

The Insolvency Act 1986

Liquidator's Progress Report
Pursuant to Section 192 of
The Insolvency Act 1986

S.192

To the Registrar of Companies

For Official Use

--	--	--

Company Number

04131154

Name of Company

R&B Leisure Limited t/a Play Nightclub

I / We
Neil Francis Hickling
No 1 St Swithin Street
Worcester
WR1 2PY

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

Signed



Date

12 SEP 2011

Smith & Williamson Limited
No 1 St Swithin Street
Worcester
WR1 2PY

Ref RB073/JY1

For Official Use

Insolvency Act 1986 Part 1

WEDNESDAY



AA6N7XJ0

A46

14/09/2011

179

COMPANIES HOUSE

R&B LEISURE LIMITED - (IN LIQUIDATION)
COMPANY NUMBER: 04131154

PROGRESS REPORT TO THE CREDITORS AND CONTRIBUTORIES
PURSUANT TO S104A INSOLVENCY ACT 1986
FOR THE YEAR ENDED 18 July 2011

Former Trading Address:

Play Nightclub
Salubrious Place
Swansea
SA1 1DZ

Former Registered Office:

51-55 Blueschool Street
Hereford
HR1 2AR

Introduction

Neil Francis Hickling a director of Smith & Williamson Limited, No 1 St Swithin Street, Worcester, WR1 2PY was appointed as Liquidator of R&B Leisure Limited Limited ("the company") at the first meeting of creditors held on 19 July 2010

This is the progress report for the first year since the company went into liquidation on 19 July 2010

Receipts & Payments Account

The liquidation receipts and payments account detailing asset realisations for the last twelve months is attached as Appendix 1 The receipts and payments account discloses a balance of £13,512 10 as at 18 July 2011.

Asset Realisations

Assets	Estimated to realise, as per the Statement of Affairs £	Amount Realised £
Book Debts	Nil	500 00
Insurance Refund	Nil	650 60
Cash at Bank	3,868 00	3,542 00
Monies Held on Trust	5,615 00	5,615 50
NNDR Refund	Nil	25,681 26
Refund from Landlord	Nil	752 49

On appointment, the Liquidator became aware of a book debt due to the company and this was duly realised in the sum of £500

The Liquidator has received the sum of £650 60 from Nigh Club Direct in relation to an insurance refund due in respect of premiums previously paid by the company.

The cash at bank was realised in the sum of £3,542 and the Monies Held on Trust were realised in the sum of £5,615 26, in line with the company's Statement of Affairs

The Liquidator entered into correspondence with the City & County of Swansea Council in relation to a possible business rates refund. Following which, two payments totalling £25,681 26 were realised for the benefit of the liquidation estate

The Liquidator has received the sum of £752 49 in relation to funds previously paid to the landlord in relation to an aborted application for a smoking terrace adjacent to the former trading premises

Anticipated Further Asset Realisations

The plant and machinery referred to on the company's Statement of Affairs was purchased by Polaris Leisure Limited in September 2010 in the sum of £8,000 + VAT on deferred consideration terms. This offer was accepted by the Liquidator upon the recommendation of his agents, Harry Ray & Co. As at the date of this report, the sum of £4,000 + VAT has been received by Harry Ray & Co and these funds are being held to the Liquidator's order pending further receipts

The Liquidator is liaising with the company's former accountants regarding a potential terminal loss relief claim in respect of corporation tax previously paid by the company. It is uncertain at this time whether it will be possible to make such a claim

Liquidation Expenses

Smith & Williamson Limited have drawn their fee for the preparation of the statement of affairs and convening the first meeting of creditors in the sum of £6,000 plus VAT. In addition, the Liquidator has paid the sum of £750 + VAT to Hawkins Priday Chartered Certified Accountants for their assistance in preparing the company's statement of affairs. These fees were approved by a resolution passed at the first of meeting of creditors held on 19 July 2010

The Liquidator has paid the sum of £250 + VAT to Hawkins Priday Chartered Certified Accountants for their work in preparing P11D's and bringing the company's tax affairs up to date and submitting all relevant returns to HM Revenue & Customs

The Liquidator has paid the sum of £200 to A F Fletcher bookkeepers for their assistance in preparing a final VAT return for the company

The Liquidator has incurred costs of £187 50 in respect of Statutory Advertising. This relates to pre and post appointment notices placed in the London Gazette.

The Liquidator has paid the sum of £142 08 to M C Yardley for their assistance in collecting the company's books and records

The Liquidator's agents, Harry Ray & Co, have incurred costs in the sum of £1,500 + VAT in respect of their work in preparing an inventory of the company's assets, providing a valuation of the same and achieving a sale to Polaris Leisure Ltd. These costs have not yet been paid.

No other significant expenses, other than Liquidator's remuneration dealt with later in this report, have been paid during the year

Preferential Creditors

Preferential creditors were shown on the statement of affairs at £3,570 and preferential claims totalling £3,928 17 have been received as follows -

	Statement of affairs £	Claim £
Department of Employment	3,569.94	3,444.00
Employee Claims	Nil	484 17
	<u>3569 94</u>	<u>3,928.17</u>

The preferential claims were paid in full in April 2011

Unsecured Creditors

Unsecured creditors were shown on the statement of affairs at £507,986 55 and unsecured claims totalling £75,271 07 have been received to date

Liquidator's Remuneration and Disbursements

Statement of Insolvency Practice 9 (SIP9) a guidance note of best practice, concerns an Insolvency Practitioners remuneration and expenses. A time and charge out summary for the year ended 18 July 2011 in the format recommended by SIP9, is attached as Appendix 2 of this report showing that during the year 79 35 hours has been spent at an average of £182 25 per hour totalling £14,461 75.

This is the total time spent by the Liquidator and his staff in dealing with matters relating to the liquidation from his appointment on 19 July 2010 to 18 July 2011

In common with all professional firms, our scale rates increase from time to time over the period of administration on each insolvency case. Full details including any increases since the date of appointment are available on application

The applicable hourly rates for the year ended 18 July 2011 are -

Grade	Hourly Rates	
	Year ended	Year ended
	30/04/2011	30/04/2012
	£	£
Directors & Associate Directors	295-350	325-375
Managers & Assistant Managers	195-250	210-275
Other senior professionals	130-160	140-165
Assistants and support staff	50	70-75

A resolution approving the payment of the Liquidator's remuneration on a time costs basis was passed at the first meeting of creditors held on 19 July 2010. A copy of the minutes of the creditors meeting held on 19 July 2010, which contains the resolution approving the Liquidator's remuneration, is attached as Appendix 3.

Since the date of my appointment on 19 July 2010, I have drawn remuneration of £11,500 plus VAT on a time costs basis, in accordance with the resolution passed at the creditors meeting held on 19 July 2010. As referenced above (Liquidation Expenses) Smith & Williamson Limited have also drawn their fee of £6,000 + VAT for preparing the Statement of Affairs and convening the first meeting of creditors, which was separately agreed at the creditors meeting on 19 July 2010.

Category 2 Disbursements

The first creditors meeting referred to above authorised Smith & Williamson Limited to charge the following disbursements -

- a) Postage at actual cost of posting
- b) Photocopying at 10p per sheet
- c) Storage costs of up to £10 per box per annum.
- d) That the services of Smith & Williamson Financial Services Limited be utilised to deal with any pension schemes at their usual hourly charge out rates. The current charge out rates and estimated cost per scheme are given in Appendix 4 of this report.

The Category 2 disbursements paid during the year ended [Enter Year End Date] were -

	£
Postage	10 00
Photocopying	16 00
	<u>26 00</u>

Creditors' attention is drawn to Rule 4.49E of the Insolvency Rules 1986, whereby within 21 days of receipt of this progress report, a secured creditor, or unsecured creditor with the concurrence of 5% in value of the unsecured creditors, including the value of their own claim, or with the permission of the Court, may make a request in writing to the Liquidator for further information about remuneration or expenses.

Creditors' attention is also drawn to Rule 4.131 of the Insolvency Rules 1986, which states, inter alia, a secured creditor or any unsecured creditor with the concurrence of at least 10% in

value of the unsecured creditors, including the value of their own claim, or with the permission of the Court may apply to the Court for an Order that the remuneration and expenses of the Liquidator are excessive or inappropriate. Any such application must be made within 8 weeks from receipt of this report and formal notice of such must be sent to the Liquidator at least 14 days before the hearing.

The Prescribed Part

Where a company has granted a floating charge to a creditor on or after 15 September 2003, Section 176A of the Insolvency Act 1986 requires the Liquidator to set aside part of the floating charge realisations that would otherwise be used to pay the charge holder. This fund, known as the "prescribed part", is made available to pay the company's unsecured debts.

The Company had not granted a floating charge to any creditor on or after 15 September 2003 and consequently the prescribed part rules do not apply in this winding up.

Dividend Prospects

The preferential creditors have received payment in full of their debt.

It may be possible to declare a dividend to the ordinary unsecured creditors of the company, but the timing and quantum of any potential dividend is unknown at this time and the Liquidator will keep all creditors informed accordingly.

Therefore, any creditor yet to submit their claim within these proceedings is requested to do so by completing and returning the enclosed 'Proof of Debt' form to this office.



**N F HICKLING
LIQUIDATOR**

31 August 2011

APPENDIX 1
LIQUIDATOR'S RECEIPTS AND PAYMENTS ACCOUNT

R&B Leisure Limited t/a Play Nightclub
(In Liquidation)
Liquidator's Abstract of Receipts & Payments

Statement of Affairs		From 19/07/2010 To 18/07/2011	From 19/07/2010 To 18/07/2011
ASSET REALISATIONS			
NIL	Land and Building (lease)	NIL	NIL
12,500 00	Plant & Machinery	NIL	NIL
	Book Debts	500 00	500 00
	Insurance Refund	650 60	650 60
3,868 00	Cash at Bank	3,542 00	3,542 00
5,615 00	Monies Held on Trust	5,615 50	5,615 50
	NNDR Refund	25,681 26	25,681 26
	Refund from Landlord	752 49	752 49
		<u>36,741 85</u>	<u>36,741 85</u>
COST OF REALISATIONS			
	Specific Bond	98 00	98 00
	Preparation of S of A fees	6,000 00	6,000 00
	Liquidators Fees	11,500 00	11,500 00
	Liquidators Expenses	133 00	133 00
	Third party preparation of S of A fees	750 00	750 00
	Accountancy Assistance	450 00	450 00
	Accountants Disbursements	15 00	15 00
	Stationery & Photocopying	16 00	16 00
	Postage & Carriage	10 00	10 00
	Statutory Advertising	187 50	187 50
	Collection of Books & Records	142 08	142 08
		<u>(19,301 58)</u>	<u>(19,301 58)</u>
PREFERENTIAL CREDITORS			
	Department of Employment	3,444 00	3,444 00
(3,570 00)	Employees Wage Arrears	484 17	484 17
		<u>(3,928 17)</u>	<u>(3,928 17)</u>
UNSECURED CREDITORS			
(106,101 00)	Trade & Expense Creditors	NIL	NIL
(11,095 00)	Employees	NIL	NIL
	Directors Loan Account	NIL	NIL
(2,986 00)	HM Revenue & Customs (PAYE/NIC)	NIL	NIL
(17,199 00)	HM Revenue & Customs (Corporation)	NIL	NIL
(15,033 00)	HM Revenue & Customs (VAT)	NIL	NIL
(355,572 00)	Associated Company Debt	NIL	NIL
		<u>NIL</u>	<u>NIL</u>
DISTRIBUTIONS			
(2,000 00)	Ordinary Shareholders	NIL	NIL
		<u>NIL</u>	<u>NIL</u>
<u>(491,573.00)</u>		<u>13,512 10</u>	<u>13,512.10</u>
REPRESENTED BY			
	VAT Receivable		(199 85)
	Bank 1 - Deposit		13,711 95
			<u>13,512.10</u>

R&B Leisure Limited
In Creditors Voluntary Liquidation

TIME AND CHARGE-OUT SUMMARY

Classification of work function	Hours					Time Cost £	Average Hourly Rate
	Directors & associate directors	Managers & assistant managers	Other Professionals	Support Staff	Total Hours		
Administration and Planning	0 10	10 65	8 00	6 50	25 25	3,636 75	144 03
Investigations	0 00	11 75	0 00	0 00	11 75	2,527 50	215 11
Realisation of assets	0 00	15 60	0 50	0 25	16 35	3,397 50	207 80
Trading	0 00	0 00	0 00	0 00	0 00	0 00	0 00
Creditors	1 00	19 25	1 75	4 00	26 00	4,900 00	188 46
Total Hours	1 10	57 25	10 25	10 75	79 35	14,461 75	182 25
Total Fees Claimed £	324 50	12,237 25	1,347 50	552 50		14,461 75	

APPENDIX 3

RESOLUTION APPROVING LIQUIDATOR'S REMUNERATION

MINUTES OF CREDITORS MEETING

(No liquidation committee appointed)

R&B LEISURE LIMITED T/A PLAY NIGHTCLUB

MINUTES of a Creditors Meeting of the company duly convened:

Held at No 1 St Swithin Street, Worcester WR1 2PY

On 19 July, 2010

Present William Reynolds - Chairman

In Attendance Neil Hickling - Smith & Williamson Limited
Joph Young - Smith & Williamson Limited

Creditors as per attendance record

QUORUM A quorum was present – as per the attendance register and proxy lists

REPORT A full statement of the position of the Company's affairs was laid before the meeting and questions answered

MEMBERS NOMINEE The meeting was advised that Neil Francis Hickling had been nominated as Liquidator

LIQUIDATION COMMITTEE No liquidation committee was appointed

STATEMENT OF AFFAIRS AND MEETINGS FEE That Neil Francis Hickling be authorised to draw a fee in respect of his costs in connection with assisting the directors in the convening of today's meeting of £6,000 plus VAT and disbursements Hawkins Friday, Chartered Certified Accounts, to be paid £750 plus VAT for assistance in preparing the Statement of Affairs

LIQUIDATOR'S FEE That Neil Francis Hickling be entitled to draw his Liquidator's remuneration on the basis of the normal time costs of his firm and may be taken on account if required

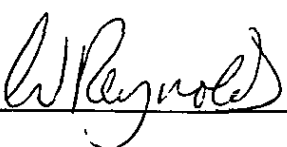
LIQUIDATOR'S DISBURSEMENTS AND OTHER FEES That the services of Smith & Williamson Financial Services Ltd be utilised to deal with any company pension schemes, charges specified on the attached appendix

That Smith & Williamson Ltd are authorised to charge the following disbursements

- 1 Postage at actual costs of posting
- 2 Photocopying at 10p per sheet
- 3 Storage of up to £10 per box per annum

AGENTS/ SOLICITORS That agents and solicitors be appointed, if necessary at the Liquidator's discretion

SIGNED



William Reynolds CHAIRMAN

APPENDIX 4

Smith & Williamson Employee Benefit Consultants (S&WEBC) a division of Smith & Williamson Financial Services Limited

S&WEBC is a pensions consultancy firm which specialises in providing advice to Insolvency Practitioners (IPs) on their appointment in relation to all aspects of pensions. The service S&WEBC provides is extremely specialised and there are few others in this 'niche' market. Having provided services to IPs for more than 15 years S&WEBC's experience and expertise ensures that an efficient and concise approach is taken to investigating each case and, as a result, appropriate advice is given.

S&WEBC's fees are considered to compare favourably with others in this specialist sector but it has not yet been possible to obtain comparable quotes. In providing our services our fees will be accrued on a time costed basis. A summary of S&WEBC charge out rates from July 2010 are detailed below. It should be noted that S&WEBC will always seek to recover its fees from third party funds, wherever possible.

Charge out rates from July 2010	Per hour
Director	£310 - 465
Associate Director	£215 - 355
Manager	£155 - 230
Administrator	£120 - 180

S&WEBC will endeavour to estimate the fee to be accrued on each case on its initial instruction from the IP appointed.



Neil Francis Hickling
Liquidator

R&B Leisure Limited t/a Play Nightclub
(In Liquidation)
Liquidator's Abstract of Receipts & Payments

Statement of Affairs		From 19/07/2010 To 18/07/2011
	ASSET REALISATIONS	
NIL	Land and Building (lease)	NIL
12,500 00	Plant & Machinery	NIL
	Book Debts	500 00
	Insurance Refund	650 60
3,868 00	Cash at Bank	3,542 00
5,615 00	Monies Held on Trust	5,615 50
	NNDR Refund	25,681 26
	Refund from Landlord	752 49
		<u>36,741 85</u>
	COST OF REALISATIONS	
	Specific Bond	98 00
	Preparation of S of A fees	6,000 00
	Liquidators Fees	11,500 00
	Liquidators Expenses	133 00
	Third party preparation of S of A fees	750 00
	Accountancy Assistance	450 00
	Accountants Disbursements	15 00
	Stationery & Photocopying	16 00
	Postage & Carriage	10 00
	Statutory Advertising	187 50
	Collection of Books & Records	142 08
		<u>(19,301 58)</u>
	PREFERENTIAL CREDITORS	
	Department of Employment	3,444 00
(3,570 00)	Employees Wage Arrears	484 17
		<u>(3,928 17)</u>
	UNSECURED CREDITORS	
(106,101 00)	Trade & Expense Creditors	NIL
(11,095 00)	Employees	NIL
	Directors Loan Account	NIL
(2,986 00)	HM Revenue & Customs (PAYE/NIC)	NIL
(17,199 00)	HM Revenue & Customs (Corporation)	NIL
(15,033 00)	HM Revenue & Customs (VAT)	NIL
(355,572 00)	Associated Company Debt	NIL
		<u>NIL</u>
	DISTRIBUTIONS	
(2,000 00)	Ordinary Shareholders	NIL
		<u>NIL</u>
<u>(491,573 00)</u>		<u><u>13,512 10</u></u>
	REPRESENTED BY	
	VAT Receivable	(199 85)
	Bank 1 - Deposit	13,711 95
		<u><u>13,512.10</u></u>