

LIQ14

Notice of final account prior to dissolution in CVL



Companies House

For further information, please
refer to our guidance at
www.gov.uk/companieshouse

1 Company details

Company number 0 9 4 1 9 1 7 4

Company name in full Sofia Rose Transport Limited

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

2 Liquidator's name

Full forename(s) Frazer

Surname Ulrick

3 Liquidator's address

Building name/number Devonshire House

Street 32-34 North Parade

Post town Bradford

County/Region West Yorkshire

Postcode B D 1 3 H Z

Country

4 Liquidator's name ①

Full forename(s)

Surname

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

5 Liquidator's address ②

Building name/number

Street

Post town

County/Region

Postcode

Country

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

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6 Liquidator's release

☐ Tick if one or more creditors objected to liquidator's release.

7 Final account

☒ I attach a copy of the final account.

8 Sign and date

Liquidator's signature

Signature

X

X

Signature date

d

1

d

9

m

0

m

4

y

2

y

0

y

2

y

3

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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

David Hodgson

Company name

Auker Rhodes Accounting Limited

Address

Devonshire House

32-34 North Parade

Post town

Bradford

County/Region

West Yorkshire

Postcode

B D 1 3 H Z

Country

DX

Telephone

01274 299499



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 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

**SOFIA ROSE TRANSPORT LIMITED
(IN CREDITORS' VOLUNTARY LIQUIDATION)**

LIQUIDATOR'S FINAL REPORT

**THE LIQUIDATOR'S FINAL REPORT IN ACCORDANCE WITH
SECTION 106 OF THE INSOLVENCY ACT 1986**

AND

**RULES 6.28 & 18.14 OF THE INSOLVENCY (ENGLAND AND WALES) RULES
2016**

15 FEBRUARY 2023

Presented by:



**Auker Rhodes
Accounting**

Insolvency Practitioners & Business Advisers

Devonshire House
32-34 North Parade
Bradford
BD1 3HZ

Tel: 01274 299499

APPOINTMENT OF LIQUIDATOR

Date of Liquidation:	23 November 2018	
Date of Liquidator's appointment	John Paul Sugden	23 November 2018 - 15 October 2020
	Robert Sadler	15 October 2020 - 4 August 2022
	Frazer Ulrick	2 December 2022

Creditors should note that:

- the Liquidator was appointed by creditors at a meeting of creditors held on 23 November 2018.
- On 15 October 2020, John Paul Sugden was removed as Joint Liquidator of the Company by an Order of the Court. The Order was advertised in the London Gazette on 10 November 2020.
- Under the terms of the Order, John Paul Sugden was granted his release, or discharge from liability, as appropriate, 21 days after the publication of the Order.
- Rob Sadler ceased to practice as an insolvency practitioner with effect from 5 August 2022.
- On 2 December 2022, Frazer Ulrick was appointed Liquidator of the Company by an Order of the Court.
- Frazer Ulrick is licensed by the Insolvency Practitioners Association and is bound by the Insolvency Code of Ethics.

INTRODUCTION

The Liquidator's Final Report¹ provides creditors with an overview of the Liquidation since the date of appointment of the Liquidator on 23 November 2018. The Report covers the entirety of the Liquidation.

This report is private and confidential and is for the sole purpose of providing creditors of the Company with the information that the Liquidator is required to do by the Act and Rules. No part of this report may be reproduced or quoted from, referred to or used for any other purpose without the express permission of the Liquidator.

PROGRESS DURING THE LIQUIDATION

During the Liquidation the book debts of the Company, both charged and uncharged, were pursued however, it quickly became apparent that the invoices were uncollectable. As a result, Barclays Bank Plc (the secured creditor) suffered losses of more than £403,000.

The Liquidator investigated the conduct of the Director prior to the Liquidation and identified several actions that would be considered as antecedent transactions in accordance with insolvency law. The investigations resulted in a claim being brought against the Director totalling £192,292. Unfortunately, after the claim was presented to the Director, he applied for an Individual Voluntary Arrangement ("IVA") which, after a third proposal was sent to creditors, was accepted.

It was expected that a dividend of 14p in the £ would have been received from the IVA, however, the debt was disputed by the Director. The Supervisor of the IVA advised that, due to the dispute, he was unable to agree the claim for dividend purposes. As a result, the Liquidator instructed Knights Solicitors to assist with the agreement of the claim.

It was confirmed that Barclays Bank held a personal guarantee from the Director, limited to £40,000, which was paid by a third-party contribution prior to the issuing of the IVA proposal, reducing the liability due by the Company.

Following the instruction of Knights, an offer from a third party was received totalling £10,000 to discharge the debt from the IVA which Knights advised to accept on the basis that it would avoid protracted arguments in agreeing the level of claim. Had the claim been accepted in full in the IVA the maximum dividend available would have been £19,220 based on a revised dividend of 10 pence in the pound.

¹ Section 106 of the Insolvency Act 1986 ("the Act") and Rule 18.14 Insolvency (England and Wales) Rules 2016 ("the Rules")

All realisations have now been concluded.

THE LIQUIDATOR'S RECEIPTS AND PAYMENTS ACCOUNT

Attached at Appendix A is the Liquidator's Receipts and Payments Account for the entire Liquidation.

During the Liquidation, £10,000 has been received.

The following payments have been made during the Liquidation:

- £236 in respect of the Liquidators' bond premiums.
- £14.70 in relation to mileage incurred by the Liquidator's staff.
- Legal fees totalling £4,656 for assistance in quantifying the claim against the Director and its settlement. A further £11 of legal disbursements have also been settled.
- Storage costs totalling £507.72 for collecting and storing the Company's books and records.

THE OUTCOME FOR CREDITORS

Secured creditors:

Barclays Bank Plc has a registered charge dated 26 November 2015 which contains a fixed and floating charge over the Company's assets. As advised above, Barclays Bank Plc has incurred a loss of more than £403,000.

Preferential creditors:

I am not aware of any creditors whose claims are preferential.

Unsecured creditors:

Creditor claims totalling £369,402 have been received to date. Unfortunately, in this instance no dividend has been paid to unsecured creditors.

THE LIQUIDATOR'S REMUNERATION, EXPENSES & DISBURSEMENTS

Prior to my appointment, the charges and disbursements of Garner Advisory in connection with the preparation of the Statement of Affairs were agreed by the director and paid.

A decision procedure by way of correspondence vote was convened 20 April 2022 to consider the following decisions:

1. That the remuneration of the Liquidator be on a time cost basis as detailed in the attached fee estimate and which will not exceed £36,308.75
2. That any category 2 disbursements will be paid as an expense of the liquidation.

The above decisions were duly approved.

The Liquidator's remuneration is restricted to £36,308.75 by the fee estimate. The sum of £4,648.58 has been paid to the Liquidator in the Liquidation and can be seen on the attached Receipts and Payments account at Appendix A.

Disbursements totalling £2,171.28 have been paid in the Liquidation.

In accordance with Statement of Insolvency Practice 9, attached at Appendix D is a summary of the Liquidator's time costs for the entirety of the Liquidation to date.

The analysis for the Liquidation shows time costs incurred of £37,903.75 representing 217.45 hours at an average rate of £174.31 per hour.

Attached at Appendix B is a breakdown of expenses incurred and paid for the Liquidation. A guide to Auker Rhodes Accounting - Expenses and Charge out Rates can be found at Appendix C.

CREDITORS' RIGHTS

The following may make a written request to the Liquidator² for further information with regard to their remuneration, expenses or disbursements.

- A secured creditor
- A non-preferential, unsecured creditor with the concurrence of at least 5% in value of the non-preferential, unsecured creditors, including the creditor raising the request.
- Any non-preferential, unsecured creditor with the permission of the Court.

The request must be made within 21 days of receipt of this report and the Liquidator must reply within 14 days of receipt of the request.

If the Liquidator does not respond within the specified 14 days or do not provide all the requested information, the creditors may have recourse to the Court within 21 days of the Liquidator's reply or the 14 days expiring.

The following have a right to challenge the Liquidator's remuneration or expenses³.

- A secured creditor
- A non-preferential, unsecured creditor with the concurrence of at least 10% in value of the non-preferential, unsecured creditors, including the creditor making the challenge.
- Any non-preferential, unsecured creditor with the permission of the Court.

The challenge is to be made by an application to Court on the grounds that the remuneration charged or the expenses incurred are excessive. Alternatively, the challenge can assert that the fee basis is inappropriate.

The application to Court must be made no later than eight weeks after receipt of the report to creditors where the charging of the remuneration or the incurring of the expenses being objected to is set out.

A Creditors Guide to Liquidator's Fees can be accessed at www.r3.org.uk/technical-library/england-wales/technical-guidance/fees/more/28888/page/1/version-1-issued-april-2010. A hard copy of the Guide can be requested from the Liquidator's office.

EU EXIT REGULATIONS

Part 1 of the Schedule to Regulation 2 of the Insolvency (Amendment) (EU Exit) Regulations 2019 ("EU Exit Regulations") applies to the Company's Liquidation. In accordance with section 4 of Part 1 of the Schedule to Regulation 2 of the EU Exit Regulations, these proceedings are COMI proceedings because they are in the place where the Company conducts the administration of their interests on a regular basis and which is ascertainable by third parties.

NOTICE TO CREDITORS

The Liquidator gives notice⁴ to the creditors that the funds realised have been used or allocated for paying the expenses of the Liquidation.

OTHER MATTERS

As there are no further assets to realise or investigate and there are no further matters that require attention, it is the intention of the Liquidator to bring this matter to a close and to seek his release as Liquidator of the Company.

If any creditor wishes to object to the release of the Liquidator, any such objection should be put in writing and forwarded to the offices of Auker Rhodes Accounting Limited at the above address. Should no objections be received by 12 April

² Rule 18.9 of the Rules

³ Rule 18.34 of the Rules

⁴ Rule 14.37 of the Rules

2023 then⁵ the Liquidator shall forward his notice of final account prior to dissolution of the Company to the Registrar of Companies on that date.

Should creditors have any questions arising from this Final Report they should contact David Hodgson of the Liquidator's office by email at david.hodgson@aukerrhodesaccounting.co.uk.

A handwritten signature in black ink, appearing to read 'FRAZER ULRICK', with a long horizontal line extending to the right.

FRAZER ULRICK
Liquidator

⁵ Rule 6.28 of the Rules and Sections 171(7) and 173(2)(e) of the Act

APPENDIX A**SOFIA ROSE TRANSPORT LIMITED
(in Creditors' Voluntary Liquidation)****THE LIQUIDATOR'S SUMMARY OF RECEIPTS AND PAYMENTS FROM 23 NOVEMBER 2018 TO 15 FEBRUARY 2021**

	Statement of Affairs £	Total £
RECEIPTS		
Book debts subject to charge	419,453.87	-
Book debts	10,289.92	-
Claim against Director	-	10,000.00
		<u>10,000.00</u>
PAYMENTS		
Liquidators' bond premiums		162.00
Liquidator's remuneration		4,648.58
Liquidator's disbursements		14.70
Legal fees		4,656.00
Legal disbursements		11.00
Storage costs		507.72
		<u>10,000.00</u>
Balance		<u>-</u>

APPENDIX B

SOFIA ROSE TRANSPORT LIMITED
(in Creditors' Voluntary Liquidation)

EXPENSES INCURRED BY THE LIQUIDATOR FROM 23 NOVEMBER 2018 TO 15 FEBRUARY 2023

Expense	Supplier	Category	Total incurred to date	Total paid to date	Total outstanding to date
Liquidators' bond premiums	Insolvency Risk Solutions	Category 1	236.00	236.00	-
Mileage expenses	Auker Rhodes Accounting Limited	Category 2	14.70	14.70	-
Legal fees	Knights Solicitors	Category 1	4,656.00	4,656.00	-
Legal disbursements	Knights Solicitors	Category 1	11.00	11.00	-
Storage costs	Auker Rhodes Accounting Limited	Category 2	130.14	130.14	-
Storage costs	CW Harrison & Son	Category 1	377.58	377.58	-
			5,425.42	5,425.42	-

AUKER RHODES ACCOUNTING – EXPENSES & CHARGEOUT RATES

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 make a separate charge by way of expenses or disbursements to recover the cost of facilities provided by the firm. Required professional practice¹ states that such charges should be disclosed to those who are responsible for approving his remuneration, together with an explanation of how those charges are made up and the basis on which they are arrived at.

DEFINITIONS

Required professional practice classifies expenses into two broad categories:

- ❑ *Category 1 expenses (approval not required)* – specific expenditure that is directly related to a specific insolvency case, where the cost of the expense incurred is referable against an independent external supplier's invoice or published tariff of charges; and
- ❑ *Category 2 expenses (approval required)* – all other items of expenditure:
 - which cannot, or cannot easily, be directly related to a specific insolvency case because there is an element of shared or allocated cost; and / or
 - where the cost of the expense incurred is an estimated, utilised cost with the estimate based on external costs or opportunity cost.

EXPENSES

- ❑ *Category 1 expenses (approval not required)* – except for any items referred to below, all such items are re-charged to the case as they are incurred.
- ❑ *Category 2 expenses (approval required)*
 - (A) The following items of expenditure are re-charged as described:
 - Internal meeting room usage for the purpose of statutory meetings of creditors is re-charged at the rate of £100 per meeting;
 - Car mileage is re-charged at the rate of 45 pence per mile;
 - Storage of books and records (when not rechargeable as a *Category 1 expense*) is re-charged on the basis of £5 per box per year.
 - (B) The following items of expenditure will normally be treated as general office overheads not subject to a re-charge:
 - Telephone and facsimile
 - Printing and photocopying
 - Stationery

A re-charge may be made, however, where the precise cost to the case can be determined because the item satisfies the test of a *Category 1 expense*.

STANDARD CHARGEOUT RATES AND CHARGING POLICY

The rates applying as at the date of this report are as follows:

Grade of staff	Chargeout rate (£ per hour)
Officeholder	250
Manager	200
Senior Administrator	150
Administrator	125
Admin / support staff	75 – 125

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 units of six minutes.

¹Statement of Insolvency Practice 9 (SIP 9) effective from 1 December 2015.

APPENDIX D

SOFIA ROSE TRANSPORT LIMITED
(in Creditors' Voluntary Liquidation)

TIME COST SUMMARY
FOR THE PERIOD 23 NOVEMBER 2018 TO 15 FEBRUARY 2023

Classification of work	Officeholder	Manager	Other senior professional	Assistants & support staff	Total hours	Time cost (£)	Average hourly rate (£)
Case administration	9.70	68.60	0.20	0.10	78.60	14,937.50	190.04
Case specific matters	-	-	-	-	-	-	-
Closure	-	5.30	-	-	5.30	1,060.00	200.00
Creditors & shareholders	3.45	18.55	-	-	22.00	3,766.25	171.19
Employees	-	-	-	-	-	-	-
Investigations	10.30	70.90	-	-	81.20	12,442.50	153.23
Realisation of assets	2.30	28.05	-	-	30.35	5,697.50	187.73
Trading	-	-	-	-	-	-	-
Total hours	25.75	191.40	0.20	0.10	217.45	37,903.75	174.31
Total fees drawn in the period						4,648.58	