

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

FRIDAY



A30

A7KR7L3M

14/12/2018

#187

COMPANIES HOUSE

1 Company details

Company number 0 5 1 3 4 9 1 5

Company name in full New Hope Health & Home Care Services Ltd

→ Filling in this form

Please complete in typescript or in bold black capitals.

2 Liquidator's name

Full forename(s) Alan

Surname Clifton

3 Liquidator's address

Building name/number Office 18 Hexagon House

Street Avenue Four, Station Lane

Post town Witney

County/Region

Postcode O X 2 8 4 B N

Country

4 Liquidator's name

Full forename(s)

Surname

● Other liquidator

Use this section to tell us about another liquidator.

5 Liquidator's address

Building name/number

Street

Post town

County/Region

Postcode

Country

● 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

	1	7	1	0	2	0	1	7
To date	1	6	1	0	2	0	1	8

7 Progress report

☒ The progress report is attached

8 Sign and date

Liquidator's signature

Signature

X

A 

X

Signature date

^d1^d3

^m1^m2

^y2^y0^y1^y8

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.

Alan Clifton

Undebt.co.uk

Office 18 Hexagon House

Avenue Four, Station Lane

Witney

Postcode

O X 2 8 4 B N

DX

07738674664



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

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EXECUTIVE SUMMARY

A summary of key information in this report is detailed below.

Assets

Asset	Estimated realise Statement Affairs	to per of	Realisations to date	Anticipated future realisations	Total anticipated realisations
Book Debts			4,873.80	0.00	4,873.80
Bank Interest			2.56	0.80	3.36
Outstanding Consideration			4,874.00	0.00	4,874.00
Funds from Administration			4,283.70	0.00	4,283.70
Recoveries			13,387.00	Uncertain	Uncertain
Total		0.00	27,421.06	Uncertain	Uncertain

Expenses

Expense	Expense incurred to date	Anticipated further expense to closure	Total anticipated expense
Liquidator's fees	0.00	Uncertain	Uncertain
Solicitors' fees	10,860.47	Uncertain	Uncertain
Administration fees	3,900.00	0.00	3,900.00
Debt Collection Fee	75.00	0.00	75.00
Case Management Fee	185.00	150.00	335.00
Professional Fees	69.56	0.00	69.56
Statutory Advertising	63.50	75.00	138.50
Mediator	2,400.00	0.00	2,400.00
Counsels Fees	6,000.00	0.00	6,000.00
All other expenses	197.23	500.00	697.23

Dividend prospects

Creditor class	Distribution / dividend paid to date	Anticipated distribution / dividend, based upon the above
Secured creditor	N/A	N/A
Preferential creditors	N/A	N/A
Unsecured creditors	nil	Uncertain

Summary of key issues outstanding

- As previously reported the Liquidator was seeking mediation over several claims against the directors and associated parties. A settlement was reached in April 2018 the terms of which are subject to a confidentiality clause. As part of the settlement £5,000 a month was to be received for 12 months at which a lump sum was to be paid. The liquidator will report further on the lump sum payment in his next report. He can confirm that the agreed instalments have been received by his solicitors who are currently holding funds.
- Assuming the settlement agreement is paid in full the Liquidator will need to agree creditors' claims and pay a dividend.
- Obtaining clearance and closure procedure.

Closure

Due to the issues outstanding as listed above, it is difficult to estimate the timing of any dividend to unsecured creditors and the closure of the liquidation. It is, however, unlikely, that a dividend will be paid before June 2019.

ADMINISTRATION AND PLANNING

Statutory information

Statutory information may be found at Appendix I.

The Liquidator is required to meet a considerable number of statutory and regulatory obligations. Whilst many of these tasks do not have a direct benefit in enhancing realisations for the insolvent estate, they assist in the efficient and compliant progressing of the administration of the case, which ensures that work is carried out to high professional standards. A detailed list of these tasks may be found in Appendix III.

- Progress report.

Other administration tasks

During the Review Period, the following material tasks in this category were carried out:

- Case reviews;
- Strategy reviews; and
- Checklists

ENQUIRES AND INVESTIGATIONS

I have reported previously on my investigations. As reported on above this has resulted in a settlement agreement following mediation.

CREDITORS

Irrespective of whether sufficient realisations are achieved to pay a dividend to creditors, the Liquidator has had to carry out key tasks which are detailed in the list at Appendix III. The following sections explain the anticipated outcomes to creditors and any distributions paid.

Secured creditors

The Company has not granted any charges over its assets.

Preferential creditors

Employee claims

The employees were transferred out of the Administration procedure.

No preferential creditors' claims have been received to date.

Unsecured creditors

HMRC was shown to be owed £100,000. A claim of £247,561 has been received.

The trade and expense creditors as per the statement of affairs totalled £29,005. Please be advised that proofs of debt are still being received and therefore the total value of unsecured claims is not known at present.

If you have not already done so please can you complete the proof of debt form at Appendix VII and return it to these offices.

Dividend prospects

Where a floating charge is created after 15 September 2003 a prescribed part of the company's net property shall be made available to unsecured creditors.

The Company has not granted a floating charge to any creditor after 15 September 2003 and consequently there will be no prescribed part in this Liquidation.

Until all funds have been received under the settlement agreement and all creditors' claims have been agreed it is not possible to comment on the distribution to be made to unsecured creditors

FEES AND EXPENSES

The Liquidator's fees

It is the firm's practice to ensure that work is conducted by the appropriate staff member at the appropriate level of experience. Junior members of staff deal with the day to day administration on cases and a manager and office holder then oversees the work undertaken. Where the issues are complex and litigious, the work will be closely supervised or undertaken by a manager or office holder.

At the meeting of creditors held by correspondence on 21 June 2012 the creditors agreed that my remuneration would be fixed by reference to time properly given by the Administrators and their staff in attending to matters arising in the administration, with authority to draw fees generally on account as and when funds become available. This basis of remuneration continues in the liquidation.

The time costs for the period 17 October 2017 to 16 October 2018 total £, representing 15.70 hours at an average hourly rate of £485.03. The time costs for the period are detailed at Appendix IV.

The total time costs during the period of appointment amount to £45,550.00 representing 167.6 hours at an average hourly rate of £271.78.

Disbursements

There are no disbursements that have been incurred and not yet paid during the period. Appendix VI is a summary of the expenses incurred in the Liquidation as a whole since the case left Axiom Recovery.

Information about this insolvency process may be found on the R3 website at <http://www.creditorinsolvencyguide.co.uk/>. A copy of 'A Creditors' Guide to Fees' together with the firm's charge-out rate and disbursement policy may be found at undebt.co.uk. A hard copy of both the Creditors' Guide and the firm's charge-out rate and disbursement policy may be obtained on request.

Other professional costs

Solicitors

Higgs and Sons were instructed as legal advisors in relation to the various actions against the directors and associated third parties. Their costs have been agreed on the basis of their standard hourly charge out rates, plus an uplift to reflect the risks taken in pursuing the actions, plus disbursements and VAT.

Counsels fees

Mr Mark Bright was instructed to represent the Liquidator at the mediation. His fees were agreed on his standard hourly charge out rates, plus an uplift to reflect the risks taken in pursuing the actions, plus disbursements and VAT.

Counsels fees for the period 17 October 2017 to 16 October 2018 amount to £6,000.00 and they have been paid in full.

Other professional costs have previously been reported.

CREDITORS' RIGHTS

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.

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.

EC REGULATIONS (WHETHER PROCEEDINGS ARE MAIN PROCEEDINGS OR TERRITORIAL)

The Company's centre of main interest was in the West Midlands, UK and therefore it is considered that the *EC Regulations* will apply. *These proceedings are main proceedings as defined in Article 3 of the EC Regulation.*

CONCLUSION

The administration of the case will be continuing to finalise the settlement agreement that is preventing this case from being closed.

If you require any further information, please contact this office.

Appendix I

Statutory Information

Company Name	New Hope Health & Home Care Services Ltd
Former Trading Name	
Company Number	05134915
Registered Office	Office 18, Hexagon House, Avenue Four, Station Lane, Witney, OX28 4BN
Former Registered Office	Office 13, Hexagon House, Avenue Four, Station Lane, Witney, OX28 4BN
Officeholder	Alan Clifton
Officeholder's address	Office 18, Hexagon House, Avenue Four, Station Lane, Witney, OX28 4BN
Date of appointment	17/10/2012
Changes to Officeholder	none

Appendix II

New Hope Health & Home Care Services Limited - In Creditors Voluntary Liquidation Liquidator's Abstract of Receipts & Payments

From 17 October 2017 to 16 October 2018

S of A £		As Previously Reported	17/10/17 to 16/10/18	Total £
RECEIPTS				
NIL	Book Debts	4,873.80	NIL	4,873.80
NIL	Bank Interest Gross	0.82	1.74	2.56
NIL	Outstanding Consideration	4,874.00	NIL	4,874.00
NIL	Funds From Administration	4,283.70	NIL	4,283.70
NIL	Recovery from Directors	-	13,387.00	13,387.00
NIL		14,032.32	13,388.74	27,421.06
PAYMENTS				
NIL	Legal Fees	(5,860.47)	(11,000.00)	(16,860.47)
NIL	Bank Charges	NIL	(0.23)	(0.23)
NIL	Professional Fees	(69.56)	NIL	(69.56)
NIL	Administration Fee	(3,900.00)	NIL	(3,900.00)
NIL	Mediator's Fees	NIL	(2,400.00)	(2,400.00)
NIL	Debt Collection Fees	(75.00)	NIL	(75.00)
NIL	Mediator fees	NIL	(2,400.00)	(2,400.00)
NIL	Insolv Accounting System	(110.00)	(75.00)	(185.00)
NIL	Specific Bond	NIL	(10.00)	(10.00)
NIL	Statutory Advertising	(63.50)	NIL	(63.50)
NIL	Court Fees	NIL	(175.00)	(175.00)
NIL	Search Fees	NIL	(12.00)	(12.00)
NIL	VAT	NIL	(2,680.00)	(2,680.00)
0		(10,078.53)	(16,352.23)	(26,430.76)
0	CASH IN HAND	3,953.79	(2,963.49)	990.30

Appendix III

Detailed list of work undertaken for New Hope Health & Home Care Services Ltd Limited in Creditors' Voluntary Liquidation for the review period 17 October 2017 to 16 October 2018

Below is detailed information about the tasks undertaken by the Liquidator.

Filing of documents to meet statutory requirements including annual receipts and payments accounts Annual corporation tax returns Quarterly VAT returns
Filing of documents Periodic file reviews documenting strategy Periodic reviews of the application of ethical, anti-money laundering and anti-bribery safeguards Maintenance of statutory and case progression task lists/diaries Updating checklists
Preparing correspondence opening and closing accounts Bank account reconciliations Maintenance of the estate cash book
Review strategies to be pursued
Preparing annual progress report to creditors
Strategy meeting regarding litigation Reviewing terms of solicitors' conditional fee agreements Preparing brief to solicitors/Counsel Liaising with solicitors regarding recovery actions Dealing with ATE insurers Attending to negotiations Attending to settlement matters
Receive and follow up creditor enquiries Review and prepare correspondence to creditors and their representatives
Preparation of correspondence to potential creditors inviting submission of POD Request further information from claimants regarding POD

Current Charge-out Rates for the firm

Time charging policy

Support staff do charge their time to each case.

Support staff include cashier, secretarial and administration support.

The minimum unit of time recorded is 6 minutes.

Insolvency Practitioner/Partners	275-370
Manager	205-270
Administrator	100-150
Secretarial/Administration support staff	100

Liquidator's Remuneration Schedule
New Hope Health & Home Care Services Limited
Between 17 October 2017 and 16 October 2018

Classification of work function	Partner/ Director	Manager	Other Senior Professionals	Assistants & Support Staff	Total Hours	Time Cost	Average Hourly Rate
Administration & Planning	0.00	0.00	0.00	0.20	0.20	30.00	150.00
Investigations	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Realisation of Assets	14.60	0.60	0.30	0.00	15.50	7,585.00	489.35
Trading	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Creditors	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Case Specific Matters	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Total hours	14.60	0.60	0.30	0.20	15.70		
Time costs	7,300.00	216.00	69.00	30.00		7,615.00	
Average hourly rate	500.00	360.00	230.00	150.00			485.03

Description	Total Incurred £	Total Recovered £
	0.00	0.00
Totals	0.00	0.00

Summary of Fees

Time spent in administering the Assignment	Hours	15.70
Total value of time spent to 16 October 2018	£	7,615.00
Total Liquidator's fees charged to 16 October 2018	£	0.00

Appendix V

Time costs summary for period & cumulative*

- Due to the lack of information provided when the case was moved from Axiom Recovery the cumulative figure only relates to a time when the case was administered at Empirical Insolvency LLP

	0.20	150.00	30.00	32.80	167.13	5,482.00
	15.50	489.35	7,585.00	20.80	48.46	8,912.00
	-	-	-	2.70	152.96	413.00
	-	-	-	75.60	296.15	22,389.00

Appendix VI

Expenses summary for period & cumulative

Below are details of the Liquidator’s expenses for the period under review and the total to date.

	187.00	187.00
	-	3.76
	75.00	185.00
	0.23	0.23
	10.00	10.00

Proof of Debt – General Form

NEW HOPE HEALTH & HOME CARE SERVICES LTD In Creditors' Voluntary Liquidation	
Date of resolution for voluntary winding-up 17/10/2012	
1.	Name of creditor (If a company please also give company registration number).
2.	Address of creditor for correspondence.
3.	Total amount of claim, including any Value Added Tax and outstanding uncapitalised interest as at the date the company went into liquidation.
4.	Details of any documents by reference to which the debt can be substantiated. (Note: There is no need to attach them now but the liquidator may call for any document or evidence to substantiate the claim at his discretion as may the chairman or convenor of any meeting).
5.	If amount in 3 above includes outstanding uncapitalised interest please state amount. £
6.	Particulars of how and when debt incurred (If you need more space append a continuation sheet to this form).
7.	Particulars of any security held, the value of the security, and the date it was given.
8.	Particulars of any reservation of title claimed in respect of goods supplied to which the claim relates.
9.	Signature of creditor or person authorised to act on his behalf _____
Name in BLOCK LETTERS _____	
Position with or in relation to creditor _____	
Address of person signing (if different from 2 above) _____	
Admitted to vote for	Admitted for dividend for
£	£
Date	Date
Liquidator	Liquidator