

LIQ14

Notice of final account prior to dissolution in CVL



Companies House

SATURDAY



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18/01/2020

#163

COMPANIES HOUSE

| | | | |
|----------------------|-------------------------------|--|--|
| 1 | Company details | | → Filling in this form Please complete in typescript or in bold black capitals. |
| Company number | 0 6 7 2 1 1 9 1 | | |
| Company name in full | FLEXYFOOT LIMITED | | |
| 2 | Liquidator's name | | |
| Full forename(s) | MANUBHAI GOVINDBHAI | | |
| Surname | MISTRY | | |
| 3 | Liquidator's address | | |
| Building name/number | HORSFIELDS, BELGRAVE PLACE | | |
| Street | 8 MANCHESTER ROAD | | |
| Post town | BURY | | |
| County/Region | GREATER MANCHESTER | | |
| Postcode | B L 9 0 E D | | |
| Country | ENGLAND | | |
| 4 | Liquidator's name ① | | |
| Full forename(s) | HEMAL | | ① Other liquidator Use this section to tell us about another liquidator |
| Surname | MISTRY | | |
| 5 | Liquidator's address ② | | |
| Building name/number | HORSFIELDS, BELGRAVE PLACE | | ② Other liquidator Use this section to tell us about another liquidator. |
| Street | 8 MANCHESTER ROAD | | |
| Post town | BURY | | |
| County/Region | GREATER MANCHESTER | | |
| Postcode | B L 9 0 E D | | |
| Country | ENGLAND | | |

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6

Liquidator's release

☐ Tick if one or more creditors objected to liquidator's release.

7

Final account

☒ I attach a copy of the final account.

8

Sign and date

Liquidator's signature

Signature

X

m. J. J. J.

X

Signature date

d

d

1

7

m

m

0

1

y

y

2

0

y

y

2

0

FINAL ACCOUNT
FLEXYFOOT LIMITED
(IN CREDITORS' VOLUNTARY LIQUIDATION)

HORSFIELDS
Belgrave Place
8 Manchester Road
Bury
Lancashire
BL9 0ED
Email: info@horsfields.com
Telephone: 0161 763 3183

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- *Administration and Planning*
- *Realisation of Assets*
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- *Appendix V - Time costs summary for period, cumulative & comparison with estimate*
- *Appendix VI - Expenses summary for period, cumulative & comparison with estimate*

EXECUTIVE SUMMARY

This report details the progress of the Liquidation from 4 April 2018 to closure, hereafter referred to as the 'review period' and should be read in conjunction with previous reports. A summary of key information in this report is detailed below

Assets, excluding VAT where applicable

| Asset | Estimated to realise per Statement of Affairs £ | Realisations to date £ | Anticipated future realisations £ | Total anticipated realisations £ |
|---------------------------|--|-----------------------------------|--|---|
| Funds with Horsfields | 3,242 | 3,242.13 | Nil | 3,242.13 |
| Stock and tangible assets | TBC | 10,000.00 | Nil | 10,000.00 |
| Debtors | | 87.78 | Nil | 87.78 |
| Cash at bank | | 3,768.93 | Nil | 3,768.93 |
| Sundry refund | | 310.47 | Nil | 310.47 |
| Assignment fees | | 270.00 | Nil | 270.00 |

Expenses, excluding VAT where applicable

| Expense | Amount per fees and expenses estimates £ | Expense incurred to date £ | Total anticipated expense £ |
|----------------------------------|---|---------------------------------------|--|
| Statement of Affairs fee | 5,000.00 | 5,000.00 | 5,000.00 |
| Joint Liquidators' fees | 29,874.00 | 12,630.50 | 8,163.70 ¹ |
| Legal fees | 2,000.00 | 1,375.00 | 1,375.00 |
| Agents' fees | 10,000.00 | 1,478.00 | 1,478.00 |
| Accountants fees | | 750.00 | 750.00 |
| Sundry refund | | 289.71 | 289.71 |
| Statutory advertisements | 253.80 | 197.89 | 197.89 |
| Bond | 186.00 | 80.00 | 80.00 |
| Printing, postage and stationery | 168.00 | 401.08 | 401.08 |

¹ There are further irrecoverable time costs in preparing and circulating the Liquidators' Final Account. The Liquidators time costs are £12,630.50 and the available funds have enabled the Liquidators to draw remuneration of £8,163.70.

Dividend prospects

| Creditor class | Distribution / dividend paid to date | Anticipated distribution / dividend, based upon the above |
|------------------------|---|--|
| Preferential creditors | 0 pence in the £ | 0 pence in the £ |
| Unsecured creditors | 0 pence in the £ | 0 pence in the £ |

Closure

There are no further matters in the liquidation to be progressed and the liquidation may now be concluded.

ADMINISTRATION AND PLANNING

Statutory information

Statutory information may be found at Appendix I.

The Joint Liquidators are required to meet a considerable number of statutory and regulatory obligations. Whilst many of these tasks do not have a direct benefit in enhancing realisations for the insolvent estate, they assist in the efficient and compliant progressing of the administration of the case, which ensures that work is carried out to high professional standards. A detailed list of these tasks may be found in Appendix III.

Reporting

The Joint Liquidators have met their statutory and regulatory duties to report to creditors, as listed below. In consideration of the need for transparency and engagement with creditors, care has been taken to ensure that reports and other communications with creditors have provided useful details of the strategies pursued and the outcomes anticipated.

During the review period, the following key documents have been issued:

- This progress report

Other administration tasks

During the review period, the following material tasks in this category were carried out:

- Case reviews, etc.

REALISATION OF ASSETS

Detailed below is key information about asset realisation and strategy, however, more details about the work undertaken may be found at Appendix III. The Joint Liquidators formulated and worked through a realisation strategy that sought to maximise realisations net of costs. The financial benefit of those efforts is described further below.

Book debts

The Liquidators reviewed and chased the outstanding debtor ledger, of which £87.78 has been received to date.

Stock

The book value of the stock in the Director's Statement of Affairs was £23,900 and the estimated to realise value was detailed as 'TBC'. An assessment and valuation of stock was provided by Cerberus Asset Management. The Joint Liquidators' agents recommended the marketing strategy as detailed below. Sale consideration of £10,000 plus VAT was accepted and funds were received on 8 May 2018.

Some of the stock was subject to retention of title claims. The Joint Liquidators liaised with creditors, while obtaining and reviewing evidence on the validity of the retention of title claims. Where a valid retention of title claim was identified the creditors were allowed to attend on site, locate and remove their stock.

Cash at bank

On 18 May 2018, Natwest transferred the current account balance on £3,768.93. On 17 July 2018 a further credit was received from Natwest on 310.47 from additional funds received.

From the cash at bank funds obtained by the Joint Liquidators were £289.71 which was paid in error and subsequently refunded.

Marketing

Cerberus Asset Management were instructed to value and market the stock. It was determined that the appropriate marketing strategy would be advertising on-line as well as contacting market competitors. A sales pack was produced by Cerberus Asset Management. There were 4 interested parties prior to the sale.

Assignment fees

After the sale of the stock, the Joint Liquidators were contacted to re-assign the intellectual property rights of the company. The Liquidators charged an additional £270.00 plus VAT for their time to complete the assignment.

CREDITORS

Irrespective of whether sufficient realisations are achieved to pay a dividend to creditors, the Joint Liquidators have had to carry out key tasks which are detailed in the list at Appendix III. The following sections explain the anticipated outcomes to creditors and any distributions paid.

Secured creditors

The Company has granted charges over its assets, however both charges are shown to be satisfied as at 9 November 2017.

Preferential creditors

Employee claims

2 employees were made redundant on 26 February 2018. The relevant information for employees to submit claims has been made to the Redundancy Payments Office and information and help has been given to employees to enable them to submit their claims online.

Employees were shown to be owed £2,458 in the director's Statement of Affairs. A claim of £402.26 has been received from the Redundancy Payments Service all of which is claimed preferentially.

The Joint Liquidators do not anticipate being able to pay a distribution in respect of known preferential claims.

Unsecured creditors

HM Revenue & Customs was shown as 'TBC' in the directors Statement of Affairs. A claim of £3,149.59 has been received.

The trade and expense creditors as per the Statement of Affairs totalled £71,374. The Liquidators are not incurring costs to agree creditors' claims as there is no prospect of funds becoming available for a distribution to unsecured creditors.

Dividend prospects

No dividend will be declared to unsecured creditors, as all funds will have been used or allocated for paying the expenses of the winding up.

Where a floating charge is created after 15 September 2003 a prescribed part of the company's net property shall be made available to unsecured creditors.

However, in this case all charges have been satisfied and a prescribed part calculation will not be required.

FEES AND EXPENSES

Pre-Appointment Costs

Fixed fee agreed with the Director and ratified by creditors.

The creditors authorised the fee of £5,000.00 for assisting the directors in calling the relevant meetings and with preparing the Statement of Affairs on 4 April 2018.

The Joint Liquidators' fees

It is the firm's practice to ensure that work is conducted by the appropriate staff member at the appropriate level of experience. However, the Insolvency Practitioners are involved in the day to day case work, in particular, where the issues are complex and litigious.

The basis of the Joint Liquidators' fees was approved by creditors on 4 April 2018 in accordance with the following resolution:

"That the basis of the Joint Liquidators' fees be fixed by reference to the time properly given by the Joint Liquidators and their staff in attending to matters arising in the winding up of the company, such time to be charged at the prevailing standard hourly charge out rates used by the firm at the time when the work is performed."

The time costs for the appointment to closure total £12,630.50, representing 50.2 hours at an average hourly rate of £251.60. The sum of £8,163.70 plus VAT is to be drawn on account of time costs incurred. The time costs for the period are detailed at Appendix IV and time costs to date is given at Appendix V.

Having regard for the costs that are likely to be incurred in bringing this Liquidation to a close, the Joint Liquidators consider that:

- the original fees estimate is unlikely to be exceeded; and
- the original expenses estimate is unlikely to be exceeded.

Disbursements

The disbursements that have been incurred and paid during the period are detailed on Appendix VI. Also included in Appendix VI is a comparison of the expenses likely to be incurred in the Liquidation as a whole with the original expenses estimate, together with reasons where any expenses exceeded that estimate.

No category 1 disbursements have been paid for in the period 4 April 2018 to closure.

The category 2 disbursements for the period 4 April 2018 to closure total £106.94 and these may include an element of overhead charges in accordance with the resolution passed by creditors at a meeting held on 4 April 2018. The basis of calculation of this category of disbursement was disclosed to creditors prior to the resolution being passed.

Information about this insolvency process may be found on the R3 website at <http://www.creditorinsolvencyguide.co.uk/>. A copy of 'A Creditors' Guide to Fees' together with the firm's charge-out rate and disbursement policy may be obtained on request.

Other professional costs

Accountant

LW Accountants were instructed as accountants in relation to the redundancy of the employees including producing the P45's. LW Accountants costs have been agreed on a fixed fee basis plus VAT. The Accountants fees for the period 4 April 2018 to closure amount to £750 plus VAT and they have been paid in full.

Solicitors

N J Goodman & Co were instructed as legal advisors in relation to the sale of the assets. Their costs have been agreed on the basis of their standard hourly charge out rates, plus disbursements and VAT. The solicitors' total time costs from the date of appointment amount to £1,375.00 plus VAT and they have been paid in full.

Agents and valuers

Cerberus Asset Management were instructed as agents and valuers in relation to attending on site, dealing with the valuation and inventory of assets, creation of sales pack, advertisements, etc. Their costs have been agreed on the basis of on a time-cost basis, plus disbursements and VAT. The agents' fees for the period 4 April 2018 to closure amount to £1,478.00 plus VAT and have been paid in full.

CREDITORS' RIGHTS

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 Joint Liquidators' 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 Joint Liquidators' 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.

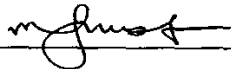
EU REGULATIONS (WHETHER PROCEEDINGS ARE MAIN PROCEEDINGS OR TERRITORIAL)

The Company's centre of main interest was in the UK as their registered office address was Unit 5, Windmill Trading Estate, Windmill Lane, Denton, Manchester, M34 3JN and their trading address was Barn House, Warren Lane, Pyrford, Woking, Surrey, GU22 8XD and therefore it is considered that the EU Regulations apply. These proceedings are main proceedings as defined in the EU Regulation

CONCLUSION

There are no other matters outstanding and the affairs of the company have been fully wound up.

If you require any further information, please contact this office.

Signed  _____

M G Mistry
Joint Liquidator

Date: 17 January 2020

Appendix I

Statutory Information

| | |
|--------------------------|--|
| Company Name | Flexyfoot Limited |
| Former Trading Name | As above |
| Company Number | 06721191 |
| Registered Office | c/o Horsfields, Belgrave Place, 8 Manchester Road, Bury, BL9 0ED |
| Former Registered Office | Unit 5, Windmill Lane, Denton, Manchester, M34 3JN |
| Officeholders | Manubhai Govindbhai Mistry and Hemal Mistry |
| Officeholders address | Horsfields, Belgrave Place, 8 Manchester Road, Bury, BL9 0ED |
| Date of appointment | 4 April 2018 |

Appendix II

Receipts and Payments account

| | Statement of Affairs £ | 4 April 2018 to 3 April 2019 £ | 4 April 2019 to closure £ | Total £ |
|--|------------------------------|---|---------------------------------|------------------|
| Receipts | | | | |
| Uncharged assets | | | | |
| Balance brought forward | | | 16,618.22 | |
| Funds with Horsfields | 3,242 | 3,242.13 | | 3,242.13 |
| Stock and tangible assets | TBC | 10,000.00 | | 10,000.00 |
| Debtors | | 87.78 | | 87.78 |
| Cash at bank | | 3,768.93 | | 3,768.93 |
| Sundry refund | | 310.47 | | 310.47 |
| Assignment fees | | 270.00 | | 270.00 |
| Bank interest | | 27.25 | 16.45 | 43.70 |
| VAT (on above where applicable) | | 2,054.00 | | 2,054.00 |
| VAT refund | | | 1,416.67 | 1,416.67 |
| | <u>3,242</u> | <u>19,760.56</u> | <u>18,051.34</u> | <u>21,193.68</u> |
| Payments | | | | |
| Statement of Affairs fee | | | 5,000.00 | 5,000.00 |
| Liquidators disbursements - Category 1 | | | | |
| Statutory advertising | | 197.89 | | 197.89 |
| Liquidators bond fee | | 80.00 | | 80.00 |
| Agents fee | | | 1,478.00 | 1,478.00 |
| Legal fee | | 1,375.00 | | 1,375.00 |
| Accountancy fee | | 750.00 | | 750.00 |
| Liquidators disbursements - Category 2 | | | | |
| Postage, printing and stationery | | | 401.08 | 401.08 |
| Liquidators remuneration | | | 8,163.70 | 8,163.70 |
| Sundry refund | | 289.71 | | 289.71 |
| VAT - on above where applicable | | 449.74 | 3,008.56 | 3,458.30 |
| | | <u>3,142.34</u> | <u>18,051.34</u> | <u>21,193.68</u> |
| Balance | | £16,618.22 | 0.00 | 0.00 |

Appendix III

Detailed list of work undertaken for Flexyfoot Limited

Below is detailed information about the tasks undertaken by the Joint Liquidators in the review period.

| General Description | Includes |
|---|---|
| Statutory and General Administration | |
| Statutory/advertising | Filing of documents to meet statutory requirements |
| Document maintenance | Filing of documents |
| Planning / Review | Discussions regarding strategies to be pursued Meetings with team members and independent advisers to consider practical, technical and legal aspects of the case |
| Closure | Review case to ensure all matters have been finalised Draft final report Request clearance to close case from HMRC Obtain final accounts from agents, solicitors and others instructed File documents with Registrar of Companies |
| Creditors and Distributions | |
| Creditor Communication | Receive and follow up creditor enquiries via telephone Review and prepare correspondence to creditors and their representatives via facsimile, email and post |
| Dealing with proofs of debt | Receipting and filing POD when not related to a dividend |

Current Charge-out Rates for the firm

Time charging policy

Support staff do charge their time to each case.

Support staff include cashier, secretarial and administration support.

The minimum unit of time recorded is 6 minutes.

| Staff | Charge out rate per hour to 5 April 2019 £ | Charge out rate per hour from 6 April 2019 £ |
|------------------------------|--|---|
| Insolvency Practitioner | 345.00 | 380.00 |
| Directors | 345.00 | 380.00 |
| Managers | 235.00 | 260.00 |
| Administrators | 200.00 | 220.00 |
| Assistants and support staff | 135.00 | 150.00 |

Appendix IV

Time cost information

| Activity description | Hourly rate £ | | | | | Average | |
|-----------------------------|-------------------|-------------------|------------------------|-----------------------|-------|-------------------|---------------|
| | Partner 1 £345 | Partner 2 £345 | Administrators £200 | Support Staff £135 | Total | Total Value | Rate |
| | Hours | Hours | Hours | Hours | Hours | £ | £ |
| Job acceptance & strategy | 0.9 | 0.8 | 0 | 0.3 | 2 | 627.00 | 313.50 |
| Immediate tasks | 0 | 0.5 | 2.9 | 0 | 3.4 | 752.50 | 221.32 |
| Bank reporting | 0 | 0 | 0.1 | 0 | 0.1 | 20.00 | 200.00 |
| Debtors | 0.8 | 0.5 | 11.5 | 0 | 12.8 | 2,748.50 | 214.73 |
| Other assets | 2.7 | 7.4 | 0.1 | 0 | 10.2 | 3,504.50 | 343.58 |
| Trading | 0.4 | 0 | 0 | 0 | 0.4 | 138.00 | 345.00 |
| Creditors | 0 | 0 | 2.9 | 0 | 2.9 | 580.00 | 200.00 |
| Members | 0.1 | 0 | 0 | 0 | 0.1 | 34.50 | 345.00 |
| Investigations & CDDA | 0 | 0.8 | 0 | 0 | 0.8 | 276.00 | 345.00 |
| Employee matters | 1.4 | 0.5 | 2.1 | 0 | 4 | 1,075.50 | 268.88 |
| Accounting & administration | 0.1 | 1.1 | 9.4 | 0 | 10.6 | 2,294.00 | 216.42 |
| Statutory duties | 0 | 0 | 2.8 | 0 | 2.8 | 560.00 | 200.00 |
| Other matters | 0 | 0 | 0.1 | 0 | 0.1 | 20.00 | 200.00 |
| | 6.4 | 11.6 | 31.9 | 0.3 | 50.2 | | |
| Value £ | £2,208.00 | £4,002.00 | £6,380.00 | £40.50 | | £12,630.50 | 251.60 |

Time costs summary for period, cumulative & comparison with estimate for Flexyfoot Limited (in liquidation)

| Work category | Original fees estimate | | | Total time costs incurred to date | | |
|--|------------------------|--------------------------------|------------------|-----------------------------------|--------------------------------|--------------------|
| | Number of hours | Blended hourly rate £ per hour | Total fees £ | Number of hours | Average hourly rate £ per hour | Total time costs £ |
| Administration (including statutory reporting) | 54.4 | 241.25 | 13,124.00 | 19 | 224.92 | 4,273.50 |
| Realisation of assets | 24 | 254.38 | 6,105.00 | 23.4 | 273.12 | 6,391.00 |
| Creditors (claims and distribution) | 29 | 230.52 | 6,685.00 | 7 | 241.43 | 1,690.00 |
| Investigations | 6 | 248.33 | 1,490.00 | 0.8 | 345.00 | 276.00 |
| VAT, Taxation and other matters | 8 | 308.75 | 2,470.00 | 0 | 0 | 0 |
| TOTAL | 121.4 | 246.08 | 29,874.00 | 50.2 | 251.60 | 12,630.50 |

Expenses summary for period, cumulative & comparison with estimate for Flexyfoot Limited (in Liquidation)

Below are details of the Joint Liquidators' expenses, excluding VAT for the period to date.

| Expenses, excluding VAT where applicable | Original expenses estimate £ | Actual expenses incurred to date £ | Reason for any excess (if the expenses are likely to, or have, exceeded the original estimate) |
|---|---|---|---|
| Category 1 Expenses | | | |
| Advertising | 338.40 | 197.89 | |
| Bonding | 186.00 | 80.00 | |
| Agent fees | 10,000.00 | 1,478.00 | |
| Legal fees | 2,000.00 | 1,375.00 | |
| Accountancy fee | | 750.00 | |
| Insurance | 1,500.00 | | |
| Redirection of mail | 204.00 | | |
| Rent | 600.00 | | |
| Category 2 Expenses | | | |
| Travel | 25.00 | | |
| Printing, postage and stationery | 168.00 | 401.08 | |
| Storage | 1,500.00 | | |
| TOTAL | 16,521.40 | 4,281.97 | |

LIQ14

Notice of final account prior to dissolution in CVL

**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

HEMAL MISTRY

Company name

HORSFIELDS

Address

BELGRAVE PLACE

8 MANCHESTER ROAD

Post town

BURY

County/Region

GREATER MANCHESTER

Postcode

B L 9 0 E D

Country

ENGLAND

pX

Telephone

01617633183

**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 or email 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