

# Liquidator's Progress Report

# S.192

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

To the Registrar of Companies

Company Number

02188184

Name of Company

Strobe 3

I / We

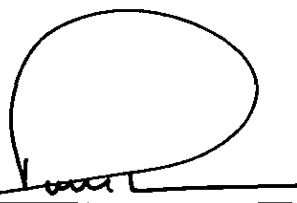
Paul David Williams  
The Shard  
32 London Bridge Street  
London  
SE1 9SG

Paul John Clark  
The Shard  
32 London Bridge Street  
London  
SE1 9SG

the liquidator(s) of the company attach a copy of my/our Progress Report  
under section 192 of the Insolvency Act 1986

The Progress Report covers the period from 01/07/2012 to 30/06/2013

Signed



Date

28/8/13

Duff & Phelps Ltd  
The Shard  
32 London Bridge Street  
London  
SE1 9SG

Ref EBS036/PDW/PJC/ANJ/NTD

SAT SATURDAY



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A31 07/09/2013 #155

COMPANIES HOUSE

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COMPANIES HOUSE

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# Annual Report

29 August 2013

## **Strobe 3**

(In Creditors' Voluntary Liquidation)

**Annual Report of the Joint Liquidators**

**For the period from 1 July 2012 to 30 June 2013**

**Pursuant to Section 104A of the Insolvency Act 1986**

**and Rule 4.49C of the Insolvency Rules 1986 (as amended)**

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## Definitions

Word or Phrase	Definition
the Act	means The Insolvency Act 1986 (as amended)
the Rules	means The Insolvency Rules 1986 (as amended)
the Appointment Date	means 1 July 2011, being the date of appointment of the Joint Liquidators,
the Administration Date	means 1 March 2010, being the date of the appointment of the Joint Administrators
the Company	means Strobe 3 (In Liquidation), company number 02188184
the Directors	means Christian Arden and David Barrett, the directors of the Company at the Administration Date
Duff & Phelps	means, Duff & Phelps Ltd , of The Shard, 32 London Bridge Street, London, SE1 9SG
the Joint Liquidators	means Paul David Williams and Paul John Clark of Duff & Phelps
the Joint Administrators	means Paul David Williams and Paul John Clark of Duff & Phelps
Prescribed Part	Pursuant to Section 176A of the Act where a floating charge is created after 15 September 2003 a designated amount of the Company's net property (floating charge assets less costs of realisation) shall be made available to non-preferential unsecured creditors
Cavendish	means Cavendish Bars Limited
3D	means 3D Entertainment (CRC) Limited (In Liquidation)
SIP 9	means Statement of Insolvency Practice 9 – Industry best practice for Insolvency Practitioners in relation to disclosure of remuneration and disbursements
SoA	means Statement of Affairs, documentation supplied by the Directors outlining the Company's financial position as at the Administration Date

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## **Appendices**

- 1 Joint Liquidators' Receipts and Payments Account
- 2 Analysis of Time Charged and Expenses Incurred
- 3 Proof of Debt Form

## **1 Introduction**

- 1 1 I refer to the creditors meeting held on 4 August 2011 and Joint Liquidators' report dated the 7 August 2012
- 1 2 The purpose of this report is to detail the Joint Liquidators' acts and dealings, together with the conduct of the Liquidation during the period 1 July 2012 to 30 June 2013
- 1 3 Please refer to the Joint Liquidators' previous report and the reports of the former Joint Administrators for further information on the Company

## **2 Background**

- 2 1 Paul David Williams and Paul John Clark were appointed Joint Administrators of the Company on the Administration Date. The Joint Administrators' proposals and report to creditors dated 16 April 2010 were sent to creditors on 16 April 2010. Subsequently, the Joint Administrators' proposals were approved at a meeting of the Company's creditors on 5 May 2010
- 2 2 The Joint Administrators' final progress report, dated 22 June 2011, was sent to all creditors of the Company on 13 July 2013, which included Form 2 34B – Notice of move from Administration to Creditors' Voluntary Liquidation, to advise that Paul Williams and Paul Clark were appointed Joint Liquidators of the Company on the Appointment Date
- 2 3 The Company's registered office is The Shard, 32 London Bridge Street, London, SE1 9SG
- 2 4 The Company's former registered office was 43-45 Portman Square, London, W1H 6LY
- 2 5 The Company's registered office prior to appointment was Euro House, 1394 High Road, London, N20 9YZ
- 2 6 The Company previously traded from 1 Duchess Street, London, W1W 6AN
- 2 7 The principal activity of the Company was as the leaseholder of nightclubs. The Joint Administrators' and Joint Liquidators' previous reports provided further background on the Company
- 2 8 All previous reports are available on request

## **3. Joint Liquidators' Receipts and Payments Account**

- 3 1 A summary receipts and payments account for the period from 1 July 2012 to 30 June 2013, together with the cumulative period of the Liquidation, is attached at Appendix 1
- 3 2 As at 30 June 2013, there was an estate balance of £44,939 (including VAT receivable of £353)

## **4 Asset Realisations**

### **Intercompany Debt**

- 4 1 In the Joint Administrators' Final Report it was noted that the sum of £60,926 remained due from Cavendish

- 4 2 To date, the sum of £10,000 has been received from Cavendish
- 4 3 The Joint Liquidators are currently in negotiations with Cavendish in respect of determining a repayment schedule for the outstanding debt

**Debt due from 3D**

- 4 4 As noted in the Joint Administrators' Final Report, the Joint Administrators lodged a claim of £223,726 in the Liquidation of 3D
- 4 5 The Joint Liquidators received a dividend totalling £11,186 from the Liquidators of 3D
- 4 6 No further realisations are anticipated in this regard

**Rates Refund**

- 4 7 The Joint Liquidators have received a rates refund in the sum of £375

**5 Investigations**

- 5 1 The Directors' conduct report was submitted to the Department for Business Innovation & Skills on 10 August 2011. The content of this report is confidential
- 5 2 The Joint Liquidators have concluded their investigations

**6. Dividend Prospects / Prescribed Part**

**Secured Creditors**

- 6 1 There are no secured creditors

**Preferential Creditors**

- 6 2 As at the Appointment Date the Company had no employees, therefore, no preferential claims are expected. None have been received to date

**Prescribed Part**

- 6 3 As stated in Paragraph 6 1 of this report, the Company has no secured creditors and, therefore, the Prescribed Part will not apply in this case

**Unsecured Non-Preferential Creditors**

- 6 4 According to the Directors' SoA, unsecured non-preferential creditors' claims total £6,226,076. The unsecured non-preferential creditors' claims can be summarised as follows

	£
Trade & expense creditors	267,210
Contingent liabilities	5,958,866
<b>Total</b>	<b><u>6,226,076</u></b>

- 6 5 There have been sufficient asset realisations to enable a small dividend to be paid to the unsecured non-preferential creditors of the Company. The Joint Liquidators are taking steps to agree claims and pay a dividend to the unsecured non-preferential creditors. The quantum of the dividend will be dependent on final asset realisations and total creditor claims.
- 6 6 Any creditor who has not completed a Proof of Debt Form is requested to do so as soon as possible. A Proof of Debt Form is attached at Appendix 3 for your convenience.

## 7. Costs and Expenses

- 7 1 The Joint Liquidators' remuneration was fixed on the basis of time properly charged at the creditors' meeting held on 4 August 2011. The time costs incurred during the period from 1 July 2012 to 30 June 2013 are as analysed at Appendix 2.
- 7 2 Remuneration totalling £33,261 has been paid in the Liquidation, and the balance of the Joint Administrators' remuneration, totalling £2,542, was also paid. Details of payments are shown on the Receipts and Payments account at Appendix 1.
- 7 3 The Joint Liquidators have incurred the following expenses in dealing with the Liquidation of the Company,

Description	Payee	Details of work provided	Amount Incurred (exc VAT) (£)
Legal Fees and Disbursements	Lawrence Graham LLP	General ad hoc legal matters and dealing with matters relating to the leases held by the Company	12,385
Accountant and Tax Advisor Fees	Macintyre Hudson LLP	Assistance with the preparation and submission of corporation tax returns and other ad hoc advice	4,450
Statutory Advertising	Courts Advertising Limited	Advertising the Joint Liquidators' appointment in line with statutory requirements	153
Storage	Total Data Management Limited	Storage of the Company's books and records	326
Bank Charges	Barclays Bank PLC	Bank charges on the Liquidation estate bank account	17

- 7 4 Information regarding the fees of Duff & Phelps called 'A Creditors' Guide to Liquidators' Fees' can be found on the website [www.duffandphelps.com/uk-restructuring/creditor-guides](http://www.duffandphelps.com/uk-restructuring/creditor-guides). Should you require a copy, please contact this office.

- 7 5 Any secured creditor, or any unsecured creditor (with the support of at least 10% in value of the unsecured creditors), or the permission of the court, may apply to court on the grounds that the remuneration or basis fixed for the Liquidators' remuneration or the expenses incurred by the Liquidators are considered to be excessive. This application must be made no later than eight weeks after receipt of the progress report, where the charging of the remuneration or the incurring of expenses in question occurs.

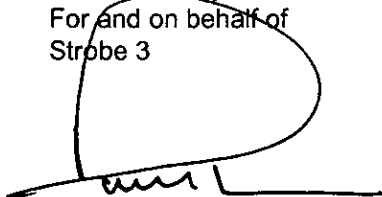
**8 Further Information**

- 8 1 In accordance with Rule 4.49E of the Rules, secured creditors and unsecured creditors (with the concurrence of at least 5% in value of total unsecured claims) may make a request in writing to the Liquidators for further information about the remuneration or expenses set out in this progress report. This should be done within 21 days of receipt of this report.

**9 Conclusion**

- 9 1 The Joint Liquidators shall be continuing with the Liquidation of the Company and they have a duty to provide creditors with a progress report on an annual basis.
- 9 2 The Joint Liquidators' appointment date was 1 July 2011 and, in accordance with the amended Act/Rules, no meeting of creditors is required.
- 9 3 If you require any further information please contact Neil Dyer of this office.

Yours faithfully  
For and on behalf of  
Strobe 3



**Paul Williams**  
Joint Liquidator



**Appendix 1**

**Joint Liquidators' Receipts and Payments Account**

**Stroke 3****(In Creditors Voluntary Liquidation)****Joint Liquidators' Abstract of Receipts & Payments**

	From 1/07/2011 To 30/06/2012	From 01/07/2012 To 30/06/2013	From 01/07/2013 To 29/08/2013	From 01/07/2011 To 29/08/2013
<b>ASSET REALISATIONS</b>				
Property Rates Refund	375 80	Nil	Nil	375 80
Intercompany Debt - Cavendish Bars Limited	10,000 00	Nil	Nil	10 000 00
The 3D Entertainment Group - Dividend	11 186 28	Nil	Nil	11,186 28
Transfer from Liquidation	75,919 16	Nil	Nil	75 919 16
Bank Interest Gross	28 97	21 47	3 66	54 10
	<u>97 510 21</u>	<u>21 47</u>	<u>3 66</u>	<u>97 535 34</u>
<b>COST OF REALISATIONS</b>				
Joint Administrators' Remuneration	(2 542 00)	Nil	Nil	(2 542 00)
Joint Liquidators' Remuneration	(26 500 00)	(6 761 05)	Nil	(33 261 05)
Joint Liquidators' Disbursements	(1 38)	Nil	Nil	(1 38)
Accountants' Fees - Macintyre Hudson LLP	Nil	(3 950 00)	(500 00)	(4 450 00)
Legal Fees - Lawrence Graham LLP	(3 000 00)	(9 229 56)	Nil	(12,229 56)
Legal Disbursements - Lawrence Graham LLP	(155 00)	(0 10)	Nil	(155 10)
Storage Costs	(130 00)	(154 90)	(39 95)	(324 85)
Statutory Advertising	(153 00)	Nil	Nil	(153 00)
Bank Charges	(11 76)	(3 60)	Nil	(15 36)
	<u>(32,493 14)</u>	<u>(20,099 21)</u>	<u>(539 95)</u>	<u>(53 132 30)</u>
	<u>65,017 07</u>	<u>(20,077 74)</u>	<u>(536 29)</u>	<u>44,403 04</u>

**REPRESENTED BY**Main Current Account  
VAT Receivable43 942 36  
460 6844,403 04

\*A Statement of Affairs comparison has not been included as the Statement of Affairs was submitted in the Administration  
Please refer to the Joint Administrators' reports in respect of assets realised during the Administration

## **Appendix 2**

### **Analysis of Time Charged and Expenses Incurred**

### Strobe 3 (In Creditors' Voluntary Liquidation)

Analysis of the Joint Liquidators' time costs for the period 1 July 2012 to 30 June 2013

Classification of Work Function	Partner	Manager	Hours			Total Hours	Time Cost	Avg Hourly Rate
			Senior	Assistant	Support			
Administration and Planning								
Case review and Case Diary management	0 60	1 45	3 30	3 20	0 00	8 55	2,558 50	299 24
Cashienng & accounting	0 20	0 30	2 90	2 90	0 00	6 30	1,725 00	273 81
IPS set up & maintenance	0 00	0 00	0 00	0 20	0 00	0 20	43 00	215 00
Statutory matters (Meetings & Reports & Notices)	0 50	3 05	0 00	14 10	0 00	17 65	3 859 00	218 64
Strategy planning & control	0 30	0 20	0 00	11 00	0 00	11 50	2,770 00	240 87
Tax Compliance/Planning	0 10	0 00	0 00	5 60	0 00	5 70	1,173 50	205 88
Creditors								
Communications with Creditors/Employees	0 00	0 00	0 00	0 60	0 00	0 60	134 00	223 33
Non Pref Creditors/Employee claims handling	0 00	0 00	0 00	0 50	0 00	0 50	125 00	250 00
Realisation of Assets								
Book debts	0 00	0 10	0 20	0 00	0 00	0 30	101 50	338 33
Freehold and Leasehold Property	0 70	4 95	1 90	5 60	0 00	13 15	3,920 50	298 14
Goodwill and Intellectual Property Rights	0 00	0 00	0 40	0 00	0 00	0 40	116 00	290 00
Total Hours	2 40	10 05	8 70	43 70	0 00	64 85		254 83
Total Fees Claimed	1,323 00	3,825 00	2,541 00	8,837 00	0 00		16,526 00	

**Category 2 Disbursements** There are no Category 2 disbursements

**Category 1 Disbursements**

Disbursement	£
Storage Costs	1 00
<b>Total</b>	<b>1 00</b>

**Strobe 3 (In Creditors' Voluntary Liquidation)**

Analysis of the Joint Liquidators' time costs for the period 1 July 2011 to 30 June 2013

Classification of Work Function	Hours					Total Hours	Time Cost	Avg Hourly Rate
	Partner	Manager	Senior	Assistant	Support			
Administration and Planning								
Case review and Case Diary management	1 00	2 05	8 60	9 80	0 00	21 45	5,548 00	258 65
Cashiering & accounting	0 70	2 50	7 20	7 80	0 30	18 50	4,941 00	267 08
Dealings with Directors and Management	0 10	0 00	0 00	0 00	0 00	0 10	54 50	545 00
IPS set up & maintenance	0 10	2 50	0 00	1 40	0 00	4 00	1,327 50	331 88
Statutory matters (Meetings & Reports & Notices)	0 50	4 15	1 90	20 20	0 00	26 75	5,751 50	215 01
Strategy planning & control	0 70	1 70	13 00	30 10	0 00	45 50	10,569 00	232 29
Tax Compliance/Planning	0 20	0 90	1 90	9 30	0 00	12 30	2,799 50	227 60
Creditors								
Communications with Creditors/Employees	0 00	0 20	0 00	1 30	0 00	1 50	334 00	222 67
Non Pref Creditors/Employee claims handling	0 00	0 00	0 00	0 50	0 00	0 50	125 00	250 00
Investigations								
CDDA & reports & Communication	0 10	0 20	0 00	0 50	0 00	0 80	226 50	283 13
Financial review and investigations (S238/239 etc)	0 00	0 00	0 00	3 20	0 00	3 20	352 00	110 00
Realisation of Assets								
Book debts	0 80	2 00	5 20	0 00	0 00	8 00	2,814 00	351 75
Freehold and Leasehold Property	2 30	6 35	24 10	24 00	11 20	67 95	15,252 50	224 47
Goodwill and Intellectual Property Rights	0 00	0 00	0 40	0 00	0 00	0 40	116 00	290 00
Other Tangible Assets	0 00	0 70	0 00	0 00	0 00	0 70	304 50	435 00
Total Hours	6 50	23 25	62 30	108 10	11 50	211 65		238 67
Total Fees Claimed	3,557 50	9,417 00	18,020 00	19,176 00	345 00		50,515 50	

Category 2 Disbursements There are no Category 2 disbursements

**Category 1 Disbursements**

Disbursement	£
Bank Charges	1 38
Storage Costs	1 00
<b>Total</b>	<b>2 38</b>

**Appendix 3**

**Proof of Debt Form**

# **Proof of Debt – General Form**

## **Stroke 3 (In Liquidation)**

Date of Administration 1 March 2010  
Date of Liquidation 1 July 2011

1	Name of creditor (If a company please also give company registration number)	
2	Address of creditor for correspondence	
3	Total amount of claim, including any Value Added Tax and outstanding uncapitalised interest as at the date the company went into Administration	
4	Details of any documents by reference to which the debt can be substantiated	
5	If amount in 3 above includes outstanding uncapitalised interest please state amount	£
6	Particulars of how and when debt incurred (If you need more space append a continuation sheet to this form)	
7	Particulars of any security held, the value of the security, and the date it was given	
8	Particulars of any reservation of title claimed in respect of goods supplied to which the claim relates	
9	Signature of creditor or person authorised to act on his behalf	
	Name in BLOCK LETTERS	
	Position with or in relation to creditor	
	Address of person signing (if different from 2 above)	

### **For Liquidators' Use only**

Admitted to vote for	Admitted for dividend for
£	£
Date	Date
Administrator	Administrator