

0671124

**A & A Nightclubs Limited
(Compulsory Liquidation)**

**Liquidator's progress report pursuant to
Rule 4.49B of the Insolvency Rules 1986**

Year 1

5 January 2016 to 4 January 2017

THURSDAY



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05/01/2017

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COMPANIES HOUSE

A & A Nightclubs Limited

Compulsory Liquidation

Registered Office: St Ann's Manor, 6-8 St Ann Street, Salisbury, Wiltshire, SP1 2DN
Registered Number: 06671124

Liquidator's progress report

Pursuant to rule 4.49B of the Insolvency Rules 1986

Name of Liquidator	James William Stares
Date of Winding up petition	1 December 2015
Date of winding up order	5 January 2016
Court No	High Court of Justice No 9259 of 2015
Date of appointment	5 January 2016

Rothmans Recovery Limited
St Ann's Manor
6-8 St Ann Street
Salisbury
Wiltshire
SP1 2DN

A & A Nightclubs Limited

Compulsory Liquidation

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Liquidator's progress report

Pursuant to rule 4.49B of the Insolvency Rules 1986

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1 **Introduction**

1 1 James William Stares of Rothmans Recovery Limited, St Ann's Manor, 6-8 St Ann Street, Salisbury, Wiltshire, SP1 2DN was appointed Liquidator of the Company on 5 January 2016

1 2 I am writing pursuant to rule 4.49B of the Insolvency Rules 1986 to submit the Liquidator's progress report for the year ended 4 January 2017. This report should be read in conjunction with the report to creditors dated 10 March 2016

1 3 This report does not repeat information from prior reports except where relevant

2. **Progress of Liquidation, including asset realisations**

2 1 Please find attached at Appendix 1 a summary of the Liquidator's receipts and payments account for the year ended 4 January 2017

Stock

2 2 From the information provided from the failed Company Voluntary Arrangement it appeared that there may have been some stock to be realised. However upon further investigation it was discovered that there was no stock to be sold and no realisation will be made in this matter

Leasehold

2 3 There was a possibility that there may have been some value in the leasehold premises in which the Company traded from. It was discovered on further investigation that the lease held no value and no realisation will be made in this respect

Additional realisations

2 4 There have been no additional realisations made within this period

3 **Other actions since appointment**

3 1 Following a review of the Company's records an initial assessment was made of whether there could be any matters that would lead to any potential recoveries and as to any further investigations that would be appropriate

3 2 The initial assessment included the following work

- completion of a company search - including all directors
- review of accounts
- review of estimated statement of affairs
- review of all information supplied by creditors

3 3 Following the review it has been established that there are no unidentified assets. In addition, it is considered there are no further matters that merit action

4. **Creditors' claims**

Secured claim

4 1 There were no secured creditors who had been granted any charges over the Company's property

Preferential claims

4 2 Any preferential creditors would be in respect of employees of the Company for both arrears of wages and holiday pay. There have been no preferential claims received

Section 176A of the Insolvency Act 1986

- 4 3 The provision of section 176A of the Act provides for a share of assets for unsecured creditors called the "prescribed part". This applies where a company has granted a floating charge to a creditor after 15 September 2003, however the prescribed part does not apply in this instance due to there being no floating charge granted.

Unsecured creditors

- 4 4 The unsecured creditors as shown in the statement of affairs ("SoA") are listed at Appendix 2 and as can be seen there remains two outstanding claims.
- 4 5 Attached at Appendix 6 is a proof of debt form to enable creditors to lodge their claim within the liquidation if they have not already submitted a claim.
- 4 6 Creditors are reminded that VAT bad debt relief should be claimed in accordance with HM Customs & Excise Notice 700/18 "Relief from VAT on bad debts", where applicable.

5. Dividend prospects

- 5 1 Please be aware that I have been unable to declare a dividend as no funds have been realised in the case. In light of this fact I have not enclosed a summary of financial information.

6. Liquidator's remuneration and disbursements

Liquidator's remuneration

- 6 1 Liquidator's fees were agreed under Rule 4.127 and fixed on a time costs basis plus disbursements and VAT. No Liquidator's fees have been drawn in respect of remuneration due to insufficient funds.
- 6 2 I attach at Appendix 4 an analysis of time costs by work category which shows total hours of 19.50 during the year at a cost of £3,452.00 being an average hourly rate of £177.03. The principal work carried out was reviewing the company pre-liquidation trading and the investigation into possible realisation from the stock and leasehold.

Disbursements

- 6 2 In relation to disbursements, my firm has incurred the following disbursements during this period as follows:

	£
Photocopies	13.26
Postage	14.17
Advertising	84.60
Bonding	30.00

In this case no disbursements have been reclaimed due to no funds being available.

7. Creditor's rights

- 7 1 As a creditor in the Liquidation of the Company, you have the right to request further information under rule 4.49E of the Insolvency Rules 1986 and you have the right to challenge the Liquidator's remuneration and expenses under rule 4.131. Rule 4.49E and rule 4.131 of the Insolvency Rules are attached at Appendix 5 for your information.

8. Conclusion

8 1 I shall be bringing my administration to a close and therefore will be convening a final meeting of creditors in due course

8 2 If you require any further information then please contact this office

A handwritten signature in black ink, appearing to be 'J. Stares', written in a cursive style.

James Stares
Joint Liquidator

**A & A Nightclubs Limited
(Compulsory Liquidation)****Liquidator's receipts and payments account to 4 January 2017****From 05/01/16
To 04/01/17
£****Receipts**0 00**Payments**

O R Remuneration

2,520 00

Bank Charges

88 002,608 00**Balance in hand**(2,608 00)

A & A Nightclubs Limited
(Compulsory Liquidation)

Schedule of Creditors Claims

Key	Name	SoA £	Claim £
CB00	Boulton (Columbia) Limited	35,684 67	35,684 70
CB01	Bournemouth County Council	6,492 00	10,035 52
CB02	Revenue Borough Council	0 00	435 00
CB03	Bristol Wessex Billing Services Limited	0 00	1,517 67
CB04	BNP Paribas Securities Services Trust	0 00	0 00
CB05	Barclaycard	0 00	57 56
CB06	Bournemouth Water Limited	0 00	177 05
CB07	Mr A Brooksbank	214,490 00	214,490 00
CE00	EON UK	0 00	1,941 59
CH00	HM Revenue & Customs (PAYE)	700 00	0 00
CH01	HM Revenue & Customs (VAT)	15,696 00	56,724 91
CH02	Heineken UK Limited	14,299 56	14,221 76
CP00	Pearl Asset Management Limited	0 00	0 00
CP01	The Performing Right Society Ltd	0 00	3,916 65
CS00	Sembcorp Bournemouth Water Ltd	0 00	143 83
CT00	The Royal Bank of Scotland	24,000 00	24,292 60
Total		311,362 23	363,638.84

A & A Nightclubs Limited
(Creditors Voluntary Liquidation)

SIP 9 Analysis of Time Costs
Period 05 January 2016 to 04 January 2017

Classification of work function	Principal	Manager	Other senior professionals	Administrative Assistants	Total Hours	Time cost £	Average Hourly Rate
Administration and planning	-	0 80	-	15 50	16 30	2 860 00	175 46
Creditors	-	0 20	-	2 60	2 80	516 00	184 29
Investigation	-	-	-	-	-	-	-
Realisation of assets	-	-	-	0 40	0 40	76 00	190 00
Trading	-	-	-	-	-	-	-
Total hours	-	1 00	-	18 50	19 50		
Average rate	-	-	-	-			177 03
Total fees claimed (£)	-	-	-	-		3,452 00	

Note hourly rate charged in 6 minute units

Time b/fwd	0 00
	<u>3,452 00</u>
Less Billings to 04 January 2017	(0 00)
Time costs unbilled	<u><u>3,452 00</u></u>

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 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
- (4) Any creditor, and any member of the company in a members' voluntary winding up, who need not be the same as the creditors or members who asked for the information, may apply to the court within 21 days of—
- (a) the giving by the liquidator of reasons for not providing all of the information asked for, or
 - (b) the expiry of the 14 days provided for in paragraph (1), and the court may make such order as it thinks just
- (5) Without prejudice to the generality of paragraph (4), the order of the court under that paragraph may extend the period of 8 weeks or, as the case may be, 4 weeks provided for in Rule 4 131(1B) or 4 148C(2) by such further period as the court thinks just
- (6) This Rule does not apply where the liquidator is the official receiver

4 131 — Creditors' claim that remuneration is or other expenses are excessive

- (1) Any secured creditor, or any unsecured creditor with either the concurrence of at least 10% in value of the creditors (including that creditor) or the permission of the court, may apply to the court for one or more of the orders in paragraph (4)
- (1A) Application may be made on the grounds that—
- (a) the remuneration charged by the liquidator,
 - (b) the basis fixed for the liquidator's remuneration under Rule 4 127, 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
- (1B) The application must, subject to any order of the court under Rule 4 49E(5), be made no later than 8 weeks (or, in a case falling within Rule 4 108, 4 weeks) after receipt by the applicant of the progress report, or the draft report under Rule 4 49D, which first reports the charging of the remuneration or the incurring of the expenses in question ("the relevant report")
- (2) The court may, if it thinks that no sufficient cause is shown for a reduction, dismiss the application, but it shall not do so unless the applicant has had an opportunity to attend the court for a hearing, of which he has been given at least 5 business days' notice but which is without notice to any other party
- If the application is not dismissed under this paragraph, the court shall fix a venue for it to be heard, and give notice to the applicant accordingly
- (3) The applicant shall, 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
- (4) 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
- (5) Unless the court orders otherwise, the costs of the application shall be paid by the applicant, and are not payable as an expense of the liquidation

Proof of Debt – General Form**A & A Nightclubs Limited**

1	Name of creditor (If a company please also give company registration number)	
2	Address of creditor for correspondence	
3	Total amount of claim, including any Value Added Tax and outstanding un-capitalised interest as at the date the company went into liquidation	£
4	Details of any documents by reference to which the debt can be substantiated (Note There is no need to attach them now but the liquidator may call for any document or evidence to substantiate the claim at his discretion as may the chairman or convenor of any meeting).	
5	If amount in 3 above includes outstanding un-capitalised interest please state amount	£
6	Particulars of how and when debt incurred (If you need more space append a continuation sheet to this form)	
7	Particulars of any security held, the value of the security, and the date it was given	
8	Particulars of any reservation of title claimed in respect of goods supplied to which the claim relates	
9	Signature of creditor or person authorised to act on his behalf	
	Name in BLOCK LETTERS	
	Position with or in relation to creditor	
	Address of person signing (if different from 2 above)	
Admitted to vote for		Admitted for dividend for
£		£
Date		Date
Liquidator		Liquidator