

# LIQ14

## Notice of final account prior to dissolution in CVL



Companies House

SATURDAY



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A18

04/09/2021

#269

COMPANIES HOUSE

### 1 Company details

Company number 0 4 8 1 6 5 2 2

Company name in full Flat Cap Marketing Limited

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

### 2 Liquidator's name

Full forename(s) Kevin

Surname Brown

### 3 Liquidator's address

Building name/number ELS Advisory Limited

Street 31 Harrogate Road

Chapel Allerton

Post town Leeds

County/Region

Postcode L S 7 3 P D

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.

# LIQ14

## Notice of final account prior to dissolution in CVL

6

### Liquidator's release

☐ Tick if one or more creditors objected to liquidator's release.

7

### Final account

☒ I attach a copy of the final account.

8

### Sign and date

Liquidator's signature

Signature

X

*[Handwritten Signature]*

X

Signature date

d 0

d 1

m 0

m 9

y 2

y 0

y 2

y 1

LIQ14

Notice of final account prior to dissolution in CVL



### 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	Donna Berriman
Company name	ELS Advisory Limited
Address	31 Harrogate Road
Post town	Leeds
County/Region	
Postcode	L S 7 3 P D
Country	
DX	
Telephone	0113 262 3952



### 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](http://www.gov.uk/companieshouse) or email [enquiries@companieshouse.gov.uk](mailto: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](http://www.gov.uk/companieshouse)



**TO ALL KNOWN CREDITORS**

Our Ref: KB/DB/FLAT

6 July 2021

Dear Sirs

**Flat Cap Marketing Limited - Creditors' Voluntary Liquidation ("the Company")**  
**Registered Number: 04816522**

I was appointed as Liquidator of the Company on 23 June 2020. The information below constitutes my first annual progress report and final report for the periods 23 June 2020 to 22 June 2021 and 23 June 2020 to 6 July 2021 respectively.

**Notice of final account prior to dissolution**

I am writing to confirm that the Company's affairs are fully wound up. I enclose a notice to this effect together with the Liquidator's final account.

**Release from office**

I will be released from office as Liquidator when I have sent a copy of the final account and a statement of whether any of the Company's creditors objected to the Liquidator's release to the Registrar of Companies. An objection to my release as Liquidator must be received within eight weeks from the date of this notice. Please note, all objections should be made in writing and sent to me at ELS Advisory Limited, 31 Harrogate Road, Chapel Allerton, Leeds, LS7 3PD.

In the event that such an objection is received, I will apply to the Secretary of State for my release and the release date will be as determined by the Secretary of State.

Yours faithfully  
For the Company

  
Kevin Brown  
Liquidator

Kevin Brown is authorised to act as insolvency practitioners in the UK by the Insolvency Practitioners Association under office holder number 17390

ELS Advisory Limited  
31 Harrogate Road, Chapel Allerton, Leeds, LS7 3PD  
14 Clifton Moor Business Village, James Nicolson Link, York, YO30 4XG  
www.elsadvisory.co.uk

Tel: 0113 262 3932  
Tel: 01904 404 556 Fax: 01904 404 551

ELS, ELS Advisory and ELS Recovery are trading names of ELS Advisory Limited.



**S106(1)(a) Insolvency Act 1986 R6.28 Insolvency (England and Wales) Rules 2016**

**NOTICE OF FINAL ACCOUNT PRIOR TO DISSOLUTION**

**Flat Cap Marketing Limited – Creditors Voluntary Liquidation ("the Company")**

**Registered number: 04816522**

**NOTICE IS HEREBY GIVEN THAT**

It appears to Kevin Brown ("the Liquidator") that the Company's affairs are fully wound up.

The Liquidator will vacate office under s171 of the Insolvency Act 1986 on delivering to the registrar of companies the final account and notice saying whether any creditor has objected to release.

Any creditor may object to the release of the Liquidator by giving notice in writing to the Liquidator before the end of the Prescribed Period, being 31 August 2021. Such an objection must be made in accordance with the Insolvency (England and Wales) Rules 2016. In the event that such an objection is received, the Liquidator will apply to the Secretary of State for his release and his release date will be as determined by the Secretary of State.

Creditors have the right to make a written request to the Liquidator for further information about remuneration or expenses set out in his final account under Rule 18.9 of the Insolvency Rules 2016. Any such request should be made to Kevin Brown at ELS Advisory Ltd, 31 Harrogate Road, Chapel Allerton, Leeds, LS7 3PD.

Creditors have the right to challenge the Liquidator's remuneration and expenses under Rule 18.34.

The Liquidator will be released under s173(b) of the Insolvency Act 1986 at the same time as vacating office unless any of the Company's creditors objected to their release.

Name of Company:	Flat Cap Marketing Limited
Registered number:	04816522
Liquidator's Contact Details:	Kevin Brown ELS Advisory Ltd, 31 Harrogate Road, Chapel Allerton, Leeds, LS7 3PD Tel: 0113 262 3952 Email: info@elsadvisory.co.uk
Liquidator's IP Number:	17390
Contact Details For The Liquidator's Administrator:	Donna Berriman ELS Advisory, 31 Harrogate Road, Chapel Allerton, Leeds, LS7 3DP Tel: 0113 262 3952 Email: info@elsadvisory.co.uk
Prescribed Date:	31 August 2021 (eight weeks after delivery of the notice) or (if any request for information is made by the creditors or any application to the court is made with regard to remuneration and expenses, when that request or application is finally determined).

Dated: 6 July 2021

Signed \_\_\_\_\_  
Kevin Brown - Liquidator

**Flat Cap Marketing Limited - Creditors' Voluntary Liquidation ("The Company")**  
**Registered number: 04816522**

**Liquidator's Progress report for the period 23 June 2020 to 22 June 2021 and Final Account for the period 23 June 2020 to 6 July 2021 in accordance with s105 and s106 Insolvency Act 1986 and R18.7 and R18.14 Insolvency Rules 2016**

**Key highlights of this report**

A summary of the key information contained within this report is as follows:

- Asset realisations total £7,600.
- There are no further assets to realise.
- There have been no significant changes to the anticipated outcome since my last report.
- Liquidator's fees of £3,021.90 plus VAT have been drawn.
- No dividend has been paid to any class of creditor due to insufficient asset realisations.

**Appendices**

The following appendices are attached which should be read in conjunction with this report:

- |            |  |
|------------|--|
| Appendix 1 | Statutory information  |
| Appendix 2 | Receipts and payments account for period 23 June 2020 to 22 June 2021<br>Receipts and payments account for period 23 June 2020 to 6 July 2021  |
| Appendix 3 | Liquidator's time costs for period 23 June 2020 to 22 June 2021<br>Liquidator's time costs for period 23 June 2020 to 6 July 2021<br>Narrative of Liquidator's fees incurred<br>ELS charge out rates and expenses policy |
| Appendix 4 | Liquidator's costs and expenses  |

**Asset Realisations**

Attached at Appendix 2 is a copy of my Receipts and Payments account. The progress and movement on the account is explained below.

**Book Debts**

As detailed in the Statement of Affairs, the Company had one potential asset being a debt due from a customer. Funds totalling £4,500 were received shortly following my appointment.

**Overdrawn Directors Loan Account**

After a review of the Company's records, it transpired that there was an outstanding loan from one of the directors, John Pallagi, to the Company per the last filed accounts to 31 May 2019, totalling £18,278.

After reviewing the company accounting records and bank statements, there was no evidence of any reduction/offset against the amount owed to the Company.

However, it was apparent that retained profits from a previous year would have allowed for a dividend to be paid which, if reclassified in the nominal accounts would offset some of the debt due, indicatively to circa £12,000. A review of bank statements for the period 1 June 2019 to the date of Liquidation indicated profit may have been generated which would again potentially further offset the amount due in respect of the director's loan account.

Following discussions with Mr Pallagi, he also advised he had incurred various expenses personally and had not received wages from the Company. This would further offset the amount due.

Initially, Mr Pallagi offered to pay £1,000 to avoid any further protracted negotiations, repayable over 6-12 months. However, I advised that this would delay finalising matters in the Liquidation and it was preferable to receive any offer as a lump sum.

Subsequently, Mr Pallagi offered £3,100 in full and final settlement and offered immediate payment to resolve the matter expediently. I agreed to this proposal. Payment was received on 23 October 2020.

No further asset realisations are anticipated.

### ***Outstanding matters***

A claim for recoverable VAT was submitted to HM Revenue & Customs ("HMRC") on 17 May 2021. Due to the delays HMRC are experiencing due to COVID implications, the recoverable VAT has yet to be paid to the estate. It is only due to this matter that the finalisation of the Liquidation has been delayed.

HMRC has confirmed an assignment procedure that can be used to facilitate recovery of VAT, without the need for my continued appointment as Liquidator. This has been actioned. Recoverable VAT will be paid directly to the Liquidator's general client account to discharge the outstanding Liquidator's costs, such costs having already been approved by creditors on 5 May 2021.

### ***Costs of realisation***

Costs and expenses incurred to date are detailed at Appendix 4.

### ***Remuneration And Expenses (Including Statement Of Affairs Fee)***

#### **Statement of Affairs Costs**

Creditors approved a fee of £4,500 plus VAT in respect of preparing the Statement of Affairs on 5 May 2021.

#### **Liquidator's Remuneration and Expenses**

##### **Determining the basis of remuneration**

The Liquidator's fee estimate of £13,312.50 was approved on a time cost basis by creditors, along with category 2 expenses totalling £8.10 on 5 May 2021.

A separate schedule of activities that have been undertaken by my staff and I in administering this Liquidation is attached at Appendix 3 along with a narrative of the fees incurred.

Time costs incurred during the period 23 June 2020 to 22 June 2021 are detailed at Appendix 3. Time costs amount to £15,147.50 which represents 57.05 hours at an average charge out rate of £265.51 per hour.

My total time costs to date amount to £16,010.00 which represents 59.80 hours at an average charge out rate of £267.73 per hour. A breakdown of the costs incurred and charge out rates, in accordance with Statement of Insolvency Practice 9, can also be found at Appendix 3 of this report.

Liquidator's fees of £3,021.90 plus VAT have been drawn and the balance of costs totalling £12,988.10 have therefore been written off. The VAT element will be discharged following receipt of the recoverable VAT detailed above.

A copy of 'A Creditors' Guide to Liquidator's Fees' is available on request or can be obtained online at [www.elsadvisory.co.uk/creditor-portal](http://www.elsadvisory.co.uk/creditor-portal). Alternatively, if you require a hard copy of the guide please contact my office.

#### **Liquidator's costs and Expenses**

Category 2 expenses totalling £8.10 plus VAT were approved by creditors on 5 May 2021 and have been paid in respect of photocopying costs as detailed in Appendix 4. The VAT element will be discharged following receipt of the recoverable VAT detailed above.

#### ***Estimated Outcome For Creditors / Distributions***

I set out the estimated outcome for each class of creditor below.

#### **Secured Creditors**

There are no known secured creditors.

#### **Preferential Creditors**

There are no known preferential creditors.

#### **Prescribed part for the unsecured creditors s176A Insolvency Act 1986**

To the best of my knowledge and belief there were no unsatisfied floating charges created on or after 15 September 2003. Therefore, the provisions of s176A do not apply.

#### **Unsecured Creditors**

Unsecured creditors per the Directors' Statement of Affairs were estimated at £37,233.

Claims totalling £11,438.26 have been received. The reason for the difference to the Statement of Affairs is primarily due to creditors not submitting details of their claims.

#### **Dividend**

No funds were realised to enable a dividend to any creditor.

#### **Further information for creditors**

If you require any further information with regard to any aspect of this report of the Liquidator's fees and expenses, please do not hesitate to contact this office.

Any request must be made in writing within 21 days of this report (or seven business days where the report has been prepared for the purposes of a meeting to receive my resignation).



The Liquidator must provide this information within 14 days of the request, unless it is considered that:

- the time and cost involved in preparing the information would be excessive;
- disclosure would be prejudicial to the conduct of the Liquidation or might be expected to lead to violence against any person; or
- the Liquidator is subject to an obligation of confidentiality in relation to the information requested, in which case the Liquidator must give the reasons for not providing the information.

If you are not satisfied with the Liquidator's response, you have the right to request further information by either:

- An application granting permission by the court; or
- By any secured creditor, or by any unsecured creditor provided at least 10% in value of unsecured creditors agree, (or they have the permission of the court).

Any such application to court must be made within 8 weeks of the applicant receiving the progress report in which the charging of the remuneration or incurring the expenses in question is first reported.

If the court does not dismiss the application (which it may if it considers that insufficient cause is shown) the applicant must give the liquidator a copy of the application and supporting evidence at least 14 days before the hearing.



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Kevin Brown

**Date: 6 July 2021**

**Company Details****Flat Cap Marketing Limited - Creditors' Voluntary Liquidation ("the Company")****Registered number: 04816522**

Description	Flat Cap Marketing Limited
Previously known as:	N/A
Registered office:	c/o ELS Advisory Limited, 31 Harrogate Road, Chapel Allerton, Leeds, LS7 3PD
Registered number:	04816522
Contact Details For Case Administrator:	Donna Berriman ELS Advisory Limited, 31 Harrogate Road, Chapel Allerton, Leeds, LS7 3PD Tel: 0113 262 3952 Email: info@elsadvisory.co.uk

**Appointment Details**

Liquidator:	Kevin Brown
Address:	ELS Advisory Ltd, 31 Harrogate Road, Chape Allerton, Leeds, LS7 3PD
Date of Appointment:	23 June 2020
Actions of Liquidator:	Any act required or authorised under any enactment to be done by a Liquidator may be done by acting alone
Former Liquidator: (if applicable)	N/A

## Appendix 2

**Receipts and Payments Account for period 23 June 2020 to 22 June 2021**

**Receipts and Payments Account for period 23 June 2020 to 6 July 2021**

**Flat Cap Marketing Limited**  
**(In Liquidation)**  
**Liquidator's Abstract of Receipts & Payments**

		23 June 2020 to 22 June 2021	23 June 2020 to 6 July 2021
S of A £		£	£
	<b>ASSET REALISATIONS</b>		
4,500.00	Debtors	4,500.00	4,500.00
	Overdrawn Directors Loan Account	3,100.00	3,100.00
		<hr/> 7,600.00	<hr/> 7,600.00
	<b>COST OF REALISATIONS</b>		
	Statement of Affairs Fee	(4,500.00)	(4,500.00)
	Specific Bond	(70.00)	(70.00)
	Liquidator's Fees	(3,021.90)	(3,021.90)
	Liquidator's Disbursements	(8.10)	(8.10)
	<b>UNSECURED CREDITORS</b>		
(37,233.00)	Trade & Expense Creditors	-	-
		<hr/> -	<hr/> -
	<b>DISTRIBUTIONS</b>		
(170.00)	Ordinary Shareholders	-	-
		<hr/> -	<hr/> -
		<hr/> -	<hr/> -
<b>(32,903.00)</b>		<hr/> <hr/> -	<hr/> <hr/> -

## Appendix 3

Liquidator's time costs for period 23 June 2020 to 22 June 2021

Liquidator's time costs for period 23 June 2020 to 6 July 2021

Narrative of Liquidator's fees incurred

ELS charge out rates and expenses policy

it Cap Marketing Limited - Creditors' Voluntary Liquidation  
Statement of Insolvency Practice 9 time and cost summary  
June 2020 to 6 July 2021

[illegible]

† Cap Marketing Limited - Creditors' Voluntary Liquidation  
Statement of Insolvency Practice 9 time and cost summary  
June 2020 to 22 June 2021

[illegible]

## **Flat Cap Marketing Limited – Creditors' Voluntary Liquidation**

### **a) Narrative Summary of Time Costs incurred**

An analysis of time costs for the period 23 June 2020 to 6 July 2021 is attached, showing the time spent by each grade of staff on the different types of work involved in the case and the total costs and average hourly rate charged for each work type.

Please note that the analysis provided details the work undertaken following my appointment as Liquidator only.

Each part of the work undertaken will require different levels of expertise and therefore related costs. In order to make our future fees estimate easily understandable, I have used a blended rate and total hours anticipated to be spent on each part of the anticipated work. Work that has already been undertaken is provided in our Time Costs Analysis, which is included in this report.

Details of the types of work that generally fall into the headings mentioned below are available at [www.elsadvisory.co.uk/creditor-portal](http://www.elsadvisory.co.uk/creditor-portal).

Under the following headings, I have explained the specific work that has been, and is expected to be, undertaken. Not every piece of work has been described, but I have sought to give a proportionate overview which provides sufficient detail to allow creditors to understand what work has been done, what work is expected to be done, why that work was/is necessary and what financial benefit (if any) the work has provided, or is expected to provide, to creditors.

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

The costs incurred in relation to each heading are set out in the Time Costs Analysis which is attached. All work undertaken has been required to fulfil statutory obligations and case progression. This will not result in any financial benefit to creditors as no dividend will be paid to any class of creditor.

#### **Administration & Planning**

All work undertaken in respect of general case administration was conducted as per statutory requirements. All time spent in conducting the administration of the case was proportionate to the complexity of the case and there have been no exceptional issues to be dealt with.

All work undertaken in this case was conducted in compliance with the Insolvency Act, Insolvency Rules and best practice.

Additional work carried out was to ensure the efficient administration of the case, which includes:

- Statutory duties associated with the appointment;
- Notification of the appointment to creditors and other interested parties;
- Setting up case files;
- Reviewing available information to determine appropriate strategy;
- Setting up and maintaining bank accounts;
- Progress reviews of the case; and
- Cashiering duties.

Time has been spent on preparing this report as per my statutory requirements as a liquidator.



Costs of £7,362.50 equating to 28.05 hours at an average hourly rate of £262.48, have been incurred during the reporting period.

#### Realisation of assets

Costs have primarily been incurred in respect of the realization of the Company assets, detailed earlier in this report. Costs of £560.00 equating to 1.60 hours at an average hourly rate of £350.00, have been incurred during the reporting period.

#### Creditors

All work undertaken in this category has been conducted as per statutory requirements including:

- Recording and maintaining the list of creditors;
- Recording creditor claims;
- Reporting to creditors;
- Resolution via correspondence with creditors for approval of the Liquidator's fees;
- Dealing with creditor queries; and
- Reviewing and evaluating creditor claims.

No unsecured creditor claims have been agreed as, after accounting for the costs of liquidation, there are insufficient funds available to pay a dividend to unsecured creditors.

Claims have been received to date from numerous creditors.

Costs of £550.00 equating to 2.20 hours at an average hourly rate of £250.00 have been incurred during the reporting period.

#### Investigations

In accordance with statutory requirements, investigations into the Company's affairs have been undertaken to ensure that all assets of the Company have been identified and appropriately dealt with.

This work has not provided any financial benefit to creditors to date. However, it is work that is required in order to be satisfied that all assets have been disclosed by the director of the Company and to ensure compliance with the statutory obligations under the Company Directors Disqualification Act 1986.

Costs of £3,575.00 which relates to 13.30 hours at an average hourly rate of £268.80, have been incurred during the reporting period, primarily by a partner.

**ELS Advisory Limited**  
**Charging Policy as at July 2021**

**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 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 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 and also where payments are to be made to outside parties in which the office holder or his firm or any associate has an interest. Best practice guidance 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/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.

**Published charge out rates and expenses policy as at July 2021**

**Time**

Our hourly charge out rates are charged in 6 minute units. In the event that less than 6 minutes are spent, multiples will be rounded up.

The actual rate charged will depend upon the nature of each activity undertaken for the case and / or the person undertaking that activity. The firm's charge out rates, which may increase from time to time during the course of the case, are currently as follows:

Grade / activity	Hourly rate (charged in 6 minute units) to 30 September 2019	Hourly rate (charged in 6 minute units) from 1 October 2019
	£	£
Director	295	350
Senior Manager	240	250
Assistant Manager	200	200
Senior Administrator	170	170
Administrator	140	140
Office support/Cashier	100	100