06/2014	Administration	Administrator	0 20	135 00	27 00	billing	
Mary Currie Smith	30/06/2014	Appointment activity	Partner 1	2 00	395 00	790 00	post appointment stat docs etc	
				<b>11.60</b>	<b>336.72</b>	<b>3,906.00</b>		

