

# LIQ03

## Notice of progress report in voluntary winding up



Companies House

TUESDAY



A09 \*A8F0N5L5\* 08/10/2019 #210  
COMPANIES HOUSE

### 1 Company details

Company number 0 6 0 0 2 8 4 5

Company name in full Acorn Care & Nursing Limited

#### → Filling in this form

Please complete in typescript or in  
bold black capitals.

### 2 Liquidator's name

Full forename(s) Steven Philip

Surname Ross

### 3 Liquidator's address

Building name/number 1 St James' Gate

Street

Post town

Newcastle upon Tyne

County/Region

Postcode

N E 1 4 A D

Country

### 4 Liquidator's name ①

Full forename(s) Allan David

Surname Kelly

#### ① Other liquidator

Use this section to tell us about  
another liquidator.

### 5 Liquidator's address ①

Building name/number 1 St James' Gate

Street

Post town

Newcastle upon Tyne

County/Region

Postcode

N E 1 4 A D

Country

#### ① Other liquidator

Use this section to tell us about  
another liquidator.

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**6** Period of progress report

From date	<sup>d</sup> 1	<sup>d</sup> 5	<sup>m</sup> 0	<sup>m</sup> 8	<sup>y</sup> 2	<sup>y</sup> 0	<sup>y</sup> 1	<sup>y</sup> 8
To date	<sup>d</sup> 1	<sup>d</sup> 4	<sup>m</sup> 0	<sup>m</sup> 8	<sup>y</sup> 2	<sup>y</sup> 0	<sup>y</sup> 1	<sup>y</sup> 9

**7** Progress report

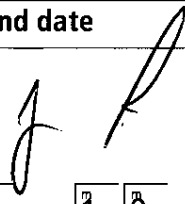
☒ The progress report is attached

**8** Sign and date

Liquidator's signature

Signature

X



X

Signature date

<sup>d</sup> 0	<sup>d</sup> 7	<sup>m</sup> 1	<sup>m</sup> 0	<sup>y</sup> 2	<sup>y</sup> 0	<sup>y</sup> 1	<sup>y</sup> 9
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# 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.

Contact name **Steven Philip Ross**

Company name **RSM Restructuring Advisory LLP**

Address **1 St James' Gate**

Post town **Newcastle upon Tyne**

County/Region

Postcode **N E 1 4 A D**

Country

DX

Telephone **0191 255 7000**



### 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)**

**In the matter of**

**Acorn Care & Nursing Limited In Liquidation  
(‘the Company’)**

**Joint Liquidators’ progress report**

**07 October 2019**

**Steven Philip Ross and Allan David Kelly  
Joint Liquidators**

**RSM Restructuring Advisory LLP  
1 St James’ Gate  
Newcastle upon Tyne  
NE1 4AD  
Tel: 0191 255 7000  
Email: [restructuring.newcastle@rsmuk.com](mailto:restructuring.newcastle@rsmuk.com)**

## Sections

1. Progress of the liquidation
2. Details of what remains to be done and matters preventing closure
3. Creditors' claims and dividend prospects
4. Receipts and payments summary
5. Joint Liquidators' remuneration, expenses and disbursements
6. Creditors' right to information and ability to challenge remuneration and expenses

## Appendices

- A. Statutory information
- B. Dividend Prospects
- C. Summary of receipts and payments
- D. RSM Restructuring Advisory LLP charging, expenses and disbursements policy statement
- E. RSM Restructuring Advisory LLP Newcastle current charge out and disbursement rates
- F. Statement of expenses incurred in the period from 15 August 2018 to 14 August 2019
- G. Joint Liquidators' fee scope and assumptions
- H. Proof of debt form

This report has been prepared in accordance with insolvency legislation to provide creditors, members and the registrar of companies with information relating to the progress of the liquidation in the period from 15 August 2018 to 14 August 2019. This report should be read in conjunction with any previous reports that have been issued, copies of which are available on request.

This report has been prepared solely to comply with the requirements of the relevant legislation. It has not been prepared for use in respect of any other purpose, or to inform any investment decision in relation to any debt or financial interest in the company. Any estimated outcomes for creditors are illustrative and may be subject to significant change.

Neither the Joint Liquidators nor RSM Restructuring Advisory LLP accept any liability whatsoever arising as a result of any decision or action taken or refrained from as a result of information contained in this report.

## **1 Progress of the liquidation**

### **1.1 Realisation of assets**

The Joint Liquidators are obliged to realise and get in the Company's property and maximise realisations. In some cases this does not result in sufficient realisations to enable a financial return to creditors, after taking into account the costs and expenses of realisation and dealing with the legislative requirements of administering the case. Details of the realisations made are set out below, with information relating to dividends, if any, contained within Appendix B.

#### **1.1.1 Directors Loan Account**

The Company's books and records detailed an overdrawn directors' loan account in the region of £300,000.00. The account requires a full reconciliation, and the amount due is likely to be significantly less than the estimation. The director has been requested to commence monthly instalments of £1,000.00 to reimburse the loan.

No assets have been realised in the period under review.

### **1.2 Administration and planning**

Certain aspects of the work that the Joint Liquidators undertake are derived from the underlying legal and regulatory framework for cases of this nature. This work, which does not usually result in any direct financial return to creditors, is a necessary aspect of ensuring that the Joint Liquidators are complying with both their legislative and best practice responsibilities and ensuring that the case is managed efficiently and effectively. It includes matters such as:

- Periodic case reviews, ongoing case planning and strategy
- Maintaining and updating computerised case management records
- Dealing with routine correspondence not attributable to other categories of work
- Ongoing consideration of ethical and anti-money laundering regulations
- General taxation matters, including seeking tax clearance from HMRC
- Preparation of receipts and payments accounts, maintenance of cashing records
- Preparing, reviewing and issuing final report to creditors and other parties
- Filing of final documentation at Companies House, Court and other relevant parties
- General administrative matters in relation to closing the case

## **2 Details of what remains to be done and matters preventing closure**

### **2.1 Assets remaining to be realised**

The only asset to be realised is the repayment of the director's loan account.

### **2.2 Other outstanding matters**

There are no other outstanding matters, following realisation of the above asset this case will be passed for closure.

## **3 Creditors' claims and dividend prospects**

Dividend prospects and projected returns to creditors, where known, are attached, including any amount under the prescribed part, if any.

The Joint Liquidators are obliged to deal with a number of matters in relation to creditors to comply with both the legislative and best practice requirements and to ensure creditors are kept informed. Creditors will only derive an indirect financial return from this work on cases where a dividend has been paid. These matters include:

- Preparation and issue of progress reports and associated documentation;
- Maintenance of schedules of preferential and unsecured creditors' claims;
- Dealing with correspondence and telephone calls;
- Where necessary, consideration of creditors' claims; acceptance or rejection of claims and complying with legislative obligations in relation to adjudication of creditors' claims generally for voting and, if applicable, dividend purposes;

#### **4 Receipts and payments summary**

We attach a summary of our receipts and payments for the period from 15 August 2018 to 14 August 2019, along with cumulative figures where applicable.

##### **4.1 VAT basis**

Receipts and payments are shown net of VAT with any amount due to or from HM Revenue and Customs shown separately.

#### **5 Joint Liquidators' remuneration and expenses**

##### **5.1 Authority for remuneration, disbursements and expenses**

The Joint Liquidators' remuneration was approved on 05 October 2017 by the general body of creditors on the following basis.

For a fixed amount of £40,000.00 (plus VAT) in accordance with the fee scope and assumptions dated 18 September 2017.

The Joint Liquidators cannot draw more than this amount without obtaining the further approval of the general body of creditors.

The general body of creditors approved the drawing of category 2 disbursements on 05 October 2017.

##### **5.2 Remuneration and expenses incurred in the period from 15 August 2018 to 14 August 2019 and since appointment**

Sums drawn, both in respect of the current period of the report, and since appointment, in accordance with the relevant approvals set out above, are detailed in the attached receipts and payments account.

No fees have been drawn in the current period. A total of £15,000.00 plus VAT has been drawn to date.

Fees drawn are within the estimated amount approved by the relevant approving body and no further increase will be sought.

##### **5.3 Expenses and disbursements**

Attached are the Joint Liquidators' charging, expenses and disbursement policy statement, together with the current rates. Details of the expenses (including category 1 and category 2 disbursements) that the Joint Liquidators have incurred in the period of the report are also attached, along with cumulative figures.

The quantum of the expenses incurred to date is in line with the estimate provided to creditors on 20 September 2017.

###### **5.3.1 Other professional costs**

Whilst professional costs are not subject to approval by the relevant approving body, all professional costs are subject to review before being paid.

ATS Associates were retained to assist with the preparation of the Statement of Affairs. We have agreed they be remunerated a fixed fee of £1,000.00 plus VAT which has been paid.

#### **6 Creditors' right to information and ability to challenge remuneration and expenses**

In accordance with the provisions of relevant legislation creditors have a right to request further information about remuneration or expenses and to challenge such remuneration or expenses.

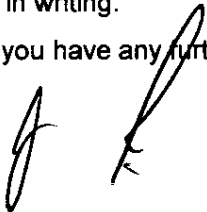
A request for further information must be made within 21 days of receipt of this report in writing by any secured creditor or an unsecured creditor with the concurrence of at least 5% in value of the unsecured creditors.

Any secured creditor, or any unsecured creditor with either the concurrence of at least 10% in value of the unsecured creditors (including that creditor) or the permission of the court, may apply to court on the grounds that the remuneration charged, the basis fixed or expenses incurred by the liquidator are in all the circumstances excessive.

Any such challenge must be made no later than eight weeks after receipt of the report which first discloses the charging of remuneration or incurring of the expenses in question.

A Creditors' Guide to Liquidators' Fees, which provides information for creditors in relation to the remuneration of a Liquidator, can be accessed at <http://rsm.insolvencypoint.com/1083963> under 'general information for creditors'. A hard copy can be requested from my office by telephone, email or in writing.

Should you have any further queries please do not hesitate to contact me.



**Steven Philip Ross**  
**RSM Restructuring Advisory LLP**  
**Joint Liquidator**

Steven Philip Ross is licensed to act as an Insolvency Practitioner in the UK by the Institute of Chartered Accountants in England and Wales  
Allan David Kelly is licensed to act as an Insolvency Practitioner in the UK by the Institute of Chartered Accountants in England and Wales  
Insolvency Practitioners are bound by the Insolvency Code of Ethics when carrying out all professional work relating to an insolvency appointment



## Appendix A

### Statutory and other information

Company information	
Company name:	Acom Care & Nursing Limited
Company number:	06002845
Date of incorporation:	20 November 2006
Trading name:	N/A
Trading address:	2B Rekendyke Industrial Estate, South Shields, Tyne & Wear NE33 5BZ
Principal activity:	Medical practice activities
Registered office:	RSM Restructuring Advisory LLP, 1 St James' Gate, Newcastle upon Tyne, NE1 4AD

Liquidation information		
Joint Liquidators:	Steven Philip Ross and Allan David Kelly	
Date of appointment:	15 August 2016	
Correspondence address & contact details of case manager:	Kelly Allison RSM Restructuring Advisory LLP, 1 St James' Gate, Newcastle upon Tyne, NE1 4AD Email: restructuring.newcastle@rsmuk.com	
Name, address & contact details of Joint Liquidators	<b>Primary Office Holder</b> Steven Philip Ross RSM Restructuring Advisory LLP 1 St James' Gate, Newcastle upon Tyne, NE1 4AD 0191 255 7000 IP Number: 9503	<b>Joint Office Holder:</b> Allan David Kelly RSM Restructuring Advisory LLP 1 St James' Gate, Newcastle upon Tyne, NE1 4AD 0191 255 7000 IP Number: 9156

## Appendix B

### Dividend prospects

	Owed	Paid to date	Estimated future prospects
Secured creditor:	N/A	N/A	N/A
Preferential creditors	N/A	N/A	N/A
Unsecured creditors	£702,000	NIL	Not known
Estimated net property	N/A		
Estimated prescribed part available for unsecured creditors	N/A		

Any estimated outcome for creditors is illustrative and may be subject to change.

**Acorn Care & Nursing Limited**  
**In Liquidation**  
**Joint Liquidators' Summary of Receipts & Payments**

Statement of Affairs £	From 15/08/2018 To 14/08/2019 £	From 15/08/2016 To 14/08/2019 £
	<b>ASSET REALISATIONS</b>	
	Bank Interest Gross	7.51
	Book Debts	30.09
22,125.00	Debtors (Pre-Appointment)	NIL
	Business and assets sold pre appoin	2,149.48
	Cash at Bank on Appointment	6,125.00
28,000.00	Directors loan account	32,621.10
		1,125.00
		7.51
		42,050.67
	<b>COST OF REALISATIONS</b>	
	Accounting Fees	1,000.00
	Appointee Fees	NIL
	Corporation Tax	3.02
	Disbursement: Legal Fees	4.35
	Disbursement: Postage	1,008.00
	Disbursement: Specific Bond	8.59
	Pension Advice	85.00
	Statement of affairs fee	150.00
	Statutory Advertising	6,500.00
	VAT - Irrecoverable	253.80
		1,380.76
		(1,003.02)
		(25,390.50)
	<b>UNSECURED CREDITORS</b>	
(701,000.00)	HM Revenue and Customs	NIL
(1,000.00)	Trade & Expense Creditors	NIL
		NIL
	<b>DISTRIBUTIONS</b>	
(1.00)	Ordinary Shareholders	NIL
		NIL
		NIL
(651,876.00)		(995.51)
	<b>REPRESENTED BY</b>	
	Interest Bearing Current Account	13,439.85
	Vat Receivable	3,220.32
		16,660.17

Note:

## Appendix D

### RSM Restructuring Advisory LLP charging, expenses and disbursements policy statement

#### Charging policy

- Partners, directors, managers, administrators, cashiers, secretarial and support staff are allocated an hourly charge out rate which is reviewed from time to time.
- Work undertaken by cashiers, secretarial and support staff will be or has been charged for separately and such work will not or has not also been charged for as part of the hourly rates charged by partners, directors, managers and administrators.
- Time spent by partners and all staff in relation to the insolvency estate is charged to the estate.
- Time is recorded in 6-minute units at the rates prevailing at the time the work is done.
- The current charge rates for RSM Restructuring Advisory LLP Newcastle are attached.
- Time billed is subject to Value Added Tax at the applicable rate, where appropriate.
- It is the office holder's policy to ensure that work undertaken is carried out by the appropriate grade of staff required for each task, having regard to its complexity and the skill and experience actually required to perform it.
- RSM Restructuring Advisory LLP's charge out rates are reviewed periodically.

#### Expenses and disbursements policy

- Only expenses and disbursements properly incurred in relation to an insolvency estate are re-charged to the insolvency estate.
- Expenses and disbursements which comprise external supplies of incidental services specifically identifiable to the insolvency estate require disclosure to the relevant approving party, but do not require approval of the relevant approving party prior to being drawn from the insolvency estate. These are known as 'category 1' disbursements.
- Expenses and disbursements which are not capable of precise identification and calculation (for example any which include an element of shared or allocated costs) or payments to outside parties that the firm or any associate has an interest, require the approval of the relevant approving party prior to being drawn from the insolvency estate. These are known as 'category 2' disbursements.
- A decision regarding the approval of category 2 disbursements at the rates prevailing at the time the cost is incurred to RSM Restructuring Advisory LLP Newcastle will be sought from the relevant approving party in accordance with the legislative requirements.
- General office overheads are not re-charged to the insolvency estate as a disbursement.
- Any payments to outside parties in which the office holder or his firm or any associate has an interest will only be made with the approval of the relevant approving party.
- Expenses and disbursements re-charged to or incurred directly by an insolvency estate are subject to VAT at the applicable rate, where appropriate.

## Appendix E

### RSM Restructuring Advisory LLP Newcastle current charge out and category 2 disbursement rates

Hourly charge out rates		
	Rates at commencement £	Current rates £
Partner	350.00 to 440.00	525.00
Directors / Associate Directors	247.50 to 300.00	290.00 to 365.00
Manager	247.50	240.00 to 290.00
Assistant Managers	-	240.00
Administrators	132.00 to 192.50	75.00 to 230.00
Support staff	71.50 to 115.50	85.00 to 140.00

Category 2 disbursement rates	
Internal room hire	£100 per hour
Subsistence	£25 per night (from 3 <sup>rd</sup> September 2013) £23 per night (up to 2 <sup>nd</sup> September 2013)
Travel (car)	38p per mile (up to and including 31 March 2010) 40p per mile (from 1 April 2010) 42.5p per mile (from 1 April 2011)
'Tracker' searches	£10 per case

## Appendix F

### Statement of expenses incurred in the period from 15 August 2018 to 14 August 2019

Expenses (excluding category 2 disbursements) Type and purpose	Incurred in period	
	Paid £	Unpaid £
Corporation Tax	3.02	Nil
<b>Sub Total</b>	<b>3.02</b>	<b>Nil</b>
<b>Category 2 disbursements</b>		
<b>Recipient, type and purpose</b>		
None	Nil	Nil
<b>Sub Total</b>	<b>Nil</b>	<b>Nil</b>
<b>Total</b>	<b>3.02</b>	<b>Nil</b>

**NOTE:** This Appendix may include estimated amounts where actual invoices have not been received. The amounts paid in the period are shown in the attached receipts and payments account. Invoices may have been paid in a period after that in which they were incurred.

## Appendix G

### Joint Liquidators' scope and assumptions

Activity	Scope and assumptions
Administration and planning	<p>Work that must be carried out in order to comply with statutory requirements imposed by the insolvency legislation.</p> <p>This includes filing and advertising of appointment documents, filing of Statement of Affairs, handling of receipts and payments, submission of VAT and income tax issues, pension queries, undertaking file reviews, case planning and strategy, dealing with redirected mail, convening any non-statutory meetings, liaising with the directors, case closure formalities.</p> <p>The fixed fee assumes that there are no pension schemes, that the company's records are up to date, that no liquidation committee is appointed, and that the case can be concluded in 24 months.</p>
Realisation of assets	<p>All aspects of the realisation of assets including identifying, securing and insuring assets such as book debts, chattels, stock and WIP with no contentious matters.</p> <p>The fixed fee assumes there will be no legal action required to realise the assets; the Liquidator receives full co-operation of the directors and that no contentious matters will arise.</p> <p>The fixed fee also assumes that there are no environmental and/or health and safety issues.</p>
Creditors	<p>Includes dealing with creditor queries, and preparation of statutory formal reports to creditors.</p> <p>The fixed fee assumes that the company's records are complete and up to date.</p>
Investigations	<p>Collection and review of the company's records in order to identify any potential or actual asset recoveries, antecedent transactions, transactions at under value or voidable dispositions.</p> <p>Reporting to the Department for Business, Energy and Industrial Strategy on the conduct of the directors.</p> <p>The fixed fee assumes that the Liquidator's investigations uncover no material antecedent transactions which require legal advice or recovery action being undertaken.</p>
Trading	No trading is expected.
Case specific matters	N/A

**Appendix H****Rule 14.4. of the Insolvency (England and Wales) Rules 2016****Proof of debt****Acorn Care & Nursing Limited In Liquidation****Company No: 06002845****Steven Philip Ross and Allan David Kelly appointed as Joint Liquidator to the above company on 15 August 2016**

Relevant date for creditors' claims: 15 August 2016

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 relevant date. Less any payments made after that date in relation to the claim, any deduction in respect of discounts and any adjustment by way of mutual dealings and set off in accordance with relevant legislation	£
4	Details of any documents by reference to which the debt can be substantiated. There is no need to attach them now, but you should retain them safely as the Joint Liquidators may ask you at a future date to produce any document or other evidence which is considered necessary to substantiate the whole or any part of the claim, as may the chairman or convenor of any qualifying decision procedure.	
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.	£ Date
8	Particulars of any reservation of title claimed in respect of goods supplied to which the claim relates.	
	Signature of creditor or person authorised to act on his behalf	
	Name in BLOCK LETTERS	
	Date	
	Position with or in relation to creditor	
	Address of person signing (if different from 2 above)	

**Notes:**

1. This form can be authenticated for submission by email, to [restructuring.newcastle@rsmuk.com](mailto:restructuring.newcastle@rsmuk.com), by entering your name in block capitals and sending the form as an attachment from an email address which clearly identifies you or has been previously notified to the office holder. If completing on behalf of a company, please state your relationship to the company.