

Rule 4.49C

Form 4.68

# Liquidator's Progress Report

Pursuant to Sections 92A, 104A and 192 of the  
Insolvency Act 1986

**S.192**

To the Registrar of Companies

Company Number  
**06591222**

Name of Company

(a) Insert full name of company (a) **The Phoenix Hazard Training Ltd**

(b) Insert full name and address I/We (b) **Christopher David Horner of Robson Scott Associates Limited, 47-49, Duke Street, Darlington DL3 7SD**

The Liquidator of the Company attach a copy of my/~~our~~ Progress Report under  
Section 192 of the Insolvency Act 1986.

The Progress Report covers the period from 30 April 2015 to 29 April 2016

Signed

Date

Presenter's name,  
address and  
reference

(if any)

Christopher David Horner, Robson Scott Associates Limited, 47-49, Duke Street, Darlington DL3 7SD

THURSDAY



A11 30/06/2016 #339  
COMPANIES HOUSE

**LIQUIDATOR'S SECOND ANNUAL REPORT ON THE LIQUIDATION OF THE PHOENIX HAZARD TRAINING LTD ("THE COMPANY")**

**STATUTORY INFORMATION**

Company Name	The Phoenix Hazard Training Ltd
Company Number	06591222
Registered Office	c/o Robson Scott Associates Limited, 49 Duke Street, Darlington, DL3 7SD
Former Registered Office	107 North Street, Martock, Somerset, TA12 6EJ
Trading Name	The Phoenix Hazard Training Ltd
Trading Address	Fellows House, 46 Royce Close, West Portway Industrial Estate, Andover, SP10 3TS

**INTRODUCTION**

Michael Leslie Reeves, a consultant of Robson Scott Associates Limited, 49 Duke Street, Darlington, DL3 7SD was appointed as Liquidator of the above Company on 30 April 2014

In accordance with a court order made in the High Court, Manchester District Registry, case number 2647, and dated 25 June 2015, Mr Reeves was removed from office with effect from 1 July 2015 and I, Christopher David Horner was appointed as Liquidator in substitution with effect from the same date

This report covers the period of the Liquidation from Mr Reeves' appointment to 29 April 2016 This report should be read in conjunction with any previous reports to creditors

**RECEIPTS AND PAYMENTS ACCOUNT**

My Receipts & Payments Account for the period from 30 April 2015 to 29 April 2016 is attached at Appendix 1

The balance of funds is held in a designated case account

**ASSET REALISATIONS AND ASSETS STILL TO BE REALISED**

The Statement of Affairs presented at the meeting of creditors on 30 April 2014 advised that the Company had assets as detailed below -

Asset	Book Value	Estimated to Realise	Realised to Date
Debtors (Pre-Appointment)	£96,397 00	£0 00	£0 00
Plant and Machinery	£28,961 00	£13,550 00	£2,321 00

Realisations to date are as follows -

**Debtors (Pre-Appointment)** - From the Statement of Affairs, Debtor funds had a book value of £96,397 00 However, these funds are considered irrecoverable as the Debtor has ceased trading

**Plant and Machinery**- An offer to purchase the assets including the plant and machinery, for £13,550 00 was received This offer was made by the Director of the Company, Anthony Ian Day and was accepted following advice received from independent valuers confirming that the offer represented market value Funds of £2,321 00 have been received to date, and further funds are to be received on deferred terms

In accordance with Statement of Insolvency Practice 13, I confirm that the sale was to a connected party and therefore details of this transaction are as follows -

Date of Sale	Assets sold	Consideration paid and date	Name of Purchaser	Relationship with the Company
14/07/2014	Plant and Machinery	Funds of £2,321 00 have been received from 14/07/2014-01/06/2016	Anthony Ian Day	Director

Further funds, not on the Statements of Affairs, have been realised as follows -

Bank Interest Net of Tax of £0 04 has accrued over the period of the Liquidation Bank Interest is subject to Corporation Tax and this was deducted at source

VAT is recoverable in this matter as the Company was previously VAT registered

No further realisations are anticipated from the Company

## INVESTIGATIONS

Within six months of my appointment as Liquidator, I am required to submit a confidential report to the Secretary of State to include any matters which have come to my attention during the course of my work which may indicate that the conduct of any past or present Director would make him unfit to be concerned with the management of the Company I would confirm that I have complied with my obligations in this matter

I undertook an initial investigation into the Company's affairs to establish whether there were any potential asset recoveries or conduct matters that justified further investigation, taking account of the public interest, potential recoveries, the funds likely to be available to fund an investigation, and the costs involved

Specifically, I recovered, listed and reviewed the Company's accounting records, obtained and reviewed copy bank statements for the 36 months prior to the Company ceasing to trade from the Company's bankers, and compared the information in the Company's last set of accounts with that contained in the statement of affairs lodged in the liquidation and made enquiries about the reasons for the changes

There were no matters that justified further investigation in the circumstances of this appointment.

## **PAYMENTS**

Creditors previously authorised the payment of a fee of £5,000 00 plus VAT for my assistance with preparing the Statement of Affairs and convening and holding the meeting of creditors at a meeting held on 30 April 2014

The fee for preparing the Statement of Affairs and convening and holding the meeting of creditors was to be paid from first realisations on appointment and is shown in the enclosed receipts and payments account To date, £1,648 00 has been received

My remuneration was previously authorised by creditors at a meeting held on 30 April 2014 to be drawn on a time cost basis My total time costs to 29 April 2016 amount to £3,959 00, representing 21 9 hours of work at an average charge out rate of £180 78 per hour

I have not been able to draw any remuneration in this matter

A schedule of my time costs incurred to date is attached as Appendix 2

A description of the routine work undertaken in the Liquidation to date is as follows

### **1 Statutory**

- Preparing the documentation and dealing with the formalities of appointment
- Statutory notifications and advertising
- Preparing documentation required
- Dealing with all routine correspondence
- Maintaining physical case files and electronic case details on CCH Insolvency
- Review and storage
- Case bordereau
- Case planning and administration
- Preparing reports to members and creditors
- Convening and holding meetings of members and creditors

### **2 Cashiering**

- Maintaining and managing the Liquidator's cashbook and bank account
- Ensuring statutory lodgements and tax lodgement obligations are met

### **3 Creditors**

- Dealing with creditor correspondence and telephone conversations.
- Preparing reports to creditors
- Maintaining creditor information on CCH Insolvency
- Reviewing proofs of debt received from creditors

### **4 Investigations**

- Review and storage of books and records
- Preparing a return pursuant to the Company Directors Disqualification Act
- Conducting investigations into suspicious transactions
- Review books and records to identify any transactions or actions a Liquidator may take against a third party in order to recover funds for the benefit of creditors

## 5 Realisation of Assets

- Corresponding with debtors and attempting to collect outstanding book debts
- Liaising with the Company's bank regarding the closure of the account

Category 1 Disbursements, which do not require approval, have been paid as follows -

Disbursement	Payee	Incurred	Paid
Statutory Advertising	The Stationery Office	£165 00	£165 00
Company Searches	Companies House Direct	£3 00	£3 00
ID Checks	Veriphy Ltd	£4 00	£4 00
Postage	Royal Mail	£9 50	£9 50
Specific Bond	Willis Limited	£30 00	£30 00
Statutory Report	Docrunner	£22 50	£22 50
Software Hosting			

The choice of professionals was based on my perception of their experience and ability to perform this type of work, the complexity and nature of the assignment and the basis of my fee arrangement with them. The fees charged have been reviewed and I am satisfied that they are reasonable in the circumstances of this case.

Category 2 Disbursements, approved at the creditors meeting on 30/04/2014 have been paid as follows -

Disbursement	Rate	Incurred	Paid
File Set Up	£15 per file	£15 00	£15 00

Further information about creditors' rights can be obtained by visiting the creditors' information micro-site published by the Association of Business Recovery Professionals (R3) at <http://www.creditorinsolvencyguide.co.uk>. A copy of 'A Creditors Guide to Liquidators' Fees' also published by R3 are available at the link [www.robsonscott.co.uk](http://www.robsonscott.co.uk)

A copy of this firm's policy for charging disbursements is enclosed for your information. Robson Scott Associates Limited or any successor firm reserves the right to change the scale rates and grade structure of staff as and when appropriate.

An unsecured creditor may, with the permission of the court or with the concurrence of 5% in value of the unsecured creditors (including the creditor in question), request further details of the Liquidator's remuneration and expenses within 21 days of receipt of this report. Any secured creditor may request the same details in the same time limit.

An unsecured creditor may, with the permission of the court or with the concurrence of 10% in value of the creditors (including the creditor in question), apply to court to challenge the amount and/or basis of the Liquidator's fees and the amount of any proposed expenses or expenses already incurred within 8 weeks of receipt of this report. Any secured creditor may make a similar application to court within the same time limit.

## CREDITORS' CLAIMS AND DIVIDEND PROSPECTS

### Secured Creditors

An examination of the Company's mortgage register held by the Registrar of Companies, showed that the Company has no current charges over its assets.

The legislation requires that if the Company has created a floating charge after 15 September 2003, a prescribed part of the Company's net property (i.e. the money that would otherwise be available to the charge holder) should be ring-fenced for distribution to unsecured creditors. In this case there were no creditors secured by a floating charge such that the prescribed part provisions do not apply.

#### **Crown Creditors**

The Statement of Affairs included £2,607.79 owed to HMRC. HMRC's provisional claim of £37,354.41 has been received.

#### **Non-preferential unsecured Creditors**

The Statement of Affairs included 9 non-preferential unsecured creditors with an estimated total liability of £85,010.59. I have received claims from 2 creditors at a total of £37,354.41. I have not received claims from 7 creditors with original estimated claims in the Statement of Affairs of £85,402.80.

#### **DIVIDEND PROSPECTS**

##### **Non-preferential unsecured Creditors**

In light of the current and expected level of realisations, it is unlikely that a dividend will be declared to preferential creditors.

In view of the lack of dividend prospects to any class of creditor in this case claims received have not been formally adjudicated.

#### **TRANSFER OF LIQUIDATOR**

Pursuant to a court order made in the High Court, Manchester District Registry, case number 2647, and dated 25 June 2015, Michael Leslie Reeves was replaced by Christopher David Horner as Liquidator with effect from 1 July 2015.

The transfer of the Liquidator has taken place due to an internal restructuring of Robson Scott Associates' operations; however, the ongoing day to day operation of the above cases will continue as they previously have done.

The estate accounts have been fully reconciled up to the date of the transfer, and a Receipts and Payments Account for the period up to 30 June 2015 is enclosed at appendix 1a. In addition, a further receipts and payments account for the period after the transfer up to the anniversary of the Liquidation is attached at appendix 1b.

In accordance with the terms of the order, any creditor may make an application to court to vary or discharge the order within 28 days from receipt of notice that the order has been made.

The sealed order has not been appended to this report, however, if you require a copy or the order or have a request for any further information please contact my office in the first instance.

Please note, however, that the costs of complying with any requests for further information, unless good reasons to the contrary are stated, will be paid as a cost of the estate.

## **SUMMARY**

In accordance with Rule 4.49C of the Insolvency Rules 1986, I am required to submit a progress report following the expiry of a further 12 month period of the Liquidation or at the conclusion of the Liquidation, whichever is the sooner

The Liquidation will remain open until all funds have been received. I estimate that this will take approximately 16 months and once resolved the Liquidation will be finalised and our files will be closed

Should you have any queries regarding this report, or the Liquidation in general, please contact Chris Horner on 01325 365950



**Christopher David Horner**  
Liquidator

Christopher David Horner is an insolvency practitioner (no 16150) authorised by the Insolvency Practitioners Association and holds professional indemnity insurance covering all his formal insolvency appointments with Aviva plc of Sienna-5, Surrey Street, Norwich NR1 3NS

**Receipts and Payments Abstract: T2377 - The Phoenix Hazard Training Ltd In Creditors Voluntary**  
 Bank, Cash and Cash Investment Accounts From: 30/04/2015 To 29/04/2016

SOA Value £	30/04/2015 to 29/04/2016		Total to 29/04/2016	
	£	£	£	£
ASSET REALISATIONS				
0 00	Bank Interest Gross	0 02	0 05	
0 00	Plant and Machinery	1,815 00	3,626 00	
		1,815 02		3,626 05
COST OF REALISATIONS				
0 00	Advertisements	0 00	(165 00)	
0 00	Companies House Search	0 00	(3 00)	
0 00	ID Check	0 00	(4 00)	
0 00	Legal Fees	(28 03)	(28 03)	
0 00	Postage	0 00	(9 50)	
0 00	Set Up Fee	0 00	(15 00)	
0 00	Specific Bond	(10 00)	(40 00)	
0 00	Statement of Affairs Fees	(1,474 00)	(2,739 00)	
0 00	Statutory Report Software Hosting	0 00	(22 50)	
		(1,512 03)		(3,026 03)
0 00		302 99		600 02
REPRESENTED BY				
	Bank 1 Current		0 72	
	VAT Receivable (Payable)		599 30	
				600 02
				600 02



**Receipts and Payments Abstract: T2377 - The Phoenix Hazard Training Ltd In Creditors Voluntary**  
 Bank, Cash and Cash Investment Accounts From: 30/04/2014 To: 30/06/2015

SOA Value £		30/04/2014 to 30/06/2015		Total to 30/06/2015	
		£	£	£	£
ASSET REALISATIONS					
0 00	Bank Interest Gross	0 04		0 04	
0 00	Plant and Machinery	2,321 00		2,321 00	
			2,321 04		2,321 04
COST OF REALISATIONS					
0 00	Advertisements	(165 00)		(165 00)	
0 00	Companies House Search	(3 00)		(3 00)	
0 00	ID Check	(4 00)		(4 00)	
0 00	Postage	(9 50)		(9 50)	
0 00	Set Up Fee	(15 00)		(15 00)	
0 00	Specific Bond	(30 00)		(30 00)	
0 00	Statement of Affairs Fees	(1,648 00)		(1,648 00)	
0 00	Statutory Report Software Hosting	(22 50)		(22 50)	
			(1,897 00)		(1,897 00)
0 00			424 04		424 04
REPRESENTED BY					
	Bank 1 Current			50 54	
	VAT Receivable (Payable)			373 50	
					424 04
					424 04

T2377 - The Phoenix Hazard Trading Ltd (T2377)

Details of the basis of the Liquidator's remuneration and disbursements charged in accordance with SIP 9

Classification Of Work Function	Other Director	Insol. Practit.	Senior Manager	Manager	Senior Admin	Admin	Junior Admin	Cashier	Hours	Average Hourly Rate £	Total Cost £
Administration/ Planning	0.0	0.0	0.0	0.0	0.2	0.0	0.0	0.0	0.2	£153.00	£30.60
Investigations	0.0	0.6	0.0	1.0	6.0	0.0	0.0	0.0	7.6	£171.21	£1,301.20
Realisations/ Contributions	0.0	0.6	0.0	2.2	0.0	0.0	0.0	0.0	2.8	£236.29	£661.60
Statutory	0.0	0.5	0.0	4.2	0.2	5.5	0.0	0.0	10.4	£169.96	£1,767.60
Creditors	0.0	0.0	0.0	0.9	0.0	0.0	0.0	0.0	0.9	£220.00	£198.00
<b>Total</b>	<b>0.0</b>	<b>1.7</b>	<b>0.0</b>	<b>8.3</b>	<b>6.4</b>	<b>5.5</b>	<b>0.0</b>	<b>0.0</b>	<b>21.9</b>	<b>£180.78</b>	<b>£3,959.00</b>



T2377 - The Phoenix Hazard Trading Ltd (T2377)

Details of the basis of the Liquidator's remuneration and disbursements charged in accordance with SIP 9

Classification Of Work Function	Other Director	Insol. Practit.	Senior Manager	Manager	Senior Admin	Admin	Junior Admin	Cashier	Hours	Average Hourly Rate £	Total Cost £
Administration/ Planning	0.0	0.0	0.0	0.0	0.2	0.0	0.0	0.0	0.2	£153.00	£30.60
Investigations	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	£0.00	£0.00
Realisations/ Contributions	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	£0.00	£0.00
Statutory	0.0	0.5	0.0	0.4	0.2	5.5	0.0	0.0	6.6	£141.09	£931.20
Creditors	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	£0.00	£0.00
<b>Total</b>	<b>0.0</b>	<b>0.5</b>	<b>0.0</b>	<b>0.4</b>	<b>0.4</b>	<b>5.5</b>	<b>0.0</b>	<b>0.0</b>	<b>6.8</b>	<b>£141.44</b>	<b>£961.80</b>

## ROBSON SCOTT ASSOCIATES LIMITED – FEES AND DISBURSEMENTS POLICY

This policy applies where a licensed Insolvency Practitioner in this firm is seeking appointment, or is currently acting, as an office holder of an insolvent estate and a resolution will be proposed or has been approved authorising fees to be drawn from the estate

Chargeout Rates		Robson Scott Associates Limited 47-49 Duke Street Darlington County Durham DL3 7SD
Grade	(£ per hour)	
Insolvency Practitioner	325	Time costs are calculated using 6 minute units  In the event that the fee agreement does not provide for fees on a time cost basis, this information is produced for information only and fees will be drawn on the basis agreed
Director	305	
Manager	235	
Supervisor	190	
Senior Administrator	160	
Case Administrator	125	
Cashier	95	
Support Staff	95	

### Agent's Costs

Charged at cost based upon the charge made by the Agent instructed, the term Agent includes

- Solicitors/Legal Advisors
- Auctioneers/Valuers
- Accountants
- Quantity Surveyors
- Estate Agents
- Other Specialist Advisors

### Disbursements

In accordance with Statement of Insolvency Practice 9 (SIP9) the basis of disbursement allocation in respect of disbursements incurred by the Office Holder in connection with the administration of the estate must be fully disclosed to creditors. Disbursements are categorised as either Category 1 or Category 2

**Category 1 disbursements** These are costs where there is specific expenditure directly referable both to the appointment in question and a payment to an independent third party. These may include, for example, advertising, room hire, storage, postage, telephone charges, travel expenses, statutory report web-hosting and equivalent costs reimbursed to the office holder or his or her staff. Category 1 disbursements can be drawn without prior approval although an office holder should be prepared to disclose information about them in the same way as any other expenses.

**Category 2 disbursements** These are costs that are directly referable to the appointment in question but not to a payment to an independent third party. They may include shared or allocated costs that can be allocated to the appointment on a proper and reasonable basis, for example, business mileage. Category 2 disbursements may be drawn if they have been approved in the same manner as an office holder's remuneration. When seeking approval, an office holder should explain, for each category of expense, the basis on which the charge is being made. If an office holder has obtained approval for the basis of category 2 disbursements, that basis may continue to be used in a sequential appointment where further approval on the basis of remuneration is not required, or where the office holder is replaced.

Category 2 disbursements are proposed to be recovered as follows

Dishonoured Cheque	£25 per cheque
Mileage	55 pence per mile
Photocopying	15 pence per sheet
File set up	£20 per file
Meeting room hire (when not rechargeable at Cat 1)	£65 per statutory meeting
Compulsory Winding Up/ Bankruptcy Petition drafting	£1,550 plus VAT per petition drafted
Storage of books and records	£10 per standard archive box per month £15 per large archive box per month

For further information, the publication, A Creditors' Guide to fees is available to view via our website, [www.robsonscott.co.uk](http://www.robsonscott.co.uk). If, however, you do not have access to the internet and require a hard copy, please contact the office and one will be posted to you.

Please note that chargeout rates and disbursements are reviewed annually and may be subject to change.