

AM22

Notice of move from administration to creditors' voluntary liquidation



Companies House

FRIDAY



A819VNFV

A13

15/03/2019

#118

COMPANIES HOUSE

1 Company details

Company number 0 7 8 0 7 5 0 9

Company name in full Fine Equinity Limited

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

2 Court details

Court name High Court of Justice, Business and Property Courts
in Newcastle

Court case number 0 1 4 6 2 0 1 8

3 Administrator's name

Full forename(s) Ian William

Surname Kings

4 Administrator's address

Building name/number 4th Floor

Street Cathedral Buildings

Post town Dean Street

County/Region Newcastle upon Tyne

Postcode NE 1 1 P G

Country

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Notice of move from administration to creditors' voluntary liquidation

5 Administrator's name ^①

Full forename(s)

Lynn

Surname

Marshall

① Other administrator

Use this section to tell us about another administrator.

6 Administrator's address ^②

Building name/number

4th Floor

Street

Cathedral Buildings

Post town

Dean Street

County/Region

Newcastle upon Tyne

Postcode

N E 1 1 P G

Country

② Other administrator

Use this section to tell us about another administrator.

7 Appointor/applicant's name

Give the name of the person who made the appointment or the administration application.

Full forename(s)

Surname

Directors

8 Proposed liquidator's name

Full forename(s)

Ian William

Surname

Kings

Insolvency practitioner number

7 2 3 2

9 Proposed liquidator's address

Building name/number

4th Floor

Street

CATHEDRAL BUILDINGS

DEAN STREET

Post town

NEWCASTLE UPON TYNE

County/Region

Postcode

N E 1 1 P G

Country

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Notice of move from administration to creditors' voluntary liquidation

10 Proposed liquidator's name¹

Full forename(s)	Lynn
Surname	Marshall
Insolvency practitioner number	9 3 9 8 [] [] [] []

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

11 Proposed liquidator's address²

Building name/number	4TH FLOOR
Street	CATHEDRAL BUILDINGS
	DEAN STREET
Post town	NEWCASTLE UPON TYNE
County/Region	
Postcode	N E 1 [] [] P 4 []
Country	

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

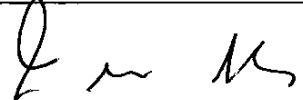
12 Period of progress report

From date	d	d	m	m	y	y	y	y
	2	3	0	9	2	0	1	8
To date	d	d	m	m	y	y	y	y
	1	4	0	3	2	0	1	9

13 Final progress report

☒ I have attached a copy of the final progress report.

14 Sign and date

Administrator's signature	Signature X  X							
Signature date	d	d	m	m	y	y	y	y
	1	4	0	3	2	0	1	9

Ian William Kings and Lynn Marshall appointed joint administrators on 23 March 2018

The affairs, business and property of the Company are being managed by the joint administrators, who act as the Company's agents and without personal liability.

Fine Equinity Limited (In Administration)

Final Progress Report of the joint administrators

Period: 23 September 2018 to 14 March 2019

Important Notice

This final progress report has been produced by the administrators solely to comply with their statutory duty to report to creditors on the progress of the administration. 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 for any purpose other than this report to them, or by any other person for any purpose whatsoever.

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 - 2. Summary of administrators' proposals, including major amendments to, and deviations from them
 - 3. Disbursements
 - 4. Statement of expenses

1. INTERPRETATION

<u>Expression</u>	<u>Meaning</u>
"the Company"	Fine Equinity Limited (In Administration)
"the administration"	The appointment of administrators under Schedule B1 to the Insolvency Act 1986 on 23 March 2018
"the administrators", "we", "our", "us"	Ian William Kings of Begbies Traynor (Central) LLP, 4th Floor, Cathedral Buildings, Dean Street, Newcastle upon Tyne, NE1 1PG and Lynn Marshall of Begbies Traynor (Central) LLP, 4th Floor, Cathedral Buildings, Dean Street, Newcastle upon Tyne, NE1 1PG
"the Act"	The Insolvency Act 1986 (as amended)
"the Rules"	The Insolvency (England and Wales) Rules 2016 (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. STATUTORY INFORMATION

Name of Company	Fine Equinity Limited
Trading name(s):	Not Applicable
Date of Incorporation:	12 October 2011
Company registered number:	07807509
Company registered office:	c/o KRE (North East) Limited, The Axis Building, Maingate, Team Valley Trading Estate, Gateshead, NE11 0NQ

3. DETAILS OF APPOINTMENT OF ADMINISTRATORS

Names of administrators:	Ian William Kings, a Licensed Insolvency Practitioner of Begbies Traynor (Central) LLP, 4th Floor, Cathedral Buildings, Dean Street, Newcastle upon Tyne, NE1 1PG and Lynn Marshall, a Licensed Insolvency Practitioner of Begbies Traynor (Central) LLP, 4th Floor, Cathedral Buildings, Dean Street, Newcastle upon Tyne, NE1 1PG
Date of appointment:	23 March 2018
Court:	High Court of Justice, Business and Property Courts in Newcastle
Court Case Number:	0146 of 2018
Person(s) making appointment / application:	Directors
Acts of the administrators:	The administrators act as officers of the court and as agents of the Company without personal liability. Any act required or authorised under any enactment to be done by an administrator may be done by any one or more persons holding the office of administrator from time to time.
EU Regulation on Insolvency Proceedings:	Regulation (EU) 2015/848 of the European Parliament and of the Council applies to these proceedings which are 'Non EU proceedings' within the meaning of Article 3 of the Regulation.
Extensions of the administration period	There have been no extensions to the administration period.

4. PROGRESS DURING THE PERIOD

Receipts and Payments

Attached at Appendix 1 is our abstract of receipts and payments for the period from 23 September 2018 to 14 March 2019.

What work has been done in the period of this report, why was that work necessary and what has been the financial benefit (if any) to creditors?

During the period, we continued the collection of the cash previously held in the Company's pre appointment bank account. This was finalised during the period.

We also continued to novate certain policies and agreements to the new company and this remains ongoing, to be completed in the liquidation.

Details of the types of work that generally fall into the headings mentioned below are available on our firm's website - <http://www.begbies-traynorgroup.com/work-details> Under the following headings we have explained the specific work that has been undertaken on this case. Not every piece of work has been described, but we have sought to give a proportionate overview which provides sufficient detail to allow creditors to understand what has been done, why it was necessary and what financial benefit (if any) the work has provided to creditors.

The costs incurred in relation to each heading are set out below. The details below relate to the work undertaken in the period of the report only. Our previous report contains details of the work undertaken since our appointment.

General case administration and planning

During the period, the administrators, the administrators and their team undertook the following tasks;

- Devising an appropriate strategy for dealing with the case and giving instructions to the staff to undertake the work on the case.
- Convening and holding general meetings of creditors and members (as applicable).
- Dealing with all routine correspondence and emails relating to the case.
- Opening, maintaining and managing the office holder's estate bank account.
- Creating, maintaining and managing the office holder's cashbook.
- Undertaking regular bank 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 progress reports to creditors and members.
- Filing returns at Companies House.
- Preparing and filing Corporation Tax returns.

Compliance with the Insolvency Act, Rules and best practice

The administrators complied with their statutory requirements where necessary, such as filing their interim progress report.

Realisation of assets

The cash held previously in the Company's pre-appointment bank account was realised during the period.

Dealing with all creditors' claims (including employees), correspondence and distributions

All claims have been processed during the administration but not yet adjudicated on, as no distribution to unsecured creditors can be made in the administration. This will be undertaken in the Liquidation. The administrators and their team have dealt with the routine correspondence from creditors.

Other matters which includes seeking decision of creditors via deemed consent procedure and/or decision procedures, tax, litigation, pensions and travel

The Administrators sought approval of certain pre-administration fees during the period as well as continuing to comply with filing of tax returns.

5. OUTCOME FOR CREDITORS

Secured creditor

There are no secured creditors.

Preferential creditors

There are no known preferential claims.

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

To the best of our knowledge and belief, there are no unsatisfied floating charges created or registered on or after 15 September 2003 and, consequently, there is no net property as defined in Section 176A(6) of the Act and, therefore, no prescribed part of net property is available for distribution to the unsecured creditors.

Unsecured creditors

There are sufficient realisations for a dividend to be paid to the unsecured creditors which will be paid by the subsequently appointed liquidators.

Exit from administration

Once the Notice of move from administration to creditors' voluntary liquidation (Form AM22) has been registered at Companies House (which we anticipate shortly), our appointment as administrators will cease to have effect and the Company will be deemed to be subject to creditors' voluntary liquidation with the former administrators acting in the capacity as joint liquidators of the Company.

6. ADMINISTRATORS' PROPOSALS

Attached at Appendix 2 is a summary of our proposals as approved by decision of creditors via decision procedure.

7. SUMMARY OF STEPS TAKEN DURING THE ADMINISTRATION

Upon appointment, the aim of the Administrators was to try and realise value from as much of the business as possible, ideally by way of a sale of the business by going concern. The business and assets were marketed for sale and although several expressions of interest were received, the only offer came from Equinity Technology Limited, a company with common directors, and this offer was deemed acceptable, thus enabling this sale to complete in April 2018.

We have realised cash held in the Company's pre appointment bank account however no monies have been received from the sole debtor to date.

8. PRE-ADMINISTRATION COSTS

On 09 November 2018 the following amounts in respect of unpaid pre-administration costs were approved by decisions of creditors via a decision procedure by correspondence:

Agents/valuers fees - £1,996.00.

9. REMUNERATION & DISBURSEMENTS

Our remuneration has been fixed by a resolution of creditors passed by correspondence on 08 June 2018 as a set amount of £18,000.00. We are also 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 proposals for achieving the purpose of administration and which are attached at Appendix 2 of this report.

The following further information in relation to our disbursements is set out at Appendix 3:

- ☐ Begbies Traynor (Central) LLP's charging policy

We have drawn the sum of £18,000.00 against the set fee of £18,000.00 that has been approved.

Disbursements

To 14 March 2019, we have also drawn disbursements in the sum of £Nil.

A copy of 'A Creditors Guide to Administrators' Fees (E&W) 2017' which provides guidance on creditors' rights on how to approve and monitor an Administrator'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.

10. EXPENSES

A statement of the expenses incurred and discharged by us during the period of this progress report is attached at Appendix 4. A cumulative statement of expenses also appears at Appendix 4 which details the expenses incurred since the date of our appointment.

Creditors will recall that we estimated that the expenses of the administration would total £21,995.00. That estimate has not been exceeded and we do not expect it to be exceeded if matters progress to conclusion as envisaged.

11. CREDITORS' RIGHTS

Right to request further information

Pursuant to Rule 18.9 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 (other than pre-administration costs) which have been incurred during the period of this progress report.

Right to make an application to court

Pursuant to Rule 18.34 of the Rules, any secured creditor or an 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 by us during the period of this progress report are excessive or, in relation to the basis fixed for our remuneration, inappropriate.

12. ASSETS THAT REMAIN TO BE REALISED

There is one book debt to be collected and this will be pursued in the Liquidation.

13. OTHER RELEVANT INFORMATION

Report on Directors conduct

As detailed in our statement of proposals, we have a duty to submit a report to the Department for Business, Energy and Industrial Strategy on the conduct of the directors. We have complied with our duties in this respect.

Investigations completed

As explained in our interim progress report we have been investigating the manner in which the business was conducted prior to the administration of the Company and potential recoveries for the estate in this respect.

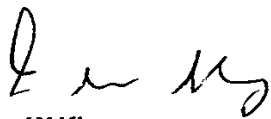
There were no matters that justified further investigation in the circumstances of this appointment.

Use of personal information

Please note that although the administration is being concluded, in discharging our remaining duties as Joint Administrators, we may need to access and use personal data, being information from which a living person can be identified. Where this is necessary, we are required to comply with data protection legislation. If you are an individual and you would like further information about your rights in relation to our use of your personal data, you can access the same at <https://www.begbies-traynorgroup.com/privacy-notice>. If you require a hard copy of the information, please do not hesitate to contact us.

14. CONCLUSION

Finally, we seek the consent of the creditors to our discharge as administrators by a resolution passed pursuant to Paragraph 98 of Schedule B1 to the Act. We seek the date of our discharge to coincide with the date on which our appointment as administrators ceases to have effect.



Ian W Kings
Joint Administrator

Date: 14 March 2019

ACCOUNT OF RECEIPTS AND PAYMENTS

Period: 23 September 2018 to 14 March 2019

**Fine Equinity Limited
(In Administration)**

JOINT ADMINISTRATORS' RECEIPTS AND PAYMENTS ACCOUNT

	Statement of affairs £	From 23/09/2018 To 14/03/2019 £	From 23/03/2018 To 14/03/2019 £
RECEIPTS			
Research & Development	NIL	0.00	0.00
Intellectual Property		0.00	2,000.00
Goodwill		0.00	1.00
Business		0.00	1.00
Plant & Machinery	5,000.00	0.00	10,599.00
Stock	2,250.00	0.00	7,399.00
Book Debts	3,000.00	0.00	0.00
VAT Refund	2,902.00	0.00	0.00
Cash at Bank	86,332.00	58,747.35	78,747.35
		<u>58,747.35</u>	<u>98,747.35</u>
PAYMENTS			
Repairs & Maintenance		0.00	1,828.25
Specific Bond		0.00	780.00
Pre-Administration Fees		0.00	2,000.00
Pre-Administration Expenses		1,996.00	1,996.00
Office Holders Fees		0.00	18,000.00
Agents/Valuers Fees (1)		0.00	195.00
Legal Fees (1)		0.00	9,015.00
Storage Costs		28.00	42.00
Statutory Advertising		0.00	84.60
Bank Charges		0.00	100.00
Trade & Expense Creditors	(3,091.00)	0.00	0.00
Directors	(1,140,000.00)	0.00	0.00
Banks/Institutions	(566.00)	0.00	0.00
HM Revenue & Customs - PAYE	(3,331.00)	0.00	0.00
Unsecured Loan	(349,787.00)	0.00	0.00
Ordinary Shareholders	(1.00)	0.00	0.00
Administrators' Surplus		58,293.98	58,293.98
VAT Refund		6,412.52	6,412.52
		<u>66,730.50</u>	<u>98,747.35</u>
Net Receipts/(Payments)		<u>(7,983.15)</u>	<u>0.00</u>
MADE UP AS FOLLOWS			
Bank 1 Current		(1,975.43)	0.00
VAT Receivable / (Payable)		(6,007.72)	0.00
		<u>(7,983.15)</u>	<u>0.00</u>

SUMMARY OF ADMINISTRATORS' PROPOSALS, INCLUDING MAJOR AMENDMENTS TO AND DEVIATIONS FROM THEM

Proposals approved by creditors via a decision procedure.

In order to achieve the objective of the administration, Lynn Marshall and I formally propose to creditors that:

- (a) We continue to manage the business, affairs and property of the Company in order to achieve the purpose of the Administration. In particular that we:
 - (i) market and sell the Company's business and assets as a going concern;
 - (ii) sell the Company's assets at such time(s) on such terms as we consider appropriate;
 - (iii) investigate and, if appropriate, pursue any claims that the Company may have against any person, firm or Company whether in contract or otherwise, including any officer or former officer of the Company or any person, firm or Company which supplies or has supplied goods or services to the Company; and
 - (iv) do all such things and generally exercise all their powers as Administrators as we consider desirable or expedient at our discretion in order to achieve the purpose of the Administration or protect and preserve the assets of the Company or maximise the realisations of those assets, or of any purpose incidental to these proposals
- (b) the Administration of the Company will end by filing notice of dissolution with the Registrar of companies. The Company will then automatically be dissolved by the registrar of companies three months after the notice is registered.
- (c) the Administration will end by placing the Company into Creditors' Voluntary Liquidation, and propose that Ian William Kings and Lynn Marshall are appointed Joint Liquidators of the Company and that we be authorised to act either jointly or separately in undertaking our duties as Liquidators.

Creditors may nominate a different person(s) as the proposed liquidator(s), but they must make the nomination(s) at any time after these proposals are delivered to them, but before they are approved. Information about the approval of the proposals is set out at section 13; or

- (d) the Administration of the Company will end by giving notice to the Court, creditors and Registrar of Companies that the objective of the Administration has been achieved.

TIME COSTS AND DISBURSEMENTS

- a. Begbies Traynor (Central) LLP's charging policy;

BEGBIES TRAYNOR CHARGING POLICY

INTRODUCTION

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. Best practice guidance¹ indicates 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.

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 and 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 expenditure that are directly related to the case which include an element of shared or allocated cost and are based on a reasonable method of calculation, but which are not payable to an independent third party.

(A) The following items of expenditure are charged to the case (subject to approval):

- Car mileage is charged at the rate of 45 pence per mile;

(B) 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

¹ Ibid 1

STATEMENT OF EXPENSES FOR THE PERIOD

Type of expense	Name of party with whom expense incurred	Amount incurred £	Amount discharged £	Balance (to be discharged) £
Expenses incurred with entities not within the Begbies Traynor Group				
Storage costs	The Creditor Gateway Limited	28.00	28.00	Nil

CUMULATIVE STATEMENT OF EXPENSES

Type of expense	Name of party with whom expense incurred	Amount incurred £
Agent's fees	IPBid.com	195.00
Legal fees and disbursements	Evershed Sutherland	9,015.00
Statutory advertising	Courts Advertising Limited	84.60
Storage costs	The Creditor Gateway Limited	42.00
Bond	Marsh Limited	780.00
Bank charges	Handelsbanken plc	100.00
Repairs and maintenance	Eseye Ltd	1,828.25

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Notice of move from administration to creditors' voluntary liquidation



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	Paul Kings
Company name	Begbies Traynor (Central) LLP
Address	4th Floor Cathedral Buildings
Post town	Deans Street
County/Region	Newcastle upon Tyne
Postcode	N E 1 1 P G
Country	
DX	
Telephone	0191 2699820



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 and dated 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