

# Liquidator's Progress Report

Pursuant to Sections 92A, 104A and 192 of the  
Insolvency Act 1986

# S.192

To the Registrar of Companies

Company Number

699127

Name of Company

(a) Insert full name of  
company

(a) Siebe Services Limited

(b) Insert full name(s)  
and address(es)

✓ We, (b) Samantha Jane Keen and Elizabeth Anne Bingham  
1 More London Place, London, SE1 2AF

the liquidators of the company attach a copy of our Progress Report under section 192 of the  
Insolvency Act 1986

The Progress Report covers the period from 29 March 2012 (commencement of winding up)  
to 28 March 2013 (anniversary of winding up)

Signed

Date

24 May 2013

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

Natasha Lloyd  
Ernst & Young LLP  
1 More London Place  
London  
SE1 2AF

Ref ML 7E/NL/SH/SJK

THURSDAY



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A12

30/05/2013

#329

COMPANIES ACT 2006

TO THE SHAREHOLDER

24 May 2013

Ref ML7E/SJK/SH/NL

Direct line 020 7951 1859  
Direct fax 020 7951 1345  
Natasha Lloyd

shyde1@uk.ey.com

Dear Sir or Madam

## **Siebe Services Limited**

### **(In Members' Voluntary Liquidation) (the "Company")**

E A Bingham and I were appointed as Joint Liquidators of the Company on 29 March 2012. I write to provide you with our report on the progress of the liquidation for the period from 29 March 2012 to 28 March 2013.

In accordance with the provisions of the Insolvency Rules 1986 we are required to provide certain information about the Company and the liquidators. The information can be found in Appendix A of this report. A copy of our receipts and payments account for the period from 29 March 2012 to 28 March 2013 is at Appendix B.

### **Progress during the period of the report**

The Declaration of Solvency sworn by the Directors indicated that the Company had an intercompany receivable of £2,000,000 due from BTR Industries Limited.

The receivable was distributed in specie to the shareholder on 8 November 2012.

The Company was dormant for Corporation Tax purposes and as such, we were not required to submit final returns to HM Revenue & Customs. It is customary to seek confirmation from the tax authorities that they have no objection to the closure of the liquidation. HM Revenue & Customs have confirmed that they have no objection to the closure of the liquidation.

### **Joint liquidators' remuneration**

The Joint Liquidators' remuneration is to be paid by BTR Industries Limited.

### **Members' rights to further information about, and challenge, remuneration and expenses**

In certain circumstances, members are entitled to request further information about our remuneration or expenses, or to apply to court if members consider the costs to be excessive. Further information is provided in Appendix C.



**INVESTOR IN PEOPLE**


The UK firm Ernst & Young LLP is a limited liability partnership registered in England and Wales with registered number OC300001 and is a member firm of Ernst & Young Global Limited. A list of members' names is available for inspection at 1 More London Place, London SE1 2AF, the firm's principal place of business and registered office.

#### **Other matters**

The liquidation cannot be concluded at present due to two personal injury claims that have been made against the Company. We are in communication with the claimants' solicitors and the Company's insurers have been notified of the claims. Once these claims have been fully settled we will proceed to call the final general meeting of the Company.

Once the final meeting has been held and our final returns and accounts have been filed at Companies House, we will vacate office and receive our release. Approximately three months after the filing of the final return and accounts, the Company will be dissolved by the Registrar of Companies.

Yours faithfully  
for the Company

A handwritten signature in black ink, appearing to read 'S J Keen', written over a horizontal line.

S J Keen  
Joint Liquidator

S J Keen and E A Bingham are licensed in the United Kingdom to act as Insolvency Practitioners by the Insolvency Practitioners Association under Section 390(2)(a) of the Insolvency Act 1986.

We may collect, use, transfer, store or otherwise process (collectively "Process") information that can be linked to specific individuals ("Personal Data"). We may Process Personal Data in various jurisdictions in accordance with applicable law and professional regulations including (without limitation) the Data Protection Act 1998.

**Appendix A****Siebe Services Limited****(In Members' Voluntary Liquidation) (the "Company")****Information about the Company and the liquidators**

Registered office address of the Company	3 <sup>rd</sup> Floor, 40 Grosvenor Place, London, SW1X 7AW
Registered number	699127
Full names of the liquidators	E A Bingham and S J Keen
Liquidators' address(es)	Ernst & Young LLP 1 More London Place, London, SE1 2AF
Date of appointment of the joint liquidators	29 March 2012
Details of any changes of liquidator	None

## Appendix B

### Siebe Services Limited

Joint liquidators' receipts and payments account for the period from 29 March 2012 to 28 March 2013

Declaration of Solvency Estimated to Realise Values £	Total £
<b>Receipts</b>	
Estimated value of property distributed to members' in specie	2,000,000
	<hr/>
	2,000,000
<b>Payments</b>	
Liquidators' remuneration <sup>1</sup>	-
Liquidators' disbursements <sup>1</sup>	-
Distributions to shareholders 'in specie'	2,000,000
Total amount paid to holders of debentures, creditors, shareholders and contributories	<hr/>
	2,000,000
Balance at bank at 28 March 2013	<hr/>
	NIL

<sup>1</sup> The Joint Liquidators' remuneration and disbursements were paid by another group company and consequently do not appear in this receipts and payments account

**Members' rights to request further information about remuneration or expenses or to challenge a liquidator's remuneration – Rules 4.49E and 4.148C of the Insolvency Rules 1986, as amended**

**4 49E Creditors' and members' request for further information**

(1) If—

(a) within the period mentioned in paragraph (2)—

(i) a secured creditor, or

(ii) an unsecured creditor with the concurrence of at least 5% in value of the unsecured creditors (including the creditor in question), or

(iii) members of the company in a members' voluntary winding up with at least 5% of the total voting rights of all the members having the right to vote at general meetings of the company, or

(b) with the permission of the court upon an application made within the period mentioned in paragraph (2)—

(i) any unsecured creditor, or

(ii) any member of the company in a members' voluntary winding up,

makes a request in writing to the liquidator for further information about remuneration or expenses set out in a progress report in accordance with Rule 4 49B(1)(e) or (f) (including by virtue of Rule 4 49C(5)) or in a draft report under Rule 4 49D, the liquidator must, within 14 days of receipt of the request, comply with paragraph (3) except to the extent that the request is in respect of matter in a draft report under Rule 4 49D or a progress report required by Rule 4 108 which (in either case) was previously included in a progress report not required by Rule 4 108

(2) The period referred to in paragraph (1)(a) and (b) is—

(a) 7 business days of receipt (by the last of them in the case of an application by more than one member) of the progress report where it is required by Rule 4 108, and

(b) 21 days of receipt (by the last of them in the case of an application by more than one member) of the report or draft report in any other case

(3) The liquidator complies with this paragraph by either—

(a) providing all of the information asked for, or

(b) so far as the liquidator considers that—

- (i) the time or cost of preparation of the information would be excessive, or
- (ii) disclosure of the information would be prejudicial to the conduct of the liquidation or might reasonably be expected to lead to violence against any person, or
- (iii) the liquidator is subject to an obligation of confidentiality in respect of the information,

giving reasons for not providing all of the information

(4) Any creditor, and any member of the company in a members' voluntary winding up, who need not be the same as the creditors or members who asked for the information, may apply to the court within 21 days of—

- (a) the giving by the liquidator of reasons for not providing all of the information asked for, or
- (b) the expiry of the 14 days provided for in paragraph (1),

and the court may make such order as it thinks just

(5) Without prejudice to the generality of paragraph (4), the order of the court under that paragraph may extend the period of 8 weeks or, as the case may be, 4 weeks provided for in Rule 4 131(1B) or 4 148C(2) by such further period as the court thinks just

(6) This Rule does not apply where the liquidator is the official receiver

#### **4 148C Members' claim that remuneration is excessive**

(1) Members of the company with at least 10% of the total voting rights of all the members having the right to vote at general meetings of the company, or any member with the permission of the court, may apply to the court for one or more of the orders in paragraph (6) on the grounds that—

- (a) the remuneration charged by the liquidator,
- (b) the basis fixed for the liquidator's remuneration under Rule 4 148A, or
- (c) expenses incurred by the liquidator,

is or are, in all the circumstances, excessive or, in the case of an application under sub-paragraph (b), inappropriate

(2) Application must, subject to any order of the court under Rule 4 49E(5), be made no later than 8 weeks (or 4 weeks when the liquidator has resigned in accordance with Rule 4 142) after receipt by the applicant of the report or account which first reports the charging of the remuneration or the incurring of the expenses in question ("the relevant report")

(3) The court may, if it thinks that no sufficient cause is shown for a reduction, dismiss the application, but it must not do so unless the applicant has had the opportunity to attend the court for a hearing of which the applicant has been given at least 5 business days' notice but which is without notice to any other party

- (4) If the application is not dismissed under paragraph (3), the court must fix a venue for it to be heard and give notice to the applicant accordingly
- (5) The applicant must at least 14 days before the hearing send to the liquidator a notice stating the venue and accompanied by a copy of the application and of any evidence which the applicant intends to adduce in support of it
- (6) If the court considers the application to be well-founded, it must make one or more of the following orders—
  - (a) an order reducing the amount of remuneration which the liquidator was entitled to charge,
  - (b) an order fixing the basis of remuneration at a reduced rate or amount,
  - (c) an order changing the basis of remuneration,
  - (d) an order that some or all of the remuneration or expenses in question be treated as not being expenses of the liquidation,
  - (e) an order that the liquidator or the liquidator's personal representative pay to the company the amount of the excess of remuneration or expenses or such part of the excess as the court may specify,and may make any other order that it thinks just, but an order under sub-paragraph (b) or (c) may be made only in respect of periods after the period covered by the relevant report
- (7) Unless the court orders otherwise, the costs of the application must be paid by the applicant and are not payable as an expense of the liquidation

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