

The Insolvency Act 1986

**Administrator's progress report**

Name of Company Success Only Limited	Company number 07574144
In the High Court of Justice, Chancery Division, Manchester	Court case number 2905 of 2014

(a) Insert full name(s) and  
address(es) of Joint  
Administrator(s)

I (a)  
Gordon Craig  
Refresh Recovery Limited  
West Lancashire Investment Centre  
White Moss Business Park  
Skelmersdale  
Lancs WN8 9TG

(b) Insert dates

the Administrator of the above company attach a final progress report for the period

from

to

(b) 30 January 2015

(b) 21 July 2015

Signed \_\_\_\_\_  
Administrator

Dated 27 July 2015

**Contact Details:**

You do not have to give any contact information in the box opposite but if you do, it will help Companies House to contact you if there is a query on the form. The contact information that you give will be visible to searchers of the public record.

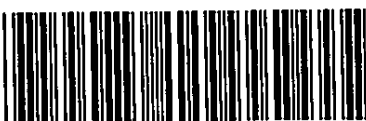
(Address as Above)	
	Tel
DX Number	DX Exchange

When you have completed and signed this form please send it to the Registrar of Companies at

Companies House, Crown Way, Cardiff, CF14 3UZ

DX 33050 Cardiff

THURSDAY



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30/07/2015

#384

COMPANIES HOUSE

**SUCCESS ONLY LIMITED**  
**(COMPANY NUMBER: 07574144)**

**(IN ADMINISTRATION)**

**ADMINISTRATOR'S FINAL PROGRESS REPORT**  
**IN ACCORDANCE WITH RULE 2.47**  
**THE INSOLVENCY RULES 1986**  
**DATED 27 JULY 2015**

**High Court of Justice**  
**Chancery Division**  
**NO 2905 of 2014**

**REFRESH RECOVERY LIMITED**  
**WEST LANCASHIRE INVESTMENT CENTRE**  
**WHITE MOSS BUSINESS PARK**  
**SKELMERSDALE**  
**LANCASHIRE**  
**WN8 9TG**

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## **1 Glossary**

Administrator	Gordon Craig of Refresh Recovery Limited, West Lancashire Investment Centre, White Moss Business Park, Skelmersdale, Lancashire, WN8 9TG
Company	Success Only Limited (Company Number 07574144) whose registered office is at the Administrator's offices (previously at Ribble House, Ribble Business Park, Philips Road, Blackburn, BB1 5RB)
Appointor	The Director of the Company

## **2 Introduction**

I write to provide you with an update on the progress of the Administration in accordance with Rule 2.47 of the Insolvency Rules 1986, covering the final 6 month period of the Administration. This report includes certain information required to be provided to creditors in accordance with the rules.

Gordon Craig was appointed Administrator of the Success Only Limited in the High Court of Justice Chancery Division Manchester District Registry 1 Bridge Street, on 30 July 2014. Court Administration number 2905 of 2014.

The appointment was made by the Director of the Company in accordance with Paragraph 22 of Schedule B1 of the Insolvency Act 1986.

## **3 Receipts and Payments**

A receipts and payments account for the period 30 January 2015 to 22 July 2015 is attached at Appendix 1.

## **4 Progress of the Administration**

### **4.1 Administrator's Proposals & Creditors' Meeting**

A meeting of creditors was held by correspondence on 27 November 2014 and the following proposals were approved:

- 1 It is proposed that the Administrator will continue to manage the affairs of the Company in order to achieve the objective of the Administration which has been outlined above.

- 2 When it is anticipated that no further realisations will be made in the Administration than would be available in a winding up, to take the necessary steps to put the Company into Creditors' Voluntary Liquidation (subject to 4 below)
- 3 If Creditors' Voluntary Liquidation is deemed appropriate, the Administrator be permitted to seek the appointment of Gordon Craig as Liquidator of the Company, without further recourse to creditors. In accordance with paragraph 87(3) of Schedule B1 of the Act and Rule 2.117(3) of the Rules, creditors may nominate a different person as the proposed Liquidator, provided that the nomination is made after the receipt of these proposals and before these proposals are approved
- 4 To seek an extension to the Administration period if deemed necessary by the Administrator
- 5 If, in accordance with Paragraph 84(1) of Schedule B1, the Company has no property which would permit distribution to creditors, the Administrator be permitted to move the Company from Administration to Dissolution rather than placing the Company into Creditors' Voluntary Liquidation
- 6 The Administrator shall have the authority to sanction and agree the fees of any solicitors or chattel agents by reference to the time costs of by such solicitors agents and their staff, in attending to matters arising in the Administration
- 7 Without prejudice to the provisions of Schedule B1 of the Act, the Administrator may carry out all other acts that they may consider to be incidental to the proposals above in order to assist in their achievement of the stated purposes of the Administration Order or any variation thereto

Additional resolutions were also approved at the meeting

#### Resolution 2

Under Rule 2.106 of the Insolvency (Amendment) Rules 2010 and in the absence of a Creditors' Committee, the remuneration of the Administrator be fixed in reference to time properly spent by him and his staff in attending to matters arising from the Administration

#### Resolution 3

In accordance with Statement of Insolvency Practice No 9, issued by the Association of Business Recovery Professionals, the Administrator be authorised to draw Category 1 and 2 disbursements in accordance with his firm's published tariff

#### Resolution 4

In accordance with Statement of Insolvency Practice No 9, issued by the Association of Business Recovery Professionals, the Administrator be authorised to draw remuneration and disbursements as and when funds are available

#### Resolution 5

The Administrator will be discharged from liability under Paragraph 98 of Schedule B1 to the Insolvency Act 1986 immediately upon his appointment as Administrator ceasing to have effect

Notice of the results of the creditors meeting was circulated to all known members and creditors on 27 November 2014. No Creditors' Committee was formed therefore the remuneration of the Administrator was fixed on a time costs basis and can be drawn when funds allow

### **4.2 Asset Realisations**

#### **4.2.1 Commissions**

As previously advised the Company had outstanding pipeline commissions and the Administrator was reviewing the available accounts to ensure all payable commissions due from third parties have been paid to the Company and not to other group companies. The accounts information available was insufficient to complete this investigation and no responses requesting further details of the commissions has currently been received from the third party concerned. The Company records have been requested from the connected companies Liquidators but these records are yet to be delivered up.

The Administrator has now received a copy of the agreement between the Company and the relevant party, clarification of the how or if the commissions were paid continues to be investigated. The quantum that will be available from this source is therefore still currently unknown.

#### **4.2.2 Misappropriation of Company Funds**

As previously advised the Director, following on from the HMRC investigation and the part review from the independent accountant, has noted a number of unidentified transactions from the bank statements. The destination of these funds is being investigated and a number of transactions have been queried with the Company's bankers. The bank has identified a number of these transactions which have been referred to the Director for his comments. The investigation is still ongoing and as noted above the records have been requested from the connected companies Liquidators in order that the investigation can progress.

#### **4.2.3 Inter-Company loan**

The Company accounts showed an inter-company group loan of £7,278. As the group companies are in insolvency proceedings any realisations, if any, are likely to be minimal.

#### **4.2.4 Cash at Bank**

The Company account had a nil balance.

#### **4.3 Secured Creditors**

Following a review of the Register of Mortgages and Charges, held at Companies House on the 4 July 2014, a fixed and floating charge was granted to the Bank and this was registered at Companies House on 5 July 2014. As noted above in section 4.2.4 it is understood that no funds are outstanding to the Bank.

The Company has no further secured creditors.

#### **4.4 Employees and Preferential Creditors**

The Company did not have any employees and therefore no preferential claims are anticipated.

#### **4.5 Other Creditors**

H M Revenue & Customs has submitted a claim in the sum of £8,360 in respect of unpaid PAYE & NIC and a claim of £197,987 in respect of VAT. The Director, Mr Butterwick, has submitted a claim in the sum of £140,000.

In accordance with Rule 2.33(1), the Administrator must estimate the amount of funds available to unsecured creditors in respect of the Prescribed Part. The Company has granted a floating charge to the bank. As there are no funds owed to the Bank the Prescribed Part will not apply. Similarly, the provisions of Section 176A(3) and 176A(5) will not apply.

It is expected that there will be a dividend from the realisations available from the commissions and misappropriation of funds, the quantum however is currently uncertain.

### **5 Investigation**

In accordance with SIP 2 I can advise that I have conducted an investigation into the affairs of the Company and I can report that I have not identified any further assets, prior transactions by the Company, or the conduct of any person involved with the Company that could give rise to a recovery for the estate.

During the course of the Administration, to comply with statutory obligations, the Administrator has carried out a review of the Director's conduct and has submitted a report to the Directors Disqualification Unit of the Department for Business, Innovation & Skills ("BIS") as required. The contents of this report are confidential between the Administrator and the BIS.

## **6 Pre-Appointment Administrator's Fees and Disbursements**

I can advise that my pre-appointment time costs have been written off.

Legal costs were paid to Turner Parkinson Solicitors of Manchester which amount to £2,000 plus VAT plus disbursements in respect of preparing and lodging the appointment documents. These costs were paid by the Director personally prior to the Administration.

## **7 Administrator's Fees and Disbursements**

It has been agreed by the unsecured creditors that the Administrator be remunerated on a time cost basis and be authorised to draw fees as and when funds allow. A summary of the Administrator's time costs for the current period and the full period of the Administration are attached at Appendix 2.

Time costs of £2,132.50 have been incurred during the current period which comprises 8.70 hours at an average cost of £245.11 per hour. Time costs for the full period of £13,857 have been incurred which consists of 53.70 hours at an average cost of £258.04 per hour. No fees have been drawn.

The work undertaken under each heading can be summarised as follows -

### **Administration and Planning**

Case Planning, Administrative set up, Appointment and notification, Estate accounting including bank reconciliations, Drafting Reports, Correspondence with Directors requesting information, Drafting and reviewing general correspondence, Review of case.

### **Investigation**

Review and compliance with Statement of Insolvency (SIP 2), Reviewing and investigating Company books and records and Directors conduct, Report to the Department of Business, Innovation and Skills in accordance with the Company Directors Disqualification Act 1986 ("CDDA"),

### **Creditors**

Communication with creditors, Processing creditor claims



## Statutory Matters

### Reviewing Administrator's Proposals

The Administrator also has the following sundry disbursements

Supplier	Work Undertaken	Costs incurred since last report	Costs paid since last report	Total costs incurred	Total costs paid
Willis	Bond	£0	£0	£30 00	£0
Courts Advertising	Advertisement	£0	£0	£112 80	£0
Refresh Recovery	Postage	£2 96	£0	£11 04	£0
Refresh Recovery	Photocopying	£9 00	£0	£27 75	£0
Companies House	Search Fees	£0	£0	£3 00	£0

The current charge out rates for the Administrator and his staff are set out in Appendix 4

A Creditors' Guide to Administrator's Fees, can be downloaded from the following site -

<http://www.icaew.com/~media/Files/Technical/Insolvency/creditors-guides/creditors-guide-administrators-fees-final.pdf>

Please note that if you wish to have a hard copy of the Creditors' Guide to Administrators Fees please contact this office and a copy will be supplied to you free of charge


## **8 Creditors' rights**

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) may request in writing that the Administrator provide further information about his remuneration or expenses which have been itemised in this progress report

Any secured creditor, or an unsecured creditor (with the concurrence of at least 10% in value of the unsecured creditors) may within 8 weeks of receipt of this progress report make an application to court on the grounds that the basis fixed for the Administrator's remuneration, the remuneration charged or the expenses incurred by the Administrator as set out in this progress report are excessive

9. **Conclusion of the Administration**

In accordance with Paragraph 83(1)(b) of Schedule B1 of the Insolvency Act 1986 and as proposed by creditors at the meeting of creditors I enclose herewith a copy of the notice of the move from Administration into Creditors Voluntary Liquidation which was filed at Companies House on 21 July 2015



Gordon Craig  
Administrator

**Success Only Limited  
(In Administration)**

**Summary of Receipts & Payments**

RECEIPTS	Statement of Affairs (£)	From 30/07/2014 To 29/01/2015 (£)	From 30/01/2015 To 21/07/2015 (£)	Total (£)
		0 00	0.00	0 00
PAYMENTS				
		0.00	0.00	0.00
Net Receipts/(Payments)		0 00	0.00	0 00
MADE UP AS FOLLOWS				
		0.00	0.00	0 00

Note  
All Estate Bank Accounts are Interest Bearing

**Refresh Recovery Limited**

TIME &amp; CHARGEOUT SUMMARIES (POST)

Success Only Limited

From 30 Jan 2015 to 21 Jul 2015

HOURS							
Classification Of work Function	Partner	Manager	Other Senior Professional	Assistants & Support Staff	Total Hours	Time Cost £	Average Hourly Rate £
Administration & Planning	0 10	6 60	0 00	1 40	8 10	2,025 50	250 06
Creditors	0 00	0 00	0 00	0 40	0 40	40 00	100 00
Statutory Matters	0 20	0 00	0 00	0 00	0 20	67 00	335 00
Investigations	0 00	0 00	0 00	0 00	0 00	0 00	0 00
Realisation of Assets	0 00	0 00	0 00	0 00	0 00	0 00	0 00
Trading	0 00	0 00	0 00	0 00	0 00	0 00	0 00
Total Fees Claimed £	100 50	1,848 00	0 00	184 00		2,132 50	
Total Hours	0 30	6 60	0 00	1 80	8 70		
Average Rate	335 00	280 00	0 00	102 22			

# Refresh Recovery Limited

TIME & CHARGEOUT SUMMARIES (POST)

Success Only Limited

From 30 Jul 2014 to 21 Jul 2015

## HOURS

Classification Of work Function	Partner	Manager	Other Senior Professional	Assistants & Support Staff	Total Hours	Time Cost £	Average Hourly Rate £
Administration & Planning	3 80	36 20	0 00	7 20	47 20	12,165 00	257 73
Investigations	0 70	2 60	0 00	0 00	3 30	962 50	291 67
Creditors	0 00	0 10	0 00	1 20	1 30	148 00	113 85
Statutory Matters	0 90	1 00	0 00	0 00	1 90	581 50	306 05
Realisation of Assets	0 00	0 00	0 00	0 00	0 00	0 00	0 00
Trading	0 00	0 00	0 00	0 00	0 00	0 00	0 00
Total Fees Claimed £	1,809 00	11,172 00	0 00	876 00		13,857 00	
Total Hours	5 40	39 90	0 00	8 40	53 70		
Average Rate	335 00	280 00	0 00	104 29			

## **REFRESH RECOVERY LIMITED'S FEE AND EXPENSES**

### **1. TIME COST AND CHARGES OUT RATES**

The work involved in this Administration is detailed in the report to creditors

The current charge out rates for this Firm is as follows -

<b>Grade of Staff</b>	<b>(£ per hour)</b>
Insolvency Practitioner/Partner	335
Senior Manager	280
Manager	250
Case Supervisor	180
Senior Case Administrator	140
Case Administrator	100

All charge out rates are subject to periodic review. Any material amendments to charge out rates shall be advised to Creditors (or the Creditors' Committee, if appropriate) in subsequent statutory reports. 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 out 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 units of 0.10 of an hour (i.e. 6 minute units).

A creditors' guide to Administrator's fees is can be downloaded from the following site -

<http://www.icaew.com/~media/Files/Technical/Insolvency/creditors-guides/creditors-guide-administrators-fees-final.pdf>

Please note that if you wish to have a hard copy of the Creditors' Guide to Fees please contact this office and a copy will be supplied to you free of charge.

### **2. EXPENSES & DISBURSEMENT COSTS**

Where the Insolvency Practitioner in the firm acts as office-holder in an Administration, the firm will seek to re-charge these costs (plus VAT where applicable). In such cases to comply with Statement of Insolvency Practice 9 (SIP9), the standard disbursement cost and expense re-charge calculations will be based upon the firm's standard policy which is as follows:

#### **Category 1 Disbursements**

These costs will include, among other -

Statutory Advertising	As per advertisers/agents invoice
Statutory Bonding	Charged at cost
Postal Redirection	Charged at cost
Courier.	Charged at cost
Postage	First class postal charges based on the weight of the circular
Storage	Pro rata per number of boxes per storage charge invoice. An external storage provider provides this facility to the firm. Current

charges are £2 50 for the box and £4 25 per box per annum for the storage

Room Hire	No charge is made for meeting within the firm's office but charges made by others (including charges by the Landlord for rooms at West Lancashire Investment Centre) are charged at cost
Land Registry Searches	As per Land Registry invoice
Companies House Search	As per Companies House invoice
Travel	Charged at costs for public transport, taxis and car parking

## **Category 2 Disbursements**

This relates to expenditure which may be directly related to the Administration or where the costs is apportioned or allocated over a number of such cases and estimates are used in the calculation  
Such disbursements require creditor approval

Photocopier/Paper	£0 15 per sheet – irrespective of size Based on average costs of machine consumables (toner cartridges, maintenance etc) and paper	
Fax	£0 60 per page sent Based on the average costs involved in the use of fax machine consumables (toner cartridges, maintenance etc) and line costs	
Stationery.	Lever arch files	£3 63 each
	A-Z dividers	£2 69 each
	Multi punched pockets	£0 03 each
	C5 window envelopes	£0 04 each
	C4 (A4 unfolded) window envelopes	£0 08 each
Travel	45p per mile which is the cost reimbursed to staff	
Telephone	Conference and international calls are charged at cost	

All the above costs are subject to periodic review. Any material amendments to costs shall be advised to Creditors (or the Creditors' Committee, if appropriate) in subsequent statutory reports

## Notice of move from administration to creditors' voluntary liquidation

# 2.34B

Name of Company Success Only Limited	Company number 07574144
In the High Court of Justice, Chancery Division, Manchester District Registry	Court case number 2905 of 2014

(a) Insert name(s) and  
address(es) of  
administrator(s)

I (a) Gordon Craig of Refresh Recovery Limited, West Lancashire Investment Centre, Maple View, White Moss Business Park, Skelmersdale West Lancs WN8 9TG

(b) Insert name and  
address of registered  
office of company

having been appointed administrator of (b) Success Only Limited, West Lancashire Investment Centre, Maple View, White Moss Business Park, Skelmersdale West Lancs WN8 9TG

on (c) ) 30 July 2014 by (d) the director of Success Only Limited hereby give notice that the provisions of paragraph 83(1) of Schedule B1 to the Insolvency Act 1986 apply,

(c) Insert date of  
appointment

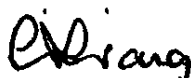
and it is proposed that (e) Gordon Craig of Refresh Recovery Limited, West Lancashire Investment Centre, Maple View, White Moss Business Park, Skelmersdale West Lancs WN8 9TG

will be the liquidator of the company (IP No 7983 )

(d) Insert name of  
applicant / appointor

I attach a copy of the final progress report

Signed



Administrator

Dated 13 July 2015

### Contact Details:

You do not have to give any contact information in the box opposite but if you do, it will help Companies House to contact you if there is a query on the form. The contact information that you give will be visible to searchers of the public record

(Address as Above)	
	Tel
DX Number	DX Exchange

Companies House receipt  
date barcode

When you have completed and signed this form please send it to the Registrar of Companies at

Companies House, Crown Way, Cardiff, CF14 3UZ

DX 33050 Cardiff