

Rule 4 223-CVL

**The Insolvency Act 1986
Liquidators' Receipts
and Payments Account**

**Pursuant to Section 192 of the
Insolvency Act 1986**

To the Registrar of Companies

S.192

For Official Use

Company Number

06378581

Name of Company

(a) Insert full name
of company

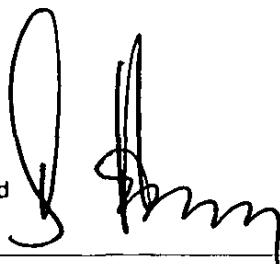
(a) Abacus Care (Cheshire) Limited

(b) Insert full name(s) I/we (b) Dan Hennessy
and address(es)

Aticus Recovery Limited
DHR House
Unit B1
Kingfisher Business Park
Hawthorne Road
Litherland
L20 6PF

the liquidator(s) of the company attach a copy of my/our receipts
and payments account under section 192 of the Insolvency Act 1986

Signed



Date 25 September 2013

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

Dan Hennessy
Aticus Recovery Limited
DHR House
Unit B1
Kingfisher Business Park
Litherland
L20 6PF

A0010

Liquidation

MONDAY SATURDAY



A2ID3JWH

A12 05/10/2013 #33

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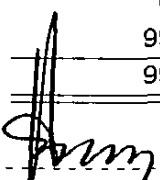
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COMPANIES HOUSE

Abacus Care (Cheshire) Limited

Liquidator's Abstract of Receipts and Payments

Statement Of Affairs	From 21/09/2013 To 20/09/2013	From 21/09/2012 To 20/09/2013
FLOATING CHARGE ASSETS		
	0 00	179 71
Sundry Receipts		
3,500 00 Office Furniture & Equipment	0 00	0 00
29,000 00 Book Debts	0 00	8,035 06
Balance at Bank (Brought Forward)	0 00	68 02
Deposit Interest Net	0 00	0 15
	<u>0 00</u>	<u>8,282 94</u>
COSTS		
Statement of Affairs Fee	0 00	8,182 97
	<u>0 00</u>	<u>(8,182 97)</u>
PREFERENTIAL CREDITORS		
(17,000 00) Wages & Salaries	0 00	0 00
	<u>0 00</u>	<u>0 00</u>
UNSECURED CREDITORS		
(28,928 19) Trade & Expense Claim	0 00	0 00
(7,303 59) HM Revenue & Customs - PAYE & NI	0 00	0 00
(29,000 00) Mrs Tracey Barrel	0 00	0 00
(1,500 00) Mrs Marion Ashcroft	0 00	0 00
(16,000 00) HSBC Bank	0 00	0 00
	<u>0 00</u>	<u>0 00</u>
DISTRIBUTIONS		
(2 00) Issued Share Capital	0 00	0 00
	<u>0 00</u>	<u>0 00</u>
<u>(67,233 78)</u>	<u>0 00</u>	<u>99 97</u>
REPRESENTED BY		
Bank 1	0 00	0 15
VAT Control Account	0 00	99 82
	<u>0 00</u>	<u>99 97</u>



 Dan Hennessy
 Liquidator

Liquidator's Annual Progress Report to Creditors & Members

Abacus Care (Cheshire) Limited

- In Liquidation

**Period: 21 September 2012 to 20
September 2013**

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- 2 Realisation of Assets
- 3 Investigations
- 4 Creditors
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- 8 Next Report

APPENDICES

- A Receipts and Payments Account from 21 September 2012 to 20 September 2013
- B Time Analysis for the period 21 September 2012 to 20 September 2013
- C Additional Information in relation to Liquidator's fees pursuant to Statement of Insolvency Practice No 9

1 Introduction and Statutory Information

I, Daniel Paul Hennessy of Aticus Recovery Limited, DHR House, Unit B1 Kingfisher Business Park, Hawthorne Road, Litherland Liverpool L20 6PF, was appointed as Liquidator of Abacus Care (Cheshire) Limited (the **Company**) on 21 September 2012. This report provides an update on the progress in the liquidation for the year ended 20 September 2013.

The principal trading address of the Company was 168a Forster Street, Warrington, Cheshire WA2 7AX.

The registered office of the Company was previously 4 Shuldharn Close, Highe Legh, Knutsford WA16 6UE which has been changed to DHR House, Unit B1 Kingfisher Business Park, Hawthorne Road, Litherland Liverpool L20 6PF, and its registered number is 06378581.

2 Realisation of Assets

Attached at Appendix A is my Receipts and Payments Account for the period from 21 September 2012 to 20 September 2013.

Book Debts

In the statement of affairs prepared by the Director and presented to the creditors on 21 September 2012, it was estimated that the Company had book debts of £55,000 estimated to realise £29,000. The computerised accounting records had not been fully updated and Mr & Mrs Barral were engaged to update the debtors ledger. Many updates were made and based on the information provided letters were sent to all known debtors owing in excess of £500 on 3 October 2012. The updated debtors ledger now comprised of outstanding debts totalling £144,713. Prior to that Mr & Mrs Barral had, with the Liquidators approval, been involved in collecting outstanding amounts due from the clients. Many of the debts were disputed and many were referred to the Council. Certain clients paid additional charges to the Company whilst the basic charge was paid by the Council. A meeting was held with the Council on 8 October 2012 in an attempt to clarify the position.

Details of the outstanding amounts had been sent to the Council as the records showed that the Council was the single largest debtor. It became clear at the meeting with the Council that the debtors ledger now included charges for late payments and also cancellation charges where 24 hours' notice had not been given – a practice previously not carried out by the Company and charges not accepted by the Council and not likely to be accepted by the clients.

Further correspondence and meetings were held with the Council with a view to resolving the outstanding debtor position. There were many and significant differences in the amounts

alleged to be owed by the Council in respect of individual clients. Throughout, the Councils stance has been that there had been overpayments and that there was a right of set off against any amounts due by the Council. They acknowledged they owed amounts in respect of certain clients but were applying set off. They alleged an overpayment, in total, of at least £70,000 due to the Council – a matter they had attempted to resolve before the commencement of the liquidation process. Details were given for a sample number of clients and unfortunately whilst the Council could confirm they didn't agree the numbers, they could not explain why there was a difference as this was confidential information between themselves and the client and covered by the Data Protection Act. It was therefore impossible to agree the outstanding amounts without a comprehensive audit which would not have been cost-effective.

Following the meetings with the Council and the provision of information to enable me to categorise the debtors a further letter was sent to the clients on 10 October 2012 which stated no further recovery action would be taken until the position had been clarified. It had become clear that the request for payment had produced a significant adverse response from the clients and highlighted many differences. I therefore had to conclude that the debtors ledger was inaccurate and that no further efforts were made to collect the outstanding debtors. At this time the costs of collection exceeded the realisations. In total £8,035 was collected by the Liquidator.

Cash at Bank & Bank Interest

There was cash at bank of £68.02 and 15p of interest has been earned.

Office Furniture & Equipment

In the last Company accounts the value of the office furniture and equipment was £4,692. The former director, Mr Christopher Barral, made an offer of £3,500 for this equipment which was accepted by the Liquidator. Soon after the Liquidator's appointment the Director removed the equipment which consisted of desks, chairs and tables which the majority of which were over 5 years old. It would have cost more to move the assets than they would have realised at auction.

Payment was not received as Mr & Mrs Barral were to be paid a commission for their assistance in the book debt collections as well as updating the books and records. The updates on the Sage accounting system continued until December 2012 although the debtor collection procedures had been abandoned.

Directors Loan Account

All books & records have been collected and the most up to date sage accounting information was received in December 2012. This enabled a full analysis of transactions with the Director to be carried out. Formal demand was made on 3 April 2013 requesting Mr Barral repay £62,907 to the Company for amounts which I, as Liquidator, consider were payments made without proper substantiation. Legal action for recovery was commenced in April 2013. The amount was disputed in May and further communication took place between Mr Barral and the Instructed Solicitor confirming Mr Barral's continued dispute with the debt. In August 2013 it was decided that I could not justify any further expenditure as the debt was heavily disputed and it would be expensive to litigate and I was uncertain of the defendant's personal financial position.

3 Investigations

In accordance with the Company Directors Disqualification Act 1986 I have submitted a report on the conduct of the Directors of the Company to the Department for Business Innovation & Skills (BIS). As this is a confidential report, I am not able to disclose the contents.

Shortly after appointment, I made an initial assessment of whether there could be any matters that might lead to recoveries for the estate and what further investigations may be appropriate. This assessment took into account information provided by creditors either at the initial meeting or as a response to my request to complete an investigation questionnaire. My investigations have not revealed any issues requiring further report.

4 Creditors

Secured Creditors

There are no secured creditors.

Preferential Creditors

There were 35 employees who made claims with the Redundancy Payments Office. I have received a preferential claim from the Redundancy Payments Office for £30,745.60. There will be no dividend or distribution to any class of creditors.

Unsecured Creditors

I have received claims totalling £156,597 from 17 creditors I have yet to receive claims from 8 creditors whose debts total £18,096 as per the director's statement of affairs I will not be agreeing creditors' claims as there will be no distribution to any class of creditor

5 Liquidator's Remuneration

Creditors will recall that it was agreed at the initial Section 98 meeting that my costs of the preparation and calling the meetings of shareholders and creditors be fixed at £9,250 of which £8,182.97 has been drawn from which £1,286.00 has been paid in disbursements The Creditors approved that the basis of the Liquidator's remuneration be fixed by reference to the time properly spent by him and his staff in managing the Liquidation

My time costs for the period from 21 September 2012 to 20 September 2013 are £23,322 This represents 115.8 hours at an average rate of £201.40 per hour Attached as Appendix C is a Time Analysis which provides details of the activity costs incurred by staff grade during this period in respect of the costs fixed by reference to time properly spent by me in managing the Liquidation No Fees have been drawn towards these costs and no fees will be paid as there are insufficient assets

The largest element of fees expended has been in dealing with the debtors including an investigation into the amount owed by the former Director We have also dealt with employee claims, including dealing with the Redundancy Payments Office

A copy of 'A Creditors' Guide to Liquidators' Fees is available on request or can be downloaded from <http://www.aticus.co.uk/downloads.html>

6 Liquidator's Expenses

The following expenses have been incurred since my appointment as Liquidator and have been paid by Aticus Recovery Limited and have not been reimbursed,

Supplier/Service Provider	Nature of Expenses incurred	Amount incurred to date £	Paid to date	Amount outstanding
Courts Advertising	Advertising	306.00	Nil	£306.00
Willis	Insurance Premium	343.00	Nil	£343.00
Oliver & Co	Legal Fees	512.00	Nil	£512.00
Pelstar	Insolvency Software Licence	125.00	Nil	£125.00

7 Creditors' rights

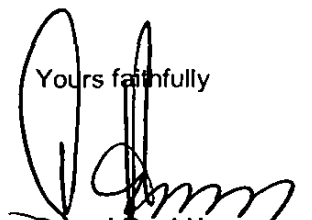
Within 21 days of the receipt of this report, a secured creditor, or an unsecured creditor (with the concurrence of at least 5% in value of the unsecured creditors) may request in writing that the Liquidator provide further information about his remuneration or expenses which have been itemised in this progress report

Any secured creditor, or an unsecured creditor (with the concurrence of at least 10% in value of the unsecured creditors) may within 8 weeks of receipt of this progress report make an application to court on the grounds that, in all the circumstances, the basis fixed for the Liquidator's remuneration is inappropriate and/or the remuneration charged or the expenses incurred by the Liquidator, as set out in this progress report, are excessive

8 Next Report

I am required to provide a further report on the progress of the liquidation within two months of the next anniversary of the liquidation, unless I have concluded matters prior to this, in which case I will write to all creditors with my final progress report ahead of convening the final meeting of creditors

Yours faithfully



Daniel Paul Hennessy
Liquidator

Abacus Care (Cheshire) Limited
(In Creditors Voluntary Liquidation)

Summary of Liquidator's Time Costs from 21 September 2012 to 20 September 2013

	Partner		Manager		Junior Administrator		Total		Average
	Units	Cost £	Units	Cost £	Units	Cost £	Units	Cost £	Hourly Rate £
Statutory & Review	-	-	-	-	-	-	-	-	-
Receipts & Payments	-	-	-	-	-	-	-	-	-
Insurance	-	-	-	-	-	-	-	-	-
Assets	-	-	-	-	-	-	-	-	-
Liabilities	-	-	-	-	-	-	-	-	-
Landlords	-	-	-	-	-	-	-	-	-
Trading	-	-	-	-	-	-	-	-	-
Debenture Holder	-	-	-	-	-	-	-	-	-
General Administration	-	-	-	-	-	-	-	-	-
Pre-Apprt Creds Meetings	-	-	-	-	-	-	-	-	-
Appointment	-	-	-	-	-	-	-	-	-
Pre-Appointment	-	-	-	-	-	-	-	-	-
Post Appointment Creds Mtngs	-	-	-	-	-	-	-	-	-
Creds Committee Meetings	-	-	-	-	-	-	-	-	-
Investigations	10	305 00	150	3,375 00	-	-	160	3,680 00	230 00
Admin & Planning	5	152 50	180	4,050 00	97	873 00	282	5,075 50	179 98
Investigations	-	-	-	-	-	-	-	-	-
Creditors	-	-	-	-	91	819 00	91	819 00	90 00
Statutory Matters	-	-	20	450 00	5	45 00	25	495 00	198 00
Realisation of Assets	180	5,490 00	295	6,637 50	125	1,125 00	600	13,252 50	220 88
NMCOFFEE	-	-	-	-	-	-	-	-	-
NOSETUP	-	-	-	-	-	-	-	-	-
NMWEBSITE	-	-	-	-	-	-	-	-	-
NTISEMINAR	-	-	-	-	-	-	-	-	-
Financial assessment	-	-	-	-	-	-	-	-	-
Strategy & purpose evaluation	-	-	-	-	-	-	-	-	-
Preparation of documents	-	-	-	-	-	-	-	-	-
Chargeholder	-	-	-	-	-	-	-	-	-
Court related issues	-	-	-	-	-	-	-	-	-

Total	195	5,947 50	645	14,512 50	318	2,862 00	1,158	23,322 00
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Average Hourly Rate (£)	<u>305 00</u>	<u>225 00</u>	<u>90 00</u>	<u>201 40</u>
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All Units are 6 minutes

Appendix C

ADDITIONAL INFORMATION IN RELATION TO LIQUIDATOR'S FEES

PURSUANT TO STATEMENT OF INSOLVENCY PRACTICE 9 (SIP9)

1 Policy

Detailed below is Aticus Recovery Limited's policy in relation to

- Staff allocation and the use of subcontractors
- Professional advisors

1 1 *Staff allocation and the use of subcontractors*

Our general approach to resourcing our assignments is to allocate staff with the skills and experience to meet the specific requirements of the case

The constitution of the case team will usually consist of a Partner, Manager, Administrator and/or an Assistant. The exact constitution of the case team will depend on the anticipated size and complexity of the assignment and additional staff may be allocated to meet the demands of the case

We are not proposing to utilise the services of any sub-contractors in this case

1 2 *Professional advisors*

On this assignment we have used the services of Oliver & Co in pursuing the outstanding Directors Loan Account