

Liquidator's Progress Report

Pursuant to Sections 92A, 104A and 192 of the
Insolvency Act 1986

S.192

To the Registrar of Companies

Company Number

05637445

Name of Company

(a) Insert full
name of company

(a) OWA LIMITED

Limited

(b) Insert full
name(s)
and
address(es)

We (b) David Moore and John Tittley

of Leonard Curtis, 6th Floor, Walker House, Exchange Flags, Liverpool L2 3YL

the liquidators of the company attach a copy of our Progress Report
under section 192 of the Insolvency Act 1986

The Progress Report covers the period from 10 April 2015 to 9 April 2016

Signed

Date 25 May 2016

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

Leonard Curtis,
6th Floor, Walker House,
Exchange Flags,
Liverpool
L2 3YL
Ref I/39/AM/NO167E/115

SATURDAY



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04/06/2016

COMPANIES HOUSE

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LEONARD CURTIS
BUSINESS RESCUE & RECOVERY

OWA LIMITED
(In Creditors' Voluntary Liquidation)

Registered Number: 05637445

Joint Liquidators' annual progress report
prepared in accordance with s104A of the Insolvency Act 1986
and Rule 4.49C of the Insolvency Rules 1986 (as amended)

10 April 2015 to 9 April 2016

Leonard Curtis
6th Floor, Walker House, Exchange Flags,
Liverpool L2 3YL
Tel 0151 556 2790 Fax 0151 556 2791
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Ref I/39/AM/NO167E/1010

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TO: ALL MEMBERS
ALL CREDITORS
ALL DIRECTORS
THE REGISTRAR OF COMPANIES

1 INTRODUCTION

1 1 My colleague, John Titley, and I were appointed as Joint Liquidators of the Company at meetings of members and creditors held on 10 April 2014. Both John Titley and I are licensed in the UK by the Institute of Chartered Accountants in England and Wales. I can confirm that there has been no change in office-holder since the date of liquidation.

1 2 This report has been prepared in accordance with the requirements of Section 104A of the Insolvency Act 1986 and Rule 4.49C of the Insolvency Rules 1986 (as amended) to provide members and creditors with a report on the progress of the liquidation.

1 3 Much of the information contained in this report encompasses the whole period of the Liquidation. Please be aware, however, that where reference is made to "the period of this report", this specifically means 10 April 2015 to 9 April 2016, being the period of 12 months to the most recent anniversary of the Liquidators' appointment.

2 CONDUCT OF THE LIQUIDATION

2 1 The Company's registered office was changed from 1 Woodlands Close, Rawlinson Road, Southport Merseyside PR9 9PN to 2nd Floor, 20 Chapel Street, Liverpool L3 9AG on 17 April 2014 and then to 6th Floor, Walker House, Exchange Flags, Liverpool L2 3YL on 16 July 2015. The Company's registered number is 05637445.

2 2 The Joint Liquidators' Annual Progress Report sent to creditors on 10 April 2014 provided the background of the liquidation. Since the date of that report we have been trying to recover funds from the director in respect of his overdrawn directors loan account but this has proved to be difficult.

We advised in the first report to creditors that it was unlikely that any realisations would be made in respect of the outstanding book debt. A decision will soon be made in relation to pursuing the director and it is likely that solicitors will be instructed. A bankruptcy petition may be the only option available but this would resolve the issue. However funding will be required to undertake this exercise.

3 RECEIPTS AND PAYMENTS ACCOUNT

3 1 Attached at Appendix A is a summary of the Liquidators' receipts and payments for the whole of the liquidation period to date, including details of all receipts and payments for the period of this report.

RECEIPTS

During the period the director has paid a further £1,000 towards his overdrawn directors loan account and the sum of 93 pence has been received in respect of bank interest.

PAYMENTS

Various disbursements have been paid during the year, details of which are shown in section 6.6. The original Statement of Affairs fee was agreed by creditors for £3,600 but only £500 has been drawn.

4 OUTCOME FOR CREDITORS

4.1 Secured Creditors

There are no secured creditors

4.2 Preferential Creditors

There are no preferential creditors

4.3 Prescribed Part

To the best of our knowledge and belief there are no unsatisfied floating charges created or registered on or after 15 September 2003 and consequently a prescribed part will not apply

4.4 Unsecured Creditors

A distribution to unsecured creditors is wholly dependant on realisations from the director. A 'Notice of No Dividend' was sent with our last report and unless the situation regarding the overdrawn directors loan account changes there will not be sufficient funds for a distribution to be made

5 INVESTIGATIONS

It is the duty of the liquidator to carry out various investigations into the affairs of the Company and throughout this process I have been hampered by a lack of co-operation from the director. This is evidenced by the fact that despite numerous requests for the books and records these have still not been delivered. Without them we are unable to establish an accurate amount owed by the director in respect of his overdrawn loan account and as such, the amount may be higher than that shown on the original Statement of Affairs

6 LIQUIDATORS' REMUNERATION AND DISBURSEMENTS AND CREDITORS' RIGHTS

Remuneration

6.1 At a meeting of creditors held on 10 April 2014 it was resolved that the Liquidators' remuneration be payable by reference to time properly given by the Liquidators and their staff in attending to matters arising in the liquidation

6.2 The Liquidators' time costs are summarised below

	Hours No.	Rate / hr £	Total value of time £
Time previously reported	31.9	266.99	8,517.00
Time incurred in the period of this report	9.1	272.08	2,476.00
Total Liquidators' time costs	41	268.12	10,993.00

6.3 The time charged by the Joint Liquidators and their staff for the period from 10 April 2015 to 9 April 2016 amounts to £2,476.00. This represents 9.1 hours at an average rate of £272.08 per hour

Attached at Appendix B is a time analysis which provides details of the activity costs incurred by staff grade during this period. The following work has been carried out,

- Dealing with creditor correspondence and queries
- Preparing post appointment VAT and Tax returns
- Continuing investigations into the affairs of the Company
- Pursuing the director in respect of his overdrawn directors loan account
- Pursuing the director in respect of the delivery of the books and records
- Preparation of the Progress Report
- Maintaining case records and ensuring our administration is conducted in accordance with the Act and Rules

Further guidance may be found in "A Creditors' Guide to Liquidators' Fees" which may be downloaded from <http://www.leonardcurtis.co.uk/resources/creditorsguides>. If you would prefer this to be sent to you in hard copy please contact Alison McLauchlan of this office on 0151 556 2790.

- 6.4 No Liquidation fees have been drawn as at the date of this report and only £500 of the agreed £3,600 Statement of Affairs Fee has been drawn.

Category 2 disbursements

- 6.5 Creditors also approved the basis for recharging disbursements that include an element of allocated cost or payments to outside parties in which the Joint Liquidators or Leonard Curtis have an interest. These are known as Category 2 disbursements.

No disbursements of this kind have been incurred in this case.

Other disbursements and expenses

- 6.6 The Joint Liquidators have also incurred other disbursements and expenses during the period of this report. These expenses are detailed in the table below, which also indicates whether these expenses have yet been paid from case funds.

Nature of expenses	By whom provided	Total amount incurred to date £	Amount incurred in the period of this report £	Amount reimbursed £	Amount still to be reimbursed £
Advertising Costs	Courts Advertising	253.80	Nil	253.80	Nil
Software Licence Fee	Pelstar	87.00	Nil	87.00	Nil
IP bond	AUA Insolvency Risk Services	25.00	Nil	25.00	Nil
Client identification checks	Business Tax Centre	5.00	Nil	5.00	Nil
Companies House searches	Companies House	5.00	Nil	5.00	Nil
Total		375.80	Nil	375.80	Nil

- 6 7 Attached at Appendix C is additional information in relation to the firm's policy on staffing, the use of subcontractors, disbursements and details of our current charge-out rates by staff grade. Please note that this firm's charge out rates were amended on 6 January 2014.

Creditors' Rights

- 6 8 Any secured creditor, unsecured creditor (with the concurrence of at least 5% in value of the unsecured creditors) or any unsecured creditor with the permission of the Court, may within 21 days of the receipt of this report make a request in writing to the Liquidators for further information about the remuneration or expenses incurred in the period of this report.
- 6 9 In addition to the above, any secured creditor, or an unsecured creditor (with the concurrence of at least 10% in value of the unsecured creditors) or any unsecured creditor with the permission of the Court, may within 8 weeks of receipt of this report make an application to Court on the grounds that the basis fixed for the Liquidators' remuneration is inappropriate, or the remuneration charged or the expenses incurred by the Liquidators in the period of this report are excessive.

7 NEXT REPORT

- 7 1 The Joint Liquidators are required to provide a progress report within two months of the end of the next anniversary of the Liquidation or earlier if the Liquidation has been finalised.

I refer to Section 2.2 in this report. I have attached a resolution so that creditors can express their views as to whether they are prepared to fund a bankruptcy petition or apply a charging order against the Directors' property. Can you please return your completed form to this office by 30 June 2016?

If you require further information in the meantime please contact my office in writing. Electronic communications should include a full postal address.

Yours faithfully



DAVID MOORE
Joint Liquidator

Licensed in the UK by the Institute of Chartered Accountants in England and Wales

APPENDIX A

ACCOUNT OF LIQUIDATORS' RECEIPTS AND PAYMENTS FOR THE PERIOD FROM
10 APRIL 2014 TO 25 MAY 2016

	Estimated to realise £	Previous periods £	This period £	Cumulative £
RECEIPTS				
Cash at Bank	1	0 47	Nil	0 47
Book Debt	2,000	Nil	Nil	Nil
Bank Interest Received	N/a	0 19	0 93	1 12
Directors Loan Account	106,578	500 00	1,000 00	1,500 00
	<u>108,578</u>	<u>500 66</u>	<u>1,000.93</u>	<u>1,501 59</u>
PAYMENTS				
Costs of Creditors Meeting		Nil	500 00	500 00
Category 1 Disbursements,				
Statutory Advertising		Nil	253 80	253 80
Bordereau		Nil	25.00	25 00
Incidental Outlay (see 6 6)		Nil	97 00	97 00
Total costs and charges incurred		<u>Nil</u>	<u>875 80</u>	<u>875 80</u>
Balance				£625.79
Represented By,				
Current Account – Allied Irish Bank				451 63
VAT Control Account				174 16
				<u>£625.79</u>

APPENDIX B

SUMMARY OF LIQUIDATORS' TIME COSTS FOR THE PERIOD
FROM 10 APRIL 2015 TO 9 APRIL 2016

	Director		Manager 2		Administrator 1		Administrator 4		Total		Average Hourly Rate £
	Units	Cost £	Units	Cost £	Units	Cost £	Units	Cost £	Units	Cost £	
Statutory & Review	-	-	5	160.00	11	286.00	6	90.00	22	536.00	243.64
Assets	10	450.00	-	-	3	78.00	-	-	13	528.00	406.15
General Administration	-	-	-	-	20	520.00	4	60.00	24	580.00	241.67
Post Appointment Credits Mings	-	-	-	-	32	832.00	-	-	32	832.00	260.00
Total	10	450.00	5	160.00	66	1,716.00	10	150.00	91	2,476.00	
Average Hourly Rate (£)		<u>450.00</u>		<u>320.00</u>		<u>260.00</u>		<u>150.00</u>		<u>272.09</u>	

All Units are 6 minutes

APPENDIX C

LEONARD CURTIS CHARGE OUT RATES AND POLICY REGARDING STAFF ALLOCATION, SUPPORT STAFF, THE USE OF SUBCONTRACTORS AND THE RECHARGE OF DISBURSEMENTS

The following information relating to the policy of Leonard Curtis is considered to be relevant to creditors

Staff Allocation and Support Staff

We take an objective and practical approach to each assignment which includes active director involvement from the outset. Other members of staff will be assigned on the basis of experience and specific skills to match the needs of the case. Time spent by secretarial and other support staff on specific case related matters, e.g. report despatching, is not charged.

Where it has been agreed by resolution of the secured creditors, a creditors' committee or creditors generally, that the office holders' remuneration will be calculated by reference to the time properly given by the office holders and their staff in attending to matters arising in the appointment, then such remuneration will be calculated in units of 6 minutes at the standard hourly rates given below. In cases of exceptional complexity or risk, the insolvency practitioner reserves the right to obtain authority from the appropriate body of creditors that their remuneration on such time shall be charged at the higher complex rate given below.

With effect from 6 January 2014 the following hourly charge out rates apply to all assignments undertaken by Leonard Curtis

With effect from 6 Jan 2014	Standard £	Complex £
Director	450	562
Senior Manager	410	512
Manager 1	365	456
Manager 2	320	400
Administrator 1	260	325
Administrator 2	230	287
Administrator 3	210	262
Administrator 4	150	187
Support	0	0

Subcontractors

Details and the cost of any work which has been or is intended to be sub-contracted out that could otherwise be carried out by the office holders or their staff will be provided in any report which incorporates a request for approval of the basis upon which remuneration may be charged.

Professional Advisors

Details of any professional advisor(s) used will be given in reports to creditors. Unless otherwise indicated the fee arrangement for each is based on hourly charge out rates, which are reviewed on a regular basis, together with the recovery of relevant disbursements. The choice of professional advisors is based around a number of factors including, but not restricted to, their expertise in a particular field, the complexity or otherwise of the assignment and their geographic location.

Disbursements

- a) **Category 1 disbursements** These are costs where there is specific expenditure directly referable both to the appointment in question and a payment to an independent third party. These may include, for example, advertising, room hire, storage, postage, telephone charges, travel expenses, and equivalent costs reimbursed to the office holder or his or her staff. Category 1 disbursements may be drawn without prior approval.
- b) **Category 2 disbursements** These are costs that are directly referable to the appointment in question but not to a payment to an independent third party. They may include shared or allocated costs that can be allocated to the appointment on a proper and reasonable basis, for example, business mileage. In the event of charging for category 2 disbursements the following items of expenditure are recharged on this basis and are believed to be in line with the cost of external provision:

Internal photocopying	10p per copy
General stationery, postage, telephone etc	£100 per 100 creditors/ members or part thereof
Storage of office files (6 years)	£66.09 per box
Business mileage	45p per mile

Category 2 disbursements may be drawn if they have been approved in the same manner as an office holder's remuneration

APPENDIX D

Rule 4.73

Form 4.25

PROOF OF DEBT – GENERAL FORM

OWA LIMITED	
Date of Winding-Up Order/Resolution for voluntary winding-up 10 April 2014	
1	Name of Creditor (if a company please also give company registration number)
2	Address of creditor for correspondence (Please include email address)
3	Total amount of claim, including any Value Added Tax and outstanding uncapitalised interest as at the date the company went into liquidation £
4	Details of any documents by reference to which the debt can be substantiated (Note There is no need to attach them now but the liquidator may call for any document or evidence to substantiate the claim at his discretion as may the chairman or convenor of any meeting)
5	If amount in 3 above includes outstanding uncapitalised interest please state amount £
6	Particulars of how and when debt incurred (If you need more space append a continuation sheet to this form)
7	Particulars of any security held, the value of the security, and the date it was given
8	Particulars of any reservation of title claimed in respect of goods supplied to which the claim relates
9	Signature of creditor or person authorised to act on his behalf Name in BLOCK LETTERS Position with or relation to creditor Address of person signing (if different from 2 above)
Admitted to vote for	
Admitted for dividend for	
£	£
Date	Date
Liquidator	Liquidator

APPENDIX E

FORM OF RESOLUTION

		YES	NO
1	That the joint liquidators proceed to bankruptcy and we are prepared to fund this action	<input type="checkbox"/>	<input type="checkbox"/>
2	That the joint liquidators proceed to obtain a Charging Order	<input type="checkbox"/>	<input type="checkbox"/>
3	That the joint liquidators write off the debt and subsequently the Revenue will raise assessments on the director personally	<input type="checkbox"/>	<input type="checkbox"/>

Name of Creditor; . ..

Signed;

Position;

Dated;