

The Insolvency Act 1986**Liquidator's Progress
Report****Pursuant to Sections 92A and 104A
of the Insolvency Act 1986****S.192**

To the Registrar of Companies

For Official Use

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Company Number

06986411

Name of Company

ARB Service Provider Limited

I / We
Richard Toone
First Floor
16/17 Boundary Road
Hove
East Sussex
BN3 4AN

Craig Povey
Chantrey Vellacott DFK LLP
Edgbaston
BIRMINGHAM
BH15 1TS

the liquidator(s) of the company attach a copy of my/our progress report
under section 192 of the Insolvency Act 1986

Signed



Date

2. 2. 12

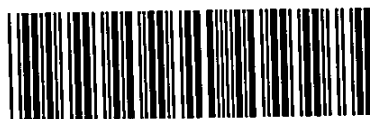
Chantrey Vellacott DFK
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16/17 Boundary Road
Hove
East Sussex
BN3 4AN

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I:

THURSDAY



A02 09/02/2012 #180
COMPANIES HOUSE

**ARB Service Provider Limited
(In Liquidation)
Joint Liquidators' Abstract of Receipts & Payments**

Statement of Affairs		From 10/12/2010 To 09/12/2011
	ASSET REALISATIONS	
13,868 62	Debtors (Pre-Appointment)	1,874 00
4,958 00	Other Current Assets	NIL
	Bank Interest Gross	5 63
3,927 68	Cash at Bank on Appointment	3,922 50
		<u>5,802 13</u>
	COST OF REALISATIONS	
	Petitioners Costs	1,881 70
	Specific Bond	54 00
	Preparation of Statement of Affairs	2,511 50
		<u>(4,447 20)</u>
	PREFERENTIAL CREDITORS	
(4,608 00)	Holiday Pay	NIL
		<u>NIL</u>
	UNSECURED CREDITORS	
(45,955 00)	Trade and Expense Creditors	NIL
(2,105 00)	Employees	NIL
(3,981 00)	Banks/Institutions	NIL
(92,436 00)	HM Revenue and Customs	NIL
		<u>NIL</u>
	DISTRIBUTIONS	
(6 00)	Ordinary Shareholders	NIL
		<u>NIL</u>
<u>(126,336.70)</u>		<u><u>1,354.93</u></u>
	REPRESENTED BY	
	Vat Receivable	200 00
	Bank Current Account	1,154 93
		<u><u>1,354.93</u></u>



Richard Toone
Joint Liquidator

**IN THE MATTER OF
ARB SERVICE PROVIDER LIMITED – IN LIQUIDATION
("THE COMPANY")
COMPANY NO: 06986411**

**REPORT OF THE JOINT LIQUIDATORS
PURSUANT TO SECTION 104A
OF THE INSOLVENCY ACT 1986 (AS AMENDED)**

**Chantrey Vellacott DFK
35 Calthorpe Road
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Birmingham
B15 1TS
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ARB SERVICE PROVIDER LIMITED – IN LIQUIDATION

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ARB SERVICE PROVIDER LIMITED – IN LIQUIDATION

REPORT OF THE JOINT LIQUIDATORS

12 JANUARY 2012

INTRODUCTION

I, Craig Povey, of Chantrey Vellacott DFK, 35 Calthorpe Road, Edgbaston, Birmingham, B15 1TS, together with my partner, Richard Toone, was appointed Joint Liquidator of the Company on 10 December 2010

In accordance with Section 104A of The Insolvency Act 1986 (as amended) I am pleased to present my report on the progress in the Liquidation. This report relates to the period from 10 December 2010 to 9 December 2011

BACKGROUND

The Company was incorporated on 10 August 2009 and commenced trading in September 2009 providing arboricultural services to a number of clients, the main one of which was Fountains Plc

The Company operated profitably until March 2010 when Fountains Plc decided that following their acquisition by Connought Plc, to cancel all outstanding orders with the company which resulted in a number of employees being laid off due to lack of work. Connought subsequently entered Administration

A debtor dispute adversely affected cash flow making it impossible to continue to trade, therefore trading was ceased in September 2010. The debtor was taken to court with a settlement being reached in November 2010, following which the Company was placed into Liquidation

Should you require any further information in respect of the background of the Company, please refer to my report of 15 December 2010

RECEIPTS AND PAYMENTS ACCOUNT

An abstract of the Joint Liquidators' Receipts and Payments for the period concerned is attached at Appendix 1

ASSET REALISATIONS

To date, the following assets have been realised as compared to the Directors' Estimated Statement of Affairs

	Estimated To Realise	Realised To Date
	£	£
Debtors	13,869	1,874
Cash at Bank	3,928	3,923
Directors Loan account	4,958	Nil
Bank interest gross		6
Total	<u>22,755</u>	<u>5,803</u>

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

Debtors

There were two outstanding book debts at the date of my appointment

£1,190 represented an outstanding retention, of which £1,174 was received in April 2011. The remaining balance was written off.

The second debtor was in the sum of £12,679. To date we have received £700. We have been in regular contact with the debtor and his adviser. The realisations are lower than expected due to the debtor incurring cash flow problems. However, a monthly direct debit is now in place and will continue to be monitored.

Cash at Bank

The Company bank account was closed and the funds transferred to a Liquidation account, realisations of £3,923 were in line with the Statement of Affairs,

Directors Loan Account

At the date of my appointment a former director owed the company £4,958 in respect of an overdrawn director's loan account. Despite several letters to the debtor, no response was received and therefore this matter was passed to my solicitors for collection.

A proposal for repayment has since been received and rejected by the Liquidators. Negotiations between my solicitors and the debtor are ongoing.

Bank Interest Gross

£5.63 has been received in respect of gross interest on deposits held in the Liquidation account.

DIVIDEND PROSPECTS

Secured Creditors

There is one charge registered at Companies House against the Company in favour of Bibby Financial Services Limited. We have received confirmation that there is no outstanding liability in respect of the Company.

Preferential Creditors

The relevant forms were submitted to the Redundancy Payments office in respect of the employees' claims. A preferential claim of £5,812.40 has been received. It is not anticipated that there will be a dividend to the preferential creditors in this matter.

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 the Floating Charge holder has confirmed they have no outstanding liability, the provisions of Section 176A(3) do not apply.

Unsecured Creditors

Unsecured creditors' claims were expected to be in the region of £144,477 per the Directors' estimated Statement of Affairs. To date we have received claims of £92,942.16. There will not be a dividend to the unsecured creditors.

COSTS OF REALISATION

Petitioning creditor costs of £1,881.70 were paid to Northgate Vehicle Hire (North East) Limited following which the winding up petition was withdrawn.

£54 has been paid in respect of the Liquidators' insurance bond.

Other Costs

Harrison Clark solicitors, have been retained as legal advisors in view of their general experience and expertise in these matters. They have advised me on the recovery of the outstanding directors' loan account.

Their costs will be agreed as a percentage of successful realisations. To date no fees have been paid to them.

At the S98 meeting of creditors, it was agreed that KLH Business Consultancy Group be paid £3,000 plus VAT for assisting with the preparation of the Statement of Affairs. This fee is still outstanding.

JOINT LIQUIDATORS' REMUNERATION AND DISBURSEMENTS

At the Meeting of Creditors held on 10 December 2010 creditors agreed that Chantrey Vellacott DFK be paid £5,000 plus disbursements and VAT for assistance in preparing the Directors' Statement of Affairs and convening the creditors' meeting. To date £2,511 50 plus VAT has been drawn in respect of this fee.

At the same meeting, the creditors also 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 tabulation of the total time spent, analysed by grade of staff is attached at Appendix 2.

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 this report from 10 December 2010 to 9 December 2011 and charge out value of that time is 61 10 hours and £10,379 50 respectively. This equates to an average hourly charge out rate of £169 88. These figures do not include VAT.

The Joint Liquidators have drawn no fees or disbursements in this matter to date.

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 are outlined in the cost breakdown attached as outlined above.

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 3.

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=1380>. Alternatively, I can provide you with a copy on written request to my office.

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

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 4. 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.

INVESTIGATIONS

I confirm that the Joint Liquidators have complied with our statutory duty in relation to the Directors' conduct report which has been submitted to the Department for Business, Innovation and Skills, in accordance with the Company Directors Disqualification Act 1986. The report is confidential and accordingly I cannot disclose its content to the creditors.


As previously requested, if creditors have any information they believe should be brought to the Joint Liquidators' attention, please send such details in writing.

CONCLUSION

As explained earlier in the report the asset realisations are ongoing.

I will report to the creditors again at the earlier of the next anniversary or completion of the asset realisations.

Should you require any further information, in addition to that already given, please contact Victoria Evans at this office, on 0121 410 2463.

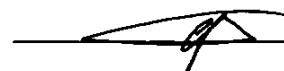


CRAIG POVEY
Joint Liquidator

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

ARB Service Provider Limited
(In Liquidation)
Joint Liquidators' Abstract of Receipts & Payments
To 09/12/2011

S of A £		£	£
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(126,336 70)			1,354 93
	REPRESENTED BY		
	Vat Receivable		200 00
	Bank Current Account		1,154 93
			1,354 93


Craig Povey
Joint Liquidator

ARB SERVICE PROVIDER CVL - ARBS39196

Time and Chargeout Summary for the period 10/12/2010 to 09/12/2011							
Classification of work function	Hours					Time Cost £	Average hourly rate £
	Partner	Manager	Other Senior Professionals	Assistants & Support Staff	Total Hours		
Administration & Planning	2 60	8 40	33 30	4 70	49 00	7,902 50	161 28
Investigations	0 20	1 30	0 00	0 00	1 50	450 00	300 00
Realisation of Assets	0 40	2 00	1 90	0 00	4 30	944 50	219 65
Creditors	0 50	1 40	3 50	0 60	6 00	998 50	166 42
Case Specific Matters	0 00	0 10	0 00	0 00	0 10	28 00	280 00
Fixed Charge Matters	0 00	0 20	0 00	0 00	0 20	56 00	280 00
Total Hours	3 70	13 40	38 70	5 30	61 10	10,379 50	169 88
Total fees Claimed	1,345 00	3,798 00	4,494 50	742 00	10,379 50		

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	
Type and Purpose	£
Mileage	16 80
Printing, stationery and postage	121 84
Room Hire	100 00
Company Search	10 00

The above disbursements have been incurred but not repaid to the office holder's firm

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 2011 £ per hour	From 1 August 2010 £ per hour
Partners / Office Holders	350 - 450	350 - 430
Consultants	350 - 450	350 - 450
Directors	325 - 340	320 - 330
Senior Manager	300 - 315	270 - 310
Managers	280 - 295	250 - 280
Assistant Managers	260 - 275	230 - 260
Senior Executive	220 - 250	175 - 250
Executive	125 - 175	100 - 170
Analyst	100 - 105	95 - 110
Cashier	120 - 160	115 - 180
Secretaries and office admin support	80 - 110	70 - 110

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, 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 sheet
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 July 2011

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 4

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-

APPENDIX 4

- (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 sub-paragraph (b), inappropriate

APPENDIX 4

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