

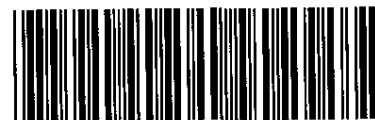
# LIQ03

## Notice of progress report in voluntary winding up



Companies House

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#344

COMPANIES HOUSE

### 1 Company details

Company number 0 4 9 1 5 7 9 6

Company name in full Marlowe Academy

→ Filling in this form

Please complete in typescript or in  
bold black capitals.

### 2 Liquidator's name

Full forename(s) Terence Guy

Surname Jackson

### 3 Liquidator's address

Building name/number Third Floor  
Street One London Square  
Cross Lanes

Post town Guildford

County/Region

Postcode G U 1 1 U N

Country

### 4 Liquidator's name ①

Full forename(s) John David

Surname Ariel

① Other liquidator

Use this section to tell us about  
another liquidator.

### 5 Liquidator's address ②

Building name/number Portland  
Street 25 High Street  
Crawley

Post town West Sussex

County/Region

Postcode R H 1 0 1 B G

Country

② Other liquidator

Use this section to tell us about  
another liquidator.

LIQ03

Notice of progress report in voluntary winding up

**6** Period of progress report

From date	d	1	d	9	m	0	m	9	y	2	y	0	y	1	y	6
To date	d	1	d	8	m	0	m	9	y	2	y	0	y	1	y	7

**7** Progress report

☒ The progress report is attached

**8** Sign and date

Liquidator's signature

Signature

X



X

Signature date

d	0	d	1	m	1	m	1	y	2	y	0	y	1	y	7
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LIQ03

## Notice of progress report in voluntary winding up

**Presenter information**

You do not have to give any contact information, but if you do it will help Companies House if there is a query on the form. The contact information you give will be visible to searchers of the public record.

Contact name	J D Ariel
Company name	RSM Restructuring Advisory LLP
Address	Portland 25 High Street Crawley
Post town	West Sussex
County/Region	
Postcode	R H 1 0 1 B G
Country	
DX	
Telephone	0845 057 0700

**Checklist**

**We may return forms completed incorrectly or with information missing.**

**Please make sure you have remembered the following:**

- ☐ The company name and number match the information held on the public Register.
- ☐ You have attached the required documents.
- ☐ You have signed the form.

**Important information**

**All information on this form will appear on the public record.**

**Where to send**

**You may return this form to any Companies House address, however for expediency we advise you to return it to the address below:**

The Registrar of Companies, Companies House,  
Crown Way, Cardiff, Wales, CF14 3UZ.  
DX 33050 Cardiff.

**Further information**

For further information please see the guidance notes on the website at [www.gov.uk/companieshouse](http://www.gov.uk/companieshouse) or email [enquiries@companieshouse.gov.uk](mailto:enquiries@companieshouse.gov.uk)

**This form is available in an alternative format. Please visit the forms page on the website at [www.gov.uk/companieshouse](http://www.gov.uk/companieshouse)**

**In the matter of**

**Marlowe Academy In Members' Voluntary Liquidation  
(‘the Company’)**

**Joint Liquidators' Progress Report**

**2 November 2017**

**John David Ariel and Terence Guy Jackson  
Joint Liquidators**

**RSM Restructuring Advisory LLP**

**Portland  
25 High Street  
Crawley  
West Sussex RH10 1BG**

**Tel: 0845 057 0700**

**Email: [restructuring.gatwick@rsmuk.com](mailto:restructuring.gatwick@rsmuk.com)**

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- F. Statement of expenses analysis
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## **1 Purpose of report**

This report has been prepared in accordance with insolvency legislation to provide members and the Registrar of Companies with information relating to the progress of the liquidation in the period from 19 September 2016 to 18 September 2017.

This report has been prepared solely to comply with the statutory requirements of the relevant legislation. It has not been prepared for use in respect of any other purpose, or to inform any investment decision in relation to any debt or financial interest in the Company.

RSM Restructuring Advisory LLP was previously named Baker Tilly Restructuring and Recovery LLP until 26 October 2015.

Neither the Liquidators nor RSM Restructuring Advisory LLP accept any liability whatsoever arising as a result of any decision or action taken or refrained from as a result of information contained in this report.

## **2 Progress of the liquidation in the previous twelve months**

### **2.1 Payments to creditors**

The declaration of solvency stated that the company had no outstanding creditors. A creditor's notice to prove was advertised in the London Gazette with the last day for proving being 31 October 2016. No creditors have proven but we were advised about a potential claim relating to a former employee which had not been resolved in the period of this report.

### **2.2 Realisation of assets / Sale of business**

The sworn declaration of solvency showed the assets of the company as cash at bank and a VAT refund.

Cash at bank totalling £58,029 has been received.

The director has confirmed that the VAT refund was received prior to the appointment of the Joint Liquidators.

### **2.3 Case specific matters**

The Joint Liquidators have been and are currently dealing with a possible claim relating to an existing retirement and redundancy entitlement of a former employee. We are in contact with Kent County Council to obtain confirmation as to whether there is an outstanding claim and who is liable.

### **2.4 Administration and planning**

Work undertaken in this area includes dealing with the Joint Liquidators' statutory obligations and filing, including the filing of the directors' declaration of solvency's as well as the day to day case administration duties.

Other matters which are required to be dealt with as part of the appointment and which will fall under this heading include case planning and strategy, case reviews, bonding, general meeting correspondence, statutory and other advertising, dealing with company books and records, realisation of assets, payments to shareholders, obtaining tax clearance from HM Revenue & Customs and preparing reports to shareholders and directors.

## **3 Distribution of surplus**

The surplus will be distributed to the beneficiary identified in the transfer agreement once the outstanding matters have been resolved and subject to the agreement of the liquidation costs.

## **4 Details of what remains to be done and matters preventing closure**

### **4.1 Assets remaining to be realised**

There are no assets remaining to be realised.

## **4.2 Other outstanding matters**

As detailed in section 2.3 the remaining matter is the potential retirement and redundancy claim and who is responsible for dealing with and settling the claim. We have sought an assurance that the Joint Liquidators do not have to admit the claim.

## **5 Receipts and payments summary**

We attach as Appendix B a summary of our receipts and payments for the period from 19 September 2016 to 18 September 2017.

### **VAT basis**

Receipts and payments are shown net of VAT, with any amount due to or from HM Revenue and Customs shown separately.

## **6 Costs and Joint Liquidators' remuneration**

### **6.1 Joint Liquidators' remuneration and disbursements**

The Joint Liquidators' remuneration was approved on a time cost basis by the members on 19 September 2016. We have incurred time costs of £10,950 since the date of our appointment. Of this no liquidators fees have been paid and thus £10,950 remains outstanding.

No category 2 disbursements were incurred in the period as detailed in Appendix E.

Approval was also given to the drawing of disbursements, including category 2 disbursements. Details of the current rates are attached at Appendix D.

### **6.2 Remuneration and disbursements incurred in the period from 19 September 2016 to 18 September 2017**

We have incurred time costs of £10,950 in the current period as stated above. An analysis of time incurred in the period is attached at Appendix G. No sums were drawn in respect of remuneration in the period covered by this report but pre appointment costs of £2,500 have been paid as shown in the receipts and payments account (Appendix B).

## **7 Joint Liquidators' statement of expenses**

### **7.1 Statement of expenses**

A statement of the expenses incurred during the period, is attached at Appendix F. This includes all expenses incurred by the Joint Liquidators in the period of the report irrespective of whether they have been paid or not and may include estimated amounts where actual invoices have not been received. The receipts and payments abstract at Appendix B sets out the expenses actually paid in the period.

### **7.2 Detailed cost breakdown**

Attached to this report are three Appendices relating to my costs on this assignment:

- Appendix C: A copy of RSM Restructuring Advisory LLP's charging, expenses and disbursements policy statement
- Appendix D: Joint Liquidators' charge out and disbursement rates; and
- Appendix G: Joint Liquidators' time cost analysis;

### **7.3 Other professional costs**

Withers LLP advised the liquidators in relation to the transfer agreement. The Joint Liquidators retained their services to advise on the redundancy liability, together with providing information relating to the assignment obligations of the parties subject to the agreement. Withers LLP fees of £1,134 plus VAT have been paid.

We have made a payment to Folkestone Academy of £450 for record retention purposes.

## **8 Members' right to information and ability to challenge remuneration and expenses**

In accordance with the provisions of the relevant legislation members have a right to request further information about remuneration or expenses and to challenge such remuneration or expenses.

A request for further information must be made in writing within 21 days of receipt of this report.

Members of the Company with at least 10% of the total voting rights of all members having the right to vote at general meetings of the Company, or any members with the permission of the court, may apply to court that the remuneration charged, the basis fixed or expenses incurred by the liquidator are in all the circumstances excessive.

Any such challenge must be made no later than eight weeks after receipt of the report which first discloses the charging of remuneration or incurring of the expenses in question.

If you would like a copy of A Shareholders Guide to Liquidator's Fees, please let me know.

Should you have any further queries please do not hesitate to contact me.



**J D Ariel**  
**RSM Restructuring Advisory LLP**  
**Joint Liquidator**

John David Ariel is licensed to act as an Insolvency Practitioner in the UK by the Institute of Chartered Accountants in England and Wales  
Terence Guy Jackson is licensed to act as an Insolvency Practitioner in the UK by the Institute of Chartered Accountants in England and Wales

Insolvency Practitioners are bound by the Insolvency Code of Ethics when carrying out all professional work relating to an insolvency appointment



## Appendix A

### Statutory, dividend and other information

Company name:	Marlowe Academy	
Company number:	04915796	
Date of appointment:	19 September 2016	
Joint Liquidators:	John David Ariel and Terence Guy Jackson	
Functions:	<p>The Joint Liquidators' appointment specified that they would have power to act jointly and severally.</p> <p>The Joint Liquidators' have exercised, and will continue to exercise, all of their functions jointly and severally as stated in the notice of appointment.</p>	
Date of incorporation:	30 September 2003	
Previous company names:	N/A	
Trading name:	N/A	
Trading address:	Marlowe Way, Ramsgate, Kent, CT12 6NB	
Principal activity:	Education	
Registered office:	RSM Restructuring Advisory LLP Portland 25 High Street Crawley West Sussex RH10 1BG	
Correspondence address & contact details of case manager	Alison Young 01293 843134 RSM Restructuring Advisory LLP, Portland, 25 High Street, Crawley, West Sussex RH10 1BG	
Name, address & contact details of Joint Liquidators	<b>Primary Office Holder</b> John David Ariel RSM Restructuring Advisory LLP Portland 25 High Street Crawley RH10 1BG 01293 591 818 IP Number: 007838	<b>Joint Office Holder:</b> Terence Guy Jackson RSM Restructuring Advisory LLP Third Floor One London Square Cross Lanes Guildford GU1 1UN 01483 307 062 IP Number: 16450

Dividends	Owed	Paid to Date	Estimated future Prospects
Secured creditor (1)	£N/A	£N/A	N/A
Secured creditor (2)	£N/A	£N/A	N/A
Preferential creditors	£N/A	N/A	N/A
Unsecured creditors	£N/A	N/A	N/A

Estimated net property	£N/A
Estimated prescribed part available for unsecured creditors	£N/A

## Appendix B

### Receipts and Payments

For the period 19 September 2016 to 18 September 2017

SOA Value £		19/09/2016 to 18/09/2017		Total to 18/09/2017	
		£	£	£	£
	ASSET REALISATIONS				
0.00	Bank Interest Gross	4.33		4.33	
57,293.00	Cash at Bank	58,028.96		58,028.96	
129.68	Other Current Assets	0.00		0.00	
152.32	VAT Refund	0.00		0.00	
			58,033.29		58,033.29
	COST OF REALISATIONS				
0.00	Pre appointment Fees	(2,500.00)		(2,500.00)	
0.00	Legal Fees	(1,134.00)		(1,134.00)	
0.00	Storage Costs	(450.00)		(450.00)	
			(4,084.00)		(4,084.00)
	UNSECURED CREDITORS				
(1,000.00)	Employees	0.00		0.00	
			0.00		0.00
56,575.00			53,949.29		53,949.29
	REPRESENTED BY				
	Bank - (RBS)			52,638.49	
	VAT Receivable (Payable)			1,310.80	
					53,949.29
					53,949.29

## **Appendix C**

### **RSM Restructuring Advisory LLP**

#### **Charging, expenses and disbursements policy**

- **Charging policy**
- Partners, directors, managers, administrators, cashiers, secretarial and support staff are allocated an hourly charge out rate which is reviewed from time to time.
- Work undertaken by cashiers, secretarial and support staff will be or has been charged for separately and such work will not or has not also been charged for as part of the hourly rates charged by partners, directors, managers and administrators.
- Time spent by partners and all staff in relation to the insolvency estate is charged to the estate.
- Time is recorded in 6-minute units at the rates prevailing at the time the work is done.
- The current charge rates for RSM Restructuring Advisory LLP Crawley are attached.
- Time billed is subject to Value Added Tax at the applicable rate.
- It is the office holder's policy to ensure that work undertaken is carried out by the appropriate grade of staff required for each task, having regard to its complexity and the skill and experience actually required to perform it.
- RSM Restructuring Advisory LLP's charge out rates are reviewed periodically.

#### **Expenses and disbursements policy**

- Only expenses and disbursements properly incurred in relation to an insolvency estate are re-charged to the insolvency estate.
- Expenses and disbursements which comprise external supplies of incidental services specifically identifiable to the insolvency estate require disclosure to members, but do not require members' approval prior to being drawn from the insolvency estate. These are known as 'category 1' disbursements.
- Expenses and disbursements which are not capable of precise identification and calculation (for example any which include an element of shared or allocated costs) or payments to outside parties that the firm or any associate has an interest in, require the approval of members prior to being drawn from the insolvency estate. These are known as 'category 2' disbursements.
- A resolution to consider approving category 2 disbursements at the rates prevailing at the time the cost is incurred to RSM Restructuring Advisory LLP Crawley will be proposed to the relevant parties responsible for approving remuneration.
- General office overheads are not re-charged to the insolvency estate as a disbursement.
- Any payments to outside parties in which the office holder or his firm or any associate has an interest will only be made with the approval of the relevant parties responsible for approving remuneration.
- Where applicable, expenses and disbursements re-charged to or incurred directly by an insolvency estate are subject to VAT at the applicable rate.

## Appendix D

### RSM Restructuring Advisory LLP – Crawley

#### Joint Liquidators' current charge out and category 2 disbursement rates

Hourly charge out rates		
	Rates at commencement £	Current rates £
Partner	420	495
Directors / Associate Directors	335 – 375	375
Manager	210 – 235	275
Assistant Managers	n/a	n/a
Administrators	130	160
Support staff	n/a	n/a

Category 2 disbursement rates	
Subsistence	£25 per night (from 3 <sup>rd</sup> September 2013) £23 per night (up to 2 <sup>nd</sup> September 2013)
Travel (car)	38p per mile (up to and including 31 March 2010) 40p per mile (from 1 April 2010) 42.5p per mile (from 1 April 2011)
'Tracker' searches	£10 per case

## Appendix E

### Joint Liquidators' category 2 disbursements table

Amounts paid or payable to the Office Holder's firm or to any party in which the office holder or his firm or any associate has an interest		
Recipient, type and purpose	Paid £	Unpaid £
Total	Nil	Nil

## Appendix F

**Statement of expenses incurred by the Joint Liquidators' in the period from 19 September 2016 to 18 September 2017**

Type and purpose	Incurred in period £
Legal Fees	1,134.00
Storage Costs	450.00
Insolvency Bond	42.50
Statutory Advertising	237.00
<b>Total</b>	1,863.50

## Appendix G

### Joint Liquidators' time cost analysis for the period from 19 September 2016 to 18 September 2017

Period	Hours Spent	Partners	Directors / Associate Directors	Managers	Assistant Managers	Administrators	Assistants & Support Staff	Total Hours	Total Time Costs	Average Rates
<b>Administration and Planning</b>										
	Appointment	0.0	1.7	0.0	0.0	4.4	0.0	6.1	£ 1,207.50	197.95
	Background information	0.0	0.4	0.0	0.0	0.7	0.0	1.1	£ 242.50	220.45
	Case Management	1.0	2.1	0.0	0.0	8.5	0.3	11.9	£ 2,535.50	213.07
	Director(s)/debtor/bankrupt	0.0	1.4	0.0	0.0	6.8	0.0	8.2	£ 1,539.00	187.68
	Pension Scheme	0.0	0.0	0.0	0.0	1.0	0.0	1.0	£ 145.00	145.00
	Post-appointment - general	0.0	0.0	0.0	0.0	0.1	0.0	0.1	£ 14.50	145.00
	Receipts and Payments	0.8	0.5	0.0	0.0	10.3	0.0	11.6	£ 2,053.00	176.98
	Statement of Affairs	0.0	0.0	0.0	0.0	0.5	0.0	0.5	£ 72.50	145.00
	Tax Matters	0.6	0.3	0.0	0.2	3.7	0.1	4.9	£ 997.00	203.47
	<b>Total</b>	<b>2.4</b>	<b>6.4</b>	<b>0.0</b>	<b>0.2</b>	<b>38.0</b>	<b>0.4</b>	<b>45.4</b>	<b>£ 8,806.50</b>	<b>193.98</b>
<b>Realisation of Assets</b>										
	Assets - general/other	0.0	0.0	0.0	0.0	0.7	0.0	0.7	£ 101.50	145.00
	<b>Total</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.7</b>	<b>0.0</b>	<b>0.7</b>	<b>£ 101.50</b>	<b>145.00</b>
<b>Creditors</b>										
	Employees	0.0	0.5	0.0	0.0	0.2	0.0	0.7	£ 217.00	310.00
	Unsecured Creditors	0.3	0.6	0.0	0.0	0.2	0.0	1.1	£ 399.50	363.18
	<b>Total</b>	<b>0.3</b>	<b>1.1</b>	<b>0.0</b>	<b>0.0</b>	<b>0.4</b>	<b>0.0</b>	<b>1.8</b>	<b>£ 616.50</b>	<b>342.50</b>
<b>Case Specific Matters - Shareholders</b>										
	Shareholders / Members	0.0	0.3	0.0	0.0	3.0	0.0	3.3	£ 583.50	176.82
	<b>Total</b>	<b>0.0</b>	<b>0.3</b>	<b>0.0</b>	<b>0.0</b>	<b>3.0</b>	<b>0.0</b>	<b>3.3</b>	<b>£ 583.50</b>	<b>176.82</b>
<b>Case Specific Matters - Legal Matters</b>										
	Legal Matters	0.1	2.0	0.0	0.0	0.4	0.0	2.5	£ 842.00	336.80
	<b>Total</b>	<b>0.1</b>	<b>2.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.4</b>	<b>0.0</b>	<b>2.5</b>	<b>£ 842.00</b>	<b>336.80</b>
		2.8	9.8	0.0	0.2	40.5	0.4	53.7	£ 10,950.00	203.91
		£ 1,323.00	£ 3,507.00	£ 0.00	£ 50.00	£ 6,036.00	£ 34.00	£ 10,950.00		
<b>Total Hours</b>		2.8	9.8	0.0	0.2	40.5	0.4	53.7	£ 10,950.00	203.91
<b>Total Time Cost</b>		£ 1,323.00	£ 3,507.00	£ 0.00	£ 50.00	£ 6,036.00	£ 34.00	£ 10,950.00		
<b>Average Rates</b>		472.50	357.86	0.00	250.00	149.04	85.00	203.91		