

# LIQ03

## Notice of progress report in voluntary winding up



Companies House

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29/06/2017

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COMPANIES HOUSE

### 1 Company details

Company number 0 6 6 2 5 5 6 4

Company name in full Moko Digital 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 ②

Building name/number 1 St James' Gate

Street

Post town Newcastle upon Tyne

County/Region

Postcode N E 1 4 A D

Country

② Other liquidator

Use this section to tell us about  
another liquidator.

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**6** Period of progress report

From date	d 2	d 5	m 0	m 5	y 2	y 0	y 1	y 6
To date	d 2	d 4	m 0	m 5	y 2	y 0	y 1	y 7

**7** Progress report

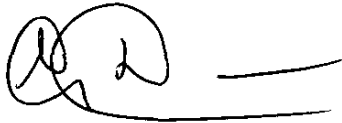
☒ The progress report is attached

**8** Sign and date

Liquidator's signature

Signature

X



X

Signature date

d 2	d 8	m 0	m 6	y 2	y 0	y 1	y 7
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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**

**Moko Digital Limited In Liquidation  
(‘the Company’)**

**Joint Liquidators’ progress report**

**28 June 2017**

**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: [lindsay.hailes@rsmuk.com](mailto:lindsay.hailes@rsmuk.com)

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## **1 Purpose of report**

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 25 May 2016 to 24 May 2017. 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 statutory requirements of Section 104A of the Insolvency Act 1986 and 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.

RSM Restructuring Advisory LLP was previously named Baker Tilly Restructuring and Recovery LLP until 26 October 2015.

Neither the 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.

## **2 Progress of the liquidation in the previous twelve months**

### **2.1 Realisation of assets / Sale of business**

There have been no further realisations during the current reporting period.

As creditors are aware, Dene Communications Limited in Liquidation, a related Company, owes Moko Digital Limited £415,002.00. There is a possibility of a dividend from the Liquidators, investigations are on going, however it is not currently possible to quantify the amount or timing.

#### **2.1.1 Potential claim for compensation for mis-selling of interest rate hedging product**

As you may be aware, a settlement agreement was recently reached between the Financial Conduct Authority ("FCA") and certain major banks, in relation to the sale of interest rate hedging products.

Following our investigations we are satisfied that the Company has not been sold any such products.

### **2.2 Connected party transactions**

Full details of the related party transactions are shown in the report issued to creditors following the Section 98 meeting. As creditors are aware, plant, machinery & computer equipment was sold the directors of the Company prior to our appointment for £1,200.00. Realisations were received in full.

### **2.3 Investigations**

In accordance with our statutory obligations, we have filed the appropriate documentation with the Department for Business, Innovation and Skills in relation to the conduct of the directors.

I can advise you that, following my initial assessment, no further investigations were deemed necessary.

### **2.4 Change in Joint Liquidator**

As a result of Ian William Kings leaving RSM Restructuring Advisory LLP, by Court Order dated 16 December 2015 he was removed as Joint Liquidator and Allan David Kelly (IP No 9156) of RSM Restructuring Advisory LLP was appointed in his place. A Notice to this effect was advertised in the London Gazette on 11 January 2016, and in accordance with the terms of the Order, Ian William Kings was released from office with effect from 02 February 2016. The costs of the application were met by RSM Restructuring Advisory LLP. The Order also provided that each creditor of the estate was at liberty to apply to vary or discharge the Order within 21 days of publication in the Gazette.

## **2.5 Administration and planning**

The following matters have been undertaken:

- Statutory duties associated with the appointment including filing of the relevant documents
- Reviewing available information to determine and appropriate strategy
- Maintaining bank accounts
- Progress reviews of the case.

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

### **3.1 Assets remaining to be realised**

The only assets remaining to be realised is the recovery of the outstanding intercompany loan from Dene Communications Limited.

### **3.2 Other outstanding matters**

There are no other outstanding matters, once the issue relating to the intercompany loan has been resolved this case will be passed for closure.

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

Dividend prospects and projected returns to creditors, where known, are detailed in Appendix A, including any amount under the prescribed part. Please note that these are indicative only and should not be used as the sole or principal basis for any bad debt provision or other purposes. They may be subject to revision and additional costs.

The agreement of creditors' claims by the Joint Liquidators is a separate matter and will be dealt with as appropriate in due course, initially by reference to the proofs of debt lodged in the proceedings by creditors themselves.

### **4.1 Prescribed part**

The 'Prescribed Part' is a statutory amount, calculated as a percentage of net floating charge realisations, which entitles unsecured creditors to a share of realisations. This is calculated on a sliding scale up to maximum of £600,000 before costs.

There are no creditors secured by charges over the assets and undertakings of the Company. There is therefore no requirement to estimate the amount of the prescribed part of the assets under Section 176A of the Insolvency Act 1986.

## **5 Receipts and payments summary**

We attach as Appendix B a summary of our receipts and payments for the period from 25 May 2016 to 24 May 2017.

### **VAT basis**

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

## **6 Costs and Joint Liquidators' remuneration**

### **6.1 Joint Liquidators' remuneration and disbursements**

The Joint Liquidators' remuneration was approved on a time cost basis by members and creditors on 25 May 2010. We have incurred time costs of £12,894.90 since the date of our appointment. Of this, a total of £Nil (plus VAT) has been paid and £12,894.90 remains outstanding.

Approval was also given to the drawing of disbursements, including category 2 disbursements. Details of the current rates are attached at Appendix D.

## **6.2 Remuneration and disbursements incurred in the period from 25 May 2016 to 24 May 2017**

We have incurred time costs of £1,586.75 in the current period. An analysis of time incurred in the period is attached at Appendix G. Details of the sums drawn in respect of remuneration in the period covered by the report are shown on the receipts and payments account (Appendix B).

Category 2 disbursements incurred in the period are detailed in Appendix E.

## **7 Joint Liquidators' statement of expenses**

### **7.1 Statement of expenses**

A statement of the expenses incurred during the period, is attached at Appendix F. This includes all expenses incurred by the Joint Liquidators in the period of the report irrespective of whether they have been paid or not and may include estimated amounts where actual invoices have not been received. The receipts and payments abstract at Appendix B sets out the expenses actually paid in the period together with cumulative figures.

At the Section 98 meeting on 25 May 2010 creditors approved the Statement of Affairs fee in the sum of £2,500.00 to be paid to RSM Restructuring Advisory LLP, and also approved the fees of RMT Accountants for the provision of information in the sum of £1,000 plus VAT. These fees have not yet been paid.

### **7.2 Detailed cost breakdown**

Attached to this report are five Appendices relating to my costs on this assignment:

- Appendix C: RSM Restructuring Advisory LLP's charging, expenses and disbursements policy statement;
- Appendix D: Joint Liquidators' charge out and disbursement rates;
- Appendix E: Category 2 disbursements table;
- Appendix F: Statement of expenses incurred in the period; and
- Appendix G: Joint Liquidators' time cost analysis.

The work that we do as Joint Liquidators is derived from the responsibilities placed upon us by the underlying legal and regulatory framework for work of this nature in general. The actual matters with which we are dealing are set out briefly in both this report and in our earlier reports to creditors.

We believe this case generally to be of average complexity and accordingly no extraordinary responsibility has to date fallen upon us as Joint Liquidators. The underlying basis of charging proposed to and approved by the creditors has been RSM Restructuring Advisory LLP standard charge out rates. RSM Restructuring Advisory LLP charge out rates have been reviewed periodically.

### **7.3 Other professional costs**

Group Recoveries have been retained as debt collectors. By the date of the release of the sales ledger to us, the company's debts were of some age. We have agreed their costs at 20% plus VAT of all book debts collected. Their fees to date of £764.61 have been paid.

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

In accordance with the provisions of the 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 in writing within 21 days of receipt of this report.

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 that *the remuneration charged, the basis fixed or expenses incurred by the liquidator are in all the circumstances excessive.*

A 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> under 'general information for creditors'. A hard copy can be requested from my office by telephone, email or in writing.



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.

*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, dividend and other information

Company name:	Moko Digital Limited
Joint Liquidators:	Steven Philip Ross Appointed 25 May 2010 Ian William Kings Appointed 25 May 2010 and released 02 February 2016 Allan David Kelly Appointed 16 December 2015
Date of appointment:	25 May 2010
Company number:	06625564
Date of incorporation:	20 June 2008
Trading name:	Not Applicable
Trading address:	146-148 Westmorland Road, Newcastle Upon Tyne, Tyne & Wear NE4 7JS
Principal activity:	Other Computer Related Activities
Registered office:	RSM Restructuring Advisory LLP, 1 St James' Gate, Newcastle upon Tyne NE1 4AD

Dividend prospects	Owed	Paid to date	Estimated future prospects
Secured creditor	N/A	N/A	N/A
Preferential creditors	£7,173	NIL	Not known
Unsecured creditors	£375,944	NIL	Not known
Estimated net property	N/A		
Estimated prescribed part available for unsecured creditors	N/A		

## Appendix B

### Receipts and Payments - Moko Digital Limited In Liquidation From: 25/05/2016 To: 24/05/2017

SOA Value £		25/05/2016 to 24/05/2017		Total to 24/05/2017	
		£	£	£	£
	<b>ASSET REALISATIONS</b>				
0.00	Bank Interest Gross	1.20		1.20	
17,105.00	Book Debts	0.00		1,433.86	
3.00	Cash at Bank - Yorkshire Bank PLC	0.00		0.00	
1,200.00	Plant, Machinery & Computer	0.00		1,200.00	
0.00	PPI refund	0.00		65.82	
150.00	Scott Meikle - Staff Loan	0.00		0.00	
			1.20		2,700.88
	<b>COST OF REALISATIONS</b>				
0.00	Debt Recovery Fees	0.00		(764.61)	
0.00	Statutory Advertising	0.00		(151.20)	
			0.00		(915.81)
	<b>PREFERENTIAL CREDITORS</b>				
(820.00)	Employee Claims Arrears/Hol Pay	0.00		0.00	
(6,353.00)	RPS - Arrears of Pay & Holiday Pay	0.00		0.00	
			0.00		0.00
	<b>UNSECURED CREDITORS</b>				
(1,595.00)	Deferred Tax	0.00		0.00	
(5,687.00)	Employee Claims	0.00		0.00	
(92,427.00)	HM Revenue & Customs - PAYE/NIC	0.00		0.00	
(133,406.00)	HM Revenue & Customs - VAT	0.00		0.00	
(106,733.00)	Intercompany Creditor - Dene Films	0.00		0.00	
(3,171.00)	Intercompany Creditor - Imagine TX	0.00		0.00	
(760.00)	RPS - Redundancy Payments	0.00		0.00	
(10,183.00)	RPS - Wages in Lieu of Notice	0.00		0.00	
(1,279.00)	Stephen Salem - Director Loan	0.00		0.00	
(20,703.00)	Trade Creditors	0.00		0.00	
			0.00		0.00
	<b>EQUITY</b>				
(950.00)	Ordinary Shareholders	0.00		0.00	
			0.00		0.00
(365,609.00)			1.20		1,785.07
	<b>REPRESENTED BY</b>				
	Bank Current			1,785.07	
					1,785.07
					1,785.07

## **Appendix C**

### **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 resolution to consider approving category 2 disbursements at the rates prevailing at the time the cost is incurred to RSM Restructuring Advisory LLP Newcastle will be proposed to 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 D

### RSM Restructuring Advisory LLP

#### Joint Liquidators' current charge out and category 2 disbursement rates

Hourly charge out rates		
	Rates at commencement £	Current rates £
Partner	225.00 to 280.00	385.00 to 485.00
Directors / Associate Directors	225.00 to 280.00	275.00 to 330.00
Manager	160.00 to 230.00	215.00 to 275.00
Assistant Managers	-	230.00
Administrators	110.00 to 220.00	145.20 to 215.00
Support staff	50.00 to 140.00	78.65 to 127.05

Category 2 disbursement rates	
Internal room hire	£100
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 E

### Joint Liquidators' category 2 disbursements table

Amounts paid or payable to the Office Holder's firm or to any party in which the office holder or his firm or any associate has an interest		
Recipient, type and purpose	Paid £	Unpaid £
None	-	-
<b>Total</b>	-	-

## Appendix F

### Statement of expenses incurred by the Joint Liquidators' in the period from 25 May 2016 to 24 May 2017

Type and purpose	Incurred in period £
Postage	16.71
<b>Total</b>	<b>16.71</b>

## **Appendix G**

### **Joint Liquidators' time cost analysis for the period from 25 May 2016 to 24 May 2017**

Please note that we have re-designed our SIP9 analysis table to provide a more detailed analysis of the grades of staff within the firm. Please note that this change does not alter the value of time costs recorded, purely the column within the table to which that time, and cost, has been allocated.



## Appendix G

### Moko Digital Limited - CVL

For the period 25/05/2016 to 24/05/2017

Period	Hours Spent	Partners	Directors / Associate Directors	Managers	Assistant Managers	Administrators	Assistants & Support Staff	Total Hours	Total Time Costs	Average Rates
<b>Administration and Planning</b>										
Case Management		0.3	0.5	1.0	0.0	0.3	0.2	2.3	£ 589.15	256.15
Receipts and Payments		0.0	0.0	0.0	0.0	0.2	0.0	0.2	£ 43.00	215.00
Tax Matters		0.0	0.0	0.0	0.0	0.7	0.0	0.7	£ 131.25	187.50
Total		0.3	0.5	1.0	0.0	1.2	0.2	3.2	£ 763.40	238.56
<b>Creditors</b>										
Other Creditor Meetings and Reports		0.0	0.1	0.0	0.0	4.0	0.4	4.5	£ 823.35	182.97
Total		0.0	0.1	0.0	0.0	4.0	0.4	4.5	£ 823.35	182.97
Total Hours		0.3	0.6	1.0	0.0	5.2	0.6	7.7	£ 1,586.75	206.07
Total Time Cost		£ 136.50	£ 148.50	£ 275.00	£ 0.00	£ 983.85	£ 42.90	£ 1,586.75		
<b>Total Hours</b>										
Total Time Cost		£ 136.50	£ 148.50	£ 275.00	£ 0.00	£ 983.85	£ 42.90	£ 1,586.75		
Average Rates		455.00	247.50	275.00	0.00	189.20	71.50	206.07		