

Section 106

The Insolvency Act 1986

**Return of Final Meeting in a
Creditors' Voluntary Winding Up
Pursuant to Section 106 of the
Insolvency Act 1986**

S106

For Official Use

To the Registrar of Companies

Company Number

5059536

Name of Company

Aardvark Recycling Limited

I / We

Vivienne Elizabeth Oliver
25 Moorgate
London
EC2R 6AY

Steven Edward Butt
25 Moorgate
London
EC2R 6AY

give notice

- 1 that a general meeting of the company was held on / ~~summoned for~~ 11 November 2011 pursuant to section 106 of the Insolvency Act 1986, for the purpose of having an account (of which a copy is attached) laid before it showing how the winding up of the company has been conducted, and the property of the company has been disposed of and that ~~the same was done accordingly~~ / no quorum was present at the meeting
- 2 that a meeting of the creditors of the company was duly held on / ~~summoned for~~ 11 November 2011 pursuant to section 106 of the Insolvency Act 1986 for the purpose of having the said account laid before it showing how the winding up of the company has been conducted and the property of the company disposed of and that the same was done accordingly / ~~no quorum was present at the meeting~~

Signed



Date

21 November 2011

Smith & Williamson Limited
25 Moorgate
London
EC2R 6AY

For Official Use

Insolvency Sect

Post Room

Ref AA022/CL14/IM3/TRDF

WEDNESDAY



A24

AKAP2ZHB
23/11/2011
COMPANIES HOUSE

136

Aardvark Recycling Limited
(In Liquidation)
Joint Liquidators' Abstract of Receipts & Payments
From 2 November 2010 To 11 November 2011

S of A £		£	£
	SECURED ASSETS		
20,000 00	Vehicles	NIL	
1,000 00	Equipment - Liners	NIL	
			NIL
	SECURED CREDITORS		
(30,795 15)	London Community Resource	NIL	
			NIL
	HIRE PURCHASE		
7,500 00	HP Asset Rocket Composter	NIL	
(3,100 00)	Finance Company - Acadamy Leasing	NIL	
			NIL
	ASSET REALISATIONS		
36,000 00	Machinery & Equipment	NIL	
23,000 00	Book Debts	8,879 84	
	Sale of Business & Assets	14,000 00	
	Bank Interest Gross	11 70	
			22,891 54
	COST OF REALISATIONS		
	S&W Prep of S of A Fees	5,000 00	
	S&W Prep of S of A Expenses	11 00	
	Liquidator's Fees	11,393 12	
	Liquidator's Expenses	467 29	
	Agents/Valuers Fees (1)	500 00	
	Agents/Valuers Expenses	85 50	
	Irrecoverable VAT	0 16	
	Statutory Advertising	188 50	
	Insurance of Assets	173 84	
	Bank Charges	0 34	
			(17,819 75)
	PREFERENTIAL CREDITORS		
	Inland Revenue	83 06	
	Department of Employment	32 76	
(4,800 00)	Employees Wage Arrears	NIL	
	Preferential Dividend - 100p/£	4,955 97	
			(5,071 79)
	FLOATING CHARGE CREDITORS		
(50,000 00)	London Rebuilding Society	NIL	
			NIL
	UNSECURED CREDITORS		
(92,000 00)	Trade & Expense Creditors	NIL	
			NIL
(93,195.15)			(0.00)

Aardvark Recycling Limited
(In Liquidation)
Joint Liquidators' Abstract of Receipts & Payments
From 2 November 2010 To 11 November 2011


S of A £

£

£

REPRESENTED BY

NIL


Vivienne Elizabeth Oliver
Joint Liquidator

Smith & Williamson

Aardvark Recycling Limited
(In Creditors' Voluntary Liquidation)

Final progress report (under Rule 4 49D of the
Insolvency Rules 1986)

11 November 2011

Contents

1. Introduction	1
2 Company's assets	1
3 Company's liabilities	2
4 The Prescribed Part	2
5 Dividends	2
6 Statutory obligations	3
7 Investigations and Conduct Report	3
8. Receipts & Payments Account	3
9 Joint Liquidators' remuneration	3
10 Disbursements	4
11 Destruction of Company's books and records	4
Appendix A Receipts and payments account	5
Appendix B Summary of charge out rates ("SIP9")	6

1. Introduction

Aardvark Recycling Limited ("the Company") went into creditors' voluntary liquidation on 2 November 2010. On 27 July 2011 James Money was replaced as joint liquidator by Steven Butt of Smith & Williamson Limited, 25 Moorgate, London, EC2R 6AY by an order made by Registrar Barber sitting in the Companies Court, Chancery Division in the High Court of Justice pursuant to an application for a block transfer of insolvency appointments.

This is my final report to the creditors of the Company pursuant to Section 106 of the Insolvency Act 1986. It gives an account of how the winding up has been conducted and how the Company's property has been disposed of and should be read in conjunction with previous reports and correspondence.

A summarised account of my receipts and payments for the winding up, which includes the Statement of Affairs comparatives, is attached as Appendix A.

An analysis of the time spent attending to the matters arising in the winding up has been prepared in accordance with the requirements of Statement of Insolvency Practice 9 and is attached as Appendix B.

2. Company's assets

A Statement of Affairs made up to 27 October 2010, signed by John Tiltman, (a director of the Company) on the same date, with the content agreed by the remaining two directors, presented at the creditors' meeting on 2 November 2010 sets out the estimated position for realising the Company's assets. Realisations to date and the reasons why it has not been possible to realise certain assets either for the estimated to realise value or not at all are set out below for each of the Company's assets.

Sale of business and assets

The assets of the business that were not subject to security were sold to Bio-Collectors Ltd on 23 November 2010. Our independent valuation agents James Owen & Co advised that the offer was commensurate with a forced sale due to having to return the trading premises to the landlord.

Book debts of £8,880

The directors estimated that approximately £23,000 would be recoverable in respect of the debtor ledger, however a large proportion of the debts were disputed by the customers due to the service not actually being carried out and insufficient paperwork in support of the debts.

Vehicles

The vehicles were held as security against a loan of £30,795.15 made to the Company by Tower Hamlets Community Recycling Consortium (London Community Resource Network Ltd).

"LCRN") The vehicles and registration documents were returned to LCRN shortly after appointment

3. Company's liabilities

Secured Creditors

The London Rebuilding Society held a floating charge over the assets over the Company, granted on 12 August 2009 in respect of a loan made to the Company in the sum of £50,000

Preferential Creditors

The Statement of Affairs listed preferential creditors totalling £4,800. I received six claims from preferential creditors totalling £5,071.79. The preferential creditors are in respect of employee claims for unpaid wages and holiday entitlements. There are sufficient realisations to enable a full and final dividend to preferential creditors of 100p in the pound.

Unsecured Creditors

The Statement of Affairs listed unsecured creditors totalling £92,001. I received 30 claims from unsecured creditors totalling £182,568.

None of these claims was agreed due to the absence of funds to enable me to declare a dividend to this class of creditor.

4. The Prescribed Part

Where a company has granted a floating charge to a creditor on or after 15 September 2003, Section 176A of the Insolvency Act 1986 requires the Joint Liquidators to set aside part of the floating charge realisations that would otherwise be used to pay the charge holder. This fund, known as the "prescribed part", is made available to pay the company's unsecured debts. Under Rule 4.126 of the Insolvency Rules 1986 any amount paid to the company's unsecured creditors by way of the prescribed part must be disclosed in the Joint Liquidators' final report.

The Company granted a floating charge to London Rebuilding Society on 12 August 2009 such that the prescribed part applies in this winding up. No funds were made available to pay the Company's unsecured creditors because the prescribed part was less than the statutory minimum amount (net property less than £10,000) at which the prescribed part rules become effective.

5. Dividends

A first and final dividend was made to the preferential creditors of £5,071.79 totalling 100p in the pound.

6. Statutory obligations

I have complied with the various statutory obligations required under the relevant provisions of the insolvency legislation

7. Investigations and Conduct Report

I reviewed the books and records of the Company and complied with my statutory duties to make enquiries into the formation, trading and demise of the Company and the conduct of those persons who were directors or shadow directors at any time in the three year period prior to the Company being placed into liquidation

I submitted a directors' conduct report to the Insolvency Service under Section 6 of the Companies Directors Disqualification Act 1986. The contents of this report are confidential

8 Receipts & Payments Account

A copy of my receipts and payments account covering the period from my appointment to the date of this report is attached as Appendix 1

During the winding up I received interest totalling £11 70 from funds deposited in the estate bank account

Agents' fees of £500 plus VAT and disbursements were incurred in respect of valuing the Company's assets and negotiations for a sale

9. Joint Liquidators' remuneration

Creditors were advised prior to the meeting held pursuant to Section 98 of the Insolvency Act 1986 that 'A Creditor's Guide to Liquidators' Fees' could be accessed on the website of the Association of Business Recovery Professionals

At the Section 98 meeting the creditors elected to establish a Liquidation Committee. A resolution authorising the Joint Liquidators' remuneration to be calculated by reference to the time properly spent by them and their staff in attending to matters arising in the winding up, in accordance with Rule 4.127 of the Insolvency Rules 1986, was passed by the Liquidation Committee at a meeting held on 25 January 2011. Details of the hourly charge out rates for all grades of staff were sent to creditors with the notice convening the Section 98 meeting

An analysis of the time spent to date dealing with the Company's affairs is attached as Appendix B. A total of 131.20 hours to a value of £32,032.04 was spent representing an average hourly charge out rate of £244. I have drawn remuneration of £11,393.12 plus VAT.

Creditors are entitled to make a request in writing for further information on the remuneration and expenses of the Joint Liquidators under Rule 4.49E of the Insolvency Rules 1986 within 7 business days of receipt of the report, provided that the creditor is a secured creditor, or an unsecured creditor with the concurrence of at least 5% in value of the unsecured creditors (including that creditor). Under Rule 4.131 of the Insolvency Rules 1986 creditors are also entitled to challenge the liquidators' remuneration and expenses as excessive, provided that the creditor is a secured creditor, or an unsecured creditor with the concurrence of at least 10% in value of the unsecured creditors (including that creditor). Such an application must be made within 8 weeks of receipt of this report.

10. Disbursements


In accordance with SIP 9 disbursements may be either category 1 disbursements or category 2 disbursements.

Category 1 disbursements do not require approval by the members. Disbursements that may be charged under category 1 generally comprise specific external supplies of incidental services that are specifically identifiable to the winding up and are payable to independent third parties. These include postage, case advertising, invoiced travel and external printing, room hire and document storage. Properly reimbursed expenses incurred by personnel in connection with the winding up will also fall under category 1.

Category 2 disbursements require approval by the members. Disbursements that fall under category 2 generally comprise elements of shared or allocated costs. These include the provision of internal services such as photocopying, printing, room hire and document storage. It is not my firm's policy to seek recovery of such category 2 disbursements.

11. Destruction of Company's books and records

After the final meeting of the Company's creditors and members has been held I am required to submit a final return on the administration of the winding up to the Registrar of Companies. The Company will then be dissolved. I am authorised by Regulation 16(2) of the Insolvency Regulations 1994 to destroy, or otherwise dispose of, the Company's books, papers and other records at any time after the expiration of a period of one year from the date of dissolution.


Steve Butt
Joint Liquidator

Appendix A. Receipts and payments account

Aardvark Recycling Limited
(In Liquidation)
Joint Liquidators' Abstract of Receipts & Payments

Statement of Affairs		From 02/11/2010 To 11/11/2011
	SECURED ASSETS	
20,000 00	Vehicles	NIL
1,000 00	Equipment - Liners	<u>NIL</u>
		NIL
	SECURED CREDITORS	
(30,795 15)	London Community Resource	<u>NIL</u>
		NIL
	HIRE PURCHASE	
7,500 00	HP Asset Rocket Composter	NIL
(3,100 00)	Finance Company - Academy Leasing	<u>NIL</u>
		NIL
	ASSET REALISATIONS	
36,000 00	Machinery & Equipment	NIL
23,000 00	Book Debts	8,879 84
	Sale of Business & Assets	14,000 00
	Bank Interest Gross	<u>11 70</u>
		22,891 54
	COST OF REALISATIONS	
	S&W Prep of S of A Fees	5,000 00
	S&W Prep of S of A Expenses	11 00
	Liquidator's Fees	11,393 12
	Liquidator's Expenses	467 29
	Agents/Valuers Fees (1)	500 00
	Agents/Valuers Expenses	85 50
	Irrecoverable VAT	0 16
	Statutory Advertising	188 50
	Insurance of Assets	173 84
	Bank Charges	<u>0 34</u>
		(17,819 75)
	PREFERENTIAL CREDITORS	
	Inland Revenue	83 06
	Department of Employment	32 76
(4,800 00)	Employees Wage Arrears	NIL
	Preferential Dividend - 100p/£	<u>4,955 97</u>
		(5,071 79)
	FLOATING CHARGE CREDITORS	
(50,000 00)	London Rebuilding Society	<u>NIL</u>
		NIL
	UNSECURED CREDITORS	
(92,000 00)	Trade & Expense Creditors	<u>NIL</u>
		NIL
(93,195 15)		<u><u>(0 00)</u></u>

Appendix B. Summary of charge out rates ("SIP9")

Aardvark Recycling Limited Breakdown of time spent by Smith & Williamson Limited employees
for the period ended 11/11/11

Classification of work function	Director	Associate director	Hours Manager/ Assistant Manager	Senior Administrator/ Administrator	Assistants & support staff	Total hours	Time cost	Average hourly rate
Administration & planning Case planning administrative set-up, Appointment notification Maintenance of records statutory reporting	2.20	0.80	38.90	14.40	5.75	61.45	£14,740.54	£239.88
Investigations SIP2 review CDDA reports Investigating antecedent transactions	0.00	0.00	1.00	0.00	0.00	1.00	£265.00	£265.00
Realisation of Assets Identifying securing insuring assets Retention of title Debt collection Property business and asset sales	0.50	0.00	33.80	0.00	0.00	34.30	£8,808.00	£256.79
Creditors Communication with creditors Creditors claims (including employees and other preferential creditors)	3.50	0.65	21.50	1.50	7.30	34.45	£8,218.50	£238.56
Totals	6.20	1.45	94.60	15.90	13.05	13.20	£32,032.04	£244.15
Pre appointment	0.00	0.00	2.50	0.00	0.55	3.05	£855.71	£24.99