

## The Insolvency Act 1986

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

To the Registrar of Companies

For Official Use

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Company Number

05217329

Name of Company

Geonix Tracking Limited

I / We

Samuel Jonathan Talby  
16 Queen Square  
Bristol  
BS1 4NTthe liquidator(s) of the company attach a copy of my/our progress report  
under section 192 of the Insolvency Act 1986

Signed

*Sam J Talby*

Date

20/02/2012

Bishop Fleming  
16 Queen Square  
Bristol  
BS1 4NT

Ref GE5881/SCE/RLM

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COMPANIES HOUSE

**Geonix Tracking Limited - in Liquidation**

**Liquidator's Annual Report  
to the Members and Creditors  
Dated 20 February 2012**

**Period from 6 January 2011 to 5 January 2012**

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## **1 Introduction**

- 1 1 I, Samuel Jonathan Talby, of Bishop Fleming, 16 Queen Square, Bristol, BS1 4NT was appointed as Liquidator of Geonix Tracking Limited (the Company) on 6 January 2011
- 1 2 I set out below my annual report on the progress of the liquidation
- 1 3 The company's principal trading address was Unit 10 Berwick Courtyard, Berwick St Leonard, Salisbury, Wiltshire, SP3 5UA
- 1 4 The company's registered number is 05217329 and its current registered office is Bishop Fleming, 16 Queen Square, Bristol, BS1 4NT
- 1 5 The liquidation commenced in January 2011 with uncertain asset values and anticipated liabilities of £1,098,874 No returns to creditors were anticipated and none was achieved
- 1 6 At Appendix A, I have provided details of my Receipts and Payments from 6 January 2011 to 5 January 2012

## **2 Realisation of Assets**

### ***Assets Not Specifically Pledged***

- 2 1 The Company's office furniture and equipment had a book value of £3,465 and was estimated by the directors to have an uncertain realisable value as the equipment was either no longer in the possession of the company or had a nominal value In response to information provided by the company's current and former directors I instructed agents to consider whether the company's assets had any realisable value On 3 August 2011 they advised that the stock had no resaleable value in the current market and therefore I took no further action
- 2 2 Book debts totalling £1,624 had an uncertain realisable value due to the age of the debt and the fact that the company had terminated the contract No recovery was achieved
- 2 3 The Company was estimated to be in a recovery position in respect of VAT of £12,331 and a Research and Development tax credit of approximately £20,000 However, as the company had a substantial Crown debt in respect of PAYE of £49,836 it was expected that these amounts would be likely to be subject to set-off No recovery was achieved
- 2 4 In accordance with Statement of Insolvency Practice No 13 (SIP13), I advise you that no assets were sold to any of the directors of the Company

### **3 Investigations**

- 3 1 In accordance with the Company Directors Disqualification Act 1986, I have submitted a report on the conduct of the Directors of the Company to the Department for Business Innovation & Skills (BIS) As this is a confidential report, I am not able to disclose its contents
- 3 2 At the meeting of creditors held on 6 January 2011 I undertook to investigate various matters which were brought to my attention Further information was received in the days following my appointment
- 3 3 I made an initial assessment of whether there could be any matters that might lead to recoveries for the company and what further investigations may be appropriate I instructed solicitors to advise me in the light of the correspondence received
- 3 4 Whilst the information received assisted me in making my report to BIS as set out above, my investigations have not revealed any matters that would result in realisations for the company
- 3 5 Further to the company history prepared by the directors for the Section 98 meeting of creditors held on 6 January 2011 I have been asked to clarify that Mr Patrick Roberts was not one of the founders of Geonix Tracking Ltd

### **4 Liquidator's Remuneration and Disbursements**

- 4 1 On 6 January 2011 the Creditors approved that the basis of the Liquidator's remuneration be fixed by reference to the time properly spent by him and his staff in managing the Liquidation
- 4 2 My time costs from 6 January 2011 to 5 January 2012 amounted to £23,781 45 representing 182 50 hours at an average charge out rate of £130 31 per hour
- 4 3 Attached at Appendix B1 is a Time Analysis which provides details of the activity costs incurred by staff grade during this period in respect of the costs fixed by reference to time properly spent by me in managing the Liquidation
- 4 4 I have not drawn any fees from the liquidation in view of the lack of funds However, I have approached Mr P Davies of South West Ventures Fund ("SWVF") to make a contribution to the liquidation funds towards my unpaid fees as Liquidator limited to the sum of £8,000 pursuant the terms of an agreement dated 5 January 2011
- 4 5 A copy of 'A Creditors' Guide to Liquidators' Fees' is available on request or can be downloaded from <http://www.bishopfleminginsolvency.co.uk/sip9>

4 6 Attached as Appendix C is additional information in relation to this firm's policy on staffing, the use of subcontractors, disbursements and details of our current charge-out rates by staff grade

4 7 At the meeting of creditors held on 6 January 2011 I was approved to draw category 2 disbursements in accordance with my firm's standard tariff

4 8 The following category 1 and 2 disbursements have been incurred -

<u>Description</u>	<u>Period</u>
	<u>From 06/01/11</u> <u>To 05/01/12</u> £
<u>Category 1</u>	
Company Searches	22 00
Statutory Advertising	226 80
Courier	24 98
Specific Bond	25 00
Legal Fees	576 00
Mileage at HMRC rates	69 95
 <u>Category 2</u>	
Room Hire	50 00
Registered Office Fee	100 00
IPS accounting system charge	15 00
Telephone	26 00
Stationery	70 00
Storage	
Total	<u>1,205 73</u>

4 9 A partial recovery of my category 1 and 2 disbursements totalling £607 01 has been made from the liquidation funds in the period since 6 January 2012 I have approached SWVF to settle the balance of my unpaid disbursements totalling £816 57 plus VAT under the terms of their agreement

## **5 Liquidator's Expenses**

5 1 The amounts paid for the costs of employing auctioneers and valuers, solicitors, other legal costs, advertising in the Gazette & other newspapers and for incidental outlays are shown in the table at paragraph 4 8 above

## **6 Creditors' Rights**

6 1 Within 21 days of the receipt of this report, a secured creditor, or an unsecured creditor (with the concurrence of at least 5% in value of the unsecured creditors) may request in writing that the Liquidator provide further information about his remuneration or expenses which have been itemised in this progress report

- 6 2 Any secured creditor, or an unsecured creditor (with the concurrence of at least 10% in value of the unsecured creditors) may within 8 weeks of receipt of this progress report make an application to court on the grounds that, in all the circumstances, the basis fixed for the Liquidator's remuneration is inappropriate and/or the remuneration charged or the expenses incurred by the Liquidator, as set out in this progress report, are excessive

## **7 Outcome for Creditors**

### ***Secured Creditors***

- 7 1 On 29 December 2009 the Company granted a debenture incorporating a floating charge to South West Ventures Fund. At the date of the liquidation the indebtedness was estimated at £105,704. I have received a total claim for £443,035 under the terms of the debenture, plus interest. I have not made any repayments to the debenture holder in view of the lack of funds.

- 7 2 As the floating charge in favour of South West Ventures Fund was created after 15 September 2003, under the provisions of Section 176A Insolvency Act 1986 I was required to consider creating a fund out of the Company's net floating charge property for unsecured creditors (the "prescribed part"). However, as there were no realisations I was not required to set aside such a fund, see below.

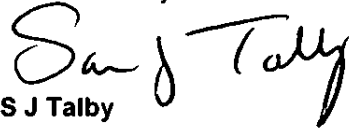
### ***Preferential Creditors***

- 7 3 No preferential claims were expected. However, I have received a preferential claim totalling of £5,197.25 from the Redundancy Payments Service and the former employees and director for arrears of wages and holiday pay.

### ***Unsecured Creditors***

- 7 4 Ordinary unsecured claims were estimated in the Statement of Affairs to total £993,170.
- 7 5 I have received claims totalling £1,012,741 from 26 creditors. I have yet to receive claims from 22 creditors whose debts totalled £176,465 as per the Directors' Statement of Affairs.
- 7 6 As noted above, I was required to create a fund out of the company's net floating charge property for the benefit of unsecured creditors. However, I regret that there were no realisations from which to create such a fund and hence there are no funds available for the payment of a dividend to any class of creditor. As there was no prospect of a dividend I have not formally agreed the claims of any creditors.

Yours faithfully

A handwritten signature in black ink, appearing to read "S J Talby". The signature is written in a cursive, flowing style with a large initial 'S' and a distinct 'J'.

**S J Talby**  
**Liquidator**

Enc



**Geonix Tracking Limited**  
**(In Liquidation)**  
**Liquidator's Abstract of Receipts & Payments**

Statement of Affairs		From 06/01/2011 To 05/01/2012	From 06/01/2011 To 05/01/2012
<b>SECURED CREDITORS</b>			
(105,704 11)	South West Ventures Fund	NIL	NIL
		NIL	NIL
<b>ASSET REALISATIONS</b>			
NIL	Office Furniture and Equipment	NIL	NIL
NIL	Book Debts	NIL	NIL
Uncertain	VAT & R&D Tax Refund	NIL	NIL
	Third Party Contribution	4,788 83	4,788 83
		4,788 83	4,788 83
<b>COST OF REALISATIONS</b>			
	DTI Audit Fees	92 00	92 00
	DTI Cheque Fees	1 00	1 00
	Preparation of S of A	3,990 49	3,990 49
		(4,083 49)	(4,083 49)
<b>UNSECURED CREDITORS</b>			
(207,410 28)	Trade & Expense Creditors	NIL	NIL
(18,244 64)	YFM Venture Finance Limited	NIL	NIL
(337,331 52)	South West Venturers Fund	NIL	NIL
(861 00)	HM Revenue & Customs (Corp Tax)	NIL	NIL
(54,434 00)	HM Revenue & Customs (PAYE/NIC)	NIL	NIL
(892 51)	Lloyds TSB Bank plc	NIL	NIL
(21,131 40)	Lloyds TSB Bank plc Loan Account	NIL	NIL
(352,864 79)	Directors Loans	NIL	NIL
		NIL	NIL
<b>DISTRIBUTIONS</b>			
(160,000 00)	Redeemable Preference Shareholders	NIL	NIL
(244 00)	Ordinary Shareholders	NIL	NIL
(103 00)	Ordinary "A" Shareholders	NIL	NIL
		NIL	NIL
<b>(1,259,221 25)</b>		<b>705.34</b>	<b>705.34</b>
<b>REPRESENTED BY</b>			
	ISA Main Account		705 34
			<b>705.34</b>

## APPENDIX B1

**Geonix Trading Limited**  
**Summary of Liquidator's Time Costs**  
**for the period 6 January 2011 to 5 January 2012**

## Hours

Classification of work function	Partner	Manager	Other Senior Professionals	Assistants & Support Staff	Total Hours	Time Costs £	Average Hourly rate £
Pre-Appointment (MVL only)	-	-	-	-	-	-	-
Administration & Planning	0 15	1 00	14 80	3 85	19 80	1,727 45	87 24
Investigations	4 90	10 50	83 90	0 30	99 60	13,847 50	139 03
Realisation of Assets	-	-	8 45	-	8 45	1,035 50	122 54
Trading	-	-	-	-	-	-	-
Creditors & Employees	0 50	0 20	15 00	-	15 70	1,459 25	92 95
Tax & VAT	-	0 50	1 75	-	2 25	291 00	129 33
Case Specific Matters	7 15	-	-	-	7 15	1,704 25	238 36
Cashiering	-	-	2 90	-	2 90	301 50	103 97
Statutory Reporting	1 10	-	1 00	-	2 10	343 50	163 57
Statutory Duty & Compliance	0 80	5 60	16 25	1 90	24 55	3,071 50	125 11
Closure	-	-	-	-	-	-	-
Liquidator's hours and time costs from 6 Jan 2011 to 5 Jan 2012, and average rate					182 50	23,781 45	130 31

**1. Policy**

Detailed below is Bishop Fleming's policy in relation to

- Staff allocation and the use of subcontractors
- Professional advisors
- Disbursements

**1.1 Staff allocation and the use of subcontractors**

Bishop Fleming's general approach to resourcing assignments is to allocate staff with the skills and experience to meet the specific requirements of the case

The constitution of the case team will usually consist of a Partner, Manager, Senior and Assistant. The exact constitution of the case team will depend on the anticipated size and complexity of the assignment and on larger, more complex cases, several Seniors/Assistants may be allocated to meet the demands of the case.

With regard to support staff, time spent by cashiers in relation to specific tasks on an assignment is charged.

I have not utilised the services of any subcontractors in this case.

**1.2 Professional advisors**

On this assignment I have used the professional advisors listed below and have indicated the basis of the fee arrangement with them, which is subject to review on a regular basis.

<b>Name of Professional Advisor</b>	<b>Basis of Fee Arrangement</b>
<i>Ashfords (legal advice)</i>	<i>Hourly rate &amp; disbursements</i>
<i>Veale Wasbrough Vizards (legal advice)</i>	<i>Hourly rate &amp; disbursements</i>
<i>Asset Management Services (agents)</i>	<i>Fees and Commission</i>

The choice was based on our perception of their experience and ability to perform this type of work, the complexity and nature of the assignment and the basis of our fee arrangement with them.

**1.3 Disbursements**

Category 1 disbursements do not require approval by creditors. The type of disbursements that may be charged as a Category 1 disbursement to a case generally comprise of external supplies of incidental services specifically identifiable to the case, such as postage, case advertising, invoiced travel and external printing, room hire and document storage. Also chargeable will be any properly reimbursed expenses incurred by personnel in connection with the case.

Category 2 disbursements do require approval from creditors. These disbursements can include costs incurred which relate to payments due to associated companies for the provision of services to the office holder. Details are set out in the body of the report.

**2. Charge-out rates**

A schedule of Bishop Fleming charge-out rates was issued to creditors at the time the basis of the Liquidator's remuneration was approved. There have been no material increases in charge-out rates since that date, although rates have been reviewed on 1 July each year.