#### Section 94

Return of Final Meeting in a Members' Voluntary Winding Up

Pursuant to Section 94 of the Insolvency Act 1986

To the Registrar of Companies

**S.94** 

Company Number

02199112

Name of Company

Infotec UK Limited

I/We

Lee De'ath, Chantrey Vellacott DFK LLP, Town Wall House, Balkerne Hill, COLCHESTER, Essex, CO3 3AD

Kevin Murphy, Chantrey Vellacott DFK LLP, Russell Square House, 10-12 Russell Square, LONDON, WC1B 5LF

Note The copy account must be authenticated by the written signature(s) of the Liquidator(s) give notice that a general meeting of the company was duly hold-on/summoned for 11 March 2015 pursuant to section 94 of the Insolvency Act 1986, for the purpose of having an account (of which a copy is attached) laid before it showing how the winding up of the company has been conducted, and the property of the company has been disposed of and that the same was done accordingly / no quorum was present at the meeting

The meeting was held at Town Wall House, Balkerne Hill, Colchester, CO3 3AD

The winding up covers the period from 19 December 2011 (opening of winding up) to the final meeting (close of winding up)

The outcome of the meeting (including any resolutions passed at the meeting) was as follows

The were no members present at the final meeting, therefore the meeting was Inquurate

Signed\_

Date 11 March 2015

Chantrey Vellacott DFK LLP Town Wall House Balkerne Hill Colchester Essex CO3 3AD

Ref INFTEC/LMD/SMS/LG





19/03/2015 COMPANIES HOUSE

#179

# Infotec UK Limited

# (In Liquidation) Joint Liquidators' Abstract of Receipts & Payments From 19 December 2011 To 11 March 2015

3	£		S of A £
1,659,000 00	1,659,000 00	ASSET REALISATIONS Inter Company Debtor	1,659,000 00
(1,659,000 00)	1,659,000 00	DISTRIBUTIONS Ordinary Shareholders	
NIL			1,659,000 00
		REPRESENTED BY	
NIL			
			Note
Lee De'ath			

Joint Liquidator

# IN THE MATTER OF

# INFOTEC UK LIMITED – IN LIQUIDATION

("THE COMPANY")

**COMPANY NO: 02199112** 

# FINAL REPORT OF THE JOINT LIQUIDATORS

**PURSUANT TO SECTION 94** 

OF THE INSOLVENCY ACT 1986 (AS AMENDED)

**Chantrey Vellacott DFK LLP** 

Town Wall House Balkerne Hill Colchester Essex CO3 3AD

Telephone Number: 01206 217900 Fax Number: 01206 763386

> E Mail: jpurser@cvdfk.com Website: www.cvdfk.com

# INFOTEC UK LIMITED - IN LIQUIDATION

# TABLE OF CONTENTS

		Page
Introduction		1
Background		1
Receipts and Payn	nents Account	1
Asset Realisations		1
Claims Settled		1 - 2
Distributions		2
Tax Clearance		2
Joint Liquidators'	Remuneration and Disbursements	2 - 3
Charge Out Rates		3
Right to Request F	Further Information	3
Final Meeting		3
Conclusion		4
	APPENDICES	
Appendix 1 Appendix 2 Appendix 3 Appendix 4	Receipts & Payments Account Charge-out Rates & Disbursements Recovery Policies Extracts of 4.49E and 4 148C of the Insolvency Rules 1986 (as amended) Notice of Final Meeting	

# INFOTEC UK LIMITED - IN LIQUIDATION

#### REPORT OF THE JOINT LIQUIDATORS

#### 11 MARCH 2015

#### INTRODUCTION

I, Lee De'ath, of Chantrey Vellacott DFK LLP, together with my partner, Kevin Murphy, were appointed Joint Liquidator of the Company on 19 December 2011

I am now in a position to conclude the Liquidation and, in accordance with Section 94 of the Insolvency Act 1986 (as amended), now submit my final report, which was presented at the final meeting of members

#### **BACKGROUND**

This report should be read in conjunction with my previous reports to the shareholder dated 16 February 2013 and 14 February 2014, copies of which are available upon request

#### **RECEIPTS AND PAYMENTS ACCOUNT**

A copy of the Joint Liquidators' Receipts and Payments account is enclosed

# **ASSET REALISATIONS**

# **Inter Company Debtor**

The Company's assets at the date of our appointment comprised the balance of an intercompany debt due from the Company's shareholder of £1,659,000. This amount has been set off against the distribution to the shareholder as detailed below.

# **Property Interests**

As previously reported, following our appointment it was been identified that the Company retained an interest in a number of leasehold properties at Riverside Park, Middlesborough. We have been advised that all matters relating to the Company's interests in leasehold properties have been concluded. These leases have now been assigned to Ricoh UK Limited.

## **CLAIMS SETTLED**

#### **Secured Creditors**

There are two charges registered against the Company at Companies House. These charges are aged and the Company's records do not indicate that there are any sums owing under these charges. The Joint Liquidators have written to each of the registered charge-holders to confirm that there are no sums owing, however we have received no formal response.

#### Preferential creditors

No preferential creditor claims have been received and none are anticipated

#### Prescribed Part

Pursuant to Section 176A of The Insolvency Act 1986 (as amended), a Prescribed Part of the Company's net assets should be set aside for the benefit of unsecured creditors. This reduces the funds that would otherwise be made available to any secured creditor under Floating Charges created after 15 September 2003.

Although there were charges registered against the Company, we are aware that no sums are due under them and thus the Prescribed Part is not applicable in this case

#### Unsecured Creditors

In accordance with the directors' declaration of solvency, we are not aware of any unsecured creditor claims against the Company

#### DISTRIBUTIONS

# Shareholder

The Joint Liquidators declared and paid a first and final distribution to the sole shareholder on 19 December 2011 of £1,659,000 being a return of £16,590 against each £1 share held. The shareholder's entitlement under this distribution has been settled by way of set off against the sum due to the Company by the shareholder.

There are no further sums available for distribution

#### TAX CLEARANCE

Following our appointment, the Joint Liquidators wrote to HM Revenue and Customs to advise them of the liquidation and obtain tax clearance. Clearance was subsequently granted

#### JOINT LIQUIDATORS' REMUNERATION AND DISBURSEMENTS

The Joint Liquidators' remuneration and disbursements falls to be settled by Ricoh Europe Pic, the group parent company, on a fixed fee arrangement of £1,250 plus disbursements and VAT per company, in accordance with terms stipulated in our letter of engagement dated 21 January 2011

The costs in relation to this liquidation have been significantly greater than originally anticipated. Specific issues regarding of the assignment of leases relating to five properties at Riverside Park, Middlesborough have been dealt with At the request of Ricoh, this liquidation has been kept open so that all such matters could be indentified and resolved. Additional costs have been incurred in relation to the administration of the Liquidation including the production of two annual reports for the periods ended December 2012 and December 2013. Approval was

sought from the shareholder to draw additional fees in this matter. Subsequently, approval was given by the shareholder that further fees totalling £3,300 plus VAT could be drawn in this matter.

The work undertaken as Joint Liquidators is derived from the responsibilities placed upon us by the underlying legal and regulatory framework for work of this nature. They have been assisted by the assignment manager and administrator, together with secretarial staff and cashiers. All personnel were charged directly to the assignment for all of the time relating to the case.

Disbursements represent the reimbursement of expenses incurred on behalf of the assignment. These are outlined in the attached summary of Joint Liquidators' remuneration and disbursements.

#### **CHARGE OUT RATES**

In common with other professional firms, our charge out rates increase from time to time over the period of the administration of the case. I enclose an explanation of office holders' charging and disbursement recovery policies for your reference as Appendix 2

A Guide to Joint Liquidators' Fees, which provides information for members in relation to the remuneration of the Joint Liquidators, can be accessed at the website of the Association of Business Recovery Professionals at http://www.r3.org.uk/index.cfm?page=1210 Alternatively, I can provide you with a copy on written request to my office

I believe this case generally to be of average complexity and no exceptional responsibility has to date fallen upon us as Joint Liquidators

# RIGHT TO REQUEST FURTHER INFORMATION

I would draw your attention to Rule 4 49E and Rule 4 148C of the Insolvency Rules 1986 (as amended), the text of which is reproduced at Appendix 3. These Rules set out the circumstances under which members may request further information in relation to the Joint Liquidators' remuneration and expenses and their right to challenge the Joint Liquidators' remuneration and expenses

#### **FINAL MEETING**

A copy of the notice convening the final meeting of the sole member is enclosed with this report

# CONCLUSION

A copy of this final report was presented at the final meeting of the sole member

Should you require any information in addition to that already given, please contact Julian Purser on 01206 217904

L M DE ATH

Joint Liquidator

Licensed to act as an Insolvency Practitioner in the UK by the Institute of Chartered Accountants in England and Wales

Enc

# Infotec UK Limited (In Liquidation) Joint Liquidators' Abstract of Receipts & Payments

Declaration of Solvency		From 19/12/2013 To 11/03/2015	From 19/12/2011 To 11/03/2015
	ASSET REALISATIONS		
1,659,000 00	Inter Company Debtor	NIL	1,659,000 00
		NIL	1,659,000 00
	DISTRIBUTIONS		
	Ordinary Shareholders	NIL	1,659,000 00
		NIL	(1,659,000 00)
<del></del>			
1,659,000.00		NIL	NIL
	REPRESENTED BY		
			NIL

Note

Lee De'ath Joint Liquidator

#### CHANTREY VELLACOTT DFK LLP

#### **CHARGEOUT RATES AND DISBURSEMENT RECOVERY POLICIES**

#### **Chargeout Rates**

In accordance with the provisions of Statement of Insolvency Practice 9 ("SIP 9"), the firm's chargeout rates applicable to this appointment, exclusive of VAT, are as follows

.,	From 1 January 2015 £ per hour	From 1 August 2013	From 1 August 2011	From 1 August 2010
		£ per hour	£ per hour	£ per hour
Partners / Office Holders	370 - 475	350 - 450	350 - 450	350 - 430
Consultants	370 - 475	350 - 450	350 - 450	350 - 450
Directors	340 - 370	325 - 350	325 - 340	320 - 330
Senior Manager	315 - 340	300 - 325	300 - 315	270 - 310
Managers	295 - 315	280 - 295	280 - 295	250 - 280
Assistant Managers	275 - 295	260 - 280	260 - 275	230 - 260
Senior Executive / Analyst	230 - 265	220 - 250	220 - 250	175 - 250
Executive	150 - 190	135 - 180	125 - 175	100 - 170
Cashier	130 - 175	125 - 165	120 - 160	115 - 180
Secretaries / Support / Junior Analyst	85 - 120	80 - 115	80 - 110	70 - 110

Chargeout rates are normally reviewed annually on 1 July when rates are adjusted to reflect such matters as inflation, increases in direct wage costs, and changes to indirect costs such as Professional Indemnity Insurance. It is the firm's policy for the cashier's time spent on an assignment to be charged to the case. However, secretarial and office admin support time is charged only in respect of identifiable blocks of time devoted to the case where we consider it to be viable to do so. All time is recorded in 6 minute units.

#### Direct expenses ("Category 1 Disbursements")

Category 1 disbursements as defined by SIP 9, which can be specifically identified as relating to the administration of the case will be charged to the estate at cost, with no uplift. These include but are not limited to such items as case advertising, storage, online reporting facilities, bonding and other insurance premiums and properly reimbursed expenses incurred by personnel in connection with the case

#### Indirect expenses ("Category 2 Disbursements")

It is our normal practice to also charge the following indirect disbursements ("Category 2 Disbursements as defined by SIP 9) to the case, where appropriate

# Circulars to creditors

Plain/headed paper including photocopying	12p per side
Envelopes	12p each
Postage	Actual cost

#### Room Hire

For the convenience of creditors and to save the cost of booking an outside hotel room, meetings of creditors are occasionally held internally at our offices. Where meetings of creditors are held in one of our internal meeting rooms, a charge of £100 plus VAT is levied to cover the cost of booking the room.

#### Travel

Mileage incurred as a result of any necessary travelling is charged to the estate at the H M Revenue & Customs approved rate, currently 40p per mile

All of the above costs are subject to amendment by the firm at any time and if amended will be notified to creditors with the next circular sent to all creditors

#### Company Searches & Electronic Verification of Identity

Included in expense and/or disbursements, Company Searches and electronic Verification of Identity include an element of shared costs. Such expenses are of an incidental nature but are generally incurred on each case. In line with the cost of the external provision of such services, a charge of £15 plus VAT is levied to cover the cost of these searches.

#### Chantrey Vellacott DFK LLP

Effective 1 January 2015

Chantrey Vellacott DFK is a limited liability partnership registered in England and Wales (NoOC313147) whose registered office is at Russell Square House, 10-12 Russell Square, London, WC1B 5LF. The term "partner" denotes a member of a limited liability partnership. A list of members of Chantrey Vellacott DFK LLP is available at our registered office.

# Extracts of 4.49E and 4.148C of The Insolvency Rules 1986 (as amended)

# 4.49E Creditors' and Members' request for further information

# 4.49E(1) [Duty of Liquidator re remuneration or expenses] 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 that 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

**4.49E(2)** [Period for compliance with r.4 49E(1)] 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 which 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

**4.49E(3)** [How liquidator to comply] The liquidator complies with this paragraph by either-

(a) providing all the information asked for, or

- (b) so far as the liquidator considers that-
  - (1) 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

- **4.49E(4)** [Application to court by creditors and members] 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

- **4.49E(5)** [Court may extend period in rr.4.131(1B), 4.148C(2)] 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
- **4 49E(6) [Non-application to official receiver]** This Rule does not apply where the liquidator is the official receiver

#### 4.148C Members' claim that remuneration is excessive

- **4.148C(1)** [Who may apply to the court] 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 subparagraph (b), inappropriate

- **4.148C(2)** [Time limit for application] 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")
- **4.148C(3)** [Power of court to dismiss application] 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
- **4.148C(4)** [Court to fix venue for hearing] 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
- **4.148C(5)** [Applicant to notify liquidator of venue etc] 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
- **4 148C(6)** [Court order if application well-founded] 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

**4.148C(7)** [Costs of application] 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

# Notice to Contributories of Meeting of Contributories

# Infotec UK Limited - In Liquidation

A Meeting of the Contributories of the above named Company has been summoned by the (a) Joint Liquidators under Section 94 of the Insolvency Act 1986 (as amended) for the purpose of receiving a final account of the Liquidators' acts and dealings and on the conduct of the winding-up

(a) Delete as applicable

(b) Insert relevant section

The meeting will be held as follows -

Date 11 March 2015

Time 10 00 am

Place Town Wall House, Balkerne Hill, Colchester, CO3 3AD

A proxy form is enclosed which must be lodged with me no later than 10 March 2015 to entitle you to vote at the meeting

Insert date and time by

which proxy is to be

lodged which should not

be more than 4 days

before the date fixed for

the meeting

Dated 17/12

Signed\_

L M DE'ATH
Joint Liquidator

Town Wall House, Balkerne Hill, Colchester, Essex, CO3 3AD

NOTE: Insert any further details which by the nature of the meeting need to be stated