

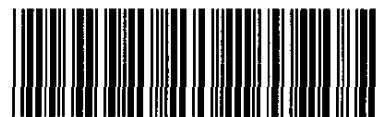
LIQ03

Notice of progress report in voluntary winding up



Companies House

FRIDAY



A8FTUM1E

A17

11/10/2019

#147

COMPANIES HOUSE

1 Company details

Company number 0 1 2 6 8 9 5 0

Company name in full Whitstone Head Educational Trust Limited

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

2 Liquidator's name

Full forename(s) W Vaughan

Surname Jones

3 Liquidator's address

Building name/number The Maltings

Street East Tyndall Street

Post town Cardiff

County/Region

Postcode C F 2 4 5 E Z

Country

4 Liquidator's name ①

Full forename(s) Susan

Surname Clay

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

5 Liquidator's address ②

Building name/number The Maltings

Street East Tyndall Street

Post town Cardiff

County/Region

Postcode C F 2 4 5 E Z

Country

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

LIQ03

Notice of progress report in voluntary winding up

6 Period of progress report

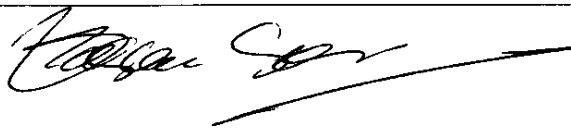
From date	^d 2	^d 1	^m 0	^m 9	^y 2	^y 0	^y 1	^y 8
To date	^d 2	^d 0	^m 0	^m 9	^y 2	^y 0	^y 1	^y 9

7 Progress report☒ The progress report is attached**8** Sign and date

Liquidator's signature

Signature

X



X

Signature date

^d 1	^d 0	^m 1	^m 0	^y 2	^y 0	^y 1	^y 9
-------------------	-------------------	-------------------	-------------------	-------------------	-------------------	-------------------	-------------------

LIQ03

Notice of progress report in voluntary winding up



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 **Tony Jopson**

Company name **Jones Giles & Clay Ltd**

Address **The Maltings**
East Tyndall Street

Post town **Cardiff**

County/Region

Postcode

C	F	2	4		5	E	Z
---	---	---	---	--	---	---	---

Country

DX

Telephone **029 2035 1490**



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

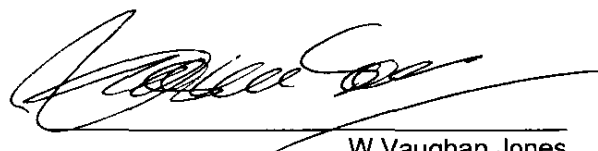
For further information please see the guidance notes on the website at www.gov.uk/companieshouse or email enquiries@companieshouse.gov.uk

This form is available in an alternative format. Please visit the forms page on the website at www.gov.uk/companieshouse

Whitstone Head Educational Trust Limited
(In Liquidation)
Joint Liquidators' Summary of Receipts & Payments

Declaration of Solvency £		From 21/09/2018 To 20/09/2019 £	From 21/09/2015 To 20/09/2019 £
	ASSET REALISATIONS		
	Bank Interest Gross	505.00	945.12
	Bank Interest Net of Tax	NIL	431.82
303,214.00	Cash at Bank	NIL	306,405.01
1,000.00	Motor Vehicles	NIL	300.00
400.00	Sundry debtors	NIL	13,746.64
	Sundry refunds	NIL	699.81
	Water rates refund	NIL	164.34
		<u>505.00</u>	<u>322,692.74</u>
	COST OF REALISATIONS		
	Bank Charges	NIL	40.00
	Irrecoverable VAT	13.60	6,377.54
	IT Costs	67.98	204.99
	Legal Fees (1)	NIL	3,139.40
	Office Holders Fees	NIL	16,500.00
	Other Property Expenses	NIL	1,908.19
	Preparation of S. of A.	NIL	5,000.00
	Public liability insurance	1,630.72	3,181.22
	Re-Direction of Mail	NIL	240.00
	Specific Bond	NIL	330.00
	Stationery & Postage	NIL	45.00
	Statutory Advertising	NIL	216.00
	Storage Costs	NIL	13,674.35
	Travelling expenses	NIL	160.80
	Wages & Salaries	NIL	1,469.60
		<u>(1,712.30)</u>	<u>(52,487.09)</u>
	UNSECURED CREDITORS		
(4,000.00)	Accrual - run off insurance	NIL	NIL
(8,000.00)	Accruals - archiving	NIL	NIL
(9,264.00)	Trade & Expense Creditors	NIL	NIL
		<u>NIL</u>	<u>NIL</u>
283,350.00		(1,207.30)	270,205.65
	REPRESENTED BY		
	Interest Bearing Current Account		270,205.65
			270,205.65

Note:


W Vaughan Jones
Joint Liquidator

Progress Report to Members – Progress Summary at 21 September 2019

Whitstone Head Educational Trust Limited – (In Liquidation)

Date of Winding Up: 21 September 2015

Company's former Address	Whitstone Head School, Whitstone, Holsworthy, EX22 6TJ
Company Registered Number	01268950
Company Registered Office	c/o The Maltings East Tyndall Street Cardiff CF24 5EZ
Liquidators' Name(s) & Address	W Vaughan Jones and Susan Clay Jones Giles & Clay Ltd The Maltings East Tyndall Street Cardiff CF24 5EZ
Date of Liquidators' Appointment	21 September 2015
Basis of Remuneration	<p>Liquidators' fees up to £16,500 plus VAT were agreed by the Members by resolution following presentation of the first annual report to 21 September 2016. These were based on time costs actually incurred to that date and anticipated to the projected case closure by September 2017. These fees have been paid.</p> <p>The case has remained open for reasons already explained and time costs incurred to date total £23,011 (analysis attached at Appendix I).</p> <p>It is hoped that the case can be closed after a further period of 12 months, to allow all outstanding claims to be finalised. The <i>estimated additional future time costs to complete this liquidation</i> are currently £3,002 (see Appendix I).</p> <p>The liquidators propose to request that fees be fixed at £26,000 on the basis that fund distribution and closure can be achieved immediately following the fifth anniversary on 21 September 2020.</p>

	<p>The liquidators have also requested to draw additional fees to date based on time costs already incurred. This request will be decided by a formal decision by correspondence and a notice of this is enclosed with this report.</p> <p>There remains work to do in maintaining insurance, continuing to submit annual company tax returns and liaising with solicitors and insurers still handling matters pertaining to outstanding claims. Also it is proposed to seek the opinion of a specialist solicitor on the proposed closure and if necessary to seek directions from court. The fee request sought is therefore considered to be fair and reasonable in the circumstances.</p> <p>Background information to help members understand the law and their rights in relation to determining how the liquidator will be paid is available at http://www.jonesgilesclay.co.uk/creditor-guide-to-fees-in-insolvency.asp</p>
Remuneration charged during the period(s)	Time costs totalling £3,324 have been incurred during the year to 21 September 2019. Details of work undertaken is attached
Liquidators' Expenses	<p>£1,097 total anticipated (see Estimated Outcome Statement)</p> <p>A detailed analysis of all costs incurred in connection with the liquidation is attached at Appendix II</p>
Liquidators' Receipts & Payments	A summary of the liquidators' receipts and payments is attached for the 4 years ended 20 September 2019 within a current Estimated Outcome Statement for the liquidation.
Assets realised by the Liquidators	<p>Motor vehicle - £300</p> <p>Debtors - £13,746</p> <p>Refunds - £864</p> <p>Cash at bank - £306,405</p> <p>Bank interest - £1,286</p>
Outstanding Assets to be realised	None
Outstanding claims	Ecclesiastical insurance (the company's insurers) advise that there is only one outstanding live abuse claim and damages and third party costs have been agreed and paid. No new claims have been received since 2014.

	<p>Solicitors continue to seek to reclaim some funds from a convicted perpetrator on one of the claims and have formally requested that the liquidation remain open until finalised.</p> <p>The liquidators propose seeking the opinion of a specialist solicitor on the proposed closure and if necessary to seek directions from court. A resolution is included for consideration within the decisions to be made by correspondence.</p> <p>The liquidators consider it prudent to maintain the case open for one further year with a view to distributing remaining funds and closing the case immediately following the fifth anniversary.</p>
Ongoing insurance cover	Run off liability insurance at an annual cost of approximately £800 is being maintained and was renewed in September 2019 for one more year.
Estimated Outcome Statement	Attached in detail, showing assets realised and costs paid and projected. It is prepared on the basis that the "abuse" claims do not ultimately affect outcome
Comments on Estimated Outcome Statement	A provision for £9,500 has been included in respect of additional liquidators' fees due to extended administration costs associated with maintaining this case as live and fulfilling ongoing statutory obligations. In addition a provision of £3,000 has been made for obtaining an opinion from a specialist solicitor and possibly seeking court directions on the proposed closure.
Unsecured Creditors	Creditors and accrued liabilities as indicated in the directors' Statutory Declaration of Solvency have been paid. No known trading creditors remain.
Distributions to the four stipulated similar charities	<p>None have been made due to the remaining uncertainty regarding the insurance cover for the live abuse claims still being pursued.</p> <p>The cash is being held in an interest bearing account.</p>
Statement of Creditors' or Members' Rights	See attached

Whitstone Head Educational Trust Limited – In Liquidation

Work undertaken by liquidators during year from 21 September 2018 to 20 September 2019 (i.e. since last annual report)

Recorded time costs for work undertaken in this period total £3,324. The case has to remain open until all abuse claim issues are satisfactorily resolved.

Realisation of assets

Anticipated work since 21.9.18	Actual work
Reconcile bank and account for additional interest received	As anticipated

Work with creditors

Anticipated work since 21.9.18	Actual work
None	None

Other administration tasks

Anticipated work since 21.9.18	Actual work
Ongoing file administration – dealing with sundry correspondence, emails etc.	As anticipated
Completion of annual corporation tax return	As anticipated
Insurance run off – liaise with Trustees regarding this and organising ongoing cover	As anticipated
Ongoing correspondence in respect of “Abuse” claims from ex pupils – dealing with possible future claims	Correspondence on existing claims and the one further claim received post appointment – ongoing correspondence with insurers and solicitors regarding case progress and possibilities of closure.
Six monthly file reviews and production of annual report to members	As anticipated

Whitstone Head Educational Trust Limited
(In Liquidation)
Joint Liquidators' Summary of Receipts & Payments

Declaration of Solvency £		From 21/09/2018 To 20/09/2019 £	From 21/09/2015 To 20/09/2019 £
	ASSET REALISATIONS		
	Bank Interest Gross	505.00	945.12
	Bank Interest Net of Tax	NIL	431.82
303,214.00	Cash at Bank	NIL	306,405.01
1,000.00	Motor Vehicles	NIL	300.00
400.00	Sundry debtors	NIL	13,746.64
	Sundry refunds	NIL	699.81
	Water rates refund	NIL	164.34
		505.00	322,692.74
	COST OF REALISATIONS		
	Bank Charges	NIL	40.00
	Irrecoverable VAT	13.60	6,377.54
	IT Costs	67.98	204.99
	Legal Fees (1)	NIL	3,139.40
	Office Holders Fees	NIL	16,500.00
	Other Property Expenses	NIL	1,908.19
	Preparation of S. of A.	NIL	5,000.00
	Public liability insurance	1,630.72	3,181.22
	Re-Direction of Mail	NIL	240.00
	Specific Bond	NIL	330.00
	Stationery & Postage	NIL	45.00
	Statutory Advertising	NIL	216.00
	Storage Costs	NIL	13,674.35
	Travelling expenses	NIL	160.80
	Wages & Salaries	NIL	1,469.60
		(1,712.30)	(52,487.09)
	UNSECURED CREDITORS		
(4,000.00)	Accrual - run off insurance	NIL	NIL
(8,000.00)	Accruals - archiving	NIL	NIL
(9,264.00)	Trade & Expense Creditors	NIL	NIL
		NIL	NIL
283,350.00		(1,207.30)	270,205.65
	REPRESENTED BY		
	Interest Bearing Current Account		270,205.65
			270,205.65

Note:

Whitstone Head Educational Trust Limited in liquidation
Liquidators' Receipts and payments account
Including actuals from 21 September 2015 to 20 September 2019

	Declaration of Solvency	To 20.9.19	Anticipated future	Estimated Total
	£	£	£	£
Receipts				
Motor vehicles	1,000	300	0	300
Refunds	400	864	0	864
Debtors	0	13,746	0	13,746
Cash at bank	303,214	306,405	0	306,405
Interest	0	1,378	0	1,378
Total	304,614	322,693	0	322,693
Liabilities and costs of realisation and administration				
Trade and expense creditors	9,264	5,047	0	5,047
Archiving of company records	8,000	13,674	0	13,674
Run-off insurance	4,000	3,181	0	3,181
Pre-liquidation fee	5,000	5,000	0	5,000
Pre-liquidation expenses	500	206	0	206
Liquidators' fees	5,000	16,500	9,500	26,000
Liquidators' expenses	1,500	0	492	492
Solicitors' costs	0	0	3,000	3,000
Agents fees (S Gent work)	0	1,470	0	1,470
Statutory advertising	500	216	0	216
Office holder's bond	0	330	0	330
IT costs	0	205	70	275
Mail redirection	0	240	0	240
Bank charges	0	40	0	40
Irrecoverable VAT	2,500	6,378	2,598	8,976
Total costs	36,264	52,487	15,660	68,147
Net realisations	268,350	270,206	-15,660	254,546
Balance to distribute	268,350	270,206	-15,660	254,546

Analysis of expenses post liquidation (anticipated)

£

Category 1

Company search / IT costs

275

Office holders bond

330

Postage

10

615

Category 2 (disbursements)

Books & records storage & destruction

350

Stationery

25

Motor mileage expenses

107

482

Total

1,097

Whitstone Head Educational Trust
Ltd in liquidation

Summary of liquidators' time costs budget / actual as at 20 September 2019

Classification of work function	Actual year ended 20.9.19			Total to date			Projected to complete liquidation			Projected total to complete liquidation		
	Hours	IPs and snr managers	Other staff	Total	Hours	IPs and snr managers	Other staff	Total	Hours	IPs and snr managers	Other staff	Total
Administration & planning	8.70		0.00	8.70	37.90		8.00	45.90	6.50		0.00	6.50
										44.40	8.00	52.40
Abuse claims related matters	2.80		0.00	2.80	15.80		0.00	15.80	5.00		0.00	5.00
										20.80	0.00	20.80
Creditors	0.00		0.00	0.00	20.70		0.70	21.40	0.00		0.00	0.00
										20.70	0.70	21.40
Realisation of assets	0.70		0.00	0.70	11.30		0.60	11.90	0.00		0.60	0.60
										11.30	0.60	11.90
	12.20	0.00	0.00	12.20	85.70		9.30	95.00	11.50		9.30	106.50
										97.20	9.30	106.50
Anticipated average rate	272.46		135.00		258.67		90.73		260.00		135.00	
										249.47	90.73	
Total time costs	3,324.01	0.00	3,324.01		22,168.02		843.79	23,011.81	2,990.00		843.79	26,001.81
										25,158.02	843.79	26,001.81

* includes dealing with pre-liquidation outstanding liabilities, negotiations etc.

Whitstone Head Educational Trust
Ltd in liquidation

Appendix II

Summary of liquidators' expenses budget / actual as at 20 September 2019

Item	Estimate at date of appointment (21.9.15)	Actual to 20.9.19	Projected to complete	Projected total to complete
	Costs	Costs	Costs	Total Costs
Pre-liq fees re Declaration of Solvency and convening of meetings	5,000	5,000	0	5,000
Post liq payments to creditors / wages	6,517	6,517	0	6,517
Pre-liq disbursements	500	45	0	45
Statutory advertising	500	216	0	216
Insurance (run off)	4,000	3,181	0	3,181
Archiving books and records	8,000	13,674	0	13,674
Storage of books and records	400	0	350	350
Stationery / postage / mail redirection	260	240	35	275
Bond	400	330	0	330
Travelling expenses	300	161	107	268
Case management licence fee	140	205	70	275
Bank charges	0	40	0	40
Irrecoverable VAT	2,500	6,378	1,798	8,176
	<u>28,517</u>	<u>35,987</u>	<u>2,360</u>	<u>38,347</u>

Insolvency Rules (England and Wales) 2016

Creditors' and members' requests for further information in administration, winding up and bankruptcy

18.9.—(1) The following may make a written request to the office-holder for further information about remuneration or expenses (other than pre-administration costs in an administration) set out in a progress report under rule 18.4(1)(b), (c) or (d) or a final report under rule 18.14—

- (a) a secured creditor;
- (b) an unsecured creditor with the concurrence of at least 5% in value of the unsecured creditors (including the creditor in question);
- (c) 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;
- (d) any unsecured creditor with the permission of the court; or
- (e) any member of the company in a members' voluntary winding up with the permission of the court.

(2) A request, or an application to the court for permission, by such a person or persons must be made or filed with the court (as applicable) within 21 days of receipt of the report by the person, or by the last of them in the case of an application by more than one member or creditor.

(3) The office-holder must, within 14 days of receipt of such a request respond to the person or persons who requested the information by—

- (a) providing all of the information requested;
- (b) providing some of the information requested; or
- (c) declining to provide the information requested.

(4) The office-holder may respond by providing only some of the information requested or decline to provide the information if—

- (a) the time or cost of preparation of the information would be excessive; or
- (b) disclosure of the information would be prejudicial to the conduct of the proceedings;
- (c) disclosure of the information might reasonably be expected to lead to violence against any person; or
- (d) the office-holder is subject to an obligation of confidentiality in relation to the information.

(5) An office-holder who does not provide all the information or declines to provide the information must inform the person or persons who requested the information of the reasons for so doing.

(6) A creditor, and a member of the company in a members' voluntary winding up, who need not be the same as the creditor or members who requested the information, may apply to the court within 21 days of—

- (a) the office-holder giving reasons for not providing all of the information requested; or
- (b) the expiry of the 14 days within which an office-holder must respond to a request.

(7) The court may make such order as it thinks just on an application under paragraph (6).

Remuneration and expenses: application to court by a creditor or member on grounds that remuneration or expenses are excessive

18.34.—(1) This rule applies to an application in an administration, a winding-up or a bankruptcy made by a person mentioned in paragraph (2) on the grounds that—

- (a) the remuneration charged by the office-holder is in all the circumstances excessive;
- (b) the basis fixed for the office-holder's remuneration under rules 18.16, 18.18, 18.19, 18.20 and

18.21 (as applicable) is inappropriate; or

(c) the expenses incurred by the office-holder are in all the circumstances excessive.

(2) The following may make such an application for one or more of the orders set out in rule 18.36 or

18.37 as applicable—

- (a) a secured creditor,
- (b) an unsecured creditor with either—
 - (i) the concurrence of at least 10% in value of the unsecured creditors (including that creditor), or
 - (ii) the permission of the court, or
- (c) in a members' voluntary winding up—
 - (i) 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
 - (ii) a member of the company with the permission of the court.

(3) The application by a creditor or member must be made no later than eight weeks after receipt by the applicant of the progress report under rule 18.3, or final report or account under rule 18.14 which first reports the charging of the remuneration or the incurring of the expenses in question ("the relevant report").

Applications under rules 18.34 and 18.35 where the court has given permission for the application

18.36.—(1) This rule applies to applications made with permission under rules 18.34 and 18.35.

(2) Where the court has given permission, it must fix a venue for the application to be heard.

(3) The applicant must, at least 14 days before the hearing, deliver to the office-holder a notice stating the venue and accompanied by a copy of the application and of any evidence on which the applicant intends to rely.

(4) 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 office-holder is entitled to charge;

(b) an order reducing any fixed 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 is not to be treated as expenses of the administration, winding up or bankruptcy;

(e) an order for the payment of the amount of the excess of remuneration or expenses or such part of the excess as the court may specify by —

(i) the administrator or liquidator or the administrator's or liquidator's personal representative to the company, or

(ii) the trustee or the trustee's personal representative to such person as the court may specify as property comprised in the bankrupt's estate;

(f) any other order that it thinks just.

(5) An order under paragraph (4)(b) or (c) may only be made in respect of periods after the period covered by the relevant report.

(6) 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 administration, winding up or bankruptcy.

Applications under rule 18.34 where the court's permission is not required for the application

18.37.—(1) On receipt of an application under rule 18.34 for which the court's permission is not required, the court may, if it is satisfied that no sufficient cause is shown for the application, dismiss it without giving notice to any party other than the applicant.

(2) Unless the application is dismissed, the court must fix a venue for it to be heard.

(3) The applicant must, at least 14 days before any hearing, deliver to the office-holder a notice stating the venue with a copy of the application and of any evidence on which the applicant intends to rely.

(4) 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 office-holder is entitled to charge;

(b) an order reducing any fixed 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 administration or winding up or bankruptcy;

(e) an order for the payment of the amount of the excess of remuneration or expenses or such part of the excess as the court may specify by —

(i) the administrator or liquidator or the administrator's or liquidator's personal representative to the company, or

(ii) the trustee or the trustee's personal representative to such person as the court may specify as property comprised in the bankrupt's estate;

(f) any other order that it thinks just.

(5) An order under paragraph (4)(b) or (c) may only be made in respect of periods after the period covered by the relevant report.

(6) 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 administration or as winding up or bankruptcy.