

The Insolvency Act 1986
Notice of Completion of
Voluntary Arrangement
Pursuant to Section 21(2) of the
Insolvency Rules 1986

R.1.29

To the Registrar of Companies

For official use

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Company Number

1299331

Name of Company

(a) Insert full name
of company

(a) Barrett Howe

Limited

(b) Insert full name
and address

I (b)

Lynn Gibson of Gibson Hewitt
5 Park Court
Pyrford Road
West Byfleet
Surrey, KT14 6SD

(c) Insert date

the supervisor of a voluntary arrangement approved on (c) 10/12/2008
encloses a copy of my notice to the creditors and members of the
above-named company that the voluntary arrangement has been
completed, together with a report of my receipts and payments

Signed



Date

20/2/14

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

Gibson Hewitt
5 Park Court
Pyrford Road
West Byfleet
Surrey, KT14 6SD

For Official Use

Liquidation Section

Post Room

FRIDAY



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A17

21/02/2014

#126

COMPANIES HOUSE

**Supervisor's
Final Report to Creditors and
Members**

Barrett Howe Limited

**Company Voluntary
Arrangement**

18 February 2014

Barrett Howe Limited - Company Voluntary Arrangement (CVA)

Supervisor's Final Report to Creditors and Members

Dated 18 February 2014

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18 February 2014

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TO ALL CREDITORS AND MEMBERS

1. Introduction

1 1 I, Lynn Gibson of Gibson Hewitt LLP, 5 Park Court, Pyrford Road, West Byfleet, Surrey KT14 6SD was appointed Supervisor of the CVA of the Company which was approved on 10 December 2008. This report provides an update on the progress of the CVA for the period to 18 February 2014 and is sent in accordance with Rules 1.26 and 1.29 of the Insolvency Rules 1986. This is my final report to creditors in my capacity as Supervisor.

2. Receipts and Payments

2 1 At Appendix A, I have provided an account of my Receipts and Payments for the period 10 December 2008 to 18 February 2014 with a comparison to the Directors' Statement of Affairs values.

3. Supervisor's Comments

3 1 All required contributions were received.

3 2 A dividend of 38p/£ was paid to unsecured creditors on 28 September 2010. Please refer to paragraph 4.2 of this report for further details of dividends paid.

3 3 HM Revenue & Customs' Claim

Creditors will recall that HMRC's claim of £79,111 was admitted to the list of unsecured creditors to rank for dividend, whilst a further claim of £80,000.00 was received which was not admitted as it was dependent on the outcome of a class lawsuit that the Company was involved in with respect to a tax avoidance scheme. The CVA was kept open whilst a decision was being made by the Court. As stated in my previous report, the Court's decision ruled in favour of HMRC. I therefore admitted HMRC's additional claim of £80,000.

3 4 Winding up resolution passed

As the CVA was in force for such a lengthy period, a number of companies, having discovered the Company was in a CVA, chose not to continue doing business with the Company. Furthermore, the lease of the Company's premises terminated in June 2013 and the Company could not afford to pay a 3 month rent deposit which was required to acquire a new lease for the alternative premises they were considering. These two issues were the

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major factors which caused the failure of the business and the Directors consequently decided to place the Company into voluntary liquidation on 1 July 2013

Creditors will recall I was considering whether or not it was necessary to convert the liquidation procedure into a compulsory liquidation by petitioning for the winding up of the Company. I concluded that this was not necessary as it would add additional costs to the liquidation without any appreciable benefit. Therefore, I have issued a Certificate of Termination with this final report at Appendix D

4. Creditors' Claims

4.1 Preferential Creditors

Preferential creditors were paid in full as detailed below

Preferential claim	Agreed Claim £	Statement of Affairs Claim £	Dividend paid p in the £1
Employee claims (Total number of claims = 5)	8,547	45,980	100p/£
Department for Business Innovation & Skills (BIS)	3,971	0	100p/£

(Note The statement of affairs value for preferential claims was the estimated total preferential claims if the Company went into liquidation as prepared by the directors on 10 December 2008)

4.2 Unsecured Creditors

4.2.1 The Director's Statement of Affairs estimated claims of £429,852 from 94 creditors. I received claims totalling £400,270 from 77 creditors of which claims totalling £375,825

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were admitted to rank for dividend. This included the further £80,000 of HMRC's claim which was admitted following the ruling by the Court mentioned in paragraph 3.3 of this report. I rejected 7 claims totalling £22,884.

4.2.2 Creditors, whose claim had been agreed, were paid a first and final unsecured dividend of 38p/£1 on 28 September 2010.

4.2.3 Funds were retained to enable a dividend of 38p/£ on the £80,000 element of HMRC's claim and were paid to HMRC on 30 January 2014 less an agreed administration fee.

5. Supervisor's Remuneration

5.1 The basis of the Supervisor's remuneration was approved on a time costs basis at the first meeting of creditors held on 10 December 2008.

5.2 The Supervisor's time costs as at 18 February 2014 totalled £54,254 representing 370 hours at an average of £146 per hour. To the date of this report, £45,527 plus disbursements was drawn on account of these time costs having been limited to the funds available.

5.3 Attached as Appendix B is a Time Analysis in accordance with the provisions of Statement of Insolvency Practice 9 (SIP9), which provides details of the activity costs, incurred by staff grade to date.

5.4 As mentioned in my previous report to creditors, time costs exceeded the original estimates in the proposal due to time spent on the following issues:

- Negotiations with the directors and landlord regarding the company's move to new premises
- Liaison with an interested party regarding a potential merger of the company
- Modification put to creditors to reduce the contributions (rejected)
- A number of meetings with the directors regarding the management of the company
- Consideration of the claim from HMRC mentioned in paragraph 3.3 of this report

5.5 Attached as Appendix C is additional information in relation to our policy on staffing, the use of sub-contractors, disbursements and details of our current charge-out rates by staff grade.

Barrett Howe Limited - Company Voluntary Arrangement (CVA)

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6. Conclusion

- 6.1 The CVA failed following the passing of a resolution to wind up the Company at a meeting of members on 1 July 2013. A Certificate of Termination is enclosed with this final report to creditors.
- 6.2 As the Company is now in liquidation, any claims against the Company should now be submitted to the joint liquidators.

If you require any further information regarding any aspect of the CVA, please do not hesitate to contact me or Hassan Baig of this office.

Yours faithfully



Lynn Gibson

Supervisor

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APPENDIX A

B171 Barrett Howe Ltd (Company Voluntary Arrangement)

Abstract Receipts & Payments

	Estimated Statement of Affairs	10 December 2008 to 09 December 2013	10 December 2013 to 18 February 2014	Total
		£	£	£
RECEIPTS				
0702 Scheme Receipts CVA	198,000	198,000 00	0 00	£198,000 00
0801 Interest Gross	0	1 407 66	64 98	£1,472 64
0802 Interest Net	0	20 66	0 00	£20 66
0900 VAT	0	0 00	0 00	£0 00
0962 Transfer From Other accounts	0	30,400 00	0 00	£30,400 00
Vat on Outputs and received		1,306 40	0 00	1,306 40
	198,000	231,134 72	64 98	231,199 70
PAYMENTS				
1201 Legal Fees		1,386 50	0 00	£1,386 50
1402 Insurance -Bonds		286 00	0 00	£286 00
1601 Pref Dividends		8,546 94	0 00	£8 546 94
1602 Unsecured Dividends		112,413 07	27,759 11	£140,172 18
1805 Supervisors Fees		41 611 96	3 915 03	£45,526 99
1806 Supervisors Exps		3,046 58	528 11	£3,574 69
1962 Transfer To Other accounts		30,400 00	0 00	£30,400 00
Vat suffered and payments		1,306 40	0 00	1,306 40
		188,997 45	32,202 25	231,199 70
Net Position		£32,137 27	-£32,137 27	£0 00
<u>Analysis of sums held:</u>				
Non Interest bearing The Royal Bank of Scotland PLC		£0 00		
Non Interest bearing National Westminster Bank PLC		£0 00		
Total funds held		£0 00		
Vat Recoverable / <Payable>		£0 00		
Total Funds		£0 00		

Appendix A

Annex to Receipts and Payments Account

Summary of all dividends paid

Class of Creditor	Dividend	Date of Dividend	Dividend (p/£)	Cumulative return (p/£)
Preferential	1 st	1 st July 2009	100p/£	100p/£
Unsecured	1 st	28 th September 2010	38p/£	38p/£
Unsecured	1 st	30 th January 2014*	38p/£	38p/£

*This relates to the dividend paid to HMRC in accordance with paragraph 3.3 of the final report

Summary of expenses incurred but not yet paid from the CVA

Type	Incurred in prior periods (£)	Incurred in this period (£)	Total incurred but not yet paid (£)
Officeholder's category 1 disbursements	0 00	1,008 26	0 00
Officeholder's category 2 disbursements	0 00	3,510 10	0 00
Insurance costs	0 00	286.00	0 00
Legal fees	0 00	1,386.00	0 00
TOTAL	0.00	6,190.36	0.00

(Note The requirement for a detailed analysis of disbursements came into force after the commencement of this case Therefore, systems were not place to allow for a split of disbursements between different periods All disbursements have been allocated to the current period as a result)

From 10/12/2008 to 9/12/2013

Classification of Work Function	Partner	Manager	Other Senior Professional	Assistants and Support Staff	Total Hours	Time Cost	Average Hourly Rate
Administration & Planning	53 90	61 00	15 30	63 90	194 10	28186 58	145 22
Investigations	4 00	0 00	0 00	0 00	4 00	1040 00	260 00
Realisation of Assets	17 40	0 00	0 00	0 00	17 40	4578 00	263 10
Creditors	22 40	64 70	23 93	34 10	145 13	18562 51	127 90
Other / Legal	2 80	2 30	1 40	0 00	6 50	1252 00	192 62
TOTAL HOURS	100.50	128 00	40 63	98.00	367.13	53619.09	146.05

From 10/12/2013 to 18/02/2014

Classification of Work Function	Partner	Manager	Other Senior Professional	Assistants and Support Staff	Total Hours	Time Cost	Average Hourly Rate
Administration & Planning	0 50	1 00	1 00	1 00	3 50	635 00	181 43
Investigations	0 00	0 00	0 00	0 00	0 00	0 00	0 00
Realisation of Assets	0 00	0 00	0 00	0 00	0 00	0 00	0 00
Creditors	0 00	0 00	0 00	0 00	0 00	0 00	0 00
Other / Legal	0 00	0 00	0 00	0 00	0 00	0 00	0 00
TOTAL HOURS	0 50	1 00	1 00	1.00	3 50	635.00	181.43

From 10/12/2008 to 18/02/2014

Classification of Work Function	Partner	Manager	Other Senior Professional	Assistants & Support Staff	Total Hours	Time Cost	Average Hourly Rate
Admin maint of records	0 30	0 00	3 80	5 40	9 50	849 10	89 38
Bonding	0 00	0 00	0 50	1 30	1 80	157 30	87 39
Case monitoring	0 50	8 70	0 20	0 70	10 10	1,143 20	113 19
Case planning	0 70	3 60	0 00	0 00	4 30	645 60	150 14
Cash bk banking	0 00	0 00	0 00	11 10	11 10	651 10	58 66
Cash bk reconciliations	0 00	0 00	0 00	5 30	5 30	366 30	69.11
Cash bk other	0 00	0 00	0 00	14 15	14 15	1,145 35	80.94
Cash bk maintaining entries	0 00	0 00	0 00	0 60	0 60	39 30	65.50
Cash bk payment of suppliers	0 00	0 00	1 50	0 20	1 70	121 50	71 47
Cash bk reports 4 68 etc	0 00	0 80	0 00	1 90	2 70	270 20	100.07
Closure issues	2 00	0 20	2 20	0 00	4 40	1,042 18	236 83
Cr Mtg Attendance	5 60	1 80	0 00	0 00	7 40	1,783 00	240 95
Cr Mtg post issues	2 40	3 20	0 00	0 70	6 30	1,089 50	172 94
Cr mtg preparation	3 70	1 50	2 10	0 00	7 30	1,549 50	212 26
Creditors meeting preparation	0 00	0 00	0 00	0 60	0 60	36 00	60 00
Crs mtg convene	0 00	0 00	0 00	0 20	0 20	15 00	75 00
Filing & Scanning	0 00	0 00	0 00	0 30	0 30	22 50	75 00
Further info / mtgs	0 60	4 00	0 50	0 00	5 10	609 00	119 41
Instructions / First meetings	1 00	0 00	0 00	0 00	1 00	360 00	360 00
Monitoring Mtgs with Dr	1 00	0 00	0 00	0 00	1 00	350 00	350 00
Partner reviews	1 00	0 00	0 00	0 40	1 40	320 30	228 79
Reports Annual	2 70	10 00	5 50	4 00	22 20	2,755 00	124 10
Reports Other	0 30	3 00	0 00	17 75	21 05	1,599 85	76 00
VA failure	0 80	0 00	0 00	0 00	0 80	288 00	360 00
VA liaison with DR	28 20	14 20	0 00	0 00	42 40	9,138 00	215 52
VA modifications	3 20	7 70	0 00	0 00	10 90	1,801 00	165 23
VA negotiations with creditors	0 00	0 70	0 00	0 00	0 70	70 00	100 00
VAT returns & claims	0 40	2 60	0 00	0 30	3 30	603 80	182 97
Administration & Planning	54.40	62.00	16.30	64.90	197.60	28,821.58	145.86
Dirs interviews	4 00	0 00	0 00	0 00	4 00	1,040 00	260 00
Investigations	4.00	0.00	0.00	0.00	4.00	1,040.00	260.00
Asset Debtors	0 60	0 00	0 00	0 00	0 60	210 00	350 00
Asset property	7 80	0 00	0 00	0 00	7 80	2,028 00	260 00
Sale Bus	9 00	0 00	0 00	0 00	9 00	2,340 00	260 00
Negotiations							
Realisation of Assets	17.40	0.00	0.00	0.00	17.40	4,578.00	263.10

Ees crs calc claim	0 70	0 00	1 00	0 00	1 70	269 60	158 59
Ees corres RPO	0 00	2 30	1 00	0.00	3 30	568 76	172 35
Employees crs	0 00	2 00	0 00	0 50	2 50	507 50	203 00
Pref crs corres	0 00	0 00	0 00	0 20	0 20	6 40	32 00
Pref crs distribution	0 00	2 50	0 00	0 00	2 50	300 00	120 00
Sec crs	0 30	0 50	0 00	0 00	0 80	193.00	241 25
Tax Advice	0 00	0 70	0 00	0 00	0 70	70 00	100.00
Tax computations	3 50	0 00	0 00	0.00	3 50	910 00	260 00
Tax	1 00	0 20	3 30	0 00	4 50	659 00	146 44
Correspondence							
Unsec crs agreeing claim	12 00	39 50	5 20	13 00	69 70	9,402 90	134 91
Unsec crs corres	0 50	9 10	11 33	18 20	39 13	3,116 17	79 64
Unsec Crs	2 60	4 70	1 90	0 70	9 90	1,648 88	166 55
Distributions							
Unsec crs tele con	1 80	3 20	0 20	1 50	6 70	910 30	135 87
Creditors	22.40	64.70	23.93	34.10	145.13	18,562.51	127.90
Legal Docs review / Consider	0 50	1 50	0 00	0 00	2 00	387 50	193 75
Legal: Docs review / Consider	0.50	1.50	0.00	0.00	2.00	387.50	193.75
Legal Sols liaison	2 30	0 80	1 40	0 00	4 50	864 50	192 11
Legal: Sols liaison	2.30	0.80	1.40	0.00	4.50	864.50	192.11
TOTAL					370.63	54,254.09	146.38

ADDITIONAL INFORMATION RELATING TO SUPERVISOR'S FEES

PURSUANT TO STATEMENT OF INSOLVENCY PRACTICE 9 (SIP9)

Appendix C

Policy

Detailed below is Gibson Hewitt LLP's policy in relation to

- Staff allocation and the use of subcontractors
- Professional advisors
- Disbursements

Staff allocation and the use of subcontractors

Our general approach to resourcing our assignments is to allocate staff with the skills and experience to meet the specific requirements of the case

The constitution of the case team will usually consist of a Partner, Manager, Administrator and Assistant. The exact constitution of the case team will depend on the anticipated size and complexity of the assignment and on larger, more complex cases, several staff at all grades may be allocated to meet the demands of the case.

Professional advisors

On this assignment we have used the professional advisors listed below

Name of Professional Advisor	Basis of Fee Arrangement
Boyes Turner (legal advice)	Time cost basis

Disbursements

Category 1 and 2 disbursements were incurred by the Supervisor as set out in the Statements of Insolvency Practice (SIP9) and detailed at

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

Category 1 disbursements do not require approval by creditors. The type of disbursements that may be charged as a Category 1 disbursement to a case generally comprise of external supplies of incidental services specifically identifiable to the case, such as postage, case advertising, invoiced travel and external printing and room hire. Also chargeable will be any properly reimbursed expenses incurred by personnel in connection with the case.

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Category 2 disbursements do require approval from creditors. These disbursements can include costs incurred which incorporate an element of overhead recovery. On this case the following costs have been incurred

Amounts paid or payable to the office holder's firm or to any party in which the office holder or his firm or any associate has an interest	
Type and purpose	£
Travel (159 miles)	76 70
Photocopying (18,515)	3,332 70
Faxes (41)	28 70
Total	3,438.10

Charge –out rate

A schedule of Gibson Hewitt LLP's charge-out rate was issued to creditors at the time the basis of the Supervisor's remuneration was approved. Gibson Hewitt LLP's charge-out rates were amended to the following with effect from 1 April 2013

Staff Grade	Charge out rate per hour (£)
Partner	360
Manager	235
Other Senior Professional	100 -130
Assistants and Support	75 - 99

APPENDIX D

In Matter of Insolvency Act 1986

And

In Matter of

Barrett Howe Limited

**Company Voluntary Arrangement
Slough County Court CVA 5 of 2008**

Certificate of Termination of Company Voluntary Arrangement

I certify that the Voluntary Arrangement of Barrett Howe Limited agreed by creditors on 10th December 2008 has now failed

Accordingly, all creditors are no longer bound by the scheme



Lynn Gibson
Supervisor

Date 18 February 2014