

High Court of Justice No. 495 of 2013

**IN THE MATTER OF
ORIENTAL EVENTS LIMITED – IN LIQUIDATION
("THE COMPANY")**

COMPANY NO: 06838547

**REPORT OF THE JOINT LIQUIDATORS
PURSUANT TO RULE 4.49B
OF THE INSOLVENCY RULES 1986 (AS AMENDED)**

Chantrey Vellacott DFK LLP

**Russell Square House
10-12 Russell Square
London
WC1B 5LF**

**Telephone Number: 020 7509 9430
Fax Number: 020 7509 9110**

**E Mail: jbeake@cudfk.com
Website: www.cudfk.com**

WEDNESDAY



Q3JZWKGH
QIQ 05/11/2014 #27
COMPANIES HOUSE

ORIENTAL EVENTS LIMITED – IN LIQUIDATION

TABLE OF CONTENTS

	Page
1. Introduction	1
2. Receipts and Payments Account	1
3. Asset Realisations	1
4. Dividend Prospects	1-2
5. Costs of Realisation	2
6. Joint Liquidators' Remuneration and Disbursements	2-3
7. Charge Out Rates	3
8. Right to Request Further Information	3
9. Investigations	3-4

APPENDICES

Appendix A	Receipts & Payments Account
Appendix B	Summary of Joint Liquidators' Timecosts & Disbursements
Appendix C	Chargeout Rates & Disbursements Recovery Policy
Appendix D	Extracts of 4.49E and 4.131 of the Insolvency Rules 1986 (as amended)

ORIENTAL EVENTS LIMITED – IN LIQUIDATION

REPORT OF THE JOINT LIQUIDATORS

3 NOVEMBER 2014

1. INTRODUCTION

I, Adrian Hyde, of Chantrey Vellacott DFK LLP, Russell Square House, 10-12 Russell Square, London, WC1B 5LF, together with my partner, Kevin Murphy, was appointed Joint Liquidator of the Company on 3 September 2013, following a Winding Up Order made in the High Court of Justice on 29 July 2013 under reference number 495 of 2013.

In accordance with Rule 4.49B of The Insolvency Rules 1986 (as amended) I am pleased to present my report on the progress in the Liquidation. This report relates to the period from 3 September 2013 to 2 September 2014

2. RECEIPTS AND PAYMENTS ACCOUNT

An abstract of the Joint Liquidators' Receipts and Payments for the period concerned is attached at Appendix A

3. ASSET REALISATIONS

Details of asset recoveries to date, together with any assets still to be realised, are set out below

3.1 Post Petition Payments

The Official Receiver's report stated that the Company had no assets as at the date of the Company's winding up. However, following a review of the Company bank statements it appears that a substantial number of payments were made after the petition date (22 January 2013). These payments are void by virtue of s127 of the Insolvency Act 1986 and are therefore repayable to the Company.

Moon Beaver Solicitors ("Moon Beaver") have been appointed to assist me in collecting these funds. However, no recoveries were made during the reporting period.

4. DIVIDEND PROSPECTS

4.1 Secured Creditors

There are no secured creditors

4.2 Preferential Creditors

There are no preferential creditors

4.3 Prescribed Part

Pursuant to Section 176A of The Insolvency Act 1986 (as amended), a Prescribed Part of the Company's net assets should be set aside for the benefit of unsecured creditors. This reduces the funds that would otherwise be made available to any secured creditor under Floating Charges created after 15 September 2003

On the basis that there are no secured creditors, the provisions of Section 176A(3) do not apply.

4.4 Unsecured Creditors

To date, unsecured creditor claims totalling £474,925 have been received. It is uncertain, at this stage, whether there will be sufficient realisations to enable a distribution to be made to the unsecured creditors.

5. COSTS OF REALISATION

5.1 Insolvency Costs

I have incurred costs of £2,235 in respect of the Official Receiver's liquidation administration fees. These relate to the statutory costs incurred from the winding up of the Company and are deducted by the Secretary of State from funds received into the Insolvency Service Account.

5.1 Bank Charges

Bank charges in the sum of £88 have been paid.

5.2 Shorthand Writer Charges

The sum of £58 has been paid to the Official Receiver in respect of shorthand writer charges.

5.3 Legal Fees

Moon Beever solicitors have been retained as legal advisors in view of their general experience and expertise in dealing with void post petition dispositions. Accordingly, I have agreed their remuneration on a commission basis, whereby they will receive 15% of any realisations made into the Liquidation estate.

During the reporting period no payments were made to Moon Beever.

6. JOINT LIQUIDATORS' REMUNERATION AND DISBURSEMENTS

At the Meeting of Creditors held on 23 October 2013 creditors passed a resolution enabling the Joint Liquidators to draw their remuneration based on their firm's time costs, and to draw Category 2 disbursements.

A summary of the Liquidators' time costs, covering the period since my appointment, analysed by grade of staff, is attached at Appendix B.

In accordance with the Statement of Insolvency Practice 9 issued by the Association of Business Recovery Professionals and adopted by my professional licensing body, I advise that the overall time spent during the period of the Liquidation to 2 September 2014 is 62.80 hours and the charge out value of that time £10,051.50. This equates to an average hourly charge out rate of £160.06. These figures do not include VAT.

To date, the Joint Liquidators have not drawn any fees in respect of their outstanding time costs.

The work we have carried out as Joint Liquidators is derived from the responsibilities placed upon us by the underlying legal and regulatory framework for work of this nature. It has been performed by the Joint Liquidators and by the assignment manager and administrator. Their work has been supported by secretarial staff and the cashiers. All personnel were charged directly to the assignment for all of the time relating to the case.

Disbursements represent the reimbursement of actual out-of-pocket payments made on behalf of the assignment. These include, statutory advertising costs of £186, a postal redirection fee of £120 and land registry searches of £25. In addition, storage fees of £12 have been paid along with bonding costs of £20.

7. CHARGE OUT RATES

In common with other professional firms, our charge out rates increase from time to time over the period of the administration of the case. I enclose an explanation of office holders charging and disbursement recovery policies for your reference as Appendix C.

A Creditors' Guide to Joint Liquidators' Fees, which provides information for creditors in relation to the remuneration of the Joint Liquidators, can be accessed at the website of the Association of Business Recovery Professionals at:

<http://www.r3.org.uk/index.cfm?page=1210>

Alternatively, I can provide you with a copy on written request.

I believe this case generally to be of average complexity and accordingly no exceptional responsibility has to date fallen upon us as Joint Liquidators.

8. RIGHT TO REQUEST FURTHER INFORMATION

I would draw your attention to Rule 4.49E and Rule 4.131 of the Insolvency Rules 1986 (as amended), the text of which is reproduced at Appendix D. These Rules set out the circumstances under which creditors may request further information in relation to the Joint Liquidators' remuneration and expenses and their right to challenge the Joint Liquidators' remuneration and expenses.

9. INVESTIGATIONS

In accordance with the Directors Disqualification Act 1986, the Official Receiver is responsible for submitting a report in relation to the Director's conduct. If creditors have any information they believe should be brought to the Official Receiver's attention, please forward such details to me in writing.

Should you require any further information, in addition to that already given, please contact Jake Beake by telephone on 020 7509 9430 or by e-mail at jbeake@cvdfk.com

A handwritten signature in black ink, appearing to read 'A C Hyde', with a stylized flourish at the end.

A C HYDE

Joint Liquidator

Licensed to act as an Insolvency Practitioner in the UK by the Institute of Chartered Accountants in England and Wales

APPENDIX A

Receipts & Payments Account

**Oriental Events Limited
(In Liquidation)
Joint Liquidators' Abstract of Receipts & Payments
To 02/09/2014**

	£	£
ASSET REALISATIONS		
Deposit on Petition	1,165 00	
		1,165 00
COST OF REALISATIONS		
O R 's Liquidation Admin Fee	2,235 00	
Shorthand Writer Charges	58 04	
Bank Charges	88 00	
		(2,381 04)
		<u>(1,216.04)</u>
REPRESENTED BY		
ISA NIB		(1,216 04)
		<u>(1,216.04)</u>

APPENDIX B

Summary of Liquidators' Timecosts & Disbursements

ORIENTAL EVENTS COMP - ORIE59475

Time and Chargeout Summary for the period 03/09/2013 to 02/09/2014							
Classification of work function	Hours					Time Cost £	Average hourly rate £
	Partner / Director	Manager	Other Senior Professionals	Assistants & Support Staff	Total Hours		
Administration & Planning	0 80	8 70	15 60	24 80	49 90	7,440 00	149.10
Investigations	0 00	1 80	3 70	2 30	7 80	1,720 50	220 58
Realisation of Assets	0 00	0 00	0 20	0 00	0 20	27 00	135 00
Creditors	0 00	0 10	3 40	0 00	3 50	580 50	165 86
Case Specific Matters	0 30	0 00	1 10	0 00	1 40	283 50	202 50
Total Hours	1 10	10 60	24 00	27 10	62 80	10,051 50	160 08

Category 2 Disbursements	
Other 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	

APPENDIX C

Chargeout Rates & Disbursements Recovery Policy

CHANTREY VELLACOTT DFK LLP

CHARGEOUT RATES AND DISBURSEMENT RECOVERY POLICIES

Chargeout Rates

In accordance with the provisions of Statement of Insolvency Practice 9 ("SIP 9"), the firm's chargeout rates applicable to this appointment, exclusive of VAT, are as follows

	From 1 August 2013 £ per hour
Partners / Office Holders	350 - 450
Consultants	350 - 450
Directors	325 - 350
Senior Manager	300 - 325
Managers	280 - 295
Assistant Managers	260 - 280
Senior Executive / Analyst	220 - 250
Executive	135 - 180
Cashier	125 - 165
Secretaries / Support / Junior Analyst	80 - 115

Chargeout rates are normally reviewed annually on 1 July when rates are adjusted to reflect such matters as inflation, increases in direct wage costs, and changes to indirect costs such as Professional Indemnity Insurance. It is the firm's policy for the cashier's time spent on an assignment to be charged to the case. However, secretarial and office admin support time is charged only in respect of identifiable blocks of time devoted to the case where we consider it to be viable to do so. All time is recorded in 6 minute units.

Direct expenses ("Category 1 Disbursements")

Category 1 disbursements as defined by SIP 9, which can be specifically identified as relating to the administration of the case will be charged to the estate at cost, with no uplift. These include but are not limited to such items as case advertising, storage, online reporting facilities, bonding and other insurance premiums and properly reimbursed expenses incurred by personnel in connection with the case.

Indirect expenses ("Category 2 Disbursements")

It is our normal practice to also charge the following indirect disbursements ("Category 2 Disbursements as defined by SIP 9) to the case, where appropriate:

Circulars to creditors

Plain/headed paper including photocopying	12p per side
Envelopes	12p each
Postage	Actual cost

Room Hire

For the convenience of creditors and to save the cost of booking an outside hotel room, meetings of creditors are occasionally held internally at our offices. Where meetings of creditors are held in one of our internal meeting rooms, a charge of £100 plus VAT is levied to cover the cost of booking the room.

Travel

Mileage incurred as a result of any necessary travelling is charged to the estate at the H M Revenue & Customs approved rate, currently 40p per mile.

All of the above costs are subject to amendment by the firm at any time and if amended will be notified to creditors with the next circular sent to all creditors.

Company Searches & Electronic Verification of Identity

Included in expense and/or disbursements, Company Searches and electronic Verification of Identity include an element of shared costs. Such expenses are of an incidental nature but are generally incurred on each case. In line with the cost of the external provision of such services, a charge of £15 plus VAT is levied to cover the cost of these searches.

Chantrey Vellacott DFK LLP

Effective 1 August 2013

Chantrey Vellacott DFK is a limited liability partnership registered in England and Wales (NoOC313147) whose registered office is at Russell Square House, 10-12 Russell Square, London, WC1B 5LF. The term "partner" denotes a member of a limited liability partnership. A list of members of Chantrey Vellacott DFK LLP is available at our registered office.

APPENDIX D

Extracts of 4.49E and 4.131 of the Insolvency Rules 1986 (as amended)

Extracts of 4.49E and 4.131 of The Insolvency Rules 1986 (as amended)

4.49E Creditors' and Members' request for further information

4.49E(1) [Duty of Liquidator re remuneration or expenses] 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 that 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

4.49E(2) [Period for compliance with r.4.49E(1)] 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 which 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

4.49E(3) [How liquidator to comply] The liquidator complies with this paragraph by either-

- (a) providing all 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

4.49E(4) [Application to court by creditors and members] 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.

4.49E(5) [Court may extend period in rr.4.131(1B), 4.148C(2)] 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

4.49E(6) [Non-application to official receiver] This Rule does not apply where the liquidator is the official receiver.

4.131 Creditors' claim that remuneration is or other expenses are excessive

4.131(1) [Secured or certain unsecured creditors may apply to court] 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)

4.131(1A) [Grounds for application] Applications 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 circumstances, excessive or, in the case of an application under subparagraph (b), inappropriate.

4.131(1B) [Time limit for application] The application must, subject to any order of the court under Rule 4 49E(5), be made no later than 8 weeks (or, in the 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")

4.131(2) [Power of court to dismiss etc.] 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

4.131(3) [Notice to liquidator] 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

4.131(4) [Court order] 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

4.131(5) [Costs of application] 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.