

## Section 94

The Insolvency Act 1986  
**Return of Final Meeting in a  
 Members' Voluntary Winding Up  
 Pursuant to Section 94 of the  
 Insolvency Act 1986**

# S.94

To the Registrar of Companies

For official use

|  |  |  |
|--|--|--|
|  |  |  |
|--|--|--|

Company Number

4023210

Name of Company

(a) Insert full name of company

(a) Plusnet Asp Limited

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

W We, (b) Elizabeth Anne Bingham and Patrick Joseph Brazzill  
 1 More London Place, London, SE1 2AF

(c) Delete as applicable  
(d) Insert date

(e) 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 (c) summoned for (d) 18 May 2012 pursuant to Section 94 of the Insolvency Act 1986, for the purpose of having an account (of which a copy is attached) (e) 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 (no quorum was present at the meeting

Signed

P. Brazzill

Date

24/05/2012

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

Leanne Weighill  
 Ernst & Young LLP  
 1 More London Place, London, SE1 2AF  
 Ref ML7E/LW/AS/PJB/LO5220

For Official Use

Liquidation Section

Post Room



A32 \*A1A0HGD\* 30/05/2012 #295  
 COMPANIES HOUSE

WEDNESDAY



Ernst & Young LLP  
1 More London Place  
London SE1 2AF  
Tel 020 7951 2000  
Fax 020 7951 1345  
www.ey.com/uk

TO MEMBERS

18 May 2012

Ref ML7E/LW/AS/EAB/LO5214  
Direct line 020 7951 6035  
Leanne Weighill  
aslade@uk.ey.com

Dear Sir or Madam

### **Plusnet Asp Limited (In Members' Voluntary Liquidation)**

Patrick Joseph Brazzill and I were appointed as Joint Liquidators of the company on 20 January 2011. I write to advise you that we are now in a position to conclude the liquidation.

In accordance with Section 94 of the Insolvency Act 1986, a final meeting of members was called for 11.00am on 30 March 2012. With the consent of the shareholders the meeting has been adjourned to 18 May 2012 in order that distributions in specie can be finalised to shareholders. The purpose of the meeting is to receive our account of the winding up.

This letter constitutes our final progress report to members, which will be presented at the meeting.

We are required to provide certain information about the company and the liquidators in accordance with the provisions of the Insolvency Rules 1986. The information can be found in Appendix A of this report. A copy of our receipts and payments account for the period from 20 January 2011 to 18 May 2012 is at Appendix B.

### **Progress during the period of the report**

The Declaration of Solvency, made by the directors, showed that the company's only asset was an inter-company receivable balance of £41,150 due from another group company. This asset will be distributed in specie to the members prior to the final meeting.

During the time since our appointment as Liquidators please be aware that the company received clearance from all tax authorities stating they had no objection to the closure of the liquidation.

### **Joint liquidators' remuneration**

The Joint Liquidators' remuneration is being paid by British Telecommunications plc.

### **Members' rights to further information about, and challenge, remuneration and expenses**

In certain circumstances, members are entitled to request further information about our remuneration or expenses, or to apply to court if members consider the costs to be excessive. Further information is provided in Appendix C.



INVESTOR IN PEOPLE

The UK firm Ernst & Young LLP is a limited liability partnership registered in England and Wales with registered number OC300001 and is a member firm of Ernst & Young Global Limited. A list of members' names is available for inspection at 1 More London Place, London SE1 2AF, the firm's principal place of business and registered office.



#### Other matters

Once the final meeting has been held and our final return and account has been filed at Companies House, we will vacate office and receive our release. Approximately three months after the filing of the final return and account, the company will be dissolved by the Registrar of Companies.

Yours faithfully  
for Plusnet Asp Limited

A handwritten signature in black ink, appearing to read 'A. Slade'.

Alex Slade  
for Elizabeth Anne Bingham  
Joint Liquidator

Elizabeth Anne Bingham and Patrick Joseph Brazzill are licensed in the United Kingdom to act as insolvency practitioners by The Insolvency Practitioners Association.

We may collect, use, transfer, store or otherwise process (collectively, "Process") information that can be linked to specific individuals ("Personal Data"). We may Process Personal Data in various jurisdictions in accordance with applicable law and professional regulations including (without limitation) the Data Protection Act 1998.

## **Plusnet Asp Limited (In Members' Voluntary Liquidation)**

### **Information about the company and the liquidators**

|  |   |
|--|---|
| Registered office address of the company     | 1 More London Place, London, SE1 2AF                          |
| Registered number                            | 4023210   |
| Full names of the liquidators                | Elizabeth Anne Bingham and Patrick Joseph Brazzill            |
| Liquidators' address(es)                     | Ernst & Young LLP<br>1 More London Place<br>London<br>SE1 2AF |
| Date of appointment of the joint liquidators | 20 January 2011   |
| Details of any changes of liquidator         | None  |

# **Plusnet Asp Limited (In Members Voluntary Liquidation)**

**Joint liquidators' receipts and payments account for the period from 20 January 2011 to 18 May 2012**

| Declaration of<br>Solvency<br>Estimated to<br>Realise Values<br>£ |   | In this<br>Report<br>Period<br>£ | Cumulative<br>Total<br>£ |
|---|---|----------------------------------|--------------------------|
| <b>Receipts</b>   |   |                                  |                          |
| 41,150  | Intercompany balances                                     |                                  |                          |
|   | Estimated value of distribution to<br>members 'in specie' | 41,150                           | 41,150                   |
|   |   | <u>41,150</u>                    | <u>41,150</u>            |
| <b>Payments</b>   |   |                                  |                          |
|   | Estimated value of distribution to<br>members 'in specie' | 41,150                           | 41,150                   |
|   | Balance at bank   | <u>-</u>                         | <u>-</u>                 |

**Members' rights to request further information about remuneration or expenses or to challenge a liquidator's remuneration – Rules 4.49E and 4.148C of the Insolvency Rules 1986, as amended**

**4 49E Creditors' and members' request for further information**

(1) 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 the 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

(2) 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 where 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

(3) The liquidator complies with this paragraph by either—

(a) providing all of the information asked for, or

(b) so far as the liquidator considers that—

(i) 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) 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

(5) 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

(6) This Rule does not apply where the liquidator is the official receiver

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

- (1) 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 sub-paragraph (b), inappropriate
- (2) 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")
- (3) 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) 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
- (5) 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
- (6) 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
- (7) 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

Rules 4 49E and 4 148C are reproduced from the Insolvency (Amendment) Rules 2010 under the terms of Crown Copyright Guidance issued by HMSO