

In accordance with Rule 18.7 of the Insolvency (England & Wales) Rules 2016 and Sections 92A, 104A and 192 of the Insolvency Act 1986.

LIQ03

Notice of progress report in voluntary winding up



Companies House

SATURDAY



A11
16/12/2017
COMPANIES HOUSE

ase

ise

1 Company details

Company number 04628632

Company name in full Exsel (Int) Community Interest Company

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

2 Liquidator's name

Full forename(s) Kevin

Surname Lucas

3 Liquidator's address

Building name/number 32 Stamford Street

Street Altrincham

Post town Cheshire

County/Region

Postcode WA14 1EY

Country

4 Liquidator's name ①

Full forename(s)

Surname

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

5 Liquidator's address ②

Building name/number

Street

Post town

County/Region

Postcode

Country

② Other liquidator
Use this section to tell us about another liquidator.

LIQ03

Notice of progress report in voluntary winding up

6 Period of progress report

From date	^d 3	^d 0	^m 0	^m 9	^y 2	^y 0	^y 1	^y 6
To date	^d 2	^d 9	^m 0	^m 9	^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 9	^m 1	^m 1	^y 2	^y 0	^y 1	^y 7
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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	Kevin Lucas
Company name	Lucas Johnson Limited
Address	32 Stamford Street
	Altrincham
Post town	Cheshire
County/Region	
Postcode	W A 1 4 1 E Y
Country	
DX	
Telephone	0161 929 8666

**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

EXSEL (INT) COMMUNITY INTEREST COMPANY - IN LIQUIDATION

**Liquidator's Second Progress Report pursuant to Section 104A of the Insolvency Act 1986
For the period from 30 September 2016 to 29 September 2017**

**EXSEL (INT) COMMUNITY INTEREST COMPANY - IN LIQUIDATION
FOR THE PERIOD FROM 30 SEPTEMBER 2016 TO 29 SEPTEMBER 2017**

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Receipts and Payments Account

Appendix 1

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**EXSEL (INT) COMMUNITY INTEREST COMPANY - IN LIQUIDATION
FOR THE PERIOD FROM 30 SEPTEMBER 2016 TO 29 SEPTEMBER 2017**

1. STATUTORY INFORMATION

Date of Winding Up Resolution:	30 September 2015
Name of Liquidator:	Kevin Lucas of Lucas Johnson Limited, 32 Stamford Street, Altrincham, Cheshire, WA14 1EY
Date of Appointment:	30 September 2015
Company Name:	Exsel (Int) Community Interest Company ("the Company")
Trading Styles:	N/a
Registered Number:	04628632
Registered Office:	32 Stamford Street, Altrincham, Cheshire, WA14 1EY
Changes in Office Holder:	None

2. INTRODUCTION

- 2.1 A resolution to wind up the above Company was passed on 30 September 2015 when Kevin Lucas was appointed Liquidator. Creditors' ratified the appointment of Kevin Lucas as Liquidator at the meeting of creditors held on 13 October 2015.
- 2.2 This is the second progress report to creditors and covers the period from 30 September 2016 to 29 September 2017 and is issued pursuant to Section 104A of the Insolvency Act to provide creditors with an update on the progress of the Liquidation. This report should be read in conjunction with the Liquidator's previous report.
- 2.3 References in this report to rules and sections are, unless expressly provided otherwise, respectively references to the rules of the Insolvency (England & Wales) Rules 2016 and to sections of the Insolvency Act 1986.

3. PROGRESS OF THE LIQUIDATION DURING THE REPORTING PERIOD

Motor Vehicles

- 3.1 As previously reported, the Company owned two motor vehicles which had a book value of £11,133 and an uncertain estimated to realise value. The director advised that one vehicle had been disposed of prior to the winding up. A second vehicle was used for a specific contract and, upon the transfer of the contract, the vehicle was transferred to the new operator.
- 3.2 Although further information has been requested in relation to the vehicles, no documentation has been forthcoming. However, the vehicles were not deemed to be of any value to the liquidation estate and, therefore, no further action has been taken in this regard.

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Stock

- 3.3 An amount of stock remained at the Company's former trading premises and it was anticipated that these items may have had a minimal realisable value. However, given that the vast majority of the stock was pre owned, the costs to remove and sell the items would have outweighed any potential realisations. Therefore, no further action was taken in this regard.

Matter which remain to be dealt with

- 3.4 There are no matters which remain to be dealt with and therefore steps are now being taken to conclude the winding up.

4. RECEIPTS AND PAYMENTS ACCOUNT

- 4.1 A Receipts and Payments Account for the period is attached at Appendix 1.

5. LIQUIDATOR'S REMUNERATION, DISBURSEMENTS AND EXPENSES

Remuneration

- 5.1 The basis upon which the Liquidator charges remuneration was agreed by creditors at the meeting of creditors held on 13 October 2015. Creditors agreed that the Liquidator could draw remuneration based on the time spent by the Liquidator and his staff in attending to matters arising in the Liquidation, plus VAT and disbursements.
- 5.2 The Liquidator's time costs for the period 30 September 2016 to 29 September 2017 are £2,040 and are shown in more detail in Appendix 2. This represents 12 hours at an average hourly rate of £170. Time has been mainly spent on Admin & Planning; below is further guidance on the work involved for each category:

Category	Description of work undertaken
Admin & Planning	Dealing with statutory matters. File maintenance, case review & strategy. Preparation of statutory reports to creditors.
Creditors	Dealing with creditors' correspondence. Processing of claim forms.

- 5.3 The Liquidator's total time costs to date since the commencement of the Liquidation are £9,920. This represents 54.60 hours at an average hourly rate of £181.68.
- 5.4 The Liquidator has drawn no remuneration in the period of this report.

Disbursements

- 5.5 Disbursements incurred by the Liquidator are split into two categories:
- Category 1 disbursements are items of specific expenditure that are directly related to the case, where exact costs can be ascertained and recharged without profit, and are usually referable to an independent external supplier's invoice.
 - Category 2 disbursements are additional items of incidental expenditure that relate to the estate but are either not directly attributable, or include an element of shared or allocated cost and which are based on a reasonable method of calculation. These have been previously approved by creditors at the meeting of creditors and details of rates can be seen at Appendix 3.

**EXSEL (INT) COMMUNITY INTEREST COMPANY - IN LIQUIDATION
FOR THE PERIOD FROM 30 SEPTEMBER 2016 TO 29 SEPTEMBER 2017**

- 5.6 No Category 1 disbursements have been incurred or paid in the period.
- 5.7 Category 2 disbursements incurred are shown at Appendix 2. As required by Statement of Insolvency Practice Number 9, a schedule of the Liquidator's charge out rates and disbursement charging policies is shown at Appendix 3.
- 5.8 During the period no Category 2 disbursements have been drawn.
- 5.9 A copy of 'A Creditors' Guide to Liquidators' Fees' which provides guidance on creditors' rights on how to approve and monitor a Liquidator's remuneration and on how the remuneration is set is available at <http://www.lucasjohnson.co.uk/downloads/fee-guides/>. Alternatively, if you require a hard copy of the Guide, please contact the Liquidator's office accordingly.

Expenses

- 5.10 No Liquidator's expenses have been incurred or paid during the reporting period.

6. OTHER MATTERS AND INFORMATION TO ASSIST CREDITORS

Outcome for Secured Creditors

- 6.1 HSBC Bank plc had the benefit of a debenture comprising a fixed and floating charge which was created on 15 March 2004. At the outset of the winding up there were no funds due to the bank and therefore, there are no secured creditors in this matter.

Outcome for Preferential Creditors

- 6.2 No preferential claims were expected. However, preferential claims of £650 have been received in respect of outstanding wages and holiday pay. There is no prospect of a dividend to preferential creditors.

Prescribed Part pursuant to Section 176A of the Act

- 6.3 Under Section 176A of the Act a liquidator is required to set aside a proportion of the realisations for unsecured creditors where there is a secured creditor who holds a qualifying floating charge created on or after 15 September 2003. This is known as the Prescribed Part.
- 6.4 As there are no qualifying floating charges registered at Companies House, the Prescribed Part does not apply in this matter.

Outcome for Unsecured Creditors

- 6.5 The statement of affairs detailed unsecured creditors of £107,129. As at the date of this report, claims totalling £50,596 have been received from unsecured creditors.
- 6.6 There will be no distribution to creditors as the funds realised have been used or allocated for defraying the costs of the winding up.

**EXSEL (INT) COMMUNITY INTEREST COMPANY - IN LIQUIDATION
FOR THE PERIOD FROM 30 SEPTEMBER 2016 TO 29 SEPTEMBER 2017**

Creditors' rights

- 6.7 In accordance with Rule 18.34 of the Rules, any secured creditor, or any unsecured creditor with either the concurrence of at least 10% in value of the creditors or the permission of the court, may, where it is believed the basis or quantum of remuneration or expenses charged by the Liquidator are, in all the circumstances, excessive or inappropriate, apply to the court within the prescribed period, this being eight weeks following the receipt of this report, for an order adjusting the remuneration or expenses.
- 6.8 In accordance with Rule 18.9 of the Rules a secured creditor, or an unsecured creditor with either the concurrence of at least 5% in value of the unsecured creditors or the permission of the court has the right to make a request in writing to the Liquidator for further information about remuneration or expenses set out in this progress report. If no response is received within 14 days any creditor has the right to apply to court within the subsequent 21 day period for the court to make such order as it thinks just.

Next Report to Creditors

- 6.9 There are no matters which remain outstanding and steps and the Liquidator is in the process of concluding the winding up. Therefore the next report to creditors will be the Liquidator's final report.

**Kevin Lucas
Liquidator**

29 November 2017

APPENDIX 1 – RECEIPTS AND PAYMENTS ACCOUNT

EXSEL (INT) COMMUNITY INTEREST COMPANY - IN LIQUIDATION

RECEIPTS AND PAYMENTS ACCOUNT FOR THE PERIOD 30 SEPTEMBER 2016 TO 29 SEPTEMBER 2017

Exsel (Int) Community Interest Company
(In Liquidation)
Liquidator's Summary of Receipts & Payments

Statement of Affairs		From 30/09/2016	From 30/09/2015
£		To 29/09/2017	To 29/09/2017
		£	£
	ASSET REALISATIONS		
Uncertain	Plant & Machinery	NIL	NIL
Uncertain	Motor Vehicles	NIL	NIL
Uncertain	Stock	NIL	NIL
90.00	Cash at Bank	NIL	407.61
	Bank Interest Gross	0.05	0.35
		0.05	407.96
	COST OF REALISATIONS		
	Specific Bond	NIL	20.00
		NIL	(20.00)
	UNSECURED CREDITORS		
(49,382.00)	Trade & Expense Creditors	NIL	NIL
(34,000.00)	Directors	NIL	NIL
(22,000.00)	HM Revenue & Customs - PAYE/NIC	NIL	NIL
(1,747.00)	HM Revenue & Customs - VAT	NIL	NIL
		NIL	NIL
	DISTRIBUTIONS		
(100.00)	Ordinary Shareholders	NIL	NIL
		NIL	NIL
(107,139.00)		0.05	387.96
	REPRESENTED BY		
	Bank 1 Current		387.96
			387.96

APPENDIX 2 – SIP 9 TIME ANALYSIS AND CATEGORY 2 DISBURSEMENTS

EXSEL (INT) COMMUNITY INTEREST COMPANY - IN LIQUIDATION

TIME ANALYSIS FOR THE PERIOD 30 SEPTEMBER 2016 TO 29 SEPTEMBER 2017

Time Entry - SIP9 Time & Cost Summary

E0012 - Exsel (Int) Community Interest Company
All Post Appointment Project Codes
From: 30/09/2016 To: 29/09/2017

Classification of Work Function	Partner	Manager	Other Senior Professionals	Assistants & Support Staff	Total Hours	Time Cost (£)	Average Hourly Rate (£)
Admin & Planning	0.00	1.30	4.00	5.80	11.10	1,837.50	165.54
Case Specific Matters	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Creditors	0.00	0.00	0.90	0.00	0.90	202.50	225.00
Investigations	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Pre Appointment	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Realisation of Assets	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Trading	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Total Hours	0.00	1.30	4.90	5.80	12.00	2,040.00	170.00
Total Fees Claimed						0.00	
Total Disbursements Claimed						0.00	

APPENDIX 3 – LUCAS JOHNSON

CHARGE OUT RATES AND DISBURSEMENT POLICY EFFECTIVE FROM 1 JANUARY 2016

Fee Accrual

The Office Holder is the general name for the Insolvency Practitioner dealing with the case affairs. In accordance with the Act and the Rules, the Office Holder shall charge appropriate fees for dealing with the case affairs.

It is usual practice for the agreement of fees to be sought on the basis of time properly incurred in dealing with the case. However on occasion it is necessary to seek agreement of fees as a fixed percentage of assets realised and/or distributions made, or indeed a defined fixed fee.

The precise basis of how fees are to be incurred will be formally given to creditors prior to agreement being sought.

The legal agreement and basis upon which post appointment fees are agreed is determined by the relevant category of creditors, details of which are explained within the respective independent creditors' guides to fees. Unless otherwise advised, fees shall be drawn on account from the case funds as and when realisations allow, subject to agreement.

Estimation of Fees

Where an Office Holder wishes to seek the agreement of fees on a time costs basis, he is required to give creditors full details of not only what he believes such fees to be, but what works shall be done in relation to those fees.

Because it is quite difficult to contemplate what a case will involve before appointment, we have gathered information to work out average time required to complete similar work for this type of appointment. The fee estimate for time costs has been proposed using average data from this review. This forms the basis of our time costs projection.

This forecast is based upon the firm's policy in relation to the projection of fees for this type of insolvency. Calculations have been made using specific details of the case such as the type of realisations, number of creditors and the anticipated duration of the case prior to closure.

Fees Charged on Fixed Fee Basis

Fixed fees are per matter. For example correspondence with creditors may be charged at a fixed rate of £50 per creditor per annum, similarly employees, directors, shareholders may all be charged on a fixed cost basis per annum. Any costs shown for these fees should not usually change from that guide provided.

Fees on a Percentage Basis

Where it is intended that fees be drawn on a percentage basis, for example the realisation of assets, or the distribution of funds, these fees can only be calculated on the amount of funds to be dealt with. This final fee may therefore be lower than that information provided in our guide or indeed not at all.

Contingent Fees

Contingent fees (where applicable) are those which are only payable on the recovery of a windfall and the later distribution to creditors where a dividend can be paid. All contingent fees, whether for the recovery of a windfall or contingent asset are fixed at 20%.

All future distributions are to be charged at 10%, irrespective of whether the initial forecast shows a distribution to be payable.

Fee Basis

In order to simplify information, the basis for post appointment fee shall simply be referred to as our Fee Policy.

Staff

Each member of staff involved with the case will time charge on an individual basis. The hourly cost of each member of staff shall be calculated in accordance with their experience and resultant grade within the practice.

In view of the complexity of the work involved, it is not practice policy to use sub contractors, however we reserve the right to do so should the case require. Details of any sub contractor used and the reasons why shall be provided within the respective statutory report SIP 9 detail.

VAT

Services provided by Insolvency practitioners are subject to VAT, except when acting as Nominee or Supervisor of an estate.

Our fees will be subject to VAT at the appropriate rate.

Where the case is not registered for VAT, VAT shall be shown as an irrecoverable expense of the estate.

Disbursements

Every case dealt with will incur expenses in addition to fees.

Expenses will cover a number of areas, such as advertising, insolvency practitioner insurance and legal fees.

Where the Office Holder or his firm pays these out of their own funds (e.g. the firm's office account) these will be classed as Disbursements. The Office Holder is required to explain the amount and nature of such disbursements whenever a formal abstract of accounts is produced.

Regulations require that we separate category 1 and 2 disbursements for your information. An explanation of which is as follows:

Category 1 Disbursements:

Category 1 disbursements are expenses directly attributable to the case, where exact costs can be ascertained and recharged without profit. These can, but are not limited to, include insolvency bonds, advertising, company searches, post redirection orders, postage, external room hire, external storage as well as public transport and accommodation costs incurred by staff whilst attending to the administration of the estate.

Category 2 Disbursements

Category 2 disbursements are additional overheads that relate to the estate but are either not directly attributable to it, or the exact cost is not ascertainable and therefore cannot be precisely recharged. These expenses include, inter alia, stationery, photocopying and storage costs.

Any authorised category 2 disbursements which have been charged shall be shown in the statutory abstract of accounts

The following are a current schedule of category 2 disbursements which may (*) be charged by Lucas Johnson

- Mileage shall be recharged at 50pence per mile
- Destruction of boxes shall be recovered as a category 1 expense; and
- Storage of books and records at £30 per box per annum
- Fixed charge for the issue of each circular at £10 per relevant party per annum.
- Internal meeting room (where required) charged at £50 per hour or part thereof.

(*) Lucas Johnson does not ordinarily recover all category 2 disbursements, but reserves the right to do so, where such disbursements are substantial and appropriate sanction has been obtained.

The following items of expenditure will normally be treated as general office overheads by the Office Holder and will not be charged to the case:

- Telephone and facsimile
- Printing and photocopying
- Stationery
- Email addresses or telephone numbers set up and used exclusively for the case
- Destruction of boxes

Disclosure of Use of Connected Parties

Please note that where it is necessary to use the services of an external agent who is associated to the Office Holder's business by way of common directors and/or shareholders, it is advised by law, that this shown as a category 2 disbursement. Kindly note that no additional profit element will be charged in regard to these services, if applicable. At the effective date of this policy, the Office Holder had no connection with any external agent.

Charge Out Rates

A table of current hourly charge out rates are provided below:

Charges for usual cases	(£)
Partner/Director/Consultant	350
Manager/Senior Manager	250-275
Assistant Manager	225
Administrator/Senior Administrator	150-200
Cashier^(#)	100
Junior and Support Staff	100

A table of hourly charge out rates prior to 31 December 2015 provided below:

Charges for usual cases	(£)
Partner/Director/Consultant	300
Manager/Senior Manager	200-250
Assistant Manager	190
Administrator/Senior Administrator	125-175
Cashier^(#)	75
Junior and Support Staff	75

(#) Please note that time charged by our cashiers relates only to accounting matters relevant to the case.

The basis upon which the Office Holder determines the appropriate charge out rate on the complexity of the case is detailed in the respective independent creditors' guides to fees, available to download from our company website or by email from this office.

Further, the Office Holder reserves the right to uplift both the hourly rates and category 2 disbursements periodically without further recourse to the creditors. By law, such increases must be disclosed to creditors within each statutory report.

Support Staff

In an effort to minimise costs to the case, it is necessary to use support staff to undertake certain matters. Support staff time is charged in the same manner as technical staff on the rates outlined above.

Recording of Fees

Time is formally recorded in prescribed categories in units of 6 minutes. All units of time properly spent, shall be recorded on a formal time management system and retained throughout appointment, irrespective of the basis of fees.

Reporting of Fees

All reports and correspondence detailing fees incurred and indeed drawn will provide the legal basis upon which fees have been incurred and from whom sanction was given in relation to those fees.

Such information shall be contained within statutory progress reports and be in the prescribed form. When providing such a report, under existing insolvency regulations, creditors are able to request further and better particulars of fees and disbursements where they believe further explanation is required.

The exact basis of how requisite members and creditors may request such information will be attached with each statutory progress report subsequently issued.

Code of Ethics

I am required to advise you at the earliest opportunity, that I am bound by the Code of Ethics of my regulator ICAEW.