

The Insolvency Act 1986

Liquidator's Progress
Report

S.192

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

To the Registrar of Companies

For Official Use

--	--	--

Company Number

OC340852

Name of Company

Goode & Austin Solicitors LLP

/ We
MFP Smith
Suite 306
Fort Dunlop
Fort Parkway
Birmingham, B24 9FD

NJ Hawksley
Suite 306
Fort Dunlop
Fort Parkway
Birmingham, B24 9FD

the liquidator(s) of the company attach a copy of ~~my~~our progress report
under section 192 of the Insolvency Act 1986

Signed

mark dains

Date

3/5/12

Dains LLP
Suite 306
Fort Dunlop
Fort Parkway
Birmingham, B24 9FD

Ref GO016/APS/SLS/LXC

For Official Use

Insolvency Sect 1 Post Room

WEDNESDAY



A18L2E6H

A19

09/05/2012

#338

COMPANIES HOUSE

Goode & Austin Solicitors LLP
(In Liquidation)
Joint Liquidators' Abstract of Receipts & Payments

Statement of Affairs		From 29/03/2011 To 28/03/2012
	ASSET REALISATIONS	
NIL	Furniture & Equipment	NIL
24,000 00	Book Debts	NIL
		NIL
	UNSECURED CREDITORS	
(103,507 52)	Trade & Expense Creditors	NIL
(25,523 00)	Members' Interests	NIL
(56,094 50)	Natwest Bank Plc	NIL
(8,416 04)	HM Revenue & Customs - PAYE/NIC	NIL
(15,166 80)	HM Revenue & Customs - VAT	NIL
		NIL
(184,707 86)		NIL
	REPRESENTED BY	
		NIL



MFP Smith
Joint Liquidator



Goode & Austin Solicitors LLP
Annual Report to Members & Creditors
23 April 2012

**Goode & Austin Solicitors LLP (In Liquidation)
Joint Liquidators' Annual Report to Members and Creditors
For the year ending 28 March 2012**

1. STATUTORY INFORMATION

Company name	Goode & Austin Solicitors LLP
Former Company name(s)	None
Registered office	Suite 306, Third Floor, Fort Dunlop, Fort Parkway, Birmingham, B24 9FD
Former registered office	New Zealand House, 160-162 Abbey Foregate, Shrewsbury, Shropshire, SY2 6QA
Registered number	OC340852
CRO Number	None supplied
Joint Liquidators' names	MFP Smith & NJ Hawksley
Liquidators' address	3 Wyle Cop, Shrewsbury, SY1 1UT
Liquidators' date of appointment	29 March 2011

2. RECEIPTS & PAYMENTS ACCOUNT

My receipts & payments account for the period from 29 March 2011 to 28 March 2012 is attached at appendix A. All figures are shown net of VAT.

Continued



3. ASSETS

3.1 Book Debts

Book debts were detailed on the statement of affairs with a book value of £30,000 and an estimated to realise value of £24,000. The book debt was due from one debtor, Clear Water Legal, a firm of solicitors who had purchased the Work in Progress of the company prior to my involvement. Clear Water Legal ceased trading during August 2011 and although no insolvency proceedings have been instigated, Clear Water Legal has no assets. The Book Debt has therefore been written off as irrecoverable.

3.2 Furniture & Equipment

Furniture and Equipment was listed on the statement of affairs with a book value of £4,233 and an estimated to realise value of nil, following advice from our agent that the costs of uplifting and selling the assets would exceed any realisations. Therefore, the company's interest in these assets has been disclaimed, with no realisations made.

4. LIABILITIES

4.1 Secured Creditors / Fixed Charge

An examination of the company's mortgage register held by the Registrar of Companies, showed that the company has not granted any fixed charges.

4.2 Preferential Creditors

There are no preferential creditors in this case.

4.3 Secured Creditors / Floating Charge

There are provisions of the insolvency legislation that require a Liquidator to set aside a percentage of a company's assets for the benefit of the unsecured creditors in cases where the company granted a "floating charge" over its assets to a lender on or after 15 September 2003. This is known as the "prescribed part of the net property". A company's net property is that left after paying the preferential creditors, but before paying the lender who holds a floating charge. A Liquidator has to set aside

- 50% of the first £10,000 of the net property, and
- 20% of the remaining net property up to a maximum of £600,000

As the company had not granted any floating charges, the provisions of the prescribed part do not apply in this case.



4.4 Crown Creditors

The statement of affairs included £23,583 owed to HM Revenue & Customs in respect of outstanding PAYE/NIC contributions and VAT. HM Revenue & Customs' provisional/final claim of £80,399 has been received.

	Amount per S of A	Claim Amount Received
VAT	£15,167	£42,134
PAYE / NIC	£8,416	£38,265
Corporation Tax	£Nil	£Nil

4.5 Unsecured Creditors

The statement of affairs included thirty one unsecured creditors with an estimated total liability of £185,125. To date, I have received claims from fifteen creditors detailed on the statement of affairs totalling £185,356 and three additional creditor totalling £13,756. To date I have not received claims from sixteen creditors with original estimated claims in the statement of affairs of £81,198.

5. LIQUIDATORS' ACTIONS SINCE APPOINTMENT

Following my appointment at a meeting of members and creditors held on 29 March 2011, the following action has been taken

- A resolution to wind up the company, passed by the members of the company on 29 March 2011, was sent to Companies House on 30 March 2011, together with a statement of affairs and a notice of my appointment
- Notification of my appointment was sent to all creditors, together with a copy of the director's report and a copy of the company's statement of affairs on 30 March 2011
- Notice of change in registered office was sent to Companies House, changing the registered office to, Suite 306, Third Floor, Fort Dunlop, Fort Parkway, Birmingham, B24 9FD
- My appointment as Liquidator was advertised in the London Gazette on 7 April 2011
- Notice was sent to Royal Mail on 31 March 2011 advising them of my appointment and requesting the re-direction of mail from the companies trading premises to my office at Suite 306, Third Floor, Fort Dunlop, Fort Parkway, Birmingham, B24 9FD

Continued



- A specific penalty bond was applied to the case within the first month following my appointment, to provide protection for the creditors over any asset realisations made by me
- A VAT 769 form giving notice of an Insolvency event for the company was sent to HM Revenue & Customs on 31 March 2011
- The company was deregistered for VAT prior to my involvement, effective from 1 October 2011 and all future VAT is being reclaimed as relevant
- The debtor listed in the company's books and records as outstanding was contacted upon my appointment. They were advised that payment was now due and that all remittance should be forwarded to me as Liquidator. No response was received and following further investigation, it was found that the company had ceased to trade and holds no assets, therefore, the debt has been written off
- All company Corporation Tax returns for the period in liquidation have been submitted to HM Revenue & Customs in a timely manner and will continue to be done up until the date of closure.

6. INVESTIGATION INTO THE AFFAIRS OF THE COMPANY

I undertook an initial investigation into the company's affairs to establish whether there were any potential asset recoveries or conduct matters that justified further investigation. Taking account of the public interest, potential recoveries, the funds likely to be available to fund an investigation and the costs involved, there were no matters that justified further investigation in the circumstances of this appointment.

Within six months of my appointment, I was required to submit a confidential report to the Secretary of State to include any matters which have come to my attention during the course of my work which may indicate that the conduct of any past or present director would make him unfit to be concerned with the management of the company. I would confirm that my report has been submitted.

PRE-APPOINTMENT REMUNERATION

The creditors previously authorised the payment of a fee of £6,000 plus VAT for assistance in producing the statement of affairs and circulating the notices and holding the meetings of members and creditors held on 29 March 2011. No fee has been drawn, due to no realisations being made.



7. LIQUIDATORS' REMUNERATION

My remuneration was previously authorised by creditors at a meeting held on 29 March 2011, to be drawn on a time cost basis

My total time costs to 28 March 2012 amount to £17,244, however, I have not been able to draw any fee in this matter, as realisations have been insufficient. The Liquidator's time spent on the administration to date amounts to 83.47 hours at an average charge out value of £206.59. A schedule of my time costs incurred to date is attached as appendix B.

A description of the work undertaken in the liquidation to date is as follows:

1 Administration and Planning

- Preparing the documentation and dealing with the formalities of appointment
- Statutory notifications and advertising
- Preparing documentation required
- Dealing with all routine correspondence
- Maintaining physical case files and electronic case details on IPS
- Review and storage
- Case bordereau
- Case planning and administration
- Preparing reports to members and creditors
- Convening and holding meetings of members and creditors

2 Cashiering

- Maintaining and managing the liquidators' cashbook and bank account
- Ensuring statutory lodgements and tax lodgement obligations are met

3 Creditors

- Dealing with creditor correspondence and telephone conversations
- Preparing reports to creditors
- Maintaining creditor information on IPS
- Reviewing and adjudicating on proofs of debt received from creditors

4 Investigations

- Review and storage of books and records
- Prepare a return pursuant to the Company Directors Disqualification Act
- Conduct investigations into suspicious transactions
- Review books and records to identify any transactions or actions a liquidator may take against a third party in order to recover funds for the benefit of creditors

Continued



5 Realisation of Assets

- Corresponding with debtor and attempting to collect outstanding book debt
- Liaising with the company's bank regarding the closure of the account.

A copy of 'A Creditors Guide to Liquidators' Fees' published by the Association of Business Recovery Professionals and 'A Statement of Insolvency Practice 9 (Revised)' are available from my office upon request. Alternatively a copy can be downloaded from

<http://www.icaew.com/en/technical/insolvency/creditors-guides>

and

<http://www.icaew.com/en/technical/insolvency/insolvency-regulations-and-standards/statements-of-insolvency-practice-sips-england>

Please note that there are different versions for cases that commenced before or after 6 April 2010 and in this case you should refer to the post-April 2010 version. A hard copy can be obtained on request from this address.

Additional information in relation to Joint Liquidators' fees in accordance with SIP 9 is also attached at Appendix B. This provides details of the firm's policy in relation to staffing, the use of sub-contractors and disbursements. Please note, in common with all professional firms, the charge out rates may increase from time to time over the period of the administration of each insolvency case.

8. LIQUIDATORS' EXPENSES

Due to insufficient funds held in the case, the following expenses have been paid by Dains LLP and have not been recovered as disbursements in this case.

8.1 Statutory Advertising

Statutory Advertising costs in relation to the advertisement of the meetings of members and creditors, together with advertising the notice of my appointment as Liquidator have been paid in the sum of £227.

8.2 Specific Bond Costs

The amount of £40 has been incurred in relation to the specific bond in this case.

Continued



8.3 Redirection of Mail

A cost of £26 has been paid in relation to the redirection of mail from the company's trading premises to my office

8.4 Storage

The sum of £25 has been paid for the storage of the company's books and records

8.5 Postage

Postage costs incurred in the period in relation to the sending out of notification of the meetings of members and creditors, together with notification of my appointment amount to £42

8.6 Subsistence

Subsistence costs of £35, relating to mileage claims, have been paid

9. FURTHER INFORMATION

An unsecured creditor may, with the permission of the court or with the concurrence of 5% in value of the unsecured creditors (including the creditor in question) request further details of the Liquidators' remuneration and expenses, within 21 days of receipt of this report. Any secured creditor may request the same details in the same time limit.

An unsecured creditor may, with the permission of the court or with the concurrence of 10% in value of the creditors (including the creditor in question), apply to court to challenge the amount and/or basis of the Liquidators' fees and the amount of any proposed expenses or expenses already incurred, within 8 weeks of receipt of this report. Any secured creditor may make a similar application to court within the same time limit.

10. DIVIDEND PROSPECTS

10.1 Secured Creditors / Fixed Charge

There are no fixed charge creditors in this case

10.2 Preferential Creditors

There are no preferential creditors in this case

Continued



Goode & Austin Solicitors LLP
Annual Report to Members & Creditors
23 April 2012

10.3 Secured Creditors / Floating Charge

There are no floating charge creditors in this case

10.4 Unsecured Creditors

Due to no realisations being made, there will be no distribution to unsecured creditors in this case

10.5 Notice of No Dividend

The legislation states that I may not issue the final report until I have confirmed that no dividend or no further dividend will be declared. Accordingly, a dividend will not be paid to unsecured creditors in this liquidation as no funds have been realised. A Notice of No Dividend is enclosed with this report at appendix C

12. SUMMARY

The liquidation has now been finalised and I will shortly be producing and circulating to all creditors a copy of my final report, together with notification of the final meetings of members and creditors

Should you have any queries regarding this matter please contact Liam Comiskey on 0845 555 8844

A handwritten signature in black ink, appearing to read "MFP Smith".

MFP Smith
Joint Liquidator

lcomiskey@dains.com

Goode & Austin Solicitors LLP
(In Liquidation)
Joint Liquidators' Abstract of Receipts & Payments
To 28/03/2012

APPENDIX A

S of A £		£	£
	ASSET REALISATIONS		
NIL	Furniture & Equipment	NIL	
24,000 00	Book Debts	NIL	
			NIL
	UNSECURED CREDITORS		
(103,507 52)	Trade & Expense Creditors	NIL	
(25,523 00)	Members' Interests	NIL	
(56,094 50)	Natwest Bank Plc	NIL	
(8,416 04)	HM Revenue & Customs - PAYE/NIC	NIL	
(15,166 80)	HM Revenue & Customs - VAT	NIL	
			NIL
(184,707.86)			NIL
	REPRESENTED BY		
			NIL

MFP Smith

MFP Smith
Joint Liquidator



APPENDIX B

Goode & Austin Solicitors LLP
Annual Progress Report to Members & Creditors
23 April 2012

Classification of Work function	Hours							Average Hourly Rate £
	Partner	Director	Senior Manager	Manager	Other Senior Professionals	Assistants & Support Staff	Cashier & Secretaries	
Administration & Planning	4.42	1.12	1.30	0.00	15.62	18.27	10.02	192.68
Investigations	1.90	0.00	0.00	0.00	4.25	0.75	0.00	240.69
Realisation of Assets	1.30	0.00	0.60	0.00	6.25	1.67	0.00	219.87
Trading	0.00	-0.00	0.00	0.00	0.00	0.00	0.00	0.00
Creditors	3.20	0.00	1.00	0.00	7.17	3.05	1.58	227.83
Total Hours	10.82	1.12	2.90	0.00	33.29	23.74	11.60	83.47
Total Fees Claimed £	4,084.34	379.66	894.00	0.00	6,296.34	4,076.08	1,513.37	17,243.79
Average Rate £	377.48	338.98	308.28	0.00	189.14	171.70	130.46	206.59



PRACTICE FEE RECOVERY POLICY FOR DAINS LLP

Introduction

The insolvency legislation was changed in April 2010 for insolvency appointments commenced from that time in order to allow more flexibility on how an office holder's fees are charged to a case. This sheet explains how we may apply the alternative fee bases. The new legislation allows different fee bases to be used for different tasks within the same appointment. The basis or combination of bases set for a particular appointment are subject to approval, generally by a committee if one is appointed by the creditors, failing which the creditors in general meeting, or the court. Further detail about how an office holder's fees are approved for each case type are available in a series of guides issued with Statement of Insolvency Practice 9 (SIP 9) and can be accessed at <http://www.icaew.com/en/technical/insolvency/insolvency-regulations-and-standards/statements-of-insolvency-practice-sips-england>. Alternatively a hard copy may be requested from MFP Smith at Dains LLP, 3 Wyle Cop, Shrewsbury, SY1 1UT.

Once the basis of the office holder's remuneration has been approved, a periodic report will be provided to any committee and also to each creditor. The report will provide a breakdown of the remuneration drawn and time costs incurred and will also enable the recipients to see the average rates of such costs. Under the new legislation, any such report must disclose how creditors can seek further information and challenge the basis on which the fees are calculated and the level of fees drawn in the period of the report. Once the time to challenge the office holder's remuneration for the period reported on has elapsed, then that remuneration cannot subsequently be challenged.

Under the old legislation, which still applies for insolvency appointments commenced before 6 April 2010, there is no equivalent mechanism for fees to be challenged.

Time cost basis

This is the basis that we use in the majority of cases and we use charge out rates appropriate to the skills and experience of a member of staff and the work that they perform. This is combined with the amount of time that they work on each case, recorded in 6 minute units with supporting narrative to explain the work undertaken.

Chargeout Rates

Grade of staff	Current charge-out rate per hour, effective from 1 April 2012 £
Partner – appointment taker	380
Director	340
Senior Manager	310
Supervisor	200
Case Administrator	185
Cashier & Support Staff	75 - 165

Continued



Subcontractors are used where necessary

These charge-out rates charged are reviewed on 1 April each year and are adjusted to take account of inflation and the firm's overheads

Time spent on casework is recorded directly to the relevant case using a computerised time recording system and the nature of the work undertaken is recorded at that time. Each unit of time is 6 minutes. The work is recorded under the following categories

- Administration and Planning – which includes work such as planning how the case will be administered and progressed, the administrative set up of the case, notifying creditors and others of the appointment, keeping the records relating to the case up to date, and reporting on progress of the case to creditors and others
- Investigations – which includes work such as undertaking an initial review of the financial affairs of the company and bankrupt, undertaking a detailed investigation with a view to making recoveries for the benefit of creditors where matters such as preferences or wrongful trading come to light as a result of the initial review, and reporting to the Insolvency Service on the conduct of the directors
- Realisation of Assets – which includes work such as identifying, securing and insuring assets, dealing with retention of title claims, collecting debts owed, and selling assets
- Employee matters – which includes work such as dealing with employees, and liaising with the redundancy payments office
- Creditors - which includes work such as communicating with creditors, dealing with creditors' claims, and where funds realised allow, paying dividends to creditors.
- Trading – which includes work such as managing and controlling all aspects of the business, and preparing financial records and information relating to that trading

Percentage basis

The new legislation allows fees to be charged on a percentage of the value of the property with which the office holder has to deal. Different percentages can be used for different assets or types of assets. Where we would like to realise any asset or type of assets on a percentage basis we will provide further information explaining why we think that this basis is appropriate and ask creditors to approve the basis.

Fixed fee

The new legislation allows fees to be charged at a set amount. Different set amounts can be used for different tasks. Where we would like to charge a set amount for a task or different set amounts for different tasks we will provide further information explaining why we think that this basis is appropriate and ask creditors to approve the basis.

Continued



All bases

The officeholder's remuneration invoiced to the insolvent estate will be subject to VAT at the prevailing rate

Agent's Costs

Charged at cost based upon the charge made by the Agent instructed, the term Agent includes

- Solicitors/Legal Advisors
- Auctioneers/Valuers
- Accountants
- Quantity Surveyors
- Estate Agents
- Other Specialist Advisors

Disbursements

In accordance with Statement of Insolvency Practice 9 (SIP9) the basis of disbursement allocation in respect of disbursements incurred by the Office Holder in connection with the administration of the estate must be fully disclosed to creditors. Disbursements are categorised as either Category 1 or Category 2

Category 1 expenses are directly referable to an invoice from a third party, which is either in the name of the estate or Dains LLP, in the case of the latter, the invoice makes reference to, and therefore can be directly attributed to, the estate. These disbursements are recoverable in full from the estate without the prior approval of creditors either by a direct payment from the estate or, where the firm has made payment on behalf of the estate, by a recharge of the amount invoiced by the third party. Examples of category 1 disbursements are statutory advertising, external meeting room hire, external storage, specific bond insurance and company search fees

Category 2 expenses are incurred by the firm and recharged to the estate, they are not attributed to the estate by a third party invoice and/or they may include a profit element. These disbursements are recoverable in full from the estate, subject to the basis of the disbursement charge being approved by creditors in advance. Examples of category 2 disbursements are photocopying, internal room hire, internal storage and mileage

It is proposed that the following category 2 disbursements are recovered

Mileage is charged at a rate of up to 45p per mile
External disbursements are recovered at cost

NOTICE OF NO DIVIDEND

GOODE & AUSTIN SOLICITORS LLP (IN LIQUIDATION)

Company No OC340852

NOTICE is hereby given in accordance with the Insolvency Rule 4.186(1)(b) as follows

No dividend will be declared to preferential or unsecured creditors

No funds have been realised



MFP Smith
Joint Liquidator