

Rule 1.23/1.45

The Insolvency Act 1986

Notice to Registrar of Companies of  
Completion or Termination of  
Voluntary Arrangement

Pursuant to Rule 1.23 or Rule 1.45 of the  
Insolvency (Scotland) Rules 1986

# R.1.23/ R.1.45

To the Registrar of Companies

For Official Use

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Company Number

SC214489

(a) Insert full name of  
Company

Name of Company

Able Cleaning Services (Scot). Ltd

(b) Insert full name and  
address

We, Stephen Hunt  
Griffins  
Tavistock House South  
Tavistock Square  
London  
WC1H 9LG

Kevin Hellard  
Grant Thornton UK LLP  
30 Finsbury Square  
London  
EC2P 2YU

(c) Insert date  
(d) Delete as applicable

the supervisor of a voluntary arrangement which took effect on 2 June, 2003 enclose a copy of my notice to the creditors and members of the above-named company that the voluntary arrangement has terminated, (d) together with a report of my receipts and payments.

Signed: 

Date

24/03/10

Presenter's name,  
address and reference  
(if any)

ABLEC01  
Able Cleaning Services (Scot). Ltd

Stephen Hunt  
Griffins  
Tavistock House South  
Tavistock Square  
London  
WC1H 9LG

For Official Use

Liquidation Section

Post Room

THURSDAY



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COMPANIES HOUSE

**Able Cleaning Services Limited  
(in Creditors Voluntary Arrangement)**

**Joint Supervisors' Final  
Report to Members and Creditors  
for the period ending 24 March 2010**

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COMPANIES HOUSE  
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08/04/2010  
COMPANIES HOUSE

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## **APPENDICES**

- A. Former Office holder's Receipts and Payments Account for the period 2 June 2009 to 23 November 2009.
- B. Current Joint Supervisors' Receipts and Payments Account for the period 24 November 2009 to 24 March 2010.
- C. Form 1.3 Cumulative Receipts and Payments Account (Form 1.3).
- D. Stephen Hunt's Time Analysis for the period 24 November 2009 to 24 March 2010, together with details of Charge out rates, provided in accordance with the Statement of Insolvency Practice (SIP) 9.
- E. Kevin Hellard's Time Analysis for the period 24 November 2009 to 24 March 2010, together with details of Charge out rates, provided in accordance with the Statement of Insolvency Practice (SIP) 9.
- F. Certificate of Failure (Form 1.4)



## **1. Introduction**

This report provides an update on the progress of the Company Voluntary Arrangement ('the Arrangement').

The Company was placed into Company Voluntary Arrangement on 2 June 2003 and Martin Hepworth was appointed Supervisor.

Further to a High Court Order dated 24 November 2009, following the withdrawal of Martin Hepworth's insolvency licence by his regulatory body, Stephen John Hunt of Griffins and Kevin Hellard of Grant Thornton UK LLP were appointed Joint Supervisors.

## **2. Receipts and Payments Accounts**

An account of the former Office holders Receipts and Payments account for the period 2 June 2009 to 23 November 2009 is at Appendix A.

The Receipts and Payments Account since my date of appointment to 24 March 2010 is at Appendix B.

The cumulative Receipts and Payments account represented in Form 1.3 is attached at Appendix C.

## **3. Status of Arrangement**

The Arrangement should have been concluded by 1<sup>st</sup> June 2008 (within 60 months of its approval), with payments to the value of £61,000 being paid. The former Supervisors computerised records show that the Company has only made voluntary contributions totalling £45,050, the last payment being made on 22 January 2008, for the sum of £250.

HM Revenue and Customs have also confirmed that the company has also failed to pay all post voluntary arrangements liabilities as they all due, breaching Clause 2.18 of the arrangement.

Although there is a letter on file from the directors of the Company, received by Mr Hepworth on 12 August 2008, confirming that they were no longer able to meet the terms of the Arrangement. It would appear that no action was taken by the former Supervisor.

Upon undertaking further investigations with the directors of the Company, I can confirm that the Company is not in a position to make any further payments and in fact the Company has ceased to trade. As a consequence the current Joint Supervisors deem the Arrangement to have failed.

## **4. Creditors**

Creditor's claims in the amount of £75,445.75 have been received to date. HMRC were both a preferential and unsecured creditor in the CVA and it would appear that they have been paid in full for their preferential claim, in the sum of £20,451.54. There is however, no prospect of a dividend to unsecured creditors, as the balance



of the contributions received were withdrawn by the previous Supervisor as costs of the Arrangement, as detailed in Appendix A.

## **5. Former Supervisors Remuneration and Expenses**

The Proposal confirms that Mr Hepworth was to be remunerated on a time cost basis. From the computerised records received, it would appear that Mr Hepworth drew Nominees Fees of £3,000 and Supervisor Fees of £16,960.64.

Clause 4.12 of the Arrangement estimates that the Supervisor's Fees should be no greater than £1,000 per year. This is reiterated in Appendix 2 to the Arrangement which estimates Supervisor's fees to be £5,875 and is the figure used to calculate the £100p in the pound proposed dividend, to both preferential and non-preferential unsecured creditors.

In addition supervisor disbursements of £682.05 were incurred by the former Supervisor.

Investigations into the large discrepancy between the estimated and actual Supervisor fees are ongoing.

## **6. Current Joint Supervisors Remuneration and Expenses**

The time recorded by myself and my staff for the period 24 November 2009 to 24 March 2010 totals £2,776.67 which represents 13.67 hours at an average charge out rate of £203.17 per hour. I have incurred an expense in relating to my bond of £50.00

Mr Kevin Hellard has confirmed that he and his staff have recorded time for the same period totalling £1419.17 which represents 5.84 hours at an average charge out rate of £243.01 per hour. Mr Hellard has incurred expenses in relation to his bond of £64.

The balance remaining after repayment of the current joint Supervisor expenses is 268.42 this will be used to off set the joint Supervisors remuneration

Attached at Appendices C and D are my Time Analysis Reports and those of Mr Kevin Hellard which provide details of the activity costs, incurred by staff grade to date, together with details of current charge out rates.

## **7. Termination of Arrangement**

As detailed above, this Arrangement has failed. I enclose notices issued pursuant to Rule 1.29(1) of the Insolvency Rules 1986 confirming the termination of the Voluntary Arrangement.

In accordance with clause 4.17 of the Voluntary Arrangement the Supervisor should have retained funds sufficient to make an application to wind-up the Company.

The former Supervisor has failed to retain sufficient funds to pay the cost of the winding up petition. Our investigation in to why this position occurred is ongoing.

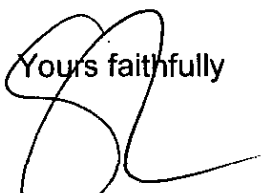


I confirm that, as a result of the failure of this Arrangement, any restriction imposed upon the Creditors by the Arrangement, regarding proceedings against the Company are now lifted.

#### **8. Conclusions**

A copy of this report and notice has been sent to all creditors and members of the company who are bound by the Voluntary Arrangement. A copy of the report and notice has also been sent to the Registrar of Companies and the Linlithgow Sheriff Court.

Yours faithfully



**Stephen Hunt**  
Joint Supervisor

24 March 2010



**Appendix A**

**Able Cleaning Services Limited  
(in Company Voluntary Arrangement)**

Former Office Holder's Receipts and Payments Account for the period  
2 June 2009 to 23 November 2009



**Voluntary Arrangement of  
Able Cleaning Services (Scot). Ltd**

<b>Statement of Affairs</b>	<b>From 02/06/2009 To 23/11/2009</b>	<b>From 02/06/2003 To 23/11/2009</b>
<b>ASSET REALISATIONS</b>		
Debtor Contributions	NIL	45,050.00
Bank Interest Net of Tax	NIL	309.31
	<u>NIL</u>	<u>45,359.31</u>
<b>COST OF REALISATIONS</b>		
Specific Bond	NIL	120.00
Nominees Fee	NIL	3,000.00
Supervisors Remuneration	NIL	16,960.64
Supervisors Disbursements	NIL	682.05
Court Filing Fee	NIL	30.00
VAT	NIL	223.48
Room Hire	NIL	100.00
	<u>NIL</u>	<u>(21,116.17)</u>
<b>PREFERENTIAL CREDITORS</b>		
Preferential Creditors	NIL	20,451.54
	<u>NIL</u>	<u>(20,451.54)</u>
	<u><u>NIL</u></u>	<u><u>3,791.60</u></u>
<b>REPRESENTED BY</b>		
Vat Receivable		3,411.74
Bank 1 Current		379.86
		<u>3,791.60</u>

Some of the figures shown on this document  
have been obtained from the previous office  
holder and as such have not been verified.



**Appendix B**

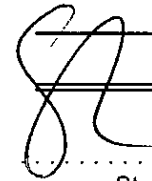
**Able Cleaning Services Limited  
(in Company Voluntary Arrangement)**

Current Joint Supervisors' Receipts and Payments Account for the period  
24 November 2009 to 24 March 2010



**Voluntary Arrangement of  
Able Cleaning Services (Scot). Ltd**

Statement of Affairs	From 24/11/2009 To 24/03/2010	From 02/06/2003 To 24/03/2010
<b>ASSET REALISATIONS</b>		
Debtor Contributions	NIL	45,050.00
Bank Interest Net of Tax	2.57	311.88
	<u>2.57</u>	<u>45,361.88</u>
<b>COST OF REALISATIONS</b>		
Specific Bond	50.00	170.00
Nominees Fee	NIL	3,000.00
Supervisors Remuneration	NIL	16,960.64
Supervisors Disbursements	NIL	812.05
	<u>(50.00)</u>	<u>(20,942.69)</u>
<b>PREFERENTIAL CREDITORS</b>		
Preferential Creditors	NIL	20,451.54
	<u>NIL</u>	<u>(20,451.54)</u>
	<u>(47.43)</u>	<u>3,967.65</u>
<b>REPRESENTED BY</b>		
Vat Receivable		3,635.22
Bank 1 Current		382.43
Bank 1 Money Market		(50.00)
		<u>3,967.65</u>



.....  
Stephen Hunt  
Joint Supervisor

Some of the figures shown on this document  
have been obtained from the previous office  
holder and as such have not been verified.

**Appendix C**

**Able Cleaning Services Limited  
(in Company Voluntary Arrangement)**

Receipts and Payments Account (Form 1.3) for the period  
2 June 2009 to 24 March 2010

