

# WU15

## Notice of final account prior to dissolution in a winding up by the court



Companies House

For further information, please  
refer to our guidance at  
[www.gov.uk/companieshouse](http://www.gov.uk/companieshouse)

### 1 Company details

Company number 0 7 7 6 8 3 2 3

Company name in full Opus Capital Investments Limited

→ Filling in this form  
Please complete in typescript or in  
bold black capitals.

### 2 Liquidator's name

Full forename(s) Mark

Surname Wilson

### 3 Liquidator's address

Building name/number 25 Farringdon Street

Street

Post town London

County/Region

Postcode E C 4 A 4 A B

Country

### 4 Liquidator's name ①

Full forename(s) Adrian

Surname Allen

① Other liquidator  
Use this section to tell us about  
another liquidator.

### 5 Liquidator's address ②

Building name/number Suite A, 7th Floor

Street City Gate East, Tollhouse Hill

Post town Nottingham

County/Region

Postcode N G 1 5 F S

Country

② Other liquidator  
Use this section to tell us about  
another liquidator.

WU15

Notice of final account prior to dissolution in a winding up by the court

6

**Liquidator's release**

Did any of the creditors object to the liquidator's release?

☐ Yes

☒ No

7

**Date of final account**

Date

<sup>d</sup>1<sup>d</sup>6<sup>m</sup>0<sup>m</sup>9<sup>y</sup>2<sup>y</sup>0<sup>y</sup>2<sup>y</sup>0

8

**Final account**

☒ The final account is attached

9

**Sign and date**

Liquidator's signature

Signature

X

*[Handwritten signature]*

X

Signature date

<sup>d</sup>1<sup>d</sup>9<sup>m</sup>1<sup>m</sup>1<sup>y</sup>2<sup>y</sup>0<sup>y</sup>2<sup>y</sup>0

# WU15

Notice of final account prior to dissolution in a winding up by the court



## Presenter 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.

Contact name	Max Alley
Company name	RSM Restructuring Advisory LLP
Address	25 Farringdon Street
Post town	London
County/Region	
Postcode	E C 4 A 4 A B
Country	
DX	
Telephone	0203 201 8000



## 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](http://www.gov.uk/companieshouse) or email [enquiries@companieshouse.gov.uk](mailto: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](http://www.gov.uk/companieshouse)

**In the matter of**

**Opus Capital Investments Limited In Liquidation  
(‘the Company’)**

**In the High Court of Justice no 3059 of 2015**

**Joint Liquidators' final account**

**19 January 2020 to 16 September 2020**

**Mark Wilson and Adrian Allen  
Joint Liquidators**

**RSM Restructuring Advisory LLP  
25 Farringdon Street  
London  
EC4A 4AB  
Tel: 0203 201 8000  
Email: [restructuring.london.si@rsmuk.com](mailto:restructuring.london.si@rsmuk.com)**

## Sections

1. Conduct of the winding-up
2. Creditors' claims and dividend prospects
3. Receipts and payments
4. Joint Liquidators' remuneration, expenses and disbursements
5. Creditors' right to information and ability to challenge remuneration and expenses
6. Closure of liquidation

## Appendices

- A. Statutory and other information
- B. Dividend information
- C. Summary of receipts and payments
- D. RSM Restructuring Advisory LLP charging, expenses and disbursements policy statement
- E. RSM Restructuring Advisory LLP London current charge out and category 2 disbursement rates
- F. Statement of expenses incurred by the Joint Liquidator in the period from 19 January 2020 to 16 September 2020
- G. Notice that company's affairs are fully wound up

This final account has been prepared in accordance with insolvency legislation to provide creditors with information relating to the progress of the Compulsory Liquidation in the period from 19 January 2020 to 16 September 2020. This final account should be read in conjunction with any previous reports that have been issued, copies of which are available on request.

This final account has been prepared solely to comply with the requirements of the relevant legislation. It has not been prepared for use in respect of any other purpose, or to inform any investment decision in relation to any debt or financial interest in the Company.

Neither the Joint Liquidators nor RSM Restructuring Advisory LLP accept any liability whatsoever arising as a result of any decision or action taken or refrained from as a result of information contained in this report.

## **1 Conduct of the winding-up**

### **1.1 Realisation of assets / Sale of business**

The Joint Liquidators are obliged to realise and get in the Company's property and maximise realisations. In some cases this does not result in sufficient realisations to result in a financial return to creditors, after taking into account the costs and expenses of realisation and dealing with the legislative requirements of administering the case. No realisations have been made in the period.

### **1.2 Investigations**

The Joint Liquidator's can advise you that, following their initial assessment, further investigations were undertaken to consider if there were potential claims against third parties. It can be confirmed that these actions have been concluded.

The Joint Liquidators' work would only lead to a financial return to creditors if any rights of action became visible during the course of the investigation, which led to a recovery for the benefit of the estate. In this instance, the further investigations did not lead to a recovery for the estate because no assets or claims were identified.

### **1.3 Administration and planning**

Certain aspects of the work that the Joint Liquidators undertake are derived from the underlying legal and regulatory framework for cases of this nature. This work, which does not usually result in any direct financial return to creditors, is a necessary aspect of ensuring that the Joint Liquidators are complying with both of their legislative and best practice responsibilities, and ensuring that the case is managed efficiently and effectively. It includes matters such as:

- Periodic case reviews, ongoing case planning and strategy
- Maintaining and updating computerised case management records
- Dealing with routine correspondence not attributable to other categories of work
- Ongoing consideration of ethical and anti-money laundering regulations
- General taxation matters, including seeking tax clearance from HMRC
- Preparation of receipts and payments accounts, maintenance of cashiering records
- Preparing, reviewing and issuing final report to creditors and other parties
- Filing of final documentation at Companies House, Court and other relevant parties
- General administrative matters in relation to closing the case

### **1.4 Change in Joint Liquidator**

As a result of Robert Armstrong resigning from RSM Restructuring Advisory LLP, by Court Order dated 21 April 2020, he was removed as Joint Trustee and Adrian Allen (IP No 8740) of RSM Restructuring Advisory LLP was appointed in his place. In accordance with the terms of the Order, Robert Armstrong was released from office with effect from 21 April 2020.

The costs of the application were met by RSM Restructuring Advisory LLP. The Order also provided that each creditor of the estate was at liberty to apply to vary or discharge the Order within 28 days of publication in the London Gazette.

## **2 Creditors' claims and dividend prospects**

No dividend has been paid to any creditors, as shown in Appendix B.

The Joint Liquidators are obliged to deal with a number of matters in relation to creditors to comply with both the legislative and best practice requirements and to ensure creditors are kept informed. Creditors will only derive an indirect financial return from this work on cases where a dividend is due to be paid:

- Preparation and issue of progress reports and associated documentation
- Maintenance of schedules of preferential and unsecured creditors' claims
- Dealing with correspondence and telephone calls
- Where necessary, consideration of creditors' claims; acceptance or rejection of claims and complying with legislative obligations in relation to adjudication of creditors' claims generally for voting and, if applicable, dividend purposes

## **2.1 Prescribed part**

The 'Prescribed Part' is a statutory amount set aside for unsecured creditors from funds ('Net Property') available to a Qualifying Floating Charge Holder ('QFCH'). The amount of Net Property is calculated on a sliding scale up to maximum £800,000 before costs depending on when the floating charge was created and whether or not it is a first ranking floating charge.

There are no creditors secured by charges over the assets and undertakings of the Company. There is therefore no requirement to estimate the amount of the prescribed part of the assets under Section 176A of the Insolvency Act 1986.

## **3 Receipts and payments**

We attach a summary of our receipts and payments for the period from 19 January 2020 to 16 September 2020 at Appendix C.

### **3.1 VAT basis**

Receipts and payments are shown net of VAT as the Company was not VAT registered, and consequently VAT is not recoverable from HM Revenue and Customs. The irrecoverable VAT is shown in the receipts and payments account as a 'cost of realisation'.

## **4 Joint Liquidators' remuneration, expenses and disbursements**

### **4.1 Authority for remuneration and disbursements**

The basis of our remuneration was approved by creditors on 12 July 2019, when the following resolution was passed:

1. That in accordance with the fee scope and assumptions provided to creditors on 26 June 2019 we shall be authorised to draw remuneration in respect of administration and planning and creditor related matters at the fixed amount of £15,000 (plus VAT).
2. That in accordance with the fee scope and assumptions provided to creditors on 26 June 2019 we shall be authorised to draw remuneration on a percentage basis of 15% of gross realisations (plus VAT), subject to a cap of £50,000.
3. That we shall be authorised to draw 'category 2' disbursements out of the assets as an expense of the liquidation, at the rates prevailing at the time the cost is incurred.

Consequently, we cannot draw more than £65,000 without obtaining further approval.

Approval was also given to the drawing of disbursements, including category 2 disbursements.

### **4.2 Remuneration and expenses incurred in the period from 19 January 2020 to 16 September 2020 and since appointment**

No remuneration has been drawn in the period as set out in the attached receipts and payments account.

The work that we do as Joint Liquidators is derived from the responsibilities placed upon us by the underlying legal and regulatory framework for work of this nature in general. The actual matters with which we have dealt are set out briefly in our earlier reports to creditors and this final account.

We believe this case generally to be of average complexity and no extraordinary responsibility has to date fallen upon us as Joint Liquidators. The underlying basis of charging proposed to and approved by the creditors has been RSM Restructuring Advisory LLP standard charge out rates. RSM Restructuring Advisory LLP charge out rates have been reviewed periodically.

### **4.3 Expenses and disbursements**

Attached are the Joint Liquidators' charging, expenses and disbursement policy statement, together with the current rates. Details of the expenses (including category 1 and category 2 disbursements) that the

Joint Liquidators have incurred in the period of the report are also attached. Expenses paid in the period, along with cumulative figures, are shown in the attached receipts and payments account.

## **5 Creditors' right to information and ability to challenge remuneration and expenses**

In accordance with the provisions of rule 18.9 Insolvency (England and Wales) Rules 2016 creditors have a right to request further information about remuneration or expenses and to challenge such remuneration or expenses under rule 18.34.

If you wish to make a request for further information then it must be made within 21 days of receipt of this report in writing by either

- (i) any secured creditor; or
- (ii) an unsecured creditor with the concurrence of at least 5% in value of the unsecured creditors.

Any secured creditor, or any unsecured creditor with either the concurrence of at least 10% in value of the unsecured creditors (including that creditor) or the permission of the court, may apply to court on the grounds that the remuneration charged, the basis fixed or expenses incurred by the Liquidator are in all the circumstances excessive.

Any such challenge must be made no later than eight weeks after receipt of the report or final account which first discloses the charging of remuneration or incurring of the expenses in question.

A Guide to Liquidators Fees, which provides information for creditors in relation to the remuneration of a Liquidator, can be accessed at [\[redacted\]](#) under 'general information for creditors'. A hard copy can be requested from my office by telephone, email or in writing.

## **6 Closure of liquidation**

### **6.1 Notice that the company's affairs are fully wound up**

Please see attached notice, which explains creditors' rights in respect of the closure of the liquidation. In addition to setting out creditors' rights, the notice explains how the Joint Liquidator will vacate office and obtain their release under the relevant legislation.

### **6.2 Release of Liquidator**

Creditors are advised that the release of the Joint Liquidators will be effective on the filing with the Registrar of Companies and with the court of a copy of our final account and statement whether any of the company's creditors objected to the liquidator's release. Further details are given in the notice that the company's affairs are fully wound up.

### **6.3 Dissolution of the Company**

The Company will be dissolved automatically (cease to exist) three months after we file our final account and statement with the Registrar of Companies.

Should you have any further queries please do not hesitate to contact me.



**Mark Wilson**  
**RSM Restructuring Advisory LLP**



## Appendix A

### Statutory and other information

Company Information	
Company name:	Opus Capital Investments Limited
Company number:	07768323
Date of incorporation:	9 September 2011
Previous company names:	Agt Investments Limited Carbon Neutral Investments Limited
Trading name:	Opus Capital Investments Limited
Trading address:	9th Floor, 25 Farringdon Street, London, EC4A 4AB
Principal activity:	Financial Intermediation, Except Insurance and Pension Funding
Registered office:	International House, 1-6 Yarmouth Place, London, W1J 7BU

Liquidation information		
Joint Liquidators:	Mark Wilson and Adrian Allen	
Date of appointment:	19 January 2018	
Court & reference:	In the High Court of Justice, 3059 of 2015	
Appointment by:	By The Secretary of State	
Functions:	The Joint Liquidators' appointment specified that they would have power to act jointly and severally. The Joint Liquidators' have exercised, and will continue to exercise, all of their functions jointly and severally as stated in the notice of appointment.	
Correspondence address & contact details of case manager	Karen Adams RSM Restructuring Advisory LLP, 25 Farringdon Street, London, EC4A 4AB Email: restructuring.london.si@rsmuk.com	
Name, address & contact details of Joint Liquidators	<b>Primary Office Holder</b> Mark Wilson RSM Restructuring Advisory LLP 25 Farringdon Street, London, EC4A 4AB 0203 201 8000 IP Number: 008612	<b>Joint Office Holder:</b> Adrian Allen RSM Restructuring Advisory LLP Suite A, 7th Floor, City Gate East, Tollhouse Hill, Nottingham, NG1 5FS 0203 201 8000 IP Number: 008740

## Appendix B

### Dividend information

	Owed*	Paid	Date paid
Secured creditors	Nil	Nil	N/A
Preferential creditors	Nil	Nil	N/A
Unsecured creditors	£826,004.91	Nil	N/A
Estimated net property	N/A		
Estimated prescribed part available for unsecured creditors	N/A		

\*As per claims received

Any estimated outcome for creditors is illustrative and may be subject to change.

## Appendix C

### Summary of receipts and payments

**Opus Capital Investments Limited  
In Liquidation  
Joint Liquidators' Summary of Receipts & Payments**

Statement of Affairs £		From 19/01/2020 To 16/09/2020 £	From 19/01/2018 To 16/09/2020 £
	COST OF REALISATIONS		
	ISA Quarterly Charges	44.00	220.00
	Winding Up Administration Fee	NIL	5,000.00
		<u>(44.00)</u>	<u>(5,220.00)</u>
	UNSECURED CREDITORS		
(767,532.60)	HM Revenue and Customs	NIL	NIL
		NIL	NIL
	DISTRIBUTIONS		
(1.00)	Ordinary Shareholders	NIL	NIL
		NIL	NIL
(767,533.60)		<u>(44.00)</u>	<u>(5,220.00)</u>
	REPRESENTED BY		
	(ISA) - LQD4456835		<u>(5,220.00)</u>

## Appendix D

### RSM Restructuring Advisory LLP charging, expenses and disbursements policy statement

#### Charging policy

- Partners, directors, managers, administrators, cashiers, secretarial and support staff are allocated an hourly charge out rate which is reviewed from time to time.
- Work undertaken by cashiers, secretarial and support staff will be or has been charged for separately and such work will not or has not also been charged for as part of the hourly rates charged by partners, directors, managers and administrators.
- Time spent by partners and all staff in relation to the insolvency estate is charged to the estate.
- Time is recorded in 6-minute units at the rates prevailing at the time the work is done.
- The current charge rates for RSM Restructuring Advisory LLP London are attached.
- Time billed is subject to Value Added Tax at the applicable rate, where appropriate.
- It is the office holder's policy to ensure that work undertaken is carried out by the appropriate grade of staff required for each task, having regard to its complexity and the skill and experience actually required to perform it.
- RSM Restructuring Advisory LLP's charge out rates are reviewed periodically.

#### Expenses and disbursements policy

- Only expenses and disbursements properly incurred in relation to an insolvency estate are re-charged to the insolvency estate.
- Expenses and disbursements which comprise external supplies of incidental services specifically identifiable to the insolvency estate require disclosure to the relevant approving party, but do not require approval of the relevant approving party prior to being drawn from the insolvency estate. These are known as 'category 1' disbursements.
- Expenses and disbursements which are not capable of precise identification and calculation (for example any which include an element of shared or allocated costs) or payments to outside parties that the firm or any associate has an interest, require the approval of the relevant approving party prior to being drawn from the insolvency estate. These are known as 'category 2' disbursements.
- A decision regarding the approval of category 2 disbursements at the rates prevailing at the time the cost is incurred to RSM Restructuring Advisory LLP London will be sought from the relevant approving party in accordance with the legislative requirements.
- General office overheads are not re-charged to the insolvency estate as a disbursement.
- Any payments to outside parties in which the office holder or his firm or any associate has an interest will only be made with the approval of the relevant approving party.
- Expenses and disbursements re-charged to or incurred directly by an insolvency estate are subject to VAT at the applicable rate, where appropriate.

## Appendix E

### RSM Restructuring Advisory LLP London Si current charge out and disbursement rates

Hourly charge out rates	Rates at commencement	Current rates
	£	£
Partner	595	625
Directors / Associate Directors	425 to 545	450 to 575
Manager	325	345
Assistant Managers	265	280
Administrators	105 to 200	105 to 210
Support staff	85 to 180	90 to 190

Category 2 disbursement rates	
Internal room hire	£50 to £200 dependent on room
Subsistence	£25 per night (from 3 <sup>rd</sup> September 2013)
Travel (car)	42.5p per mile (from 1 April 2011)
'Tracker' searches	£10 per case

## Appendix F

### Statement of expenses incurred by the Joint Liquidators in the period from 19 January 2020 to 16 September 2020

	Original estimate	£		Paid to date	Unpaid
		Incurred to date			
		19/01/20 to 16/09/20	19/01/18 to 16/01/20		
EXPENSES (EXCLUDING CATEGORY 2 DISBURSEMENTS)					
Appointee disbursements:					
Bond	170.00	20.00	85.00	-	105.00
Statutory advertising	28.75	-	69.00	-	69.00
Website fee	8.00	-	-	-	-
Storage agent (collection/storage of records)	500.00	-	8.00	-	8.00
Agent fees	1000.00	-	-	-	-
Legal fees	Unknown	-	-	-	-
Sub Total	1,706.75	20.00	162.00	-	182.00
CATEGORY 2 DISBURSEMENTS	-	-	-	-	-
RSM Restructuring Advisory LLP - Appointee disbursements:	-	-	-	-	-
RSM Restructuring Advisory LLP - Mileage	-	-	-	-	-
RSM Restructuring Advisory LLP - Tracker search	-	-	-	-	-
Sub Total	-	-	-	-	-
Total	1,706.75	20.00	162.00	-	182.00

## **Appendix G**

**In the High Court of Justice No 3059 of 2015**

**Opus Capital Investments Limited In Liquidation**

**Company No: 07768323**

**Mark Wilson appointed as Joint Liquidator to the above company on 19 January 2018**

**Adrian Allen appointed as Joint Liquidator to the above company on 21 April 2020**

**Notice delivered to the creditors on: 21 September 2020**

---

**Notice that company's affairs are fully wound up**

**Rule 7.71 Insolvency (England and Wales) Rules 2016**

---

**Notice is hereby given** to the creditors of the above named company of the following matters:

- a) The Company's affairs are fully wound up.
- b) Creditors have the right under rule 18.9 Insolvency (England and Wales) Rules 2016 to make a written request to the office-holder for further information about remuneration or expenses set out in the final account.
- c) If you wish to make a request for further information then it must be made in writing within 21 days of receipt of this report by either by (i) any secured creditor or (ii) an unsecured creditor with the concurrence of at least 5% in value of the unsecured creditors or with the permission of the court.  
  
Creditors have the right to challenge the Joint Liquidators' remuneration and expenses under rule 18.34 Insolvency (England and Wales) Rules 2016. Any secured creditor, or any unsecured creditor with either the concurrence of at least 10% in value of the unsecured creditors (including that creditor) or the permission of the court, may apply to court on the grounds that the remuneration charged or expenses incurred by the Joint Liquidators are in all the circumstances excessive, or that the basis fixed for the office holder's remuneration is inappropriate.  
  
Any such challenge must be made no later than eight weeks after receipt of the progress report or final account which first discloses the charging of remuneration or incurring of the expenses in question.
- d) Creditors may object to the release of the Joint Liquidators by giving notice in writing to the Joint Liquidators before the end of the later of:
  - (i) eight weeks after delivery of this notice, or
  - (ii) the final determination of any request for information under rule 18.9, or any application to the court under rule 18.34.
- e) The Joint Liquidators will vacate office under section 172(8) Insolvency Act 1986 (as amended) as soon as the Joint Liquidators have complied with section 146(4) of that Act by filing with the court and delivering to the registrar of companies the final account and statement required by section 146(4)(b) of whether any creditors have objected to the Joint Liquidators' release.
- f) The Joint Liquidators will be released under section 174(4)(d)(ii) at the same time as vacating office unless any of the creditors objected to the release.

### **Name, address & contact details of Joint Liquidator**

#### **Primary Office Holder**

Mark Wilson  
RSM Restructuring Advisory LLP  
25 Farringdon Street, London, EC4A 4AB

Tel: 0203 201 8000

Email: [restructuring.london.si@rsmuk.com](mailto:restructuring.london.si@rsmuk.com)

IP Number: 008612

#### **Joint Office Holder:**

Adrian Allen  
RSM Restructuring Advisory LLP  
Suite A, 7th Floor, City Gate East, Tollhouse Hill,  
Nottingham, NG1 5FS

Tel: 0203 201 8000

Email: [restructuring.london.si@rsmuk.com](mailto:restructuring.london.si@rsmuk.com)

IP Number: 008740

Dated: 21 September 2020

A handwritten signature in black ink, appearing to read 'Mark Wilson', with a stylized flourish at the end.

**Mark Wilson**  
**RSM Restructuring Advisory LLP**  
**Joint Liquidator**