

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

04744199

Name of Company

Aacorn Joinery & Design Limited

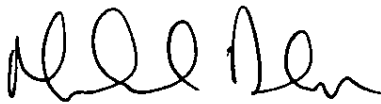
I / ~~We~~

Michael Durkan
17 Berkeley Mews
29 High Street
Cheltenham
GL50 1DY

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 02/08/2012 to 01/08/2013

Signed



Date

7 August 2013

Durkan Cahill
17 Berkeley Mews
29 High Street
Cheltenham
GL50 1DY

Ref AACOR01/MPD/GT/RS

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COMPANIES HOUSE

Aacorn Joinery & Design Limited
(In Liquidation)
Liquidator's Abstract of Receipts & Payments

Statement of Affairs		From 02/08/2012 To 01/08/2013
	ASSET REALISATIONS	
	Goodwill	33 35
2,300 00	Motor Vehicle	2,300 00
	Bank Interest Net of Tax	1 01
		<u>2,334 36</u>
	COST OF REALISATIONS	
	Specific Bond	60 00
	Liquidator's Expenses	169 51
	Agent's Fees re Valuation	100 00
	Statutory Advertising	180 00
		<u>(509 51)</u>
	PREFERENTIAL CREDITORS	
(1,183 69)	Employee Arrears/Hol Pay	<u>NIL</u>
		NIL
	UNSECURED CREDITORS	
(14,279 62)	Trade & Expense Creditors	NIL
(11,732 13)	Employees	NIL
(62,146 00)	Director	NIL
(20,606 71)	Lloyds TSB Bank plc	NIL
(22,452 92)	HM Revenue & Customs - PAYE	NIL
(5,213 12)	HM Revenue & Customs - VAT	<u>NIL</u>
		NIL
	DISTRIBUTIONS	
(3 00)	Ordinary Shareholders	<u>NIL</u>
		NIL
<u>(135,317.19)</u>		<u><u>1,824.85</u></u>
	REPRESENTED BY	
	Bank 1 Current	1,824 85
		<u><u>1,824.85</u></u>



Michael Durkan
Liquidator

Aacorn Joinery & Design Limited in Creditor's Voluntary Liquidation

1st Annual Progress Report

7 August 2013

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1. INTRODUCTION

- 1 1 I write further to the creditors' meeting held on 2 August 2012
- 1 2 The purpose of this report is to detail my acts and dealings together with the conduct of the liquidation since that meeting

2. BACKGROUND

- 2 1 The members' and creditors' meetings were held on 2 August 2012, when I was appointed liquidator of the company
- 2 2 The company's registered office is 17 Berkeley Mews, 29 High Street, Cheltenham, GL50 1DY. The company registration number is 04744199
- 2 3 The company's former registered office was previously at Shires Yard, 18 East Road, Bridport, Dorset, DT6 4AA. This was also the former trading address
- 2 4 The company's principal activity was joinery installation
- 2 5 The main causes of failure were stated to be an ill-timed move in premises in 2009 at a time when the economic climate began to have a significant impact on the construction industry
- 2 6 Despite continued injections of funds from the directors and staff cut backs, the company was not able to restore its position and pressure from creditors increased. The decision was ultimately made to cease trading and take steps to voluntarily liquidate the company

3. ASSET REALISATIONS

Motor Vehicle & Goodwill

Requirement of Statement of Insolvency Practice (SIP) 13 – Acquisition of assets of insolvent companies by directors

- 3 1 The company owned a Mercedes Sprinter van. I instructed an independent agent, James Gregory of MGR Appraisals Limited ('MGR') to undertake a professional valuation of the vehicle. The estimated to realise value on the Statement of Affairs of £2,300 is the ex-situ market value based upon the following assumptions,
- All figures expressed are net of all costs of sale and occupation of premises
 - A 90 day period for preparation, marketing and clearance
 - All the owned assets would be available for sale
 - The assets are fully marketed and exposed to the market place
 - The assets will be sold as a whole for removal or as individual items for removal at the expense of the purchaser
- 3 2 In accordance with SIP 13, I am obliged to disclose the following information in relation to the sale of the assets
- The date of the transaction was 2 August 2012
 - The assets sold consisted of the motor vehicle and the goodwill, as represented by the name, 'Aacorn'
 - The assets were sold to Aacorn Green Oak Limited for £3,000 plus VAT, apportioned as follows

	£	
Motor Vehicle		2,300
Goodwill		700
		<u>3,000</u>

- The consideration was due in full within 30 days. Whilst an initial payment of £1,500 was received on completion, no further funds were received until February 2013 when payments began to be made intermittently as and when the company could afford to do so. As of June 2013 it was agreed that the purchaser would make regular payments of £200 per calendar month until the balance is cleared. This is expected to be finalised in December 2013.
- Derek Young, one of the directors and 66.67% shareholder of Aacorn Joinery & Design Limited is the sole shareholder of the purchaser.
- Prior to completing a sale I discussed the offer to purchase the assets with MGR. They advised that the offer represented the best realisation of assets in the circumstances. A sale of the assets to Aacorn Green Oak Limited has resulted in significantly higher realisations than could be achieved at auction. The sale also avoided significant costs that would have been incurred if assets were removed and stored at an alternative location awaiting sale.

Miscellaneous Receipts

- 3.3 Bank interest of £1.01 (net of tax) has been received in the twelve month period covered by this report on funds held in the liquidation account.

4. INVESTIGATIONS

- 4.1 I have completed my investigations into the affairs of the company in accordance with Statement of Insolvency Practice 2. Tasks undertaken in respect of my investigations include:
- Analysis of bank accounts
 - Examining validity of any security granted by the company
 - Examining balance sheets and profit & loss accounts
 - Review of company books and records to include review of sales and purchase invoices
 - Receiving enquiries from and dealing with matters brought to my attention by creditors or other third parties
 - Making enquiries of and obtaining information from officers of the company
- 4.2 These investigations have not led to the discovery of any potential actions that would lead to recoveries being made into the liquidation.
- 4.3 My report on the conduct of the directors was submitted to the Insolvency Service on 1 February 2013. The content of the report is confidential and details will not be disclosed.

5. CREDITORS' CLAIMS

Secured Creditors

- 5.1 There are no secured creditors in this matter.

Preferential Creditors

- 5.2 The preferential claims of employees as recorded on the Statement of Affairs amounted to £1,183.69.

- 5 3 A claim in the sum of £1,534 49 has been received from the Insolvency Service in respect of preferential elements of claims paid to employees by the Redundancy Payments Office
- 5 4 Employees are not required to submit claims to me for sums due as their claims are automatic The balance of preferential claims of employees is £29 18

Non-preferential Creditors

- 5 5 Unsecured creditors, as per the Statement of Affairs totalled £136,430 50
- 5 6 A total of 11 creditors have submitted claims to date with an aggregate value of £49,944 69
- 5 7 Please be advised that no work has been undertaken by me to date in respect of agreeing creditors' claims, as there is currently no prospect of a dividend becoming payable

6. DIVIDEND PROSPECTS

- 6 1 There have been insufficient realisations made to date to enable any dividend to be paid to any class of creditor The further realisations due from the sale of the assets and goodwill will also not be sufficient to enable surplus funds to become available to creditors after meeting the costs and expenses of the liquidation

7. COSTS AND EXPENSES

- 7 1 Details of payments are shown on the receipts and payments account at Appendix 1
- 7 2 In accordance with Statement of Insolvency Practice 9 the Liquidator must disclose the time spent and charge out value, together with, where appropriate, such additional information sufficient to provide an explanation of the time spent and fees drawn
- 7 3 A schedule of my firm's disbursement recovery policy and list of typical charge out rates for each level of staff employed in the administration of this matter is attached at Appendix 2
- 7 4 At the meeting of creditors held on 2 August 2012 it was resolved that the Liquidator's remuneration be fixed in accordance with time charges incurred together with authorisation to re-charge category 2 disbursements
- 7 5 My expenses incurred in the twelve month period to 1 August 2013 amount to £169 51, all of which has been recovered in this period Details of the expenses incurred and recovered from the funds held are as follows,


Category 1	Incurred	Recovered	Not yet recovered
Postage	£8 06	£8 06	£0 00
Category 2			
Photocopying	£21 45	£21 45	£0 00
Mileage	£100 00	£100 00	£0 00
Facsimile	£10 00	£10 00	£0 00
Stationery	£20 00	£20 00	£0 00
Records storage	<u>£10 00</u>	<u>£10 00</u>	<u>£0 00</u>
	<u>£169 51</u>	<u>£169 51</u>	<u>£0 00</u>

- 7 6 At a meeting of creditors held on 2 August 2012 it was resolved that payment shall be made out of the company's assets of the necessary expense of preparing the Statement of Affairs in the sum of £3,000 plus VAT No funds have been drawn in respect of the Statement of Affairs fee to date

- 7 7 Attached to this report at Appendix 2 is a time and charge out summary for the twelve month period to 1 August 2013. The hours charged to this case are in respect of the performance of the statutory duties of the Liquidator and attending to the matters detailed in this report.
- 7 8 Time costs incurred in the twelve month period covered by this report amount to £5,592.00. This equates to 35.20 hours at an average hourly rate of £158.86. No remuneration has been paid to date, therefore time costs of £5,592.00 are outstanding.
- 7 9 An unsecured creditor may, with the permission of the court or with the concurrence of 5% in value of the unsecured creditors (including the creditor in question) request further details of the Liquidator's remuneration and expenses, within 21 days of receipt of this report. Any secured creditor may request the same details in the same time limit.
- 7 10 An unsecured creditor may, with the permission of the court or with the concurrence of 10% in value of the creditors (including the creditor in question), apply to court to challenge the amount and/or basis of the Liquidator's fees and the amount of any proposed expenses or expenses already incurred, within 8 weeks of receipt of this report. Any secured creditor may make a similar application to court within the same time limit.

8. CONCLUSION

- 8 1 I shall be continuing my administration of the liquidation in order to monitor the monthly payments due in respect of the sale of the assets and goodwill.
- 8 2 When I have concluded all of the outstanding matters I will take steps to draw the liquidation to a close and a further report will be issued to you at that time.
- 8 3 I shall be pleased to provide any additional information that you may reasonably require.



Michael Durkan
Liquidator

APPENDIX 1

Liquidators' Receipts and Payments Account

Aacorn Joinery & Design Limited
(In Liquidation)
Liquidator's Abstract of Receipts & Payments
To 01/08/2013

S of A £		£	£
	ASSET REALISATIONS		
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			NIL
	DISTRIBUTIONS		
(3 00)	Ordinary Shareholders	NIL	
			NIL
(135,317.19)			1,824.85
	REPRESENTED BY		
	Bank 1 Current		1,824 85
			1,824.85



Michael Durkan
Liquidator

APPENDIX 2

**Analysis of time costs &
Disbursement Recovery Policy**

Time Entry - SLP9 Time & Cost Summary

AACOR01 - Aacorn Joinery & Design Limited
Project Code POST
From 02/08/2012 To 01/08/2013

Classification of Work Function	Partner	Manager	Other Senior Professionals	Assistants & Support Staff	Total Hours	Time Cost (£)	Average Hourly Rate (£)
Admin & Planning	0.00	7.70	0.00	7.40	15.10	2,316.00	153.38
Case Specific Matters	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Creditors	0.00	2.10	0.00	0.00	2.10	384.00	182.86
Investigations	0.00	6.50	0.00	7.10	13.60	2,034.00	149.56
Marketing	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Non Chargeable	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Realisation of Assets	0.00	4.40	0.00	0.00	4.40	858.00	195.00
Trading	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Total Hours	0.00	20.70	0.00	14.50	35.20	5,592.00	158.86
Total Fees Claimed							
Total Disbursements Claimed						0.00	

Durkan Cahill Disbursements Recovery Policy

Category 1 Disbursements

Bordereau/Insurance	Charged at cost
Case Advertising	Charged at cost
Courier	Charged at cost
DTI IVA Registration Fee	Charged at cost
Subsistence	Charged at cost
Land Registry/ Co Searches	Charged at cost
Postage	Charged at cost
Post re-direction	Charged at cost
Travel	Charged at cost for public transport and taxis
Creditor Gateway Filing Fee	Charged at cost

Category 2 Disbursements

Fax	£1 00 per page sent, based on the average cost of consumables, maintenance, line rental and call charges
Telephone	Record of outgoing calls to be made, calls charged at £1 00 per call made, based on estimated average cost of calls to land lines and mobile networks
Photocopying	15 pence per copy irrespective of size, based on the average cost of consumables and maintenance
Room Hire	£70 for room hire made available in house for creditors meetings, based on the cheapest external rate for room-hire used by the firm in the last 4 years External room hire charged at cost
Storage	£5 00 per box per annum, boxes are currently stored on the firms premises at 17 Berkeley Mews, 29 High Street, Cheltenham, GL50 1DY
Mileage	Car travel charged at 40 pence per mile
Stationery	Initial case set up fee of £20 per case Annual case/file maintenance charge of £10 These charges are based on the average costs involved in the purchase of files and associated stationary

Durkan Cahill Staff Charge Out Rates

Principal	£300 per hour
Senior Manager	£240 per hour
Manager	£180 per hour
Assistant Manager	£150 per hour
Administrator	£120 per hour
Clerical	£60 per hour