

Rule 1.29/1.54

The Insolvency Act 1986

# Notice to Registrar of Companies of Completion or Termination of Voluntary Arrangement

Pursuant to Rule 1.29 or Rule 1.54 of the  
Insolvency Rules 1986

# R.1.29/ R.1.54

To the Registrar of Companies

For Official Use

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Company Number

06356427

(a) Insert full name of  
Company

Name of Company

A Plus English Limited

(b) Insert full name and  
Address

I, Philip Booth  
PR Booth & Co  
Suite 7  
Milner House  
Milner Way  
Ossett  
WF5 9JE

(c) Insert date

(d) Delete as applicable

the supervisor of a voluntary arrangement which took effect on 12 May 2011 enclose a copy of my notice to the creditors and members of the above-named company that the voluntary arrangement has terminated, together with a report of my receipts and payments

Signed



Date

11.07.12

Presenter's name,  
address and reference  
(if any)

APL001  
A Plus English Limited

Phil Booth  
PR Booth & Co  
Suite 7  
Milner House  
Milner Way  
Ossett  
WF5 9JE

For Official Use

Liquidation Section

Post Room

THURSDAY



\*A1D0A3GO\*

A14

12/07/2012

#122

COMPANIES HOUSE

## TO ALL KNOWN CREDITORS

When telephoning please ask for Phil Booth

Our Ref PRB/APL001/6

11 July 2012

Dear Sirs

**A Plus English Ltd – Failed Company Voluntary Arrangement ('CVA')  
Leeds District Registry: No 503 of 2011  
Annual & Final Report to Creditors & Members**

Further to my appointment as Supervisor on 12 May 2011, I write to provide creditors and members with my Annual and Final Report on the outcome of the CVA

### **Key Terms of the CVA Proposals**

The main terms of the proposal, approved with modifications on 12 May 2011, are summarised below:

- CVA contributions to be no less than £1,500 per month for the duration of the arrangement
- 6 monthly income and expenditure review to be conducted with 50% of net increase in surplus income, after provision for tax, to be introduced

### **Certificate of Non Compliance/Failure of the CVA**

On 29 February 2012 I wrote to you to confirm that the Company was no longer in a position to continue trading and that steps were being taken to place the Company into Creditors' Voluntary Liquidation

The CVA has formally failed given that the Company went into Liquidation on 26 March 2012. A copy of the Certificate of Non Compliance is attached for your reference.

### **Case Progress**

#### **1. Voluntary Contributions**

- 1.1 Prior to the failure of the CVA, the Company paid monthly contributions totalling £12,000

#### **2. Other Realisations**

- 2.1 The loan account balance owed by the former director, Mrs Berhanu, is irrecoverable as she is Bankrupt and I have been informed by the Official Receiver that there are insufficient assets in her Bankruptcy estate to enable a dividend to be paid to her creditors
- 2.2 Gross bank interest in the sum of £2.83 has been received

### **3. Nominee's and Supervisor's Remuneration**

- 3.1 I have drawn the Nominee's Fee of £5,000 00 plus VAT, as agreed by creditors This in line with the CVA Proposal and Estimated Outcome Statement
- 3.2 In respect of my remuneration for acting as Supervisor of the CVA, I have drawn fees totalling £3,250.00 in respect of this firm's total time costs of £3,462 50, representing 21 0 hours at an average charge out rate of £164 88 per hour
- 3.3 Appendix A shows a detailed breakdown of these costs

#### **Disbursements**

- 3.4 I have incurred disbursements amounting to the sum of £577 74, as set out below, of which £573 16 has been discharged from funds held,

<b><u>Category 1</u></b>	<b>£</b>	<b><u>Category 2</u></b>	<b>£</b>
<b><u>Disbursements</u></b>		<b><u>Disbursements</u></b>	
Insurance Bond*	400 00	Copying	47 85
Room Hire	50 00	Mileage/Travel	64 16
Company Search	6 00		
Postage	9 73		
	<hr/>		<hr/>
	465 73		112 01
	<hr/>		<hr/>

*(\*Mandatory fixed cost insurance policy relative to the total value of assets subject to the CVA)*

- 3.5 Category 1 disbursements relate to external services provided which are directly attributable to the case. Category 2 disbursements relate to shared or allocated costs which generally relate to internal charges made for items such as postage, photocopying, faxes, room hire and mileage
- 3.6 Creditor approval is required for Category 2 disbursements to be charged as an expense of the CVA in accordance with best practice guidelines as set out in Statement Of Insolvency Practice 9
- 3.7 Creditors approved these charges at the meeting of creditors held on 12 May 2011

### **4. Receipts and Payments**

- 4.1 Attached to this report is a Receipts and Payments Account for the period 12 May 2011 to 11 July 2012 There are no funds in hand

### **5. Creditors' Claims & Dividends**

#### **Preferential Creditors**

- 5.1 I have not received any claims from Preferential Creditors and none were anticipated on the Statement of Affairs as no employees were made redundant prior to the commencement of the CVA.

### Unsecured Creditors

- 5 2 A Notice of Intended Dividend was issued on 20 February 2012 to all creditors who had yet to submit a formal Proof of Debt. The last date for receiving claims was 16 March 2012 with the first interim dividend being payable within two months thereafter, ie by 16 May 2012
- 5 3 Unfortunately I did not receive the final claim from the main creditor, HM Revenue & Customs ('HMRC'), until 21 May 2012, which is after the expiration of the Notice of Intended Dividend
- 5 4 However, given that there are only two creditors' claims in the proceedings I have elected to exercise my discretion and allow HMRC's claim
- 5 5 Furthermore, I do not believe it is in creditors' interests to issue a new Notice of Intended Dividend, given that all unsecured claims have now been received
- 5 6 A first interim dividend of 0.97p in the £ was paid to all proving creditors on 11 July 2012
- 5 7 Dividend payments of £1,833 have therefore been made to creditors, representing a dividend of 0.97p on agreed claims totalling £188,395
- 5 8 Creditors should regard this report as notice of no further dividends due to the failure of the CVA

### **6. General**

- 6 1 A copy of this report has also been filed at Court and with the Registrar of Companies
- 6 2 Should you have any queries regarding this report or any aspect of the case, please do not hesitate to contact me

Yours faithfully



**Phil Booth**  
**Supervisor**

**CERTIFICATE OF NON COMPLIANCE**

**IN THE LEEDS DISTRICT REGISTRY NO. 503 OF 2011**

**IN THE MATTER OF A PLUS ENGLISH LIMITED**

**AND IN THE MATTER OF THE INSOLVENCY ACT 1986**

I, Philip Booth, the Supervisor of the failed Company Voluntary Arrangement ('CVA') of the above named company, hereby give notice to creditors by virtue of filing this Certificate of Non Compliance pursuant to the terms of the Company's proposals that

1. The CVA has failed on the grounds that on 27 February 2012 the directors instructed this firm to assist them in placing the Company into Creditors Voluntary Liquidation ('CVL')

The Company had fallen into arrears with its monthly CVA payments and the directors felt there was no alternative other than to commence winding-up proceedings. It was deemed that proceeding into CVL would give a better outcome for creditors than if Compulsory Liquidation proceedings had been commenced.

2. At meetings of members and creditors held on 26 March 2012, the company formally entered into CVL.
3. This certificate has been filed with the Court, the Registrar of Companies, the Company and its shareholders.

I enclose a copy of my final receipts and payments account in this matter

Dated 11 July 2012

Signed



Philip Booth  
Supervisor

**A Plus English Limited  
(Under a Voluntary Arrangement)**

**Summary of Receipts & Payments**

<b>RECEIPTS</b>	<b>Statement of Affairs (£)</b>	<b>From 12/05/2011 To 11/05/2012 (£)</b>	<b>From 12/05/2012 To 11/07/2012 (£)</b>	<b>Total (£)</b>
Monthly Contributions	90,000 00	12,000 00	0 00	12,000 00
Bank Interest Gross		2 72	0 11	2 83
		<b>12,002 72</b>	<b>0 11</b>	<b>12,002 83</b>
<b>PAYMENTS</b>				
Nominee's Fee	(5,000 00)	5,000 00	0 00	5,000 00
Supervisor's Fees	(10,000 00)	2,500 00	750 00	3,250 00
Office Holders Expenses	(1,000 00)	572 34	0 82	573 16
Legal Fees (1)		193 50	0 00	193 50
Trade & Expense Creditors	(55,952 00)	0 00	544 39	544 39
HM Revenue & Customs	(43,164 77)	0 00	1,288 61	1,288 61
VAT Receivable (irrecoverable)		1,153 17	0 00	1,153 17
		<b>9,419 01</b>	<b>2,583 82</b>	<b>12,002 83</b>
<b>Net Receipts/(Payments)</b>		<b>2,583 71</b>	<b>(2,583 71)</b>	<b>0 00</b>
<b>MADE UP AS FOLLOWS</b>				
		<b>0 00</b>	<b>0 00</b>	<b>0 00</b>

Note

# A Plus English Limited - Failed Company Voluntary Arrangement

## Time and Charge Out Summary

12 May 2011 to 11 July 2012

Classification of Work	Insolvency Practitioner	Senior Manager	Manager	Senior Administrator	Administrator	Support	Total Hours	Time Cost £	Average Rate/hr £
Hourly Rate (£/hr)	185 00	150 00	100 00	75 00	50 00	35 00			
Brought forward costs									
Administration, Planning & Statutory Matters	13 20	2 40	0 00	0 00	2 10	0 00	17 70	2,907 00	164 24
Investigations	0 00	0 00	0 00	0 00	0 00	0 00	0 00	0 00	0 00
Realisation of Assets	0 50	0 00	0 00	0 00	0 00	0 00	0 50	92 50	185 00
Creditors	2 30	0 00	0 00	0 50	0 00	0 00	2 80	463 00	165 36
Total Hours	16 00	2 40	0 00	0 50	2 10	0 00	21 00		
Time Costs (£)	2,960 00	360 00	0 00	37 50	105 00	0 00		3,462 50	164 88

## Standard activity

### Examples of work

## Administration and planning

Case planning  
Administrative set up  
Appointment notification  
Maintenance of records  
Statutory reporting  
Annual and internal reviews

## Investigations

SIP 2 review  
Investigating antecedent transactions  
Directors Conduct Report

## Realisation of assets

Identifying, securing, insuring assets  
Retention of title  
Debt collection  
Property, business and asset sales

## Creditors

Communication with creditors  
Creditors' claims (including employees' and other preferential creditors')