

Section 106

The Insolvency Act 1986

Return of Final Meeting in a
Creditors' Voluntary Winding UpPursuant to Section 106 of the
Insolvency Act 1986**S.106**

For official use



To the Registrar of Companies

Company Number

05264699

Name of Company

(a) insert full name of
company

(a) JOHN CHARLOT GROUP

Limited

(b) Insert full name(s) and
address(es)We (b) ANDREW HOSKING AND MARTIN ELLIS, of
GRANT THORNTON UK LLP, 30 FINSBURY SQUARE,
LONDON EC2P 2YU

give notice

(c) Delete as applicable

(d) Insert date

(e) The copy account
must be authenticated by
the written signature(s) of
the liquidator(s)1 that a general meeting of the company was duly ~~(e) held on~~ [summoned for]

(d) 28 OCTOBER 2011

pursuant to Section 106 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 disposed of and (c) ~~[that the same was done accordingly]~~ [no quorum was present at the
meeting],2 that a meeting of the creditors of the company was duly ~~(e) held on~~ [summoned for]

(d) 28 OCTOBER 2011

pursuant to Section 106 of the Insolvency Act 1986, for the purpose of having the said account
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 (c) ~~[that the same was done accordingly]~~
[no quorum was present at the meeting]

Signed

Marki Celi

Date

28/10/11

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

For Official Use

Liquidation Section

Post Room

SATURDAY



AT0RZYSJ

A47

29/10/2011

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COMPANIES HOUSE

John Charcol Group Limited - In Liquidation

FINAL REPORT OF THE JOINT LIQUIDATORS

1. INTRODUCTION

A winding up resolution was passed on 6 April 2010 and I was appointed joint liquidator with Martin G Ellis. Our appointment was confirmed by a meeting of creditors held on 6 April 2010. The following appendices are included with this report:

- Appendix 1, an account of our receipts and payments account for the period from 6 April 11 to 28 October 2011 and also for the whole liquidation,
- Appendix 2, a statement of the remuneration charged by the joint liquidators in the period to and a statement of expenses incurred in the period,
- Appendix 3, an analysis of our time costs as required by Statement of Insolvency Practice 9,
- Appendix 4, an extract from the Insolvency Rules 1986 relating to creditors' rights to request additional information from the liquidator,
- Appendix 5, an extract from the Insolvency Rules 1986 relating to creditors' rights to request further information regarding the liquidator's remuneration or expenses or to challenge these if excessive

2. STATUTORY INFORMATION

The company's registered office is at 30 Finsbury Square, London EC2P 2YU and the registered number is 05264699

3. ASSETS

Fixed Asset Investments

You may recall that the Company has an investment in a wholly owned subsidiary, Charcol Limited. In turn, through this subsidiary the Company holds investments in @Charcol Limited. Given the sale of the business and assets of the subsidiaries in February 2010 and their indebtedness, the investments are not recoverable. Please be advised that the Administration of @Charcol Limited was finalised on 9 February 2011 and has since been dissolved.

Intercompany Debtors

The Company is owed balances of c. £6.5m from its subsidiary, Charcol Limited, in relation to a long term loan and various management charges. Charcol Limited went into Administration in February 2010 and was subsequently converted to a CVL on 23 February 2011 pursuant to Paragraph 83 of Schedule B1 to the Insolvency Act 1986.

The Company has received a first and final dividend of £11,704 from Charcol Limited.

4. LIABILITIES

Secured Creditors

As previously reported, John Charcol Group Limited ("the Group") held the Company's financing debts totalling c. £8m in the form of loan stock to the founding shareholders of the Group and private investor loans ("the Investors"). The Company also has a loan facility of £1.2m with Lloyds TSB Bank Plc ("the Bank").

The funding provided by the Investors is secured by way of various fixed and floating charges over the assets of the Company, registered during 2008. The Company holds no fixed assets that are pledged under the fixed charges.

The Bank's lending is secured by way of an omnibus guarantee and unlimited debenture from the Company, John Charcol Holdings Limited, Charcol Limited and @Charcol Limited which ranks in priority to the security provided to the Investors.

There are insufficient funds to make any distribution to the Bank or the Investors.

Preferential Creditors

The Company has no employees and therefore there are no preferential creditors.

Unsecured Creditors

As per the Statement of Affairs, creditors' claims are estimated to be £614,708.

Unfortunately, there were insufficient funds to enable a distribution to the unsecured creditors to be made.

5. REMUNERATION

At the Section 98 meeting on 6 April 2010, the creditors resolved that the Joint Liquidators' remuneration is calculated according to the time properly given by the Joint Liquidators and their staff. It was also resolved that £10,000 plus VAT in respect of convening the meetings and preparation of the statement of affairs for the Company be paid. This amount has been drawn as shown in the receipts and payments account attached at Appendix 1. You will note, from the SIP 9 table attached at Appendix 3 that our time costs to date are £22,082 against which I have drawn £2,927. There are insufficient funds to pay my time costs in full and therefore, all other costs will be written off.

Disbursements totaling £671 have been charged to the estate to date as set out in Appendix 2. These expenses are in relation to statutory advertising and obtaining the requisite insolvency bonds. Further disbursements of approximately £76 will be spent in respect of advertising the final meeting. This amount will be drawn from the liquidation account in due course.

Yours faithfully
for and on behalf of John Charcol Group Limited



ff Andrew L Hosking
Joint Liquidator

Date 28 Oct 2011

Enc

John Charcol Group Limited
(In Liquidation)

Joint Liquidators Receipts & Payments Account
From 6 April 2010 to 28 October 2011

	Statement of affairs £	From 6-Apr-11 to 28-Oct-11 £	Cumulative Total £
Receipts			
Investments in Subsidiary	1,899,781 00	-	-
Intercompany Debtors	6,534,112 00	11,704 30	11,704 30
Misc Float Receipts	-	-	2,095 79
Bank/ISA InterestGross	-	-	4 52
		<u>11,704 30</u>	<u>13,804 61</u>
Payments			
Statement of Affairs fees		10,000 00	10,000 00
Liquidator's fees		2,982 98	2,982 98
Liquidator's expenses		671 13	671 13
ISA account fees		46 00	138 00
ISA cheque fees		0 30	0 45
Tax on Interest		0 91	0 91
VAT irrecoverable		11 14	11 14
		<u>13,712 46</u>	<u>13,804 61</u>
Balance			<u><u>0 00</u></u>

Appendix 2 - Remuneration and expenses charged by the liquidator in the period since 6 April 2011

**John Charcol Group Limited
(In Liquidation)
Supplementary Information**

Registered Office / Home Address

30 Finsbury Square
London
EC2P 2YU

Registered Number

05264699

Appointment Details

First Partner - Andrew L Hosking
30 Finsbury Square
London
EC2P 2YU

Appointment Date - 06/04/2010

Second Partner - Martin G Ellis
30 Finsbury Square
London
EC2P 2YU

Appointment Date - 06/04/2010

Changes to Office Holders

None

Additional Information

Dividends / Distributions / Consigned Funds

Dividend Type	Date	Admitted	Paid	p in £
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No Dividends Paid

Unrealisable Assets

Details of Basis of Remuneration

**Statement of Remuneration / Expenses
For period 06/04/2010 to 28/10/2011**

Account	Incurred In Period	Accrued In Period For Last Period	Accrued In Period	Total In Period
DTI Cheque Fees	0 45	0 00	0 00	0 45
ISA Account Fees	138 00	0 00	0 00	138 00
Liquidators Fees	2,982 98	0 00	0 00	2,982 98
Liquidators Expenses	671 13	0 00	0 00	671 13
Statement of Affairs fees	10,000 00	0 00	0 00	10,000 00

John Charcol Group Limited
(In Liquidation)
Statement of Remuneration / Expenses
For period 06/04/2010 to 28/10/2011

Account	Incurred In Period	Accrued In Period For Last Period	Accrued In Period	Total In Period
Tax on Interest	0 91	0 00	0 00	0 91
	13,793 47	0 00	0 00	13,793 47

JOHN LINDROD GROUP LIMITED - IN LIQUIDATION - SIP 9 TIME COST ANALYSIS

Transaction period 06/04/2010 to 28/10/2011

Standard	Partner			Manager			Executive			Administrator			Total		
	Hrs	£	Avg Hrly Rate	Hrs	£	Avg Hrly Rate	Hrs	£	Avg Hrly Rate	Hrs	£	Avg Hrly Rate	Hrs	£	Avg Hrly Rate
Administration and Planning	0 55	277 75	505 00	7 00	2,868 00	409 71	23 39	5,810 85	248 43	48 50	6,798 50	140 18	79 44	15,755 10	198 33
Creditors	0 00	0 00		5 80	2,265 00	390 52	1 95	507 00	260 00	1 05	177 25	168 81	8 80	2,949 25	335 14
Investigations	0 00	0 00		0 25	85 00	340 00	2 45	659 00	268 98	12 25	1,760 00	143 67	14 95	2,504 00	167 49
Realisation of Assets	0 00	0 00		0 00	0 00		1 90	482 00	253 68	2 15	391 75	182 21	4 05	873 75	215 74
Total	0 55	277 75	505 00	13 05	5,218 00	399 85	29 69	7,458 85	251 22	63 95	9,127 50	142 73	107 24	22,082 10	205 91

Total fees billed to date (Time) : £ 2,982.98

INTRODUCTION

The following information is provided in connection with the joint liquidators' remuneration and disbursements in accordance with SIP 9

AN OVERVIEW OF THE CASE

Further details on matters undertaken are specified in the attached report

These have primarily involved dealing with the realisation of assets, complying with statutory reporting requirements, and dealing with creditors queries

EXPLANATION OF GRANT THORNTON CHARGING AND DISBURSEMENT RECOVERY POLICIES

Time costs

All partners and staff are charged out at hourly rates appropriate to their grade, as shown in the schedule below

Grade	From 6-Apr-10 to 30-Jun-10	From 1-Jul-10 to 30-Jun-11	From 1-Jul-11 to date
	£	£	£
Partner	510	535	560
Director	420	440	460
Managers	330-385	340-405	360-425
Senior Staff	230-275	240-285	250-300
Administrators/Support	130-190	135-195	140-205

Details of the hourly charge-out rates are made available to creditors or committees at the time of fixing the basis of our fees. Support staff (i.e. secretaries, cashiers and filing clerks) are charged to the case for the time they work on it.

Disbursements

Out of pocket expenses are charged at cost. Mileage is charged at standard rates which comply with Inland Revenue limits or AA recommended rates.

NARRATIVE DESCRIPTION OF WORK CARRIED OUT

Full details of the work carried out in the period since we were appointed are set out in the report

The grades of staff used have been appropriate to the task carried out; for example dealing with creditors queries and statutory reporting has been done by an administrator, complex asset realisations has involved more senior staff, including the partners as required

NARRATIVE DESCRIPTION OF EXPENSES PAID

To date, no expenses have been paid

TIME AND CHARGE-OUT SUMMARIES

A table of time spent is attached and charge-out rates used to date are shown above

SUPPORTING DOCUMENTATION

The following documentation is attached as required by SIP 9

- receipts and payments accounts for the period from 6 April 2011 to 28 October 2011 together with a cumulative total, which is at Appendix I,

Appendix 4 - An extract from the Insolvency Rules 1986 relating to creditors' rights to request additional information from the liquidator

Rule 4 49E edited for application to a draft final report in a creditors' voluntary liquidation

(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

(b) with the permission of the court upon an application made within the period mentioned in paragraph (2), any unsecured creditor,

makes a request in writing to the liquidator for further information about remuneration or expenses set out in the draft final report, 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 a matter which was previously included in a progress report

(2) The period referred to in paragraph (1)(a) is 21 days of receipt of the draft final report

(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, who need not be the same as the creditor who requested further 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 provided for in Rule 4 131(1B) by such further period as the court thinks just

Appendix 5 - An extract from the Insolvency Rules 1986 relating to creditors' rights to challenge the liquidator's remuneration or expenses if excessive

Rule 4 131

- (1) 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 for one or more of the orders in paragraph (4)
- (1A) Application by a creditor 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 sub-paragraph (b), inappropriate
- (1B) The application must, subject to any order of the court under Rule 4 49E(5), be made no later than 8 weeks (or in a case falling within Rule 4 108, 4 weeks) after receipt by the applicant of the progress report or the draft report under Rule 4 49D, which first reports the charging of the remuneration or the incurring of the expenses in question ("the relevant report")
- (2) The court may, if it thinks that no cause is shown for a reduction, dismiss the application, but it shall not do so unless the applicant has had an opportunity to attend the court for a hearing, of which he has been given at least 5 business days' notice but which is without notice to any other party
If the application is not dismissed under this paragraph, the court shall fix a venue for it to be heard, and give notice to the applicant accordingly
- (3) The applicant shall, 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
- (4) 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
- (5) Unless the court orders otherwise, the costs of the application shall be paid by the applicant, and are not payable as an expense of the liquidation