In accordance with Rule 18.7 of the Insolvency (England & Wales) Rules 2016 and Sections 92A, 104A and 192 of the Insolvency Act 1986.

# LIQ03

Notice of progress report in voluntary winding up



EDNESDAY



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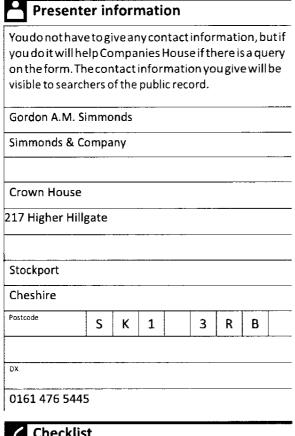
# LIQ03

Notice of progress report in voluntary winding up

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## LIQ03

Notice of progress report in voluntary winding up



# 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

# Simmonds & Company

ACCOUNTANTS AND INSOLVENCY PRACTITIONERS

YOUR REF:

OUR REF:

GAMS/MWH/HJW

18 November 2019

CROWN HOUSE, 217 HIGHER HILLGATE STOCKPORT, CHESHIRE SKI 3RB

Telephone: 0161 476 5445

FAX: 0161 476 5556

E-MAIL: gordon@simmondsandco.com

#### **TO ALL MEMBERS AND CREDITORS**

Dear Sirs,

# RE: Stoney Associates Limited - In Creditor's Voluntary Liquidation

Please find enclosed my annual report on the conduct of the liquidation.

With reference to part 7 of the report, I would be grateful if creditors would return the Postal Voting Resolution Form by Friday 6 December 2019.

Should you have any queries, please contact this office.

Yours faithfully,

For and on behalf of Stoney Associates Limited.



Liquidator.





**ANNUAL REPORT** 

**18 NOVEMBER 2019** 

#### STONEY ASSOCIATES LIMITED - IN CREDITORS VOLUNTARY LIQUIDATION

#### **ANNUAL PROGRESS REPORT**

#### **CONTENTS**

- 1. Introduction
- 2. Background
- 3. Administration and Planning (including Statutory Reporting)
- 4. Asset Realisations
- 5. Investigations
- 6. Creditors' Claims & Dividend Prospects
- 7. Costs and Expenses
- 8. Creditors' Rights
- 9. EC Regulation
- 10. Conclusion

#### **APPENDICES**

- Receipts and Payments account for the period 25 September 2018 to 24 September 2019
- II. Time costs information for the period 25 September 2018 to 24 September 2019
- III. Time costs summary for period, cumulative and comparison with estimate
- IV. Detailed narrative of work undertaken
- V. Expenses summary, cumulative and comparison with estimate
- VI. Proof of debt
- VII. Postal voting resolution form





ANNUAL REPORT

**18 NOVEMBER 2019** 

#### 1. INTRODUCTION

The purpose of this report is to detail the acts and dealings of the Liquidator and it should be read in conjunction with the previous correspondence to Creditors.

#### 2. BACKGOUND

Company Name:

Stoney Associates Limited ("the Company")

Registered Office:

Crown House, 217 Higher Hillgate, Stockport, Cheshire, SK1 3RB

Registered Number:

07099240

#### **APPOINTMENT DETAILS**

Name of Liquidator:

Gordon A.M. Simmonds

Address of Liquidator:

Crown House, 217 Higher Hillgate Stockport, Cheshire, SK1 3RB

Date of Appointment:

25 September 2017

Period of Report:

25 September 2018 to 24 September 2019

("the Period")

#### 3. ADMINISTRATION AND PLANNING (INCLUDING STATUTORY REPORTING)

As Liquidator, I am 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 insolvency estate, they assist in the efficient and compliant progressing of the liquidation, which ensures I and my staff carry out our work to high professional standards. The narrative details of the tasks carried out in the Period may be found at Appendix IV.

#### 4. **ASSET REALISATIONS**

The Liquidator's receipts and payments account for the Period is attached at Appendix I.

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**18 NOVEMBER 2019** 

#### Assets

#### **Book Debts**

Book debts received to date total £30,444 (£31,104 has been received at the date of this report).

Several debts have been written off as being unrealisable totalling £14,524.

Recovery proceedings have been issued against four debtors with a combined total of £6,679. Judgement has been obtained against one of those debtors for £2,203 although it is unlikely this will be recovered. A writ and statutory demands have been issued against the other three debtors which are ongoing.

Four debtors totalling £2,366 are disputing the balances due and these also remain ongoing.

#### Sale of Business

As previously reported, the business and asset sale of the Company completed on 29 August 2017 to Stoney Philbin & Co Limited ("the Buyer"); the total consideration being £50,000.

An initial payment of £20,000 was paid to the Solicitor acting for the Company, the remaining balance of which is detailed below under the heading Cash with Solicitors.

For the instalments were payable by the Buyer as follows:

29 August 2018	£ 8,000
29 August 2019	£ 8,000
29 August 2020	£ 8,000
29 August 2021	£ 6,000
	£30,000

The first two instalments totalling £16,000 have been paid.

#### **Petty Cash**

As previously reported a sum of £206.

#### **Cash with Solicitors**





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**18 NOVEMBER 2019** 

As previously reported, the Company's Solicitors held the initial payments of £20,000. A net balance has been received into the liquidation estate of £8,552 following settlement of the Solicitors costs.

#### 5. **INVESTIGATION**

An initial investigation into the company's affairs was undertaken to establish whether there were any potential asset recoveries or matters that justified further investigations.

There were no matters that justified further investigation in the circumstances of this appointment

A return of on any individuals, who have been directors of the Company in the three years prior to the insolvency, is required to be submitted to the Secretary of State within six months of our appointment. I would confirm that such a return has been submitted.

#### 6. CREDITORS' CLAIMS AND DIVIDEND PROSECTS

#### **Secured Creditors**

As previously reported, Royal Bank of Scotland Plc (RBS) hold a debenture over the assets of the Company supported by a fixed and floating charge. The amount outstanding to RBS at the date of liquidation was £20,395 in relation to the Company's overdraft facility.

RBS also held a guarantee from a third party: Accounts Are Us Limited (now in liquidation). The sum due to RBS has been paid by the guarantor and a subrogated claim agreed in the sum of £25,204, this being the total debt due to RBS at the date of payment.

Payment will be made to the guarantor under the terms of the charge as appropriate.

#### Preferential Creditors

A claim has been accepted for £581. Payment in full will be made in due course.

#### **Unsecured Creditors**

Agreed creditors' claims amount to £23,450.

A number of creditors have yet to prove their claim. A Notice of Intended Dividend has now been forwarded to those creditors requesting that a claim be submitted if

**ANNUAL REPORT** 

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appropriate on or before Tuesday 17 December 2019. If no claim is submitted, then such creditors will be excluded from the forthcoming dividend.

#### **Dividend Prospects**

It is anticipated that preferential creditors will be paid in full. An interim dividend is now expected to be paid to unsecured creditors and, as referred to above, a Notice of Intended Divided has been forwarded to those creditors who have yet to claim.

#### 7. **COSTS AND EXPENSES**

#### Statement of Affairs Fee

The statement of affairs fee of £2,500 was approved by Creditors and has now been drawn.

#### Remuneration

The Liquidator's remuneration was approved on a time costs basis in relation to this assignment as authorised in accordance with the following resolution:

"That the Liquidator's fees be fixed by reference to the time given by the liquidator and his staff in attending to matters arising on the winding-up, including time given by them to such matters before the liquidation commenced. These fees are to be paid as and when funds become available".

#### **Summary of Costs**

The Liquidator's time costs for the Period total £33,415 representing 128.65 hours at an average hourly rate of £259.74. The time costs are detailed at Appendix II.

The time costs incurred since commencement of this assignment total £56,164 representing 216.25 hours at an average hourly rate of £259.72. A total sum has been drawn of £7,000.

#### **Additional Fees**

As detailed above, my time costs have far exceeded the original estimated costs of £7,937. At the time the estimate was prepared, I was unaware of the extent of the additional work that would be required particularly in relation to recovery of the outstanding debtors. As at the date of this report, a total sum of £31,104 has been



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recovered against an initial estimated to realise figure of £40,676 as shown on the estimated statement of affairs as at 21 September 2017, i.e. the date of liquidation. A considerable amount of work has been carried out in the past twelve months during which time receipts from debtors have totalled £21,157. This additional work carried out has provided a direct financial benefit to the liquidation estate in recovering sums from the debtors.

As at the date of drafting this report, this recovery work is ongoing with legal proceedings issued against several of the remaining debtors.

I would be grateful if creditors would consider an increase in my fees of £8,000 to reflect the additional work that has been carried out, with the balance of time costs being written off.

Would creditors please complete the attached resolution form and return this to me by Friday 6th December 2019.

#### Other Expenses

Expenses paid during the Period are detailed below:

£

	-
PAYE/NIC	144.38
Bank charges	62.25
Court fees	427.00
Advertising	84.60
	718.23

PAYE/NIC has been paid to HMRC in relation to deductions from a former employee who was retained for a short period to assist with the liquidation.

#### Liquidator's Disbursements

Category 1 disbursements are costs that can be specifically identified as relating to the administration of the case. These are charged to the estate at cost, with no uplift. These include, but are not limited to, such items as advertising, bonding and other insurance premiums and properly reimbursed expenses. Legislation provides that the liquidator may discharge category 1 disbursements from the funds held in the insolvent estate without further recourse to creditors. The category 1 disbursements paid during the Period total £22.30 and detailed at Appendix 1.

Category 2 disbursements are costs that are also directly referable to the appointment in question but not to a payment to an independent third party. Payments may only be

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made in relation to category 2 disbursements after the creditors have approved the basis of their calculation. The category 2 disbursements that I propose to recover from the insolvent estate include the photocopying costs relating to the issuing of reports to creditors and any exceptional amounts of photocopying at 10p per sheet, as well as mileage at 45p per mile. The category disbursements paid during the Period total £31.50.

Disbursements of £53.80 have been paid as detailed below.

	Category	Category	
	1	2	Total
	£	£	£
Postage	3.30		3.30
Search fees	19.00		19.00
Travel		31.50	31.50
	22.30	31.50	53.80

Disbursements that have been incurred and not yet paid total £63.77 and relate to postage, this being a category 1 disbursement.

Information about this insolvency process may be found on the R3 website at

www.creditorinsolvencyguide.co.uk.

A copy of "A Creditors Guide to Liquidators' Fees" may be found at:

www.r3.org.uk/media/documents/publications/professional/Liquidations%20Creditor% 20Fee%20Guide%20April%202017.pdf

A hard copy of the Creditors Guide may be obtained on request.

#### 8. **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 Liquidator's remuneration and expenses within 21 days of receipt





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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 unsecured creditors (including the creditor in question) apply to court to challenge the amount and/or basis of the Liquidator's 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.

#### 9. **EC REGULATIONS**

The Company's centre of main interest was England and therefore it is considered that the EC Regulations will apply. These proceedings are main proceedings as defined in Article 3 of the EC Regulation.

#### 10. CONCLUSION

As referred to above, once a payment has been made to the secured creditor, and payment made in full to the preferential creditor, a dividend will then be declared to unsecured creditors who have proved their claim.

The liquidation estate will remain open to allow the remaining instalments to be paid by the Buyer. The outstanding debtors will also continue to be pursued.

Yours faithfully,

For and on behalf of Stoney Associates Limited.

Gordon A.M. Simmonds.

Liquidator.

#### Appendix I

# Stoney Associates Limited - In Creditors Voluntary Liquidation Liquidator's Abstract of Receipts & Payments From 25 September 2018 To 24 September 2019

S of A £		As Previously Reported	25/09/18 to 24/09/19	Total £
	Receipts			
40,676	Book Debts	9,286.80	21,157.20	30,444.00
30,000	Sale of Business	8,000.00	8,000.00	16,000.00
-	Petty Cash	206.10	NIL	206.10
11,500	Cash With Solicitors	8,552.00	NIL	8,552.00
82,176		26,044.90	29,157.20	55,202.10
	<u>Payments</u>			
	Statement of Affairs Fee	(2,500.00)	NIL	(2,500.00)
	Legal Fees	(5.00)	NIL	(5.00)
	Wages & Salaries	(577.51)	NIL	(577.51)
	PAYE & NI	NIL	(144.38)	(144.38)
	Bank Charges	(47.41)	(62.25)	(109.66)
	Travel	NIL	(31.50)	(31.50)
	Court Fees	NIL	(427.00)	(427.00)
	Liquidator's Fee	(7,000.00)	NIL	(7,000.00)
	Postage	NIL	(3.30)	(3.30)
	Vat Control Account	. NIL	(6.96)	(6.96)
	Specific Bond	(420.00)	NIL	(420.00)
	Search Fees	(15.00)	(19.00)	(34.00)
	Case Management Fee	(110.00)	NIL	(110.00)
	Advertising	(120.40)	(84.60)	(205.00)
		(10,795.32)	(778.99)	(11,574.31)
	Cash In Hand	15,249.58	28,378.21	43,627.79





Stoney Associates Limited - in Liquidation
Time and Charge Out Summary
For The Period 25 September 2018 to 24 September 2019

		Hours	Ş			
Classification of Work	Liquidator	Administration Staff	Secretarial Staff	Total Hours	Total Costs £	Average Hourly Rate £
Administration & Planning Realisation of Assets Creditors Annual Meetings and Returns	15.50 3.00 14.00	19.95 60.20 8.00 6.50	1.50	35.45 63.20 22.00 8.00	9560.00 15935.00 6130.00 1790.00	269.68 252.14 278.64 223.75
TOTAL HOURS	32.50	94.65	1.50	128.65		259.74
TOTAL COSTS - £	9587.50	23662.50	165.00		33415.00	

#### Appendix III

## Time costs summary for period, cumulative & comparison with estimate for Stoney Associates Limited

	Ori	ginal fees estim	ate	Actual time	e costs incurred Review Period	•	Total time costs incurred to date		
Work category	Number of hours	Blended hourly rate £ per hour	Total fees £	Number of hours	Average hourly rate £ per hour	Total time costs £	Number of hours	Average hourly rate £ per hour	Total time costs £
Administration (including statutory reporting)	15.00	212.50	3,187.50	35.45	269.68	9,560.00	67.60	272.57	18,425.50
Realisation of assets	8.00	250.00	2,000.00	63.20	252.14	15,935.00	90.90	254.70	23,152.50
Creditors (claims and distribution)	8.00	250.00	2,000.00	22.00	278.64	6,130.00	40.95	272.42	11,155.50
Investigations .	3.00	250.00	750.00				3.00	22.50	817.50
Review		-	-				1.00	295.00	295.00
Creditor report	-	_	-	8.00	223.75	1,790.00	12.80	181.09	2,318.00
TOTAL	34.00	233.46	7,937.50	128.65	259.74	33,415.00	216.25	259.72	56,164.00





Detailed list of work undertaken for Stoney Associates Limited - In Creditors' Voluntary Liquidation For the review period 25 September 2018 to 24 September 2019 Below is detailed information about the tasks undertaken by the Liquidator.

General Description	Includes
Statutory and General Administration	
Statutory/advertising	Filing of documents to meet statutory requirements including annual receipts and payments accounts Annual corporation tax returns Quarterly VAT returns Advertising in accordance with statutory requirements Bonding the case for the value of the assets
Document maintenance/file review/checklist	Filing of documents Periodic file reviews documenting strategy ' Periodic reviews of the application of ethical, anti-money laundering and anti-bribery safeguards Maintenance of statutory and case progression task lists/diaries Updating checklists
Bank account administration	Preparing correspondence opening and closing accounts Requesting bank statements Bank account reconciliations Correspondence with bank regarding specific transfers Maintenance of the estate cash book Banking remittances and issuing cheques/BACS payments
Planning / Review	Discussions regarding strategies to be pursued  Meetings with team members to consider practical, technical and legal aspects of the case
Books and records / storage	Dealing with company records held in storage off site by a third party
Reports	Circulating annual report to creditors Preparing investigation and general reports to creditors
Realisation of Assets	
Debtors	Collecting supporting documentation Correspondence with debtors Reviewing and assessing debtors' ledgers Dealing with disputes, including communicating with former staff Issuing legal proceedings Receipt of debtor payments
Sale of Business	Review of business and sale agreement and payments due by instalments  Receipt of instalments
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 Assisting employees to pursue claims via the RPO
Dealing with proofs of debt	Receipting and filing POD when not related to a dividend Corresponding with RPO regarding POD when not related to a dividend
Processing proofs of debt	Preparation of correspondence to potential creditors inviting submission of POD Receipt of POD

General Description	Includes
Processing proofs of	Preparation of correspondence to potential creditors inviting submission of POD
debt	Receipt of POD
	Adjudicating POD
	Request further information from claimants regarding POD
	Preparation of correspondence to claimant advising outcome of adjudication
Secured Creditor	Review Solicitor correspondence
	Review security documentation
	Discussions with the Buyer
	Agreement of adjudicated claim

#### **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.

Charles	
Staff	Charge out rates
Insolvency Practitioner/Partners	£295 per hour
Senior Manager	£250 per hour
Manager	£195 per hour
Secretarial/Administration support staff	£110 per hour





# Expenses and Disbursements summary for period, cumulative & comparison with estimate for Stoney Associates Limited

Below are details of the Liquidator's expenses and disbursements for the period under review and the total to date, including those that have been incurred but not yet paid.

Expense / Disbursement	Original expenses estimate £	Actual expenses incurred in the Review Period £	Actual expenses incurred to date £	Reason for any excess (if the expens are likely to, or have, exceeded the original estimate)	
Expenses			-		
Bank Charges	100.00	62.25	109.66		
Advertising (Expense)	200.00	84.60	84.60		
Wages		-	577.51	Employee assistance	
Agents' and Valuers' Costs	750.00	-	-		
Accounting Fees	1,000.00	-	-		
TOTAL		146.85	771.77		
Category 1 Disbursements	N- 1 - 10				
Legal Fees	-	-	5.00	Document witnessing cost	
Court Fees	-	427.00	427.00	Cost of recovery proceedings	
Postage	100.00	67.07	135.74		
Bonding	100.00	-	420.00	Actual cost incurred	
Search Fees	-	19.00	34.00		
Case Management Fee	150.00	-	110.00		
Advertising (Disbursement)	see above		120.40		
TOTAL		513.07	1,252.14		
Category 2 Disbursements					
Mileage (at 45p per mile)	50.00	31.50	31.50		
Photocopying (at 10p per sheet)	100.00	- [	-		
TOTAL		31.50	31.50	_	

CDAND TOTAL	2 550 00	691.42	2,055,41	·
GRAND TOTAL	2.550.00	091.42	2,033.41	1
	- <b>/</b>			

#### \*Expenses and Disbursements

Expenses are amounts properly payable by the office holder from the estate which are not otherwise categorised as the office holder's remuneration or as a distribution to a creditor or creditors.

Disbursements are expenses met by and reimbursed to an office holder in connection with an insolvency appointment and will fall into two categories; Category 1 and Category 2.

# Proof of Debt - General Form

# **Stoney Associates Limited**

Date of resolution for voluntary winding-up 25 September 2017

	DETAILS OF CLAIM	
1.	Name of Creditor (if a company, its registered name)	
2.	Address of Creditor (i.e. principal place of business)	
3.	If the Creditor is a registered company: For UK companies: its registered number For other companies: the country or territory in which it is incorporated and the number if any under which it is registered The number, if any, under which it is registered as an overseas company under Part 34 of the Companies Act	
4.	Total amount of claim, including any Value Added Tax, as at the date of winding-up, less any payments made after this date in relation to the claim, any deduction under R14.20 of the Insolvency (England & Wales) Rules 2016 and any adjustment by way of set-off in accordance with R14.24 and R14.25	£
5.	If the total amount above includes outstanding uncapitalised interest, please state	YES (£ ) / NO
6.	Particulars of how and when debt incurred	
7.	Particulars of any security held, the value of the security, and the date it was given	
8.	Details of any reservation of title in relation to goods to which the debt relates	
9.	Details of any document by reference to which the debt can be substantiated. [Note the liquidator may call for any document or evidence to substantiate the claim at his discretion]	
10.	Give details of whether the whole or any part of the debt falls within any (and if so which) of the categories of preferential debts under section 386 of, and schedule 6 to, the	Category  Amount(s) claimed as preferential £
	Insolvency Act 1986  AUTHENTICATION	<u> </u>
Signa his be	ature of Creditor or person authorised to act on ehalf	
Name	e in BLOCK LETTERS	
Date		
your	ned by someone other than the Creditor, state postal address and authority for signing on if of the Creditor	
Are you the sole member of the Creditor?		YES / NO

# Stoney Associates Limited – In Creditors' Voluntary Liquidation

# Postal Voting Resolution Form

NO

To allow the Liquidator to draw a further £8,000 against outstanding time costs.

Please return by Friday 6 December 2019

Name of Creditor

Signed

Date