

## Section 94

Return of Final Meeting in a  
Members' Voluntary Winding UpPursuant to Section 94 of the  
Insolvency Act 1986

To the Registrar of Companies

**S.94**

Company Number

06025021

Name of Company

Conder M &amp; E Limited

I / We

Edward T Kerr, Pannell House, 159 Charles Street, Leicester, LE1 1LD

Malcolm Cohen, 55 Baker Street, London, W1U 7EU

Note: The copy account must be  
authenticated by the written  
signature(s) of the Liquidator(s)

give notice that a general meeting of the company was duly ~~held on~~/summoned for 11 April 2017 pursuant to section 94 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.

The meeting was held at Pannell House, 159 Charles Street, Leicester LE1 1LD

The winding up covers the period from 9 September 2016 (opening of winding up) to the final meeting (close of winding up).

The outcome of the meeting (including any resolutions passed at the meeting) was as follows:

1. That the Joint Liquidators' Final Receipts and Payments Account be approved.
2. That the Joint Liquidators' Final Report be approved.
3. That the Joint Liquidators be authorised to take their release following the Meeting of Members
4. The the books, documents and records of the company be retained for 15 months following the final Meetings of Members and thereafter be destroyed.

Signed



Date 11 April 2017

BDO LLP  
Pannell House  
159 Charles Street  
Leicester  
LE1 1LD

Ref: 00267347/ETK/MAC/HLR/CB/RH/KB

THURSDAY



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13/04/2017

#104

COMPANIES HOUSE

**Conder M & E Limited**  
**(In Liquidation)**  
**Joint Liquidators' Abstract of Receipts & Payments**  
**From 9 September 2016 To 11 April 2017**

S of A £		£	£
	<b>ASSET REALISATIONS</b>		
19.24	Cash at Bank	15.73	
	Bank Interest Gross	0.01	
			15.74
	<b>COST OF REALISATIONS</b>		
	Bank Charges	0.01	
			(0.01)
	<b>DISTRIBUTIONS</b>		
(100,000.00)	Ordinary Shareholders	15.73	
			(15.73)
<b>(99,980.76)</b>			<b>NIL</b>

REPRESENTED BY

**NIL**



Edward T Kerr  
Joint Liquidator



Tel: +44 (0)116 250 4400  
Fax: +44 (0)116 285 4651  
[www.bdo.co.uk](http://www.bdo.co.uk)

Pannell House  
159 Charles St  
Leicester  
LE1 1LD

TO ALL MEMBERS

11 April 2017

Our ref: ETK/HR/DC/00267347

Direct dial: 0116 2504418  
Email:  
[helen.l.robinson@bdo.co.uk](mailto:helen.l.robinson@bdo.co.uk)

Dear Sirs

**Conder M & E Limited - In Members Voluntary Liquidation ("The Company")  
Final Report to Members on the progress of the liquidation pursuant to Rule 4.126A of the  
Insolvency Rules 1986**

We write to provide the final progress report on the conduct of the liquidation for the period since the date of appointment on 9 September 2016 to the date of the final meeting.

The following schedules are attached to this report:

- 1 Statutory information.
- 2 An abstract of the Liquidators' receipts and payments account for the period of the report.
- 3 An analysis of the time charged to the liquidation in the period.
- 4 Summary of the policies of BDO LLP in respect of fees and expenses for work in relation to the liquidation.
- 5 An extract from the Insolvency Rules 1986 regarding members rights.

**General overview**

This is the final progress report on the conduct of the liquidation. All assets have been realised and tax clearances have now been received from all departments of H M Revenue & Customs "HMRC".

Following the final meeting, a return will be filed at Companies House. The Company will be struck off from the Registrar 3 months after the date of the final meeting.

Details of the authorising bodies of the insolvency appointment takers of BDO LLP are available at [www.bdo.co.uk/services/business-restructuring/authorising-bodies-of-insolvency-appointment-takers](http://www.bdo.co.uk/services/business-restructuring/authorising-bodies-of-insolvency-appointment-takers)

BDO LLP, a UK limited liability partnership registered in England and Wales under number OC305127, is a member of BDO International Limited, a UK company limited by guarantee, and forms part of the International BDO network of independent member firms. A list of members' names is open to inspection at our registered office, 55 Baker Street, London W1U 7EU. BDO LLP is authorised and regulated by the Financial Conduct Authority to conduct investment business.





### **Progress of the Liquidation**

The Company was placed into Members Voluntary Liquidation to achieve an orderly wind down of the Company and distribution of the Company's assets.

Following the passing of resolutions at the Meeting of Members held on 9 September 2016, the Company was subsequently placed into Members Voluntary Liquidation with Malcolm Cohen and myself being appointed *Joint Liquidators*.

### **Receipts and Payments Account**

We enclose a Receipts and Payments account to the date of the final meeting which shows the amounts realised and distributed, together with the amounts on the Statement of Assets and Liabilities included in the Declaration of Solvency sworn by the directors. The balance on the account is nil.

### **Asset Realisations**

#### **Cash at Bank**

Following the closure of the Company bank account, an amount of £15.73 has been received, which is in line with the amount on the Declaration of Solvency.

### **Costs incurred other than Liquidator expenses**

The costs incurred in the liquidation are being paid by Melham Group Limited. No other costs have been incurred.

### **Creditors' Claims**

#### **Secured Creditors**

There were no secured creditors at the date of the liquidation.

#### **Preferential Creditors**

As the Company had no employees there were no preferential creditors at the date of liquidation.

#### **Unsecured Creditors**

There were no creditors listed on the Declaration of Solvency. A notice was advertised in the London Gazette on 19 September 2016 but no claims have been received.

Clearances have been received from all departments of HMRC, with no objections to the closure of the liquidation.

### **Distributions**

#### **Creditors**

As no creditors claims have been received, no payments have been made to any class of creditor in the liquidation.



## Shareholders

The issued share capital of the Company comprises 100,000 ordinary shares of £1 each which are wholly owned by Melham Holdings Limited. A distribution of £15.73 has been made to the shareholder in the period.

## Remuneration and disbursements

Our fee for carrying out this assignment was agreed by the Directors in the engagement letter dated 8 September 2016 and confirmed at the shareholders meeting on 9 September 2016, to be the maximum of £4,000 plus VAT and disbursements.

Total time costs incurred for the period since commencement of the liquidation to date amount to £4,539 in respect of 18 hours at an average hourly rate of £252 in accordance with Rule 4.127. Our invoice in the sum of £4,000 has been raised and sent to Melham Group Limited for payment. The balance of any time not recovered will be written off.

A detailed analysis of the time costs incurred is enclosed, together with the document that outlines the policy of BDO LLP in respect of fees and disbursements.

These amounts are derived from BDO LLP's normal rates for time properly spent by the liquidators and their staff in attending to matters arising in the liquidation. Where members of staff have been employed on this case they have been so based on their experience and abilities in dealing with a case of this nature. Where appropriate certain staff have dealt with a specific area of the liquidation due to their specialist skills in that area. BDO LLP's scale rates may increase from time to time over the period of an assignment.

All staff who have worked on this matter, including cashiers and secretarial staff, have charged time directly to the assignment and are included in the enclosed analysis. The cost of staff employed in central administration functions is not charged directly to the assignment but is reflected in the general level of charge out rates.

## Disbursements

Where disbursements are recovered in respect of precise sums expended to third parties there is no necessity for these costs to be authorised. These are known as Category 1 disbursements. Category 1 disbursements have been charged for the period from 9 September 2016 to date and are charged at cost to Melham Group Limited as follows:

	£
Statutory Advertising	338.40
Specific Bond	<u>20.00</u>
	<u>358.40</u>

No category 2 disbursements have been charged in this matter.

## Statement of Members rights:

We provide at the end of this report an extract from the Insolvency Rules 1986 setting out the rights of Members to request further information and/or challenge the remuneration or expenses within the liquidation.

## **Other Matters**

The Insolvency Service has established a central gateway for considering complaints in respect of Insolvency Practitioners. In the event that you make a complaint to us but are not satisfied with the response from us then you should visit <https://www.gov.uk/complain-about-the-insolvency-practitioner> where you will find further information on how you may pursue the complaint.

## **Resolutions**

The following resolutions were presented to the Members:

- 1) That the Joint Liquidators' Final Receipts and Payments Account be approved.
- 2) That the Joint Liquidators' Final Report be approved.
- 3) That the Joint Liquidators be authorised to take their release following the Meeting of Members.
- 4) That the books, documents and records of the company be retained for 15 months following the final Meetings of Members and thereafter be destroyed.

We trust the above provides you with sufficient information, but if you require more or have any questions please contact Helen Robinson on 0116 250 4418.

Yours faithfully



**Edward T Kerr**  
Joint Liquidator

Edward Terence Kerr and Malcolm Cohen are authorised by the Institute of Chartered Accountants in England and Wales in the UK to act as Insolvency Practitioners.



## 1. STATUTORY INFORMATION

Company name	Conder M & E Limited
Registration number	06025021
Registered office address	Pannell House, 159 Charles Street, Leicester, LE1 1LD
Liquidators details	Edward T Kerr BDO LLP Pannell House 159 Charles Street Leicester LE1 1LD

Appointed: 9 September 2016

Malcolm Cohen  
BDO LLP  
55 Baker Street  
London  
W1U 7EU

Appointed: 9 September 2016

Conder M & E Limited  
(In Liquidation)  
Joint Liquidators' Abstract of Receipts & Payments  
To 11/04/2017

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	COST OF REALISATIONS		
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			(0.01)
	DISTRIBUTIONS		
(100,000.00)	Ordinary Shareholders	15.73	
			(15.73)
<u>(99,980.76)</u>			<u>NIL</u>
	REPRESENTED BY		<u>NIL</u>







## Conder M & E Limited - In Liquidation

In accordance with best practice we provide below details of the policies of BDO LLP in respect of fees and expenses for work in relation to the above insolvency.

The current charge out rates per hour of staff within our firm, who may be involved in working on the insolvency, follows: This in no way implies that staff at all such grades will work on the case.

GRADE	£
Partner	509
Director/Senior Manager	300-326
Manager	224-255
Assistant Manager/Senior Executive	202
Executive	172-191
Administration Assistant	110-153
Junior Administrator	87
Support staff/Secretary	69

The rates charged by BDO LLP are reviewed in December and July each year and are adjusted to take account of inflation and the firm's overheads.

Time spent on casework is recorded directly to the relevant case using a computerised time recording system and the nature of the work undertaken is recorded at that time. Units of time can be as small as 3 minutes. BDO LLP records work in respect of insolvency work under the following categories:-

- Pre Appointment
- Steps upon Appointment
- Planning and Strategy
- General Administration
- Asset Realisation/Management
- Trading Related Matters
- Employee Matters
- Creditor Claims
- Reporting
- Distribution and Closure
- Other Issues

Under each of the above categories the work is recorded in greater detail in sub categories. Please note that the 11 categories provide greater detail than the six categories recommended by the Recognised Professional Bodies who are responsible for licensing and monitoring insolvency practitioners.

Where officeholders' remuneration is approved on a time cost basis, the time invoiced to the case will be subject to VAT at the prevailing rate.

Where remuneration has been approved on a time costs basis a periodic report will be provided to any committee appointed by the creditors or in the absence of a committee to the creditors. The report will provide a breakdown of the remuneration drawn and will enable the recipients to see the average rates of such costs.

### Other Costs

Where expenses are incurred in respect of the insolvent estate they will be recharged. Such expenses can be divided into two categories.

#### Category 1

This heading covers expenses where BDO LLP has met a specific cost in respect of the insolvent estate where payment has been made to a third party. Such expenses may include items such as advertising, couriers, travel (by public transport), land registry searches, fees in respect of swearing legal documents etc. In each case the recharge will be reimbursement of a specific expense incurred.

#### Category 2

Insolvency practice additionally provides for the recharge of expenses such as postage, stationery, photocopying charges, telephone, fax and other electronic communications, which cannot be economically recorded in respect of each specific case. Such expenses, which are apportioned to cases, must be approved by the creditors in accordance with the Insolvency Rules 1986, before they can be drawn, and these are known as category 2 disbursements. The current policy of BDO LLP is to recharge this expense on the basis of a figure based upon the number of creditors with whom we have to communicate and report during the insolvency. This is the method of calculation that was historically provided under statutory orders for the Official Receiver.

Where applicable, all disbursements will be subject to VAT at the prevailing rate.

BDO LLP

Statement from the Insolvency Rules 1986 (as amended) regarding the rights of members in respect of the Joint Liquidators' fees and expenses:

**Rule 4.49E Creditors' and members' request for further information**

(1) If-

- (a) within the period mentioned in paragraph (2)-
  - (i) a secured creditor, or
  - (ii) an unsecured creditor with the concurrence of at least 5% in value of the unsecured creditors (including the creditor in question), or
  - (iii) members of the company in a members' voluntary winding up with at least 5% of the total voting rights of all the members having the right to vote at general meetings of the company, or
- (b) with the permission of the court upon an application made within the period mentioned in paragraph (2)-
  - (i) any unsecured creditor, or
  - (ii) any member of the company in a members' voluntary winding up,

makes a request in writing to the liquidator for further information about remuneration or expenses set out in a progress report in accordance with Rule 4.49B(1)(e) or (f) (including by virtue of Rule 4.49C(5)) or in a draft report under Rule 4.49D, the liquidator must, within 14 days of receipt of the request, comply with paragraph (3) except to the extent that the request is in respect of matter[s] in a draft report under Rule 4.49D or a progress report required by Rule 4.108 which (in either case) was previously included in a progress report not required by Rule 4.108.

(2) The period referred to in paragraph (1)(a) and (b) is-

- (a) 7 business days of receipt (by the last of them in the case of an application by more than one member) of the progress report where it is required by Rule 4.108, and
- (b) 21 days of receipt (by the last of them in the case of an application by more than one member) of the report or draft report in any other case.

(3) The liquidator complies with this paragraph by either-

- (a) providing all of the information asked for, or
- (b) so far as the liquidator considers that-
  - (i) the time or cost of preparation of the information would be excessive, or
  - (ii) disclosure of the information would be prejudicial to the conduct of the liquidation or might reasonably be expected to lead to violence against any person, or
  - (iii) the liquidator is subject to an obligation of confidentiality in respect of the information, giving reasons for not providing all of the information.

**Rule 4.148C Members' claim that remuneration is excessive**

(1) Members of the company with at least 10% of the total voting rights of all the members having the right to vote at general meetings of the company, or any member with the permission of the court, may apply to the court for one or more of the orders in paragraph (6) on the grounds that-

- (a) the remuneration charged by the liquidator,
- (b) the basis fixed for the liquidator's remuneration under Rule 4.148A, or
- (c) expenses incurred by the liquidator,

is or are, in all the circumstances, excessive or, in the case of an application under sub-paragraph (b), inappropriate.

- (2) Application must, subject to any order of the court under Rule 4.49E(5), be made no later than 8 weeks (or 4 weeks when the liquidator has resigned in accordance with Rule 4.142) after receipt by the applicant of the report or account which first reports the charging of the remuneration or the incurring of the expenses in question ("the relevant report").
- (3) The court may, if it thinks that no sufficient cause is shown for a reduction, dismiss the application; but it must not do so unless the applicant has had the opportunity to attend the court for a hearing of which the applicant has been given at least 5 business days' notice but which is without notice to any other party.
- (4) If the application is not dismissed under paragraph (3), the court must fix a venue for it to be heard and give notice to the applicant accordingly.
- (5) The applicant must at least 14 days before the hearing send to the liquidator a notice stating the venue and accompanied by a copy of the application and of any evidence which the applicant intends to adduce in support of it.
- (6) If the court considers the application to be well-founded, it must make one or more of the following orders—
  - (a) an order reducing the amount of remuneration which the liquidator was entitled to charge;
  - (b) an order fixing the basis of remuneration at a reduced rate or amount;
  - (c) an order changing the basis of remuneration;
  - (d) an order that some or all of the remuneration or expenses in question be treated as not being expenses of the liquidation;
  - (e) an order that the liquidator or the liquidator's personal representative pay to the company the amount of the excess of remuneration or expenses or such part of the excess as the court may specify;

and may make any other order that it thinks just; but an order under sub-paragraph (b) or (c) may be made only in respect of periods after the period covered by the relevant report.

- (7) Unless the court orders otherwise, the costs of the application must be paid by the applicant and are not payable as an expense of the liquidation.