

## Section 106

Return of Final Meeting in a  
Creditors' Voluntary Winding UpPursuant to Section 106 of the  
Insolvency Act 1986

To the Registrar of Companies

**S.106**

Company Number

06986411

Name of Company

ARB Service Provider Limited

I/We Richard Toone  
35 Calthorpe Road  
Edgbaston  
Birmingham  
B15 1TSCraig Povey  
Chantrey Vellacott DFK LLP  
Edgbaston  
BIRMINGHAM  
BH15 1TSNote The copy account must be  
authenticated by the written  
signature(s) of the Liquidator(s)

1 give notice that a general meeting of the company was duly held on/~~summoned for~~ 17 April 2013 pursuant to section 106 of the Insolvency Act 1986, for the purpose of having an account (of which a copy is attached) laid before it showing how the winding up of the company has been conducted and the property of the company has been disposed of, and ~~that the same was done accordingly~~ / no quorum was present at the meeting,

2 give notice that a meeting of the creditors of the company was duly held on/~~summoned for~~ 17 April 2013 pursuant to Section 106 of the Insolvency Act 1986, for the purpose of having the said account laid before it showing how the winding up the company has been conducted and the property of the company has been disposed of and that ~~the same was done accordingly~~/no quorum was present at the meeting

The meeting was held at 35 Calthorpe Road, Edgbaston, BIRMINGHAM, B15 1TS

The winding up covers the period from 10 December 2010 (opening of winding up) to the final meeting (close of winding up)

The outcome of any meeting (including any resolutions passed) was as follows

Signed \_\_\_\_\_

Date 22 April 2013

Chantrey Vellacott DFK LLP  
35 Calthorpe Road  
Edgbaston  
Birmingham  
B15 1TS

Ref ARBS29175/RHT/VSE/MB

WEE THURSDAY



A10	*A280T0EP*	09/05/2013	#291
COMPANIES HOUSE			
A18	*A26YGLR4*	24/04/2013	#101
COMPANIES HOUSE			

**ARB Service Provider Limited**  
**(In Liquidation)**  
**Joint Liquidators' Abstract of Receipts & Payments**  
**From 10 December 2010 To 17 April 2013**

S of A £		£	£
	<b>ASSET REALISATIONS</b>		
13,868 62	Debtors (Pre-Appointment)	2,114 00	
4,958 00	Other Current Assets	NIL	
	Bank Interest Gross	11 64	
3,927 68	Cash at Bank on Appointment	3,922 50	
			6,048 14
	<b>COST OF REALISATIONS</b>		
	Petitioners Costs	1,881 70	
	Specific Bond	54 00	
	Preparation of Statement of Affairs	3,787 44	
	Statutory Advertising	325 00	
			(6,048 14)
	<b>PREFERENTIAL CREDITORS</b>		
(4,608 00)	Holiday Pay	NIL	
			NIL
	<b>UNSECURED CREDITORS</b>		
(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	
			NIL
	<b>DISTRIBUTIONS</b>		
(6 00)	Ordinary Shareholders	NIL	
			NIL
(126,336 70)			NIL
	<b>REPRESENTED BY</b>		

NIL

  
 Craig Povey  
 Joint Liquidator

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

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

**Chantrey Vellacott DFK  
35 Calthorpe Road  
Edgbaston  
Birmingham  
B15 1TS  
Telephone Number: 0121 454 4141  
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E Mail: [vevans@cvdffk.com](mailto:vevans@cvdffk.com)  
Website: [www.cvdffk.com](http://www.cvdffk.com)**

**ARB SERVICE PROVIDER LIMITED – IN LIQUIDATION**

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**ARB SERVICE PROVIDER LIMITED – IN LIQUIDATION****REPORT OF THE JOINT LIQUIDATORS****17 APRIL 2013****INTRODUCTION**

I, Craig Povey of Chantrey Vellacott DFK, together with my partner, Richard Toone, were appointed Joint Liquidators of the above Company on 10 December 2010

I am now in a position to conclude the Liquidation and, in accordance with Rule 4 49D of the Insolvency Rules 1986 (as amended), now submit my final report, which is intended to be presented at the final meetings of members and creditors

The report which will be presented to the meetings is as set out below

**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, copies of which can be provided upon request

**RECEIPTS AND PAYMENTS ACCOUNT**

A copy of the Joint Liquidators' Receipts and Payments account to date is enclosed. I do not intend to comment in detail on realisations and costs incurred prior to 10 December 2011. However details can be found in my report dated 2 February 2012, copies of which can be provided upon request

## ASSET REALISATIONS

To date, the following assets have been realised, compared with the Estimated Statement of Affairs

	<b>Estimated To Realise</b>	<b>Realised To Date</b>
	<b>£</b>	<b>£</b>
Debtors	13,869 00	2,114 00
Cash at Bank	3,928 00	3,922 50
Other Current Assets	4,958 00	-
Bank Interest gross	-	11 64
<b>Total</b>	<b><u>22,755 00</u></b>	<b><u>6,048 14</u></b>

### Debtors

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

As detailed in my last report £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. £940 was received from the debtor prior to it being placed into Liquidation, on 14 June 2012. Unfortunately, there will not be a dividend to the unsecured creditors in that matter and therefore the outstanding debt has been written off.

### 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. The matter was passed to my solicitors for collection.

An initial proposal for repayment by monthly instalment was rejected by the Liquidators owing to the length of time it would take to recover the debt and the costs incurred in doing so. Although negotiations were initially ongoing, the debtor failed to provide a further proposal for repayment. Shortly after he failed to respond to any correspondence. As a result further advice was taken from my solicitors. On the basis of the costs of bringing proceedings and the historical instalment arrangement, I was advised that it would not be in the best interests of the creditors to commence legal action. The debt has therefore been written off.

**Bank Interest**

£11 64 has been received in respect of gross interest on deposits held in the Liquidation account

No further assets realisations are anticipated

**CREDITORS****Secured Creditors**

The following charges were registered at Companies House against the Company at the date of Liquidation

Bibby Financial Services Limited – Debenture created on 28 September 2009, registered on 29 September 2009 Fixed and Floating charge over all property and assets present and future, including goodwill, book debts, uncalled share capital, buildings, fixtures, fixed plant and machinery

There were no amounts due to Bibby Financial Services Limited at the date of appointment

**Preferential creditors**

Preferential creditor claims totalling £5,812 40 have been received

Unfortunately, asset realisations were insufficient to enable a dividend to be paid on preferential claims

**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 there was no outstanding liability to the only charge-holder at the date of appointment, the provisions of Section 176A(3) do not apply

**Unsecured Creditors**

Unsecured creditor claims totalling £98,754 56 have been received

Asset realisations were insufficient to enable a dividend to be paid to unsecured creditors

## **DIVIDEND PROSPECTS**

Asset realisations were insufficient to enable a dividend to be paid to any class of creditor

## **COSTS OF REALISATION**

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 Directors loan account. I have agreed their remuneration on the basis of successful realisations. As no amounts have been realised no fee is due to them.

£1,881 70 was paid to Ward Hadaway in respect of the petitioning creditors costs of their client, Northgate Vehicle Hire (North East) Limited.

At the creditors meeting it was agreed that KLH Business Consultancy Group be paid a sum of £3,000 plus VAT in respect of their assistance with the preparation of the Statement of Affairs. Unfortunately, there were insufficient asset realisations to meet this fee.

I have incurred £54 of specific bond costs in respect of my appointment as Liquidator.

Advertising costs of £325 were incurred by in respect of the advertising of the S98 meeting of creditors, appointment of Liquidators and the final meetings of members creditors.

## **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 Estimated Statement of Affairs and convening the creditors' meeting. As you will see from the Receipts and Payments account, £3,787 44 plus VAT has been drawn to date the outstanding fee will be written off.

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 summary of the Liquidators' time costs, covering the period since my appointment and the period covered by this report, analysed by grade of staff, are 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 the Liquidation to 17 April 2013 and charge out value of that time is 89 70 hours and £17,913 00 respectively. This equates to an average hourly charge out rate of £199 70. These figures do not include VAT.



To date, the Joint Liquidators have not drawn any fees or disbursements. There are insufficient funds with the Liquidation to meet my time costs. Costs to date and any future costs incurred will be written off.

It is anticipated that the balance of funds in hand will be utilised in defraying the further costs of the Liquidation as detailed above.

The work undertaken as Joint Liquidators is derived from the responsibilities placed upon us by the underlying legal and regulatory framework for work of this nature. They have been assisted by the assignment manager and administrator, together with secretarial staff and cashiers. All personnel were charged directly to the assignment for all of the time relating to the case.

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

Disbursements represent the reimbursement of expenses incurred on behalf of the assignment. These are outlined in the attached summary of Joint Liquidators' remuneration and disbursements.

### **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=1210>. Alternatively, I can provide you with a copy on written request to my office.

### **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 have complied with my 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 my attention, please send such details in writing.

## FINAL MEETINGS

A notice convening the final meetings of members and creditors is enclosed with this report, together with a form of proxy

Insolvency Rule 4.60 requires us to have regard for the convenience of creditors when convening a meeting. In our experience creditors seldom attend these meetings and, to avoid unnecessary costs, these meetings are being held at our office. Should any creditor wishing to attend the meetings consider the proposed venue inconvenient, I will consider reconvening the meetings at an alternative venue to be agreed. Any request to reconvene should be made within the next seven days so that I may ensure that all creditors are aware of any revised arrangement.

Please note that the meeting is a formality and that there is no necessity to attend, however to assist us in our duties we would value your view on the resolution set out on the enclosed form of proxy and we would be grateful if this could be signed and returned to me by the date specified in the Notice. You may fax or email this to me if you wish.

If you do not wish to attend the meeting of creditors then both the proxy form and a proof of debt form must be returned by the date and time stated in the notice in order for your claim to be admitted for voting purposes. However, if you have previously submitted a proof of debt form in these proceedings, there is no requirement to submit a further form. The proxy form should nominate a proxy-holder, which may be the Chairman of the meeting, and who will vote in accordance with your instructions. If you do not intend to appoint anyone else to be your proxy, please ensure that you clearly show your preferences. If you wish to suggest any alternative resolutions, you may amend the proxy accordingly.

## CONCLUSION

It is intended that this report be presented at the final meetings.

Should you require any information in addition to that already given, please contact Victoria Evans on 0121 454 4141.



**CRAIG POVEY**  
Joint Liquidator

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

Enc

**ARB Service Provider Limited  
(In Liquidation)**

**JOINT LIQUIDATORS' RECEIPTS AND PAYMENTS ACCOUNT**

	Statement of affairs £	From 10/12/2012 To 17/04/2013 £	From 10/12/2010 To 17/04/2013 £
<b>RECEIPTS</b>			
Debtors (Pre-Appointment)	13,868 62	0 00	2,114 00
Other Current Assets	4,958 00	0 00	0 00
Bank Interest Gross		1 26	11 64
Cash at Bank on Appointment	3,927 68	0 00	3,922 50
		<u>1 26</u>	<u>6,048 14</u>
<b>PAYMENTS</b>			
Petitioners Costs		0 00	1,881 70
Specific Bond		0 00	54 00
Preparation of Statement of Affairs		788 44	3,787 44
Statutory Advertising		325 00	325 00
Holiday Pay	(4,608 00)	0 00	0 00
Trade and Expense Creditors	(45,955 00)	0 00	0 00
Employees	(2,105 00)	0 00	0 00
Banks/Institutions	(3,981 00)	0 00	0 00
HM Revenue and Customs	(92,436 00)	0 00	0 00
Ordinary Shareholders	(6 00)	0 00	0 00
		<u>1,113 44</u>	<u>6,048 14</u>
Net Receipts/(Payments)		<u>(1,112 18)</u>	<u>0 00</u>
<b>MADE UP AS FOLLOWS</b>			
Vat Receivable		(222 69)	0 00
Bank Current Account		(814 68)	0 00
VAT Inputs (Outputs)		(74 81)	(0 00)
		<u>(1,112 18)</u>	<u>0 00</u>

  
 Craig Povey  
 Joint Liquidator

**APPENDIX 2**

**SUMMARY OF JOINT LIQUIDATORS'  
TIMECOSTS AND DISBURSEMENTS**

**ARB SERVICE PROVIDER CVL - ARBS39196**

Time and Chargeout Summary for the period 10/12/2011 to 09/12/2012							
Classification of work function	Hours					Time Cost £	Average hourly rate £
	Partner	Manager	Other Senior Professionals	Assistants & Support Staff	Total Hours		
Administration & Planning	0 90	4 50	1 50	2 10	9 00	2,136 50	237 39
Investigations	0 00	0 20	0 00	0 00	0 20	60 00	300 00
Realisation of Assets	0 00	1 90	0 20	0 00	2 10	601 00	286 19
Creditors	0 00	2 30	0 00	0 50	2 80	742 50	265 18
Case Specific Matters	0 00	0 40	0 00	0 00	0 40	120 00	300 00
Total Hours	0 90	9 30	1 70	2 60	14 50	3,660 00	252 41
Total fees Claimed	315 00	2,730 00	297 50	317 50	3,660 00		

Time and Chargeout Summary for the period 10/12/2010 to 09/12/2012							
Classification of work function	Hours					Time Cost £	Average hourly rate £
	Partner	Manager	Other Senior Professionals	Assistants & Support Staff	Total Hours		
Administration & Planning	3 50	12 90	36 40	4 80	57 60	9,993 00	173 49
Investigations	0 20	1 50	0 00	0 00	1 70	510 00	300 00
Realisation of Assets	0 40	3 90	2 10	0 00	6 40	1,545 50	241 48
Creditors	0 50	3 70	3 50	1 10	8 80	1,741 00	197 84
Case Specific Matters	0 00	0 50	0 00	0 00	0 50	148 00	296 00
Fixed Charge Matters	0 00	0 20	0 00	0 00	0 20	56 00	280 00
Total Hours	4 60	22 70	42 00	5 90	75 20	13,993 50	186 08
Total fees Claimed	1,660 00	6,528 00	5,076 00	729 50	13,993 50		

Time and Chargeout Summary for the period 10/12/2010 to 17/04/2013							
Classification of work function	Hours					Time Cost £	Average hourly rate £
	Partner	Manager	Other Senior Professionals	Assistants & Support Staff	Total Hours		
Administration & Planning	4 90	18 60	36 40	7 20	67 10	12,490 50	186 15
Investigations	0 20	1 50	0 00	0 00	1 70	510 00	300 00
Realisation of Assets	0 40	4 60	2 10	0 00	7 10	1,755 50	247 25
Creditors	0 50	7 00	3 50	1 50	12 50	2,773 00	221 84
Case Specific Matters	0 00	1 10	0 00	0 00	1 10	328 00	298 18
Fixed Charge Matters	0 00	0 20	0 00	0 00	0 20	56 00	280 00
Total Hours	6 00	33 00	42 00	8 70	89 70	17,913 00	199 70
Total fees Claimed	2,170 00	9,618 00	5,076 00	1,049 00	17,913 00		

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	
Type and Purpose	£
Room Hire	100 00
Printing, postage & Stationery	121 84
Company Search	10 00
Mileage	16 80
	248 64

**APPENDIX 3**

**CHARGEOUT RATES  
AND  
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 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, 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 2012**

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)**



## **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 sub-paragraph (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

**ARB SERVICE PROVIDER LIMITED – IN LIQUIDATION  
COMPANY NO: 06986411**

Registered Office.

C/O Chantrey Vellacott DFK, 35 Calthorpe Road, Edgbaston, Birmingham, B15 1TS  
Principal Trading Address The Old Library, Risley Lane, Breaston, Derby, DE72  
3AU

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**NOTICE OF FINAL MEETINGS  
PURSUANT TO  
SECTION 106 OF THE INSOLVENCY ACT 1986 (AS AMENDED)**

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**NOTICE IS HEREBY GIVEN**, pursuant to Section 106 of the Insolvency Act 1986 (as amended), that a final general meeting of the members of the above named Company will be held at 10am, on 17 April 2013 at 35 Calthorpe Road, Edgbaston, Birmingham B15 1TS, to be followed at 10 30am by a final meeting of creditors for the purpose of receiving an account showing the manner in which the winding up has been conducted and the property of the Company disposed of, and of hearing any explanation that may be given by the Liquidators.

A member or creditor entitled to vote at the above meetings may appoint a proxy to attend and vote instead of him. A proxy need not be a member of the Company. Proxies to be used at the meetings must be lodged with the Liquidator at Chantrey Vellacott DFK, 35 Calthorpe Road, Edgbaston, Birmingham, B15 1TS, no later than 12 noon on the preceding business day.

Dated: 07 February 2013

**CRAIG POVEY**  
Joint Liquidator

Statement of rights under Section 325 Companies Act 2006

A member of a company is entitled to appoint another person as his proxy to exercise all or any of his rights to attend and to speak and vote at a meeting of the Company

A member may appoint more than one proxy in relation to a meeting, provided that each proxy is appointed to exercise the rights attached to a different share or shares held by him.

A proxy need not be a member of the Company  
Proxies to be used at the meeting must be lodged with Chantrey Vellacott DFK, 35 Calthorpe Road, Edgbaston, Birmingham, B15 1TS no later than 12 noon on 16 April 2013

## NOTICE OF NO DIVIDEND

In accordance with Rule 4.186(1)(b) and Rule 11.7 of The Insolvency Rules 1986 (as amended), I hereby give notice to creditors that I am unable to declare a dividend as the funds realised have already been used or allocated for defraying the expenses of the Liquidation

Date . . . . .

Signed . . . . .

Joint Liquidator