

LIQ03

Notice of progress report in voluntary winding up



Companies House

THURSDAY



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COMPANIES HOUSE

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1 Company details

Company number 0 5 6 2 2 8 2 1

Company name in full Spectrum Alpha General Partner Limited

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

2 Liquidator's name

Full forename(s) Paul

Surname Stanley

3 Liquidator's address

Building name/number C/O Begbies Traynor

Street 340 Deansgate

Post town Manchester

County/Region

Postcode M 3 4 L Y

Country

4 Liquidator's name ①

Full forename(s) Gary N

Surname Lee

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

5 Liquidator's address ②

Building name/number C/O Begbies Traynor

Street 340 Deansgate

Post town Manchester

County/Region


Postcode M 3 4 L Y

Country

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

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6		Period of progress report																																		
From date	d		0		d		4		m		0		m		9		y		2		y		0		y		1		y		7					
To date	d		0		d		3		m		0		m		9		y		2		y		0		y		1		y		8					
7		Progress report																																		
		<input type="checkbox"/> The progress report is attached																																		
8		Sign and date																																		
Liquidator's signature	Signature		X														X																			
Signature date	d		3		d		1		m		1		m		0		y		2		y		0		y		1		y		8					

LIQ03

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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 **Mark Dyer**

Company name **Begbies Traynor (Central) LLP**

Address **340 Deansgate
Manchester**

Post town **M3 4LY**

County/Region

Postcode

Country

DX

Telephone **0161 837 1700**



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

Spectrum Alpha General Partner Limited (In Creditors' Voluntary Liquidation)

Progress report

Period: 4 September 2017 to 3 September 2018

Important Notice

This progress report has been produced solely to comply with our statutory duty to report to creditors and members of the Company on the progress of the liquidation. The report is private and confidential and may not be relied upon, referred to, reproduced or quoted from, in whole or in part, by creditors and members for any purpose other than this report to them, or by any other person for any purpose whatsoever.

Contents

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1. INTERPRETATION

<u>Expression</u>	<u>Meaning</u>
"the Company"	Spectrum Alpha General Partner Limited (In Creditors' Voluntary Liquidation)
"the liquidation"	The appointment of liquidators on 4 September 2015.
"the liquidators", "we", "our" and "us"	Paul Stanley and Gary N Lee of Begbies Traynor (Central) LLP, 340 Deansgate, Manchester, M3 4LY
"the Act"	The Insolvency Act 1986 (as amended)
"the Rules"	The Insolvency (England and Wales) Rules 2016
"secured creditor" and "unsecured creditor"	Secured creditor, in relation to a company, means a creditor of the company who holds in respect of his debt a security over property of the company, and "unsecured creditor" is to be read accordingly (Section 248(1)(a) of the Act)
"security"	(i) In relation to England and Wales, any mortgage, charge, lien or other security (Section 248(1)(b)(i) of the Act); and (ii) In relation to Scotland, any security (whether heritable or moveable), any floating charge and any right of lien or preference and any right of retention (other than a right of compensation or set off) (Section 248(1)(b)(ii) of the Act)
"preferential creditor"	Any creditor of the Company whose claim is preferential within Sections 386, 387 and Schedule 6 to the Act

2. COMPANY INFORMATION

Trading name(s):	Spectrum Alpha General Partner Limited
Company registered number:	05622821
Company registered office:	340 Deansgate, Manchester, M3 4LY
Former trading address:	The Edge, Clowes Street, Manchester, M3 5NA

3. DETAILS OF APPOINTMENT OF LIQUIDATORS

Date winding up commenced:	04 September 2015
Date of liquidators' appointment:	04 September 2015
Changes in liquidator (if any):	None

4. PROGRESS DURING THE PERIOD

Receipts and Payments

Attached at Appendix 1 is our abstract of receipts and payments for the period from 4 September 2017 to 3 September 2018.

RECEIPTS

Bank Interest Gross

Funds have been held in an interest bearing account. The sum of £44.56 has been received in bank interest in this period.

PAYMENTS

Liquidators' Expenses

The liquidators have paid expenses totalling £374.30. This is made up of IP Bonding (£67.50) and document storage (£306.80).

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

Details of the types of work that generally fall into the headings mentioned below are available on our firm's website - <http://www.begbies-traynorgroup.com/work-details> Under the following headings we have explained the specific work that has been undertaken on this case. Not every piece of work has been described, but we have sought to give a proportionate overview which provides sufficient detail to allow creditors to understand what has been done, why it was necessary and what financial benefit (if any) the work has provided to creditors.

The costs incurred in relation to each heading are set out in the Time Costs Analysis which is attached at Appendix 2. There is an analysis for the period of the report and also an analysis of time spent on the case since the date of our appointment. The details below relate to the work undertaken in the period of the report only. Our previous reports contain details of the work undertaken since our appointment.

General case administration and planning

Insolvency Practitioners are required to maintain records to demonstrate how the case was administered and to document the reasons for any decisions that materially affect the case.

Time which has been charged to 'General Case Administration and Planning' includes work of this nature, together with tasks such as issuing standard letters, filing, photocopying, cashiering and billing.

Compliance with the Insolvency Act, Rules and best practice

Insolvency Practitioners are required to comply with the provisions of the Insolvency Act 1986 (as amended) and the Insolvency Rules 1986 (as amended), together with best practice guidelines laid down within the profession (for instance the Statements of Insolvency Practice set out by the R3 body which represents business recovery professionals). This includes the undertaking of periodic reviews of case progression, ensuring that a specific bond is in place at the correct value to insure the sums realised and the issuing of periodic reports on the progress of the insolvency to creditors.

In this matter, the majority of time costs which have been charged under this category during the period covered by this report correspond to the preparation and filing of the annual progress report.

Dealing with all creditors' claims (including employees), correspondence and distributions

Insolvency Practitioners will need to deal with the claims of creditors during the course of their time in office, which will include the recording of those claims together with the provision of ad hoc updates to creditors and dealing with general queries from those creditors. When funds allow, the Insolvency Practitioner will make distributions to creditors in accordance with the specified order of priority governing secured claims, preferential claims and unsecured claims.

The time charged to this category of work during the period of this report relates to agreeing the claims of the unsecured creditors, making further enquiries prior to payment of the first and final distribution in this matter, and making the distribution.

Other matters which includes seeking decisions from creditors (via Deemed Consent Procedure and/or Decision Procedures, tax, litigation, pensions and travel

In addition to the above categories, Insolvency Practitioners will also have to attend meetings when applicable (whether this be with directors, the respondents in any potential recovery action commenced in the course of the insolvency, solicitors, creditors or other interested party), tend to an insolvent company's pre and post insolvency tax affairs (including the submission of annual corporation tax returns), enter into litigation in conjunction with appointed solicitors (usually applicable in instances where investigations have quantified a civil action that was unable to be settled directly between the Insolvency Practitioner and the respondent) and undertake travel where applicable (for instance to attend meetings incidental to the progression of the insolvency).

The time charged to this category of work relates to dealing with VAT enquiries, the submission of VAT and corporation tax returns and liaising with the former Receivers of properties owned by the Company and its subsidiaries in relation to VAT deregistration.

5. ESTIMATED OUTCOME FOR CREDITORS

The sums owed to creditors at the date of appointment based upon the information detailed in the directors' statement of affairs and the work we have undertaken in the course of the liquidation, are as follows:

Secured creditor

At the time of the appointment of the joint liquidators, Nationwide Building Society were recorded on the statement of affairs as having charges against the Company in respect of an outstanding debt of £63,151,513. Bilfinger GVA had been appointed as fixed charge receivers over Company property with an estimated value of £47,000,000 resulting in a deficiency to the secured creditor of £16,151,513. The Nationwide debt was subsequently assigned to a third party, Eden Investments 1 S.a.r.l.

Following the sale of the last of the Company's properties in 2017, we have agreed the unsecured claim of Eden Investments 1 S.a.r.l at £11,848,704.10.

Preferential creditors

There are no known preferential claims.

Unsecured creditors

The following unsecured claims in the total sum of £36,687,495.04 have now been admitted:

Creditor	Claim
Elian Trustees (Jersey) Limited	£24,644,266.94
Eden Investments 1 S.a.r.l.	£11,848,704.10
HM Revenue & Customs	£194,524.00
Total	£36,687,495.04

On the basis of realisations to date the outcome for each class of the Company's creditors is as follows:

Secured creditor

The secured creditor's shortfall of £11,848,704.10 has been admitted as an unsecured claim.

Preferential creditors

There are no known preferential claims.

Prescribed Part for unsecured creditors pursuant to Section 176A of the Act

Details of how the prescribed part for unsecured creditors is calculated were provided in our progress report for the period 4 September 2015 to 3 September 2016.

To the best of our knowledge and belief, there are no unsatisfied floating charges created or registered on or after 15 September 2003 and, consequently, there is no net property as defined in Section 176A(6) of the Act and, therefore, no prescribed part of net property is available for distribution to the unsecured creditors.

Unsecured creditors

Dividends in the total sum of 0.00047 pence in the £1 have previously been paid to unsecured creditors as follows:

Creditor	Dividend
Elian Trustees (Jersey) Limited	£11,582.81
Eden Investments 1 S.a.r.l.	£ 5,568.89
HM Revenue & Customs	£ 91.43
Total	£17,243.13

Notice that no further dividend will be declared

We confirm that no further dividend will be declared in respect of unsecured claims as the balance of funds realised have already been distributed or used or allocated for defraying the expenses of the liquidation.

6. REMUNERATION & DISBURSEMENTS

Remuneration

Our remuneration has been fixed by a resolution of creditors at a meeting held on 04 September 2015 by reference to the time properly given by us as liquidators and the various grades of our staff calculated at the prevailing hourly charge out rates of Begbies Traynor (Central) LLP in attending to matters arising in the winding up and we are authorised to draw disbursements for services provided by our firm and/or entities within the Begbies Traynor group, in accordance with our firm's policy, which is attached at Appendix 2 of this report.

Our time costs for the period from 4 September 2017 to 3 September 2018 amount to £11,495 which represents 42.8 hours at an average rate of £268.57 per hour.

The following further information in relation to our time costs and disbursements is set out at Appendix 2:

- ❑ Time Costs Analysis for the period 4 September 2017 to 3 September 2018
- ❑ Begbies Traynor (Central) LLP's charging policy

To 3 September 2018, we have drawn the total sum of £46,500 on account of our remuneration, against total time costs of £48,850 incurred since the date of our appointment.

Time Costs Analysis

The Time Costs Analysis for the period of this report attached at Appendix 2 shows the time spent by each grade of staff on the different types of work involved in the case, and gives the total costs and average hourly rate charged for each work type. An additional analysis is also attached which details the time costs for the entire period for which we have administered the liquidation.

Please note that each analysis provides details of the work undertaken by us and our staff following our appointment only.

Disbursements

To 3 September 2018, we have also drawn disbursements in the sum of £374.30.

A copy of 'A Creditors' Guide to Liquidators Fees (E&W) 2011' which provides guidance on creditors' rights on how to approve and monitor a Liquidator's remuneration and on how the remuneration is set can be obtained online at www.begbies-traynor.com/creditorsguides. Alternatively, if you require a hard copy of the Guide, please contact our office and we will arrange to send you a copy.

7. LIQUIDATORS' EXPENSES

A statement of the expenses incurred during the period of this progress report is attached at Appendix 3. A cumulative statement showing the total expenses incurred since the date of our appointment also appears at Appendix 3.

8. ASSETS THAT REMAIN TO BE REALISED AND WORK THAT REMAINS TO BE DONE

There are no assets which remain to be realised.

What work remains to be done, why is this necessary and what financial benefit (if any) will it provide to creditors?

General case administration and planning

Insolvency Practitioners are required to maintain records to demonstrate how the case was administered and to document the reasons for any decisions that materially affect the case. Further time costs in this matter will include activities such as issuing standard letters, filing and photocopying in bringing this case to a close.

Compliance with the Insolvency Act, Rules and best practice

The Insolvency Act and Rules require Insolvency Practitioners to produce progress reports at prescribed intervals and to subsequently produce a final report of the Liquidation to be provided to creditors and

shareholders. Information must be filed by the Liquidators with the Registrar of Companies and they must ensure that the case is adequately bonded.

Other matters which includes seeking decisions from creditors (via Deemed Consent Procedure and/or Decision Procedure, tax, litigation, pensions and travel

Final VAT returns will be required to be calculated and submitted to HMRC to recover any tax due to the Company.

How much will this further work cost?

At this stage we would estimate that there would be no more than an additional £2,500 in our time costs to conclude this matter.

Expenses

Details of the expenses that we expect to incur in connection with the work that remains to be done referred to above are as follows:

Storage of company books and records – c. £300

9. OTHER RELEVANT INFORMATION

Investigations and reporting on directors conduct

You may be aware that a liquidator has a duty to enquire into the affairs of an insolvent company to determine its property and liabilities and to identify any actions which could lead to the recovery of funds. In addition, a liquidator is also required to consider the conduct of the Company's directors and to make an appropriate submission to the Department for Business Energy and Industrial Strategy. We can confirm that we have discharged our duties in these respects.

Connected party transactions

We have not been made aware of any sales of the Company's assets to connected parties.

Use of personal information

Please note that in the course of discharging our statutory duties as liquidators, we may need to access and use personal data, being information from which a living person can be identified. Where this is necessary, we are required to comply with data protection legislation. If you are an individual and you would like further information about your rights in relation to our use of your personal data, you can access the same at <https://www.begbies-traynorgroup.com/privacy-notice>. If you require a hard copy of the information, please do not hesitate to contact us.

10. CREDITORS' RIGHTS

Right to request further information

Pursuant to Rule 18.9 of the Rules, within 21 days of the receipt of this report a secured creditor, or an unsecured creditor with the concurrence of at least 5% in value of the unsecured creditors, including that creditor, (or an unsecured creditor with less than 5% in value of the unsecured creditors, but with the permission

of the court) may request in writing that we provide further information about our remuneration or expenses which have been incurred during the period of this progress report.

Right to make an application to court

Pursuant to Rule 18.34 of the Rules, any secured creditor or any unsecured creditor with the concurrence of at least 10% in value of the unsecured creditors including that creditor, (or any unsecured creditors with less than 10% in value of the unsecured creditors, but with the permission of the court) may, within 8 weeks of receipt of this progress report, make an application to court on the grounds that the remuneration charged or the expenses incurred during the period of this progress report are excessive or, the basis fixed for our remuneration is inappropriate.

11. CONCLUSION

We will report again in approximately twelve months time or at the conclusion of the liquidation, whichever is the sooner.

A handwritten signature in black ink, appearing to read 'Paul Stanley', is written over a horizontal line.

Paul Stanley
Joint Liquidator

Dated: 31 October 2018

ACCOUNT OF RECEIPTS AND PAYMENTS

Period: 4 September 2017 to 3 September 2018

Statement of Affairs £		From 04/09/2017 To 03/09/2018 £	From 04/09/2015 To 03/09/2018 £
	SECURED ASSETS		
47,000,000.00	Leasehold Land & Property	NIL	NIL
		NIL	NIL
	SECURED CREDITORS		
(63,151,513.00)	Nationwide Building Society	NIL	NIL
		NIL	NIL
	ASSET REALISATIONS		
46,727.56	Cash at Bank	NIL	68,283.14
	Sundry Refunds	NIL	8,279.50
	Bank Interest Gross	44.56	112.87
		44.56	76,675.51
	COST OF REALISATIONS		
	Pre-appointment & S of A Fees	NIL	10,000.00
	Liquidators' Fees	46,500.00	46,500.00
	Liquidators' Expenses	374.30	374.30
	Statutory Advertising	NIL	126.90
		(46,874.30)	(57,001.20)
	UNSECURED CREDITORS		
(24,644,266.64)	Elian Trustees (Jersey) Limited	11,582.81	11,582.81
(1.00)	D Lockhart	NIL	NIL
	Banks/Institutions	5,568.89	5,568.89
	HMRC (VAT)	91.43	91.43
		(17,243.13)	(17,243.13)
	DISTRIBUTIONS		
(100.00)	Ordinary Shareholders	NIL	NIL
		NIL	NIL
(40,749,153.08)		(64,072.87)	2,431.18
	REPRESENTED BY		
	Vat Receivable		5,316.52
	Bank 1 Current		2,431.18
	Trade Creditors		(5,316.52)
			2,431.18

TIME COSTS AND DISBURSEMENTS

- a. Begbies Traynor (Central) LLP's charging policy;
- b. Time Costs Analysis for the period from 4 September 2017 to 3 September 2018; and
- c. Cumulative Time Costs Analysis for the period from 4 September 2015 to 3 September 2018.

BEGBIES TRAYNOR CHARGING POLICY

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 guidance¹ 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. Best practice guidance² indicates 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 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.

EXPENSES INCURRED BY OFFICE HOLDERS IN RESPECT OF THE ADMINISTRATION OF INSOLVENT ESTATES

Best practice guidance classifies expenses into two broad categories:

- ❑ *Category 1 disbursements (approval not required)* - specific expenditure that is directly related to the case and referable to an independent external supplier's invoice. All such items are charged to the case as they are incurred.
- ❑ *Category 2 disbursements (approval required)* - items of expenditure that are directly related to the case which include an element of shared or allocated cost and are based on a reasonable method of calculation, but which are not payable to an independent third party.

(A) The following items of expenditure are charged to the case (subject to approval):

- Internal meeting room usage for the purpose of statutory meetings of creditors is charged at the rate of £100 per meeting;
- Car mileage is charged at the rate of 45 pence per mile;
- Storage of books and records (when not chargeable as a *Category 1 disbursement*) is charged on the basis that the number of standard archive boxes held in storage for a particular case bears to the total of all archive boxes for all cases in respect of the period for which the storage charge relates;

(B) The following items of expenditure will normally be treated as general office overheads and will not be charged to the case although a charge may be made where the precise cost to the case can be determined because the item satisfies the test of a *Category 1 disbursement*.

¹ Statement of Insolvency Practice 9 (SIP 9) – Remuneration of insolvency office holders in England & Wales

² Ibid 1

- Telephone and facsimile
- Printing and photocopying
- Stationery

BEGBIES TRAYNOR CHARGE-OUT RATES

Begbies Traynor is a national firm. The rates charged by the various grades of staff that may work on a case are set nationally, but vary to suit local market conditions. The rates applying to the Manchester office as at the date of this report are as follows:

	Standard 1 May 2011 – until further notice Regional
Partner	395
Director	345
Senior Manager	310
Manager	265
Assistant Manager	205
Senior Administrator	175
Administrator	135
Trainee Administrator	110
Support	110

Time spent by support staff such as secretarial, administrative and cashiering staff is charged directly to cases. It is not carried as an overhead.

Time is recorded in 6 minute units.

SIP9 Spectrum Alpha General Partner - Creditors Voluntary Liquidation - 10SP086 CVL Time Costs Analysis From 04/09/2017 To 03/09/2018

SIP9 Spectrum Alpha General Partner - Creditors Voluntary Liquidation - 10SP086 CVL Time Costs Analysis From 04/09/2017 To 03/09/2018										
Category	Case planning	0.5								
General Case Administration and Planning	Administration					5.1				0.5
	Total for General Case Administration and Planning:	0.5					2.1			0.5
	Appointment									7.2
	Banking and Bonding									
	Case Closure					3.8			5.1	5.1
Compliance with the Insolvency Act, Rules and best practice	Statutory reporting and statement of affairs	1.0				1.2				3.8
	Total for Compliance with the Insolvency Act, Rules and best practice:	1.0					6.3			3.8
	CCOA and investigations									8.5
	Total for Investigations:									8.5
	Realisation of assets									242.18
Investigations	Debt collection									0.00
	Property, business and asset sales									0.00
	Retention of Title/Third party assets									0.00
	Total for Realisation of assets:									0.00
	Trading									0.00
Dealing with all creditors claims (including employees), correspondence and distributions	Total for Dealings:									0.00
	Secured									0.00
	Others	1.5				9.7				12.4
	Creditors committee									3,846.50
	Total for Dealings with all creditors claims (including employees), correspondence and distributions:	1.5								310.12
Other matters which includes seeking decisions of creditors, meetings, tax, litigation, pensions and travel	Seeking decisions of creditors									0.00
	Meetings									0.00
	Other									0.00
	Tax					5.3				1,643.00
	Litigation									310.00
Total for Other matters:	Total for Other matters:									0.00
	Total hours by staff grade:	3.0				25.1			5.1	42.8
	Total time cost by staff grade:	1,165.00				7,781.00			981.00	11,483.00
	Average hourly rate £:	385.00	0.00			310.00	0.00	0.00	110.00	268.57
	Total fees drawn to date £:									46,500.00

SLF9 Spectrum Alpha General Partner - Creditors Voluntary Liquidation - 10SP086.CVL - Time Costs Analysis From 04/09/2015 To 03/09/2018

[illegible]

STATEMENT OF EXPENSES

Type of expense	Name of party with whom expense incurred	Amount incurred £	Amount discharged £	Balance (to be discharged) £
Expenses incurred with entities not within the Begbies Traynor Group				
Bond	AUA Insolvency Risk Services	67.50	67.50	Nil
Storage	ReStore Ltd	377.60	306.80	70.80

CUMULATIVE STATEMENT OF EXPENSES

Type of expense	Name of party with whom expense incurred	Amount incurred £
Statutory Advertising	Courts Advertising	126.90
Bond	AUA Insolvency Risk Services	67.50
Storage	ReStore Ltd	377.60