

In accordance with
Rule 18.08 of the
Insolvency (England &
Wales) Rules 2016.

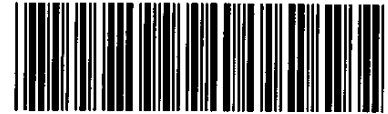
WU07

Notice of progress report in a winding-up by the court



Companies House

THURSDAY



A13 *A7YAJD00* 31/01/2019 #11
COMPANIES HOUSE

1 Company details

Company number	07250175	→ Filling in this form Please complete in typescript or in bold black capitals.
Company name in full	GRASMERE GRANGE LIMITED	

2 Liquidator's name

Full forename(s)	JAMES RICHARD	
Surname	DUCKWORTH	

3 Liquidator's address

Building name/number	FLOOR D, MILBURN HOUSE	
Street	DEAN STREET	
Post town	NEWCASTLE UPON TYNE	
County/Region	TYNE & WEAR	
Postcode	NE1 1LE	
Country		

4 Liquidator's name •

Full forename(s)		① Other Liquidator. Use this section to tell us about another liquidator.
Surname		

5 Liquidator's address •

Building name/number		② Other Liquidator. Use this section to tell us about another liquidator.
Street		
Post town		
County/Region		
Postcode		
Country		

WU 07

Notice of progress report in a winding-up by the court

6

Period of progress report

From date

11/12/2017

To date

10/12/2018

7

Progress report

☒ The progress report is attached

8

Sign and date

Liquidator's signature

Signature

X








X

Signature date

29/01/2019

WU07

Notice of progress report in a winding-up by the court

	Presenter information		Important information
You do not have to give any contact information, but if you do it will help Companies House if there is a query on the form. The contact information you give will be visible to searchers of the public record.		All information on this form will appear on the public record	
Contact name GILL BURLEY			Where to send
Company name FREEMAN RICH		<p>You may return this form to any Companies House address, however for expediency we advise you to return it to the address below:</p> <p>The Registrar of Companies, Companies House, Crown Way, Cardiff, Wales, DF14 3UZ. DX 33050 Cardiff.</p>	
Address FLOOR D			
MILBURN HOUSE			
DEAN STREET			
Post town NEWCASTLE UPON TYNE			
County/Region TYNE & WEAR			
Postcode NE1 1LE			
Country UK			
DX			
Telephone 0191 2611839			
	Checklist		
We may return forms completed incorrectly or with information missing.			Further information
<p>Please make sure you have remembered the following:</p> <p><input type="checkbox"/> The company name and number match the information held on the public Register.</p> <p><input type="checkbox"/> You have provided the new registered office address in section 2.</p> <p><input type="checkbox"/> You have signed the form.</p>		<p>For further information, please see the guidance notes on the website at www.companieshouse.gov.uk or email enquiries@companieshouse.gov.uk</p> <p>This form is available in an alternative format. Please visit the forms page on the website at www.gov.uk/companieshouse</p>	

GRASMERE GRANGE LIMITED - IN COMPULSORY LIQUIDATION

Liquidator's Annual Progress Report to Creditors and Members for the period 11th December 2017 to 10th December 2018

STATUTORY INFORMATION

Name of Company:	GRASMERE GRANGE LIMITED
Registered Office:	Floor D, Milburn House, Dean Street, Newcastle upon Tyne, NE1 1LE
Former Registered Office:	6 Grasmere Avenue, Whitefield, Manchester, M45 7GN
Registered Number:	07250175
Court Name and Number:	MANCHESTER COUNTY COURT NO 3983 OF 2013
Liquidator's Name:	James Richard Duckworth
Liquidator's Address:	Freeman Rich, Floor D, Milburn House, Dean Street, Newcastle upon Tyne, NE1 1LE
Contact Telephone Number:	0191 2611839
Date of Winding-up Order:	19th August 2013
Liquidator's Date of Appointment:	11th December 2015 – R A Upton 15th December 2015 – J R Duckworth *(See note below)

As advised in the previous Annual Progress Report, Robin Andrew Upton ("Mr. Upton") of Robin Upton Insolvency retired and I was appointed in his place by an Order of the Court on 15th December 2015.

No work was undertaken by Mr Upton in this matter as the handover was not received from the Official Receiver until after his retirement.

SUMMARY OF LIQUIDATOR'S ACTIONS SINCE APPOINTMENT

A summary of the assets dealt with in prior periods is shown below. Full details were provided in the previous Annual Progress Reports:-

Creditors will be aware from my previous Reports that following my initial enquiries and investigations I identified a claim to be made against the former Director, Lee Simon Shuell ("Mr Shuell").

LIQUIDATOR'S ACTIONS SINCE LAST REPORT

This is the third Annual Progress Report and should be read in conjunction with the previous Annual Progress Reports.

I have spent time in the reporting period as follows:-

- Preparing and issuing the last Annual Progress Report.
- Carrying out periodic reviews of the case.
- Completing statutory matters.
- Carrying out ongoing cashiering work.
- Quarterly Bond reviews.
- Due Diligence requirements.

In addition to the statutory requirements above I have dealt with the assets in this period as follows:-

Claims Against the Director

Mr Shuell previously stated that he was unable to make payment in respect of the claim against him, however he has failed to provide a statement of means as requested, despite six requests in this period. I will consider what action is to be taken and will provide details in my next report.

RECEIPTS AND PAYMENTS ACCOUNT

My Receipts & Payments Account for the period from 11th December 2017 to 10th December 2018 is attached. All amounts in the Receipts & Payments Account are shown net of VAT.

The account attached to this Report has been reconciled with that which is held by the Secretary of State in respect of the winding up.

ASSETS

There were no assets disclosed in this matter.

LIABILITIES

Secured Creditors

According to Companies House, there is a debenture registered in favour of Ellis Carlick and Rosalyn Carlick dated 30th June 2010.

There are provisions of the insolvency legislation that require a Liquidator to set aside a percentage of a Company's assets for the benefit of the unsecured creditors in cases where the Company gave a "Floating Charge" over its assets to a lender on or after 15th September 2003. This is known as the "prescribed part of the net property" ("prescribed part"). A Company's net property is that left after paying the preferential creditors, but before paying the lender who holds a Floating Charge. Any costs of the liquidation that are payable before the Liquidator has reached a position to make a distribution to the Floating Charge Holder have to be deducted from Floating Charge realisations before arriving at an amount for the "net property" of the Company. As a result, the costs associated with realising Floating Charge assets, paying preferential claims in full, the general costs of winding-up and the costs of confirming the validity of the Floating Charge will have to be deducted before the "net property" is calculated. The prescribed part that the Liquidator then has to set aside for unsecured creditors is:

- 50% of the first £10,000 of the net property; and
- 20% of the remaining net property;

up to a maximum of £600,000.

I do not yet know the full extent of the Company's assets and so therefore cannot comment any further on whether there will be a prescribed part of the Company's net property available to unsecured creditors. I will provide further information to creditors when I am able to.

Unsecured Creditors

The Official Receiver's Report to Creditors included unsecured creditors with an estimated total liability of £65,039.82. To date I have received claims from three creditors in the total sum of £130,765.40. I have not received claims from four further creditors of an unknown sum.

The claim submitted by HM Revenue & Customs was significantly greater than the original estimated amount.

DIVIDEND PROSPECTS

The payment of a dividend in this matter will be largely dependent upon the extent of realisations and the costs of realisation. I am unable at this stage to comment any further on the prospects of a dividend.

INVESTIGATION INTO THE AFFAIRS OF THE COMPANY

Enquiries were made with a creditor regarding Mr Shuell's situation.

LIQUIDATOR'S REMUNERATION

My remuneration was approved on 25th January 2017 on a time costs basis based on a fees estimate of £18,119.22. The fee estimate acts as a cap and I cannot draw remuneration in excess of that estimate without first seeking approval from the creditors. My total time costs to 10th December 2018 amount to £14,094.99 representing 93 hours and 45 minutes of work at a blended charge out rate of £150 per hour, of which £2,134.58 representing 15 hours and forty minutes of work, was charged in the period since 11th December 2017 at a blended charge out rate of £136 per hour. The actual blended charge out rate incurred compares with the estimated charge out rate of £149.71 in my fees estimate.

I have not been able to draw any remuneration in this matter.

Further work remains to be done and I do not anticipate at the present time that my time costs will exceed the original estimate. However, I shall continue to review this and shall seek an increase from creditors if necessary.

Information about creditors' rights is published by The Association of Business Recovery Professionals. A copy of 'A Creditor's Guide to Liquidator's Fees' can be viewed online at <https://www.r3.org.uk/what-we-do/publications/professional/fees>. There are different versions of these Guidance Notes and in this case please refer to the November 2011 version.

Time to be charged on all cases is in 5 minute units and hourly billing rates for the periods since the date of Mr. Upton's appointment are as follows (plus VAT):-

	From April 2011	
See note below	A	B
Insolvency Practitioners	255.00	425.00
Chartered Accountants/Solicitor	240.00	320.00
Associates	220.00	330.00
Managers	175.00	225.00
Senior Professionals	150.00	225.00
Administrator	120.00	180.00
Cashier	100.00	
Assistants	90.00	120.00
Support Staff	85.00	115.00

A Basic Charge out rates

B Charge out rates for special investigation work undertaken in complex cases

I will continue to apply the same rates.

A schedule of the time costs incurred in this period is shown in the analysis below:-

	Insolvency Practitioner	Other Snr Prof.	Cashier	Assistants	Support Staff	Total	Total	Avg. Hrly.
	Hours	Hours	Hours	Hours	Hours	Hours	£	Rate £
Administration and planning - See Note A above								
Statutory	0.00	3.08	0.00	2.67	0.00	5.75	702.50	
Maintenance of Records	0.17	0.25	0.00	0.75	0.00	1.17	147.50	
General Admin	0.17	0.00	0.00	1.58	0.17	1.92	199.17	
VAT & TAX	0.00	0.50	0.00	0.00	0.00	0.50	75.00	
Review	0.75	3.58	0.00	0.58	0.00	4.92	781.25	
Cashiering	0.00	0.00	0.17	0.00	0.00	0.17	16.66	
	1.08	7.42	0.17	5.58	0.17	14.42	1922.08	133
Investigations - See Note B above								
Initial Investigation	0.00	0.33	0.00	0.00	0.00	0.33	75.00	
	0.00	0.33	0.00	0.00	0.00	0.33	75.00	225
Realisation of Assets - See Note A above								
Directors Loan Accounts	0.00	0.83	0.00	0.00	0.00	0.83	125.00	
	0.00	0.83	0.00	0.00	0.00	0.83	125.00	150
Creditors - See Note A above								
General Correspondence	0.00	0.08	0.00	0.00	0.00	0.08	12.50	
	0.00	0.08	0.00	0.00	0.00	0.08	12.50	150
Total hours	1.08	8.67	0.17	5.58	0.17	15.67	2134.58	
Total Costs (£)	276.25	1325.00	16.66	502.50	14.17		2134.58	136

A schedule of the time costs incurred since Mr Upton's appointment is shown in the analysis below:-

	Insolvency Practitioner	Chartered Accountant	Associate	Other Snr Prof.	Cashier	Assistants	Support Staff	Total Hours	Total Costs £	Avg. Hrly. Rate £
Administration and planning - See Note A above										
Open	0.00	0.00	0.00	0.00	0.00	3.25	0.00	3.25	292.50	
Planning	0.00	0.00	0.00	1.00	0.00	0.00	0.00	1.00	150.00	
Statutory	0.00	0.00	0.00	9.08	0.00	7.17	0.00	16.25	2015.83	
Maintenance of Records	0.58	0.00	0.00	1.17	0.00	1.67	0.00	3.42	473.75	
General Admin	0.17	0.00	0.08	6.08	0.00	13.50	0.67	20.50	2245.00	
VAT & TAX	0.00	0.00	0.00	2.08	0.00	0.00	0.00	2.08	312.50	
Review	1.17	0.58	0.00	8.92	0.00	0.92	0.00	11.58	1857.50	
Cashiering	0.00	0.00	0.00	0.00	1.50	0.00	0.00	1.50	149.96	
	1.92	0.58	0.08	28.33	1.50	26.50	0.67	59.58	7497.04	126
Investigations - See Note B above										
Initial Investigation	0.00	0.00	0.00	3.92	0.00	0.00	0.00	3.92	881.25	
HMLR Enquiries/Searches	0.00	0.00	0.00	0.75	0.00	0.00	0.00	0.75	168.75	
Bank Enquiries	0.00	0.00	0.00	10.67	0.00	0.00	0.00	10.67	2400.00	
Enquiry Financial Advisors	0.00	0.00	0.00	6.33	0.00	0.00	0.00	6.33	1425.00	
Instructing Solicitors/Notes to assist	0.92	0.00	0.00	0.00	0.00	0.00	0.00	0.92	389.58	
	0.92	0.00	0.00	21.67	0.00	0.00	0.00	22.58	5264.58	233
Realisation of Assets - See Note A above										
Directors Loan Accounts	0.00	0.00	0.08	3.92	0.00	0.00	0.00	4.00	605.83	
FPI	0.00	0.00	0.00	0.00	0.00	4.50	0.00	4.50	405.00	
	0.00	0.00	0.08	3.92	0.00	4.50	0.00	8.50	1010.83	119
Creditors - See Note A above										
Agreeing Creditors Claims	0.00	0.00	0.00	0.00	0.00	0.42	0.00	0.42	37.50	
General Correspondence	0.00	0.00	0.00	0.75	0.00	1.92	0.00	2.67	285.00	
	0.00	0.00	0.00	0.75	0.00	2.33	0.00	3.08	322.50	105
Total hours	2.83	0.58	0.17	54.67	1.50	33.33	0.67	93.75	14094.95	
Total Costs (£)	878.33	140.00	36.66	9833.33	149.96	3000.00	56.67		14094.95	150

A description of the routine work undertaken in this period is as follows:-

Administration:

- Dealing with all routine correspondence and emails relating to the case.
- Cashiering – Creating, maintaining and managing the office holder's cashbook.
- Logging and banking of estate receipts and payments.
- Undertaking regular reconciliations of the bank account containing estate funds.
- Reviewing the adequacy of the specific penalty bond on a quarterly basis.
- Undertaking periodic reviews of the progress of the case.
- Overseeing and controlling the work done on the case by case administrators.
- Preparing, reviewing and issuing Annual Progress Reports to Creditors and Members.
- Filing Returns at Companies House.
- Preparing and filing Corporation Tax Returns.
- Ongoing Due Diligence and consideration of threats to fundamental principles.

Investigations:

- Enquiries regarding Director's situation.

Realisation of Assets:

- Corresponding with Director regarding the recovery of potential claims.

Creditors:

- Dealing with creditor correspondence, emails and telephone conversations regarding their claims.

LIQUIDATOR'S DISBURSEMENTS

Category 1 Disbursements

The expenses to date amount to £153.50, none of which were incurred during this period.

I have not been able to draw any expenses in this matter.

The following expenses have been incurred and paid by me. Any which are unpaid will be reimbursed when sufficient funds are available, subject to any priority payments.

Type of expense	Amount incurred in this period	Amount incurred to date	Amount unpaid
	£	£	£
H.M. Land Registry charges	0.00	23.00	23.00
Bordereau	0.00	56.00	56.00
Advertising	0.00	74.50	74.50

Category 2 Disbursements

The Category 2 Disbursements were approved by creditors following a Resolution by Correspondence made on 25th January 2017.

There are no Category 2 Disbursements to date.

A policy decision has been made not to charge postage.

FURTHER INFORMATION

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 of this Report. Any secured creditor may request the same details in the same time limit.

An unsecured creditor may, with the permission of the court or with the concurrence of 10% in value of the creditors (including the creditor in question), apply to court to challenge the amount and/or basis of the 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.

SUMMARY

The liquidation will remain open until such time as my enquiries and investigations are concluded and any claims have been settled. I shall then proceed to finalise the liquidation and my files will be closed.

COMPLAINTS PROCEDURE

At Freeman Rich we always strive to provide a professional and efficient service. However, we recognise that it is in the nature of insolvency proceedings for disputes to arise from time to time. As such, should you have any comments or complaints regarding the administration of this case, then in the first instance you should contact me at the address given in this Report.

If you consider that I have not dealt with your comments or complaint appropriately you may then put details of your concerns in writing to our complaints officer, Jonathan Turley, at this office. This will formally invoke our complaints procedure and we will endeavour to deal with your complaint under the supervision of a senior member of staff unconnected with the appointment.

Most disputes can be resolved amicably either through the provision of further information or following negotiations. However, in the event that you have exhausted our complaints procedure and you are not satisfied that your complaint has been resolved or dealt with appropriately, you may complain to the regulatory body that licences the insolvency practitioner concerned. Any such complaints should be addressed to The Insolvency Service, IP Complaints, 3rd Floor, 1 City Walk, Leeds, LS11 9DA, and you can make a submission using an on-line form available at www.gov.uk/complain-about-insolvency-practitioner; or you can e-mail insolvency.enquiryline@insolvency.gsi.gov.uk; or you may phone 0300 678 0015.

Should you have any queries regarding this Report, or the liquidation in general, please contact either myself or Mrs Burley at this office.

Dated this 25th day of January 2019

A handwritten signature in black ink, appearing to be 'J R DUCKWORTH', written over a horizontal line.

J R DUCKWORTH
Liquidator

Grasmere Grange Limited
(In Liquidation)
Liquidator's Summary of Receipts & Payments

Statement of Affairs £	From 11/12/2017 To 10/12/2018 £	From 19/08/2013 To 10/12/2018 £
ASSET REALISATIONS		
Deposit on Petition	NIL	1,165.00
	NIL	1,165.00
COST OF REALISATIONS		
HM Land Registry charges	NIL	23.00
Official Receivers Disbursements	NIL	2,235.00
ISA Banking Fees	88.00	264.00
Petitioners Costs	NIL	1,995.00
Bordereau	NIL	56.00
Advertising	NIL	74.50
	(88.00)	(4,647.50)
	(88.00)	(3,482.50)
REPRESENTED BY		
Vat Receivable		14.90
Category 1 Disbursements		(168.40)
Insolvency Services Account		(1,334.00)
Petitioning Creditor's Costs		(1,995.00)
		(3,482.50)

Note:

All amounts in this Receipts & Payments Account are exclusive of VAT.

The Liquidator's Receipts & Payments Account has been reconciled with that held by the Secretary of State at The Insolvency Service.