

Liquidator's Progress Report**S.192****Pursuant to Sections 92A, 104A and 192 of the
Insolvency Act 1986**

To the Registrar of Companies

Company Number

3461009

Name of Company

(a) Insert full name of
company

(a) ARGYLE MANAGED ESTATES LIMITED

Limited

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

I/We (b)

Matthew John Waghorn of Wilkins Kennedy, 92 London Street, Reading, Berkshire, RG1 4SJ
and David William Tann of Wilkins Kennedy, 92 London Street, Reading, Berkshire, RG1 4SJ

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 04 November 2011 to 03 November 2012

Signed



Date 3/1/13

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

Matthew John Waghorn
Wilkins Kennedy
92 London Street
Reading
Berkshire
RG1 4SJ

SATURDAY



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05/01/2013

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COMPANIES HOUSE

Argyle Managed Estates Limited

In Liquidation

**Annual Progress Report to the Members and Creditors
Pursuant to Section 104A of the Insolvency Act 1986**

3 January 2013

Wilkins Kennedy Limited
92 London Street
Reading
Berkshire
RG1 4SJ

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- I Receipts and payments account
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1 INTRODUCTION

The purpose of this report is to detail my acts and dealings as Joint Liquidator and it should be read in conjunction with my previous correspondence to creditors

In summary there have not been any further realisations relating to the liquidation of this Company. As a result of a potential mis-selling of Interest Rate Hedging Products to connected companies which are also in liquidation, the liquidation of this Company will continue until the investigation by the Financial Services Authority has concluded. There are intercompany debtors which may be affected by this investigation which could result in a return to the Company.

2 BACKGROUND

The members' and creditors' meetings were held on 4 November 2010, when my partner, David Tann, and I were appointed Joint Liquidators of the company. At the date of appointment we were directors of Nortons Recovery Limited, Highlands House, Basingstoke Road, Spencers Wood, Reading RG7 1NT. On 1 May 2011 Nortons Recovery Limited merged with Wilkins Kennedy LLP. All correspondence regarding the liquidation should be sent to the Wilkins Kennedy address.

The company's registration number is 3461009 and its current registered office is 92 London Street, Reading, RG1 4SJ.

The company's former registered office was 15 Eldon Street, London, EC2M 7LD. The company's former trading address was 11 Beaumont Road, Chiswick, London, EC2M 7LD.

3. RECEIPTS AND PAYMENTS ACCOUNT

A summary of the Joint Liquidators' receipts and payments from the date of liquidation on 4 November 2011 to 3 November 2012, which schedules the asset realisations along with the costs incurred in realising such assets, are attached at Appendix I. As at 3 November 2012 a total of £5,225.68 was held within the liquidation account. This account is interest bearing and we confirm that it has been reconciled to the bank statements.

4. ASSET REALISATIONS

4.1 Intercompany Debts

The Statement of Affairs showed intercompany debts outstanding to the company of £209,840. However as the associated companies are also in liquidation there is no possibility of recovering these funds.

Debtors are shown on the books and records as having a value of £15,403. As a result of the age of these debts the directors estimated that there would be no recoveries. They have therefore been written off as uncollectible as there are insufficient records to verify these debts.

4.2 Motor Vehicles

The Statement of Affairs showed that the company owned motor vehicles with a book value of £6,986 with an estimated to realise value of £1.

Upon our appointment we arranged for a valuation of these assets to be undertaken by Edward Symmons, agents and valuers as regulated by the Royal Institute of Chartered Surveyors. The assets were subsequently sold to PSL Leasing Limited for the sum of £6,500. This amount has been received in full.

4 3 Fixtures, Fittings, Furniture and Equipment

At the date of our appointment the company owned assets with a book value of £21,353 with an estimated to realise value of £1. We can confirm that these were sold for £15,000

4 3 Goodwill

At the date of appointment the goodwill of the company was sold to PSL Leasing Limited £5,000 which was in line with the valuation provided by Edward Symmons

This amount has been received for the benefit of the estate

4 4 Other Assets

A small amount has been received in respect of bank interest on those monies held within the liquidation bank accounts

Other than further bank interest we do not anticipate any further realisations in this matter

5 EXPENDITURE

5 1 Statement of Affairs Fee

At the first meetings of creditors held on 4 November 2010 creditors agreed that Nortons Recovery Limited be paid a combined fee of £12,680 for assisting the directors with the convening of the meetings of members and creditors and preparation of the Statement of Affairs for the company and four other associated companies. This has been received in full

5 2 Joint Liquidators' Remuneration

The Joint Liquidators' remuneration has been drawn on a time cost basis as agreed at the original meetings of creditors held on 4 November 2010. A schedule of the Joint Liquidators' time costs to date and an explanation of the charging policy is attached at Appendix II. It is the Joint Liquidators' intention to draw the outstanding balance of time costs prior to any distribution to creditors. Since my last report to creditors, further time costs of £1,712 at an average cost of £159.25 per hour and drawn a further £1,997.50

Statement of Insolvency Practice No 9 ("SIP9") issued by the Association of Business Recovery Professionals deals with the provision of information to creditors when considering applications for fees of insolvency office holders

Under the provisions of SIP9, the information I am required to provide you with is attached as follows

- An up to date receipts and payments account
- A summary of time spent by my staff and myself
- A summary of my firm's policy in relation to charging time and disbursements

A "Creditors Guide to Insolvency Practitioners' Fees" is available at the following internet link www.insolvency-practitioners.org.uk/uploads/Liq.pdf. If you do not have access to the internet, a hard copy of this document is available on request

In accordance with Rule 4.49E of the Insolvency Rules 2010 the Joint Liquidators will provide further information about their remuneration or expenses if, within 21 days of receipt of this report, a secured creditor or unsecured creditors whose debts amount to at least 5% of the total debts of the company (or have permission of the Court) so request in writing

In accordance with Rule 4 131 of the Insolvency Rules 2010 any secured creditor, or any unsecured creditor with either the concurrence of at least 10% in value of the creditors (including that creditor) or the permission of the court, may apply to the Court, no later than 8 weeks after receipt of this report, for 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

Such an application may be made on the grounds that—

- (a) the remuneration charged by the liquidator,
- (b) the basis fixed for the liquidator's remuneration under Rule 4 127, 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

5 3 Joint Liquidators' Disbursements

The Joint Liquidators have been reimbursed for various costs incurred as a direct result of the liquidation. These are detailed on the attached receipts and payments account

5 4 Agent's Fees

These relate to fees paid to Edward Symmons for assisting the Joint Liquidators with the sale of the assets of the companies

5 5 Legal Fees

Legal fees represent costs incurred by Boyes Turner Solicitors in relation to the sale of the goodwill and assets of the companies and general issues relating to the conduct of the liquidation

6 INVESTIGATION

I undertook an initial investigation into the company's affairs to establish whether there were any potential asset recoveries or conduct matters that justified further investigation, taking account of the public interest, potential recoveries, the funds likely to be available to fund an investigation, and the costs involved. I considered in particular transactions which took place at the time of and immediately prior to the company ceasing to trade

There were no matters that justified further investigation in the circumstances of this appointment

Within six months of my appointment, I was required to submit a confidential report to the Secretary of State to include any matters which have come to my attention during the course of my work which may indicate that the conduct of any past or present director would make them unfit to be concerned with the management of the company. I confirm that my report has been submitted

7 CREDITORS' CLAIMS

7.1 Secured Creditor

A debenture was granted by the company to National Westminster Bank plc ('the Bank') on 30 November 2004 and registered at Companies House on 3 December 2004. The debenture provided a floating charge over all assets of the company.

At the date of appointment the amount outstanding to the Bank under the terms of the debenture was the subject of dispute.

The Joint Liquidators will obtain confirmation of the validity of the debenture prior to any distribution to the Bank.

Section 176A (1)(a) of the Insolvency Act 1986 requires that, where the Company has created a floating charge after 15 September 2003, the liquidator must make a Prescribed Part of the company's Net Property available for the unsecured creditors and not distribute it to the floating chargeholder except in so far as it exceeds the amount required for the satisfaction of unsecured claims. "Net Property" means the amount which would, were it not for this provision, be available to floating charge holders (i.e. after accounting for preferential debts and the costs of realisation).

The Prescribed Part is 50% of the first £10,000 and 20% of Net Property (up to a maximum amount to be made available of £600,000). An liquidator will not be required to set aside the Prescribed Part if

- the Net Property is less than £10,000 and he thinks the cost of distributing the Prescribed Part would be disproportionate to the benefit, (Section 176A(3)) or
- he applies to the Court for an order on the grounds that the cost of distributing the Prescribed Part would be disproportionate to the benefit and the Court orders that the provision shall not apply (Section 176A(5)).

We would advise that since Net Property is estimated to be below the prescribed minimum of £10,000 and the Joint Liquidators consider that the cost of distribution would be disproportionate to the benefit there will be no Prescribed Part pursuant to Section 176A of the Insolvency Act 1986 available to unsecured creditors. However, we reserve our position generally in this regard should circumstances materially change.

7.2 Preferential Creditors

There are no known preferential creditors in this matter.

7.3 Unsecured Creditors

To date we have received two unsecured claims totalling £10,960.94 compared to the £3,990,549.94 estimated in the Statement of Affairs.

The reason for this discrepancy is that a number of creditors who were scheduled on the Statement of Affairs have not yet submitted claims. In addition the majority of the claims relate to the intercompany debts as detailed earlier in this report.

The Joint Liquidators have not yet agreed or admitted claims for dividend purposes.

8. DIVIDEND PROSPECTS

Based on current information it is anticipated that there may be sufficient funds available to make a distribution to unsecured creditors.

9 CONCLUSION

I shall be continuing my administration of the liquidation until the investigations by the Financial Services Authority have been concluded

If you require any further information please contact Richard Davy of this office

A handwritten signature in black ink, consisting of several vertical strokes followed by a long, sweeping horizontal line.

Matthew John Waghorn
Joint Liquidator

Argyle Managed Estates Limited - In Creditors Voluntary Liquidation
Joint Liquidators' Abstract of Receipts & Payments

From 04 November 2011 To 03 November 2012

S of A £	As Previously Reported	04/11/11 to 03/11/12	Total £
RECEIPTS			
NIL Motor Vehicles	6,500 00	NIL	6,500 00
NIL Bank Interest Gross	NIL	2 56	2 56
NIL Furniture & Equipment	1,000 00	NIL	1,000 00
NIL Sale of Assets	14,000 00	NIL	14,000 00
NIL Goodwill	5,000 00	NIL	5,000 00
NIL	26,500 00	2 56	26,502 56
PAYMENTS			
Office Holders Fees	6,323 75	1,997 50	8,321 25
Agents/Valuers Fees (1)	6,986 00	NIL	6,986 00
Legal Fees	550 00	855 00	1,405 00
Statutory Advertising	60 48	NIL	60 48
Accountancy Fees	600 00	NIL	600 00
Postage and Stationery	NIL	12 00	12 00
IT Administration Fee	110 00	NIL	110 00
Vat Receivable	2,932 05	614 10	3,546 15
Specific Bond	30 00	206 00	236 00
	17,592 28	3,684 60	21,276 88
CASH IN HAND	8,907 72	(3,682 04)	5,225 68

WILKINS KENNEDY

Schedule of Liquidator's Remuneration and Disbursements

For

Argyle Managed Estates Limited

as at 3 November 2012

JOINT LIQUIDATORS' FEES

HOURS						Time Cost £	Average hourly rate £
Classification Of work function	Partner	Manager	Other senior Professionals	Assistants & support staff	Total Hours		
Administration & planning	1 20	2 55	3 80	8 60	16 15	2,316 50	143 43
Investigations	0 40	2 70	0 00	0 00	3 10	586 00	189 03
Realisation of assets	13 60	1 00	0 20	0 00	14 80	3,651 50	246 72
Trading	0 00	0 00	0 00	0 00	0 00	0 00	0 00
Creditors	4 20	0 80	0 40	0 00	5 40	1,277 00	236 48
Statutory	2 30	0 00	0 00	3 00	5 30	875 00	165 09
Total hours	21 70	7 05	4 40	11 60	44 75	8,706 00	194 54

Wilkins Kennedy Charge-Out Rates

2010/2011	£	2011/2012	£
Partners/Directors	360 00 – 415 00	Partners/Directors	375 00 – 430 00
Senior Manager/Manager	215 00 – 260 00	Senior Manager/Manager	240 00 – 270 00
Administrator	115 00 – 185 00	Administrator	125 00 – 195 00
Junior Administrator	65 00 – 90 00	Junior Administrator	85 00 – 100 00
Cashier/Secretaries	45 00 – 80 00	Cashier/Secretaries	75 00 – 90 00

DISBURSEMENTS

	£
Statutory Advertising	60 48
Postage and Stationery	12 00
IT Administration Fee	110 00
Specific Bond	236 00

Explanation of office-holders time charging policy

In accordance with the provisions of Statement of Insolvency Practice 9 ("SIP9"), the chargeout rates detailed on the previous page are applicable to this appointment exclusive of VAT. Rates are normally reviewed on an annual basis and adjustments made accordingly where deemed appropriate.

A description of the routine work undertaken which time will be recorded for is detailed as follows

1 Administration and planning

- Preparing documentation and dealing with the formalities of appointment
- Statutory notifications and advertising
- Dealing with all routine correspondence
- Maintaining physical case files and electronic case details
- Reviewing the ongoing progression of case files
- Arranging the collection and storage of company records
- Ensuring an appropriate case bordereau is in place
- Case planning and administration
- Preparing reports to members and creditors
- Convening and holding meetings of members and creditors where appropriate

2 Investigations

- Review and storage of the company's books and records
- Preparation of returns / reports pursuant to the Company's Directors Disqualification Act 1986
- Conduct investigations into any suspicious transactions
- Reviewing the books and records to identify any transactions or actions that the officeholder may take in order to recover funds for the benefit of creditors

3 Realisation of assets

- Identifying, securing and obtaining sufficient insurance in respect of company assets
- Dealing with any retention of title or other third party claims
- Debt collection functions
- Negotiating and completing property, business and asset sales

4 Trading

- Management of trading operations
- Maintaining and preparing accounting records for the period of trade
- Dealing with ongoing employee issues

5 Creditors

- Dealing with creditor correspondence and telephone conversations
- Maintaining creditor information and claims (including those submitted by secured creditors, employees and other preferential creditors)

Explanation of office-holders disbursement recovery policy

SIP9 also requires that the office holder provide a statement of the office-holder's policy in relation to the recharging of disbursements. SIP 9 defines disbursements as either **Category 1** or **Category 2** disbursements, further details of which are below

Category 1 disbursements will generally comprise external supplies of incidental services specifically identifiable to the case, typically for items such as identifiable telephone calls, postage, case advertising, invoiced travel and properly reimbursed expenses incurred by personnel in connection with the case. Also included will be services specific to the case where these cannot practically be provided internally such as printing, room hire and document storage.

Category 2 disbursements will generally comprise costs which, whilst being in the nature of expenses or disbursements, include elements of shared or allocated costs.

Charging and disbursement recovery policy

Category 1 disbursements are recoverable without approval, and will be recovered by the office holder as they are incurred.

Category 2 disbursements do require approval, and should be identified and subject to approval by those responsible for approving remuneration. SIP 9 provides that, the office holder may make a separate charge for expenses in this category, provided that -

- such expenses are of an incidental nature and are directly incurred on the case, and there is a reasonable method of calculation and allocation, it will be persuasive evidence of reasonableness, if the resultant charge to creditors is in line with the cost of external provision, and
- the basis of the proposed charge is disclosed and is authorised by those responsible for approving his remuneration.

Payments to outside parties in which the office holder or his firm or any associate (as defined by section 435 of the Insolvency Act 1986) has an interest should be treated as category 2 disbursements.

The following items of expenditure are recharged on this basis and are believed to be in line with the cost of external provision:

Photocopying	5p per sheet
Mileage	45p per mile
Meeting Room	£50
Postage	At prevailing rate