

Liquidator's Progress Report

S.192

Pursuant to Sections 92A and 104A and 192
of the Insolvency Act 1986

To the Registrar of Companies

Company Number

07372061

Name of Company

Cobus Coach Refurbishment Limited

We

Rob Sadler, 11 Clifton Moor Business Village, James Nicolson Link, Clifton Moor, York, YO30 4XG

Andrew Mackenzie, 11 Clifton Moor Business Village, James Nicolson Link, Clifton Moor, York, YO30 4XG

the liquidators of the company attach a copy of our Progress Report
under section 192 of the Insolvency Act 1986

The Progress Report covers the period from 20/02/2015 to 19/02/2016

FRIDAY



A32 *A55XPUKO* 29/04/2016 #178
COMPANIES HOUSE

Signed

Date

18.4.16

Begbies Traynor (Central) LLP
11 Clifton Moor Business Village
James Nicolson Link
Clifton Moor
York
YO30 4XG

Ref CO308CVL/RS/AGM/MJ/DAH



Cobus Coach Refurbishment Limited (In Creditors' Voluntary Liquidation)

Progress report

Period: 20 February 2015 to 19 February 2016

Important Notice

This progress report has been produced solely to comply with our statutory duty to report to creditors and members of the Company on the progress of the liquidation. The report is private and confidential and may not be relied upon, referred to, reproduced or quoted from, in whole or in part, by creditors and members for any purpose other than this report to them, or by any other person for any purpose whatsoever.

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1. INTERPRETATION

<u>Expression</u>	<u>Meaning</u>
"the Company"	Cobus Coach Refurbishment Limited (In Creditors' Voluntary Liquidation)
"the liquidation"	The appointment of liquidators pursuant to Section 98 of the Act on 20 February 2013
"the liquidators", "we", "our" and "us"	Rob Sadler of Begbies Traynor (Central) LLP, 11 Clifton Moor Business Village, James Nicolson Link, Clifton Moor, York, YO30 4XG and Andrew Mackenzie of Begbies Traynor (Central) LLP, 11 Clifton Moor Business Village, James Nicolson Link, Clifton Moor, York, YO30 4XG
"the Act"	The Insolvency Act 1986 (as amended)
"the Rules"	The Insolvency Rules 1986 (as amended)
"secured creditor" and "unsecured creditor"	Secured creditor, in relation to a company, means a creditor of the company who holds in respect of his debt a security over property of the company, and "unsecured creditor" is to be read accordingly (Section 248(1)(a) of the Act)
"security"	(i) In relation to England and Wales, any mortgage, charge, lien or other security (Section 248(1)(b)(i) of the Act), and (ii) In relation to Scotland, any security (whether heritable or moveable), any floating charge and any right of lien or preference and any right of retention (other than a right of compensation or set off) (Section 248(1)(b)(ii) of the Act)
"preferential creditor"	Any creditor of the Company whose claim is preferential within Sections 386, 387 and Schedule 6 to the Act

2. COMPANY INFORMATION

Trading name(s)	Cobus Coach Refurbishment Limited
Company registered number	07372061
Company registered office	11 Clifton Moor Business Village, James Nicolson Link, Clifton Moor, York, YO30 4XG
Former trading address	Carnaby Industrial Estate, Lancaster Road, Carnaby, Bridlington, YO15 3QY

3. DETAILS OF APPOINTMENT OF LIQUIDATORS

Date winding up commenced	20 February 2013
Date of liquidators' appointment	20 February 2013
Changes in liquidator (if any)	Andrew Mackenzie replaced Andrew Clay as joint liquidator on 17 December 2014 by order of the Court

4. PROGRESS DURING THE PERIOD

Attached at Appendix 1 is our abstract of receipts and payments for the period from 20 February 2015 to 19 February 2016

Bank Interest

The only receipt during the period related to bank interest totalling £4 following the investment of funds

Book Debts

Efforts to collect the unpaid book debts have continued throughout the period. Ison Harrison solicitors of Leeds have been instructed to act on our behalf. The value of the outstanding debts is approximately £19,000, however, the majority of debts have been disputed and we may be required to issue legal proceedings to achieve any further recoveries. This matter is ongoing.

5. ESTIMATED OUTCOME FOR CREDITORS

Details of the sums owed to each class of the Company's creditors were provided in the directors' statement of affairs included within the report sent to creditors further to our appointment as liquidators.

On the basis of realisations to date and estimated future realisations we estimate an outcome for each class of the Company's creditors as follows:

Secured creditor

The prospect of a distribution to the Bank under the terms of its floating charge is wholly dependent upon the level of future book debt recoveries.

Preferential creditors

The prospect of a dividend to the preferential creditor is wholly dependent upon the level of future book debt recoveries.

Prescribed Part for unsecured creditors pursuant to Section 176A of the Act

Details of how the prescribed part for unsecured creditors is calculated were provided in our progress report for the period 20 February 2013 to 19 February 2014.

Unsecured creditors

The prospect of a distribution to unsecured creditors is wholly dependent on the level of future book debt collections

6. REMUNERATION & DISBURSEMENTS

Remuneration

Our remuneration has been fixed by a resolution of creditors at the meeting held pursuant to Section 98 of the Act by reference to the time properly given by us (as liquidators) and the various grades of our staff calculated at the prevailing hourly charge out rates of Begbies Traynor (Central) LLP in attending to matters arising in the liquidation and we are authorised to draw disbursements, including disbursements for services provided by our firm (defined as category 2 disbursements in Statement of Insolvency Practice 9) in accordance with our firm's policy, details of which accompanied the Statement of Affairs and other information presented to the meeting of creditors convened pursuant to Section 98 of the Act and which is attached at Appendix 2 of this report

Our time costs for the period from 20 February 2015 to 19 February 2016 amount to £2,086 50 which represents 7.8 hours at an average rate of £267 50 per hour

The following further information in relation to our time costs and disbursements is set out at Appendix 2

- ☐ Narrative summary of time costs incurred
- ☐ Table of time spent and charge-out value for the period 20 February 2015 to 19 February 2016
- ☐ Begbies Traynor (Central) LLP's charging policy

To 19 February 2016, we have drawn the total sum of £15,500 on account of our remuneration, against total time costs of £18,010 50 incurred since the date of our appointment

In addition to the table of time spent by us and our staff in attending to matters arising in the liquidation for the period covered by this progress report, a cumulative table of time spent and charge out value for the period from 20 February 2013 to 19 February 2016 is also attached at Appendix 2

Disbursements

To 19 February 2015, we have also drawn disbursements in the sum of £342

No disbursements have been drawn in the reporting period

A copy of 'A Creditors' Guide to Liquidators Fees (E&W) 2011' which provides guidance on creditors' rights on how to approve and monitor a Liquidator's remuneration and on how the remuneration is set can be obtained online at www.begbies-traynor.com/creditorsguides. Alternatively, if you require a hard copy of the Guide, please contact our office and we will arrange to send you a copy

7. LIQUIDATORS' EXPENSES

No expenses have been incurred during the reporting period. A cumulative statement showing the total expenses incurred since the date of our appointment also appears at Appendix 3

8. ASSETS THAT REMAIN TO BE REALISED

Book Debts

As detailed above, with the assistance of our solicitors, we continue to pursue a number of outstanding book debts which have a total book value of approximately £19,000. It is likely that legal action will be necessary to pursue these debts further and therefore the prospects of future recoveries are uncertain at this stage.

9. OTHER RELEVANT INFORMATION

Investigations and reporting on directors conduct

You may be aware that a liquidator has a duty to enquire into the affairs of an insolvent company to determine its property and liabilities and to identify any actions which could lead to the recovery of funds. In addition, as explained in the report circulated at the meeting of creditors convened pursuant to Section 98 of the Act, such report having also been sent to creditors following the meeting, a liquidator is also required to consider the conduct of the Company's directors and to make an appropriate submission to the Department for Business Innovation and Skills. We can confirm that we have discharged our duties in these respects.

Connected party transactions

Information in relation to the sale of assets to Steve Waggitt, a director of the Company, was provided in our progress report for the period 20 February 2013 to 19 February 2014.

10. CREDITORS' RIGHTS

Right to request further information

Pursuant to Rule 4.49E of the Rules, within 21 days of the receipt of this report a secured creditor, or an unsecured creditor with the concurrence of at least 5% in value of the unsecured creditors, including that creditor, (or an unsecured creditor with less than 5% in value of the unsecured creditors, but with the permission of the court) may request in writing that we provide further information about our remuneration or expenses which have been detailed in this progress report.

Right to make an application to court

Pursuant to Rule 4.131 of the Rules, any secured creditor or any unsecured creditor with the concurrence of at least 10% in value of the unsecured creditors including that creditor, (or any unsecured creditors with less than 10% in value of the unsecured creditors, but with the permission of the court) may, within 8 weeks of receipt of this progress report, make an application to court on the grounds that the remuneration charged or the expenses incurred as set out in this progress report are excessive or, the basis fixed for our remuneration is inappropriate.

11. CONCLUSION

We will report again in approximately twelve months time or at the conclusion of the liquidation, whichever is the sooner

A handwritten signature in black ink, appearing to read 'Rob Sadler', followed by a long horizontal line extending to the right.

Rob Sadler
Joint Liquidator

Dated 18 April 2016

ACCOUNT OF RECEIPTS AND PAYMENTS

Period. 20 February 2015 to 19 February 2016

Cobus Coach Refurbishment Limited
(In Liquidation)
Joint Liquidators' Abstract of Receipts & Payments

Statement of Affairs		From 20/02/2015 To 19/02/2016	From 20/02/2013 To 19/02/2016
	ASSET REALISATIONS		
10,000 00	Plant & Machinery	NIL	23,940 00
1,500 00	Stock	NIL	1,500 00
24,646 00	Book Debts	NIL	8,525 56
Uncertain	Directors' Loan Accounts	NIL	NIL
	Sundry Refund	NIL	178 43
	Bank Interest (Gross)	3 69	13 48
	Rates refund	NIL	1,405 37
		3 69	35,562 84
	COST OF REALISATIONS		
	Specific Bond	NIL	80 00
	Statement of Affairs Fee	NIL	6,500 00
	Liquidators' Remuneration	NIL	15,500 00
	Accountancy Fees	NIL	1,000 00
	Debt Collection Costs	NIL	451 48
	Agent's/Valuer's Fees	NIL	7,502 22
	Statutory Searches	NIL	3 00
	Travel & Subsistence	NIL	109 60
	Room Hire	NIL	25 00
	Statutory Advertising	NIL	225 00
	Insurance of Assets	NIL	106 00
	Business Rates Audit Fees	NIL	351 34
		NIL	(31,853 64)
	PREFERENTIAL CREDITORS		
(2,500 00)	Employees (Wage Arrears/Holiday Pay)	NIL	NIL
		NIL	NIL
	FLOATING CHARGE CREDITORS		
(147,770 00)	HSBC Bank Plc (Debenture 03/03/11)	NIL	NIL
		NIL	NIL
	UNSECURED CREDITORS		
(36,839 00)	Trade & Expense Creditors	NIL	NIL
(75,000 00)	Employees (Wages/Redundancy/Notice)	NIL	NIL
(24,387 00)	HMRC (PAYE/NIC)	NIL	NIL
(25,765 00)	HMRC (Corporation Tax)	NIL	NIL
		NIL	NIL
	DISTRIBUTIONS		
(100 00)	Ordinary Shareholders	NIL	NIL
		NIL	NIL
(276,215.00)		3.69	3,709.20
	REPRESENTED BY		
	Bank (Current Account)		3,709 20
			3,709.20

TIME COSTS AND DISBURSEMENTS

- a Begbies Traynor (Central) LLP's charging policy,
- b Narrative summary of time costs incurred,
- c Table of time spent and charge-out value for the period from 20 February 2015 to 19 February 2016, and
- d Cumulative table of time spent and charge-out value for the period from 20 February 2013 to 19 February 2016

BEGBIES TRAYNOR CHARGING POLICY

INTRODUCTION

This note applies where a licensed insolvency practitioner in the firm is acting as an office holder of an insolvent estate and seeks creditor approval to draw remuneration on the basis of the time properly spent in dealing with the case. It also applies where further information is to be provided to creditors regarding the office holder's fees following the passing of a resolution for the office holder to be remunerated on a time cost basis. Best practice guidance¹ requires that such information should be disclosed to those who are responsible for approving remuneration.

In addition, this note applies where creditor approval is sought to make a separate charge by way of expenses or disbursements to recover the cost of facilities provided by the firm and also where payments are to be made to outside parties in which the office holder or his firm or any associate has an interest. Best practice guidance² requires that such charges should be disclosed to those who are responsible for approving the office holder's remuneration, together with an explanation of how those charges are calculated.

OFFICE HOLDER'S FEES IN RESPECT OF THE ADMINISTRATION OF INSOLVENT ESTATES

The office holder has overall responsibility for the administration of the estate. He/she will delegate tasks to members of staff. Such delegation assists the office holder as it allows him/her to deal with the more complex aspects of the case and ensures that work is being carried out at the appropriate level. There are various levels of staff that are employed by the office holder and these appear below.

The firm operates a time recording system which allows staff working on the case along with the office holder to allocate their time to the case. The time is recorded at the individual's hourly rate in force at that time which is detailed below.

EXPENSES INCURRED BY OFFICE HOLDERS IN RESPECT OF THE ADMINISTRATION OF INSOLVENT ESTATES

Best practice guidance classifies expenses into two broad categories:

- *Category 1 disbursements (approval not required)* - specific expenditure that is directly related to the case usually referable to an independent external supplier's invoice. All such items are charged to the case as they are incurred.
- *Category 2 disbursements (approval required)* - items of incidental expenditure directly incurred on the case which include an element of shared or allocated cost and which are based on a reasonable method of calculation.
 - (A) The following items of expenditure are charged to the case (subject to approval):
 - Internal meeting room usage for the purpose of statutory meetings of creditors is charged at the rate of £100 per meeting.
 - Car mileage is charged at the rate of 45p per mile.
 - (B) In addition to the 2 categories referred to above, best practice guidance indicates that where payments are made to outside parties in which the office holder or his firm or any associate has an interest these should be treated as Category 2 disbursements.

¹ Statement of Insolvency Practice 9 (SIP 9) – Remuneration of insolvency office holders in England & Wales

² Ibid 1

(C) The following items of expenditure which relate to services provided by an entity within the Begbies Traynor Group are to be charged to the case (subject to approval)

- Asset Appraisal and Disposal services are provided by BTG Asset Consulting, a division of BTG Consulting LLP, which is part of Begbies Traynor Group plc. Due to the varied nature of the work carried out, asset Appraisal and Disposal costs are charged on one or more of the following bases and are paid from asset realisations of the company

- 1 Time costs of £125 per hour
- 2 10% of realisations in respect of asset sales
- 3 A fixed charge fee in respect of specialised advice

(D) The following items of expenditure will normally be treated as general office overheads and will not be charged to the case although a charge may be made where the precise cost to the case can be determined because the item satisfies the test of a *Category 1 disbursement*

- Telephone and facsimile
- Printing and photocopying
- Stationery

BEGBIES TRAYNOR CHARGE-OUT RATES

Begbies Traynor is a national firm. The rates charged by the various grades of staff that may work on a case are set nationally, but vary to suit local market conditions. The rates applying to the York and Leeds offices as at the date of this report are as follows:

Grade of staff	Standard charge-out rate from 1 May 2011 until further notice (£ per hour)
Partner	395
Director	345
Senior Manager	310
Manager	265
Assistant Manager	205
Senior Administrator	175
Administrator	135
Trainee Administrator	110
Support	110

Time spent by support staff for carrying out shorter tasks, such as typing or dealing with post, is not charged to cases but is carried as an overhead. Only where a significant amount of time is spent at one time on a case is a charge made for support staff.

Time is recorded in 6 minute units.

SUMMARY OF OFFICE HOLDERS' TIME COSTS

CASE NAME	Cobus Coach Refurbishment Limited
CASE TYPE	Creditors Voluntary Liquidation
OFFICE HOLDERS	Rob Sadler and Andrew Mackenzie
DATE OF APPOINTMENT	20 February 2013

1 CASE OVERVIEW

- 1.1 This overview and the time costs analysis attached is intended to provide sufficient information to enable the body responsible for the approval of the office holders' fees to consider the level of those fees in the context of the case

1.2 **Complexity of the case**

As detailed in the liquidators' progress report for the period 20 February 2013 to 19 February 2014, the main aspects of the case involved the disposal of the Company's chattel assets and stock, collection of outstanding book debts and the investigation into the position regarding the directors' loan accounts

1.3 **Exceptional responsibilities**

We do not consider that we have taken on any exceptional responsibilities in dealing with this case

1.4 **The office holders' effectiveness**

We are of the opinion that we have carried out our duties effectively to date and maximised possible realisations for the general body of creditors. The strategy in disposing of the Company's chattel assets proved successful and realisations were significantly higher than the valuation obtained

Whilst book debt recoveries to date have been less than envisaged, matters in this regard are ongoing and legal advice is being sought

1.5 **Nature and value of property dealt with by the office holders**

Details in relation to the nature and value of the assets involved with this case are included within our progress reports

1.6 **Anticipated return to creditors**

Details in relation to the anticipated return to each class of creditor are included within our progress reports

1.7 **Time costs analysis**

An analysis of time costs incurred between 20 February 2014 and 19 February 2015 prepared in accordance with Statement of Insolvency Practice 9 is attached showing the number of hours spent by each grade of staff on the different types of work involved in the case, and giving the average hourly rate charged for each work type

The time costs analysis provides details of work undertaken by the Liquidators and their staff following their appointment only

1 8 Approval of fees, expenses and disbursements

Details in relation to the resolutions agreed are included in our progress report

1 9 Other professionals employed & their costs

Our choice was based on our perception of their experience and ability to perform this type of work, the complexity and nature of the assignment and the basis of our fee arrangement with them. We have reviewed the fees charged, which are itemised on the enclosed Receipts and Payments Account, and we are satisfied that they are reasonable given the circumstances of this case

2 EXPLANATION OF OFFICE HOLDERS' CHARGING AND DISBURSEMENT RECOVERY POLICIES

2 1 Begbies Traynor (Central) LLP's policy for charging fees and expenses incurred by office holders is attached at Appendix 2

2 2 The rates charged by the various grades of staff who may work on a case are attached at Appendix 2

3. SUMMARY OF WORK CARRIED OUT SINCE OUR LAST REPORT

3 1 Our progress report includes a summary of work undertaken during the reporting period

Staff Grade	Partner	Director	Snr Mngr	Mngr	Asst Mngr	Snr Admin	Admin	Jnr Admin	Support	Total Hours	Time Cost £	Average hourly rate £
General Case Administration and Planning		47			35		43	02		127	2,941 50	231 61
Administration		01		24			86	02	18	131	2,051 50	156 60
Total for General Case Administration and Planning		48		24	35		129	04	18	258	4,993 00	193 53
Compliance with the Insolvency Act, Rules and best practice	10						43			53	975 50	184 06
Appointment							70	05	01	80	1,149 00	143 63
Banking and Bonding		04										0 00
Case Closure												
Statutory reporting and statement of affairs	10		17	30						57	1,717 00	301 23
Total for Compliance with the Insolvency Act, Rules and best practice	20	04	17	30			113	05	01	190	3,841 50	202 18
Investigations	10	12		32			72			126	2,629 00	208 65
CDDA and investigations	10	12		32			72			126	2,629 00	208 65
Total for investigations	10	12		32			72			91	1,677 50	184 34
Debt collection			16	13			62			65	1,840 50	283 15
Property, business and asset sales	15	05		36			09					0 00
Retention of Title/Third party assets												
Total for Realisation of assets	16	05	16	49			71			156	3,518 00	225 51
Trading												0 00
Total for Trading												0 00
Dealing with all creditors claims (including employees), correspondence and distributions												0 00
Secured												
Others				17			97			114	1,760 00	154 39
Creditors committee												0 00
Total for Dealing with all creditors claims (including employees), correspondence and distributions				17			97			114	1,760 00	154 39
Meetings		10	03							13	438 00	336 92
Other			09							09	279 00	310 00
Tax		07					23			30	552 00	184 00
Litigation												0 00
Total for Other matters		17	12				23			52	1,289 00	244 04
Total hours by staff grade	45	86	45	152	35		505	09	19	596		
Total time cost by staff grade	1,777 50	2,967 00	1,395 00	4,028 00	717 50		6,817 50	99 00	209 00		18,010 50	
Average hourly rate £	395 00	345 00	310 00	265 00	205 00	0 00	135 00	110 00	110 00			201 01
Total fees drawn to date £											15,500 00	

[illegible]

CUMULATIVE STATEMENT OF EXPENSES

Type of expense	Name of party with whom expense incurred	Amount incurred £	Amount discharged £	Balance (to be discharged) £
Accountancy Fees	Asquith & Co	1,000	1,000	Nil
Debt Collection Costs	Ison Harrison Solicitors	451	451	Nil
Agent's fees	Landwood Group	7,502	7,502	Nil
Room Hire	Business Support York & North Yorkshire Ltd	25	25	Nil
Insurance of Assets	Marsh Limited	106	106	Nil
Business Rates Audit Fees	BWB	351	351	Nil