

LIQ13

Notice of final account prior to dissolution in MVL



Companies House

WEDNESDAY



A21 *A6ZA3BEL* #216
07/02/2018
COMPANIES HOUSE

1 Company details

Company number 0 5 4 3 3 3 5 5
Company name in full Auxiliary Components Limited

→ Filling in this form
Please complete in typescript or in
bold black capitals.

2 Liquidator's name

Full forename(s) Michael
Surname Durkan

3 Liquidator's address

Building name/number 17 Berkeley Mews
Street 29 High Street
Post town Cheltenham
County/Region
Postcode G L 5 0 1 D Y
Country

4 Liquidator's name ①

Full forename(s)
Surname

① Other liquidator
Use this section to tell us about
another liquidator.


5 Liquidator's address ②

Building name/number
Street
Post town
County/Region
Postcode
Country

② Other liquidator
Use this section to tell us about
another liquidator.

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6	Final account	
	<input checked="" type="checkbox"/> I have delivered the final account of the winding up to the members in accordance with Section 94(2) and attach a copy.	
7	Sign and date	
Liquidator's signature	<div>Signature</div> <div>X  X</div>	
Signature date	<div><div>^d0^d5</div><div>^m0^m2</div><div>^y2^y0^y1^y8</div></div>	

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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 Alice Jones

Company name Durkan Cahill

Address 17 Berkeley Mews

29 High Street

Post town Cheltenham

County/Region

Postcode G L 5 0 1 D Y

Country

DX

Telephone 01242 250 811



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 or email 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

Auxiliary Components Limited
(In Liquidation)
Liquidator's Summary of Receipts & Payments

Declaration of Solvency £		From 16/05/2017 To 15/01/2018 £	From 16/05/2017 To 15/01/2018 £
	ASSET REALISATIONS		
791,100.66	Cash at Bank	791,103.92	791,103.92
	Bank Interest Net of Tax	4.00	4.00
		<u>791,107.92</u>	<u>791,107.92</u>
	COST OF REALISATIONS		
	Specific Bond	680.00	680.00
	Liquidator's Fees	1,500.00	1,500.00
	Liquidator's Expenses	90.00	90.00
	Statutory Advertising	139.00	139.00
	Bank Charges	16.00	16.00
		<u>(2,425.00)</u>	<u>(2,425.00)</u>
	DISTRIBUTIONS		
	Ordinary Shareholders	<u>788,682.92</u>	<u>788,682.92</u>
		<u>(788,682.92)</u>	<u>(788,682.92)</u>
<u>791,100.66</u>		<u>NIL</u>	<u>NIL</u>
	REPRESENTED BY		
			<u>NIL</u>



Michael Durkan
Liquidator

Auxiliary Components Limited in Members Voluntary Liquidation

Final Account

5 February 2018

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1. Introduction
2. Asset realisations
3. Creditors' claims
4. Return to Shareholder
5. Costs and expenses
6. Conclusion

APPENDICES

1. Liquidator's receipts and payments account
2. Practice Fee Recovery Policy
3. Notice to accompany Final Account

1. INTRODUCTION

- 1.1 I write further to my appointment as Liquidator at the members' meeting held on 16 May 2017.
- 1.2 The purpose of this report is to detail my acts and dealings together with the conduct of the liquidation since my appointment.

2. ASSET REALISATIONS

Cash at Bank

- 2.1 According to the director's declaration of solvency, there was a credit balance held in the company's bank account in the sum £791,100.66. The sum of £791,103.92 was received in my client account prior to the company being placed into liquidation. The sum was then duly transferred to the liquidation account following my appointment. The small increase of £3.26 relates to a balance transferred from another account held by the company on the date of liquidation. No further funds are due to be received.

Miscellaneous Receipts

- 2.2 Bank interest of £4.00 (net of tax) has been received to date on funds held in the liquidation account. The account was placed into non-interest bearing status on 3 January 2018, therefore no interest has been received since that date.

My Receipts & Payments Account is attached at Appendix 1.

3. CREDITORS' CLAIMS

- 3.1 The declaration of solvency stated that there were no known creditors at the time of liquidation. Accordingly, no claims have been received in the liquidation

4. RETURN TO SHAREHOLDER

- 4.1 The following distributions were made to the member holding ordinary shares;

Date	Amount distributed	Rate of distribution per share
25 May 2017	£786,000.00	£786,000.00 per share
4 January 2018	£2,682.92	£2,682.92 per share

5. COSTS AND EXPENSES

- 5.1 Details of payments are shown on the receipts and payments account at Appendix 1
- 5.2 A schedule of my firm's disbursement recovery policy and list of typical charge out rates for each level of staff employed in the administration of this matter is attached at Appendix 2.
- 5.3 At the meeting of members held on 16 May 2017, it was resolved that the Liquidator's remuneration is agreed to be paid in the sum of £1,500.00 plus VAT together with authorisation to re-charge category 2 disbursements. My remuneration has been drawn in full as agreed.
- 5.4 My expenses to date amount to £90.00, all of which have been drawn. The details of the expenses incurred and recovered from funds held are on the following page.

	Incurred	Recovered	Not recovered
Category 1			
None			
Category 2			
Meeting Room Hire	£70.00	£70.00	£Nil
Stationery	<u>£20.00</u>	<u>£20.00</u>	<u>£Nil</u>
	<u>£90.00</u>	<u>£90.00</u>	<u>£Nil</u>

5.5 No agents or professional advisors have been used in this matter.

6. CONCLUSION

6.1 I have completed my administration of this case.

6.2 I shall be pleased to provide any additional information that you may reasonably require.

6.3 At Durkan Cahill we always strive to provide a professional and efficient service, however we recognise that it is in the nature of insolvency proceedings for disputes to arise from time to time. If you should have cause to complain about the way that we are acting, you should, in the first instance, put details of your complaint in writing to Michael Durkan. This will formally invoke our complaints procedure and we will endeavour to deal with your complaint expediently.

6.4 Most disputes can be resolved amicably either through the provision of further information or following negotiations. However, in the event that you have exhausted our complaints procedure and you are not satisfied that your complaint has been resolved or dealt with appropriately, you may complain to the regulatory body that licences the insolvency practitioner concerned. Any such complaints should be addressed to The Insolvency Service, IP Complaints, 3rd Floor, 1 City Walk, Leeds, LS11 9DA, and you can make a submission using an on-line form available at www.gov.uk/complain-about-insolvency-practitioner; or you can email insolvency.enquiryline@insolvency.gsi.gov.uk; or you may phone 0300 678 0015 - calls are charged at up to 9p per minute from a land line, or for mobiles, between 8p and 40p per minute if you're calling from the UK.



Michael Durkan
Liquidator

APPENDIX 1

Liquidator's receipts and payments account

Auxiliary Components Limited
(In Liquidation)
Liquidator's Summary of Receipts & Payments

Declaration of Solvency £		From 16/05/2017 To 15/01/2018 £	From 16/05/2017 To 15/01/2018 £
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	Ordinary Shareholders	788,682.92	788,682.92
		<u>(788,682.92)</u>	<u>(788,682.92)</u>
<u>791,100.66</u>		<u>NIL</u>	<u>NIL</u>
	REPRESENTED BY		<u>NIL</u>



Michael Durkan
Liquidator

APPENDIX 2

Practice Fee Recovery Policy

PRACTICE FEE RECOVERY POLICY FOR DURKAN CAHILL

Introduction

The insolvency legislation was changed in October 2015, with one or two exceptions, for insolvency appointments made from that time. This sheet explains how we intend to apply the alternative fee bases allowed by the legislation when acting as office holder in insolvency appointments. The legislation allows different fee bases to be used for different tasks within the same appointment. The fee basis, or combination of bases, set for a particular appointment is/are subject to approval, generally by a committee if one is appointed by the creditors, failing which the creditors via a decision procedure, or the Court.

Further information about creditors' rights can be obtained by visiting the creditors' information micro-site published by the Association of Business Recovery Professionals (R3) at <http://www.creditorinsolvencyguide.co.uk/>. Details about how an office holder's fees may be approved for each case type are available in a series of guides issued with Statement of Insolvency Practice 9 (SIP 9) and can be accessed at http://www.durkancahill.com/index.php/free_information. Alternatively, a hard copy may be requested from Michael Durkan of Durkan Cahill. Please note that we have provided further details in this policy document.

Once the basis of the office holder's remuneration has been approved, a periodic report will be provided to any committee and also to each creditor. The report will provide a breakdown of the remuneration drawn. If approval has been obtained for remuneration on a time costs basis, i.e. by reference to time properly spent by members of staff of the practice at our standard charge out rates, the time incurred will also be disclosed, whether drawn or not, together with the average, or "blended" rates of such costs. Under the legislation, any such report must disclose how creditors can seek further information and challenge the basis on which the fees are calculated and the level of fees drawn in the period of the report. Once the time to challenge the office holder's remuneration for the period reported on has elapsed, then that remuneration cannot subsequently be challenged.

Time cost basis

When charging fees on a time costs basis we use charge out rates appropriate to the skills and experience of a member of staff and the work that they perform. This is combined with the amount of time that they work on each case, recorded in 6 minute units with supporting narrative to explain the work undertaken.

Chargeout Rates

Grade of staff	Current charge-out rate per hour, effective from 1 April 2017	Previous charge-out rate per hour, effective from 1 April 2008
Partner – Insolvency Practitioner	£300-350	£300
Senior Manager	£270	£240
Manager	£210	£180
Supervisor/Senior Administrator	£180	£150
Case Administrator	£150	£120
Cashier	£180	£180
Support Staff	£80	£60

Where necessary and appropriate, members of staff from other departments of the practice will undertake work on a case. They will be charged at their normal charge out rate for undertaking such work.)

These charge-out rates charged are reviewed on 1 April each year and are adjusted to take account of inflation and the firm's overheads.

Time spent on casework is recorded directly to the relevant case using a computerised time recording system and the nature of the work undertaken is recorded at that time. The work is generally recorded under the following categories:

- Administration and Planning.
- Investigations.
- Realisation of Assets.
- Creditors.
- Trading
- Case specific matters.

When we seek time costs approval we have to set out a fees estimate. That estimate acts as a cap on our time costs so that we cannot draw fees of more than the estimated time costs without further approval from those who approved our fees. When seeking approval for our fees, we will disclose the work that we intend to undertake, the hourly rates we intend to charge for each part of the work, and the time that we think each part of the work will take. We will summarise that information in an average or "blended" rate for all of the work being carried out within the estimate. We will also say whether we anticipate needing to seek approval to exceed the estimate and, if so, the reasons that we think that may be necessary.

The disclosure that we make should include sufficient information about the insolvency appointment to enable you to understand how the proposed fee reflects the complexity (or otherwise) of the case, any responsibility of an exceptional kind falling on the office holder, the effectiveness with which the office holder has carried out their functions, and the value and nature of the property with which the office holder has to deal.

If we subsequently need to seek authority to draw fees in excess of the estimate, we will say why we have exceeded, or are likely to exceed the estimate; any additional work undertaken, or proposed to be undertaken; the hourly rates proposed for each part of the work; and the time that the additional work is expected to take. As with the original estimate, we will say whether we anticipate needing further approval and, if so, why we think it may be necessary to seek further approval.

Percentage basis

The legislation allows fees to be charged on a percentage of the value of the property with which the office holder has to deal (realisations and/or distributions). Different percentages can be used for different assets or types of assets. In cases where we were appointed prior to 1 October 2015, most of our fees were recovered on a time costs basis and appropriate authority was obtained from the creditors or the committee as set down in the legislation. The legislation changed on 1 October 2015 and we now seek remuneration on a percentage basis more often. A report accompanying any fee request will set out the potential assets in the case, the remuneration percentage proposed for any realisations and the work covered by that remuneration, as well as the expenses that will be, or are likely to be, incurred. Expenses can be incurred without approval, but must be disclosed to help put the remuneration request into context.

The percentage approved in respect of realisations will be charged against the assets realised, and where approval is obtained on a mixture of bases, any fixed fee and time costs will then be charged against the funds remaining in the liquidation after the realisation percentage has been deducted.

The disclosure that we make should include sufficient information about the insolvency appointment to enable you to understand how the proposed fee reflects the complexity (or otherwise) of the case, any responsibility of an exceptional kind falling on the office holder, the effectiveness with which the office holder has carried out their functions, and the value and nature of the property with which the office holder has to deal.

If the basis of remuneration has been approved on a percentage basis then an increase in the amount of the percentage applied can only be approved by the committee or creditors (depending upon who approved the basis of remuneration) in cases where there has been a material and substantial change

in the circumstances that were taken into account when fixing the original level of the percentage applied. If there has not been a material and substantial change in the circumstances then an increase can only be approved by the Court.

Fixed fee

The legislation allows fees to be charged at a set amount. Different set amounts can be used for different tasks. In cases where we were appointed prior to 1 October 2015, most of our fees were recovered on a time costs basis and appropriate authority was obtained from the creditors or the committee as set down in the legislation. The legislation changed on 1 October 2015 and we now seek remuneration on a fixed fee basis more often. A report accompanying any fee request will set out the set fee that we proposed to charge and the work covered by that remuneration, as well as the expenses that will be, or are likely to be, incurred. Expenses can be incurred without approval, but must be disclosed to help put the remuneration request into context.

The disclosure that we make should include sufficient information about the insolvency appointment to enable you to understand how the proposed fee reflects the complexity (or otherwise) of the case, any responsibility of an exceptional kind falling on the office holder, the effectiveness with which the office holder has carried out their functions, and the value and nature of the property with which the office holder has to deal.

If the basis of remuneration has been approved on a fixed fee basis then an increase in the amount of the fixed fee can only be approved by the committee or creditors (depending upon who approved the basis of remuneration) in cases where there has been a material and substantial change in the circumstances that were taken into account when fixing the original level of the fixed fee. If there has not been a material and substantial change in the circumstances then an increase can only be approved by the Court.

Members' Voluntary Liquidations and Voluntary Arrangements

The legislation changes that took effect from 1 October 2015 did not apply to Members' Voluntary Liquidations (MVL), Company Voluntary Arrangements (CVA) or Individual Voluntary Arrangements (IVA). In MVLs, the company's members set the fee basis, often as a fixed fee. In CVAs and IVAs, the fee basis is set out in the proposals and creditors approve the fee basis when they approve the arrangement.

All bases

With the exception of Individual Voluntary Arrangements and Company Voluntary Arrangements which are VAT exempt, the officeholder's remuneration invoiced to the insolvent estate will be subject to VAT at the prevailing rate.

Agent's Costs

Charged at cost based upon the charge made by the Agent instructed, the term Agent includes:

- Solicitors/Legal Advisors
- Auctioneers/Valuers
- Accountants
- Quantity Surveyors
- Estate Agents
- Other Specialist Advisors

In new appointments made after 1 October 2015, the office holder will provide details of expenses to be incurred, or likely to be incurred, when seeking fee approval. When reporting to the committee and

creditors during the course of the insolvency appointment the actual expenses incurred will be compared with the original estimate provided.

Disbursements

In accordance with SIP 9 the basis of disbursement allocation in respect of disbursements incurred by the Office Holder in connection with the administration of the estate must be fully disclosed to creditors. Disbursements are categorised as either Category 1 or Category 2.

Category 1 expenses are directly referable to an invoice from a third party, which is either in the name of the estate or Durkan Cahill; in the case of the latter, the invoice makes reference to, and therefore can be directly attributed to, the estate. These disbursements are recoverable in full from the estate without the prior approval of creditors either by a direct payment from the estate or, where the firm has made payment on behalf of the estate, by a recharge of the amount invoiced by the third party. Examples of category 1 disbursements are statutory advertising, external copying and posting agencies, external meeting room hire, external storage, specific bond insurance and Company search fees.

Category 2 expenses are incurred by the firm and recharged to the estate; they are not attributed to the estate by a third party invoice and/or they may include a profit element. These disbursements are recoverable in full from the estate, subject to the basis of the disbursement charge being approved by creditors in advance. Examples of category 2 disbursements are photocopying, internal room hire, internal storage and mileage.

It is proposed that the following Category 2 disbursements are recovered:

Room Hire	£70
Mileage	45p per mile
Storage	£7 per box per annum
Photocopying	18p per sheet

APPENDIX 3

Notice to Accompany Final Account

Notice to accompany Final Account

AUXILIARY COMPONENTS LIMITED ("the Company") - In Members' Voluntary Liquidation

(Company Number 05433355)

NOTICE IS GIVEN to the members of the Company by Michael Durkan under rule 5.10 of The Insolvency (England and Wales) Rules 2016 that:

1. the Company's affairs have been fully wound up;
1. the Liquidator having delivered copies of the final account to the members must, within 14 days of the date on which the final account is made up, deliver a copy of the account to the Registrar of Companies;
2. the Liquidator will vacate office under section 171(6) of The Insolvency Act 1986, and be released under section 173(2)(d) on delivery of the final account to the Registrar of Companies.

Members requiring further information regarding the above, should either contact me at Durkan Cahill, 17 Berkeley Mews, 29 High Street, Cheltenham, GL50 1DY or contact Alice Jones by email at alice@durkancahill.com or by phone on 01242 250811.

Signed



Michael Durkan, Liquidator

Dated

