In accordance with Rule 18.8 of the Insolvency (England & Wales) Rules 2016.

WU07

Notice of progress report in a winding-up by the court



For further information, please refer to our guidance at www.gov.uk/companieshouse

1	Company details					
Company number	0 5 6 8 3 1 3 9	Filling in this form Please complete in typescript or in				
Company name in full	Westover Medical Limited	bold black capitals.				
2	Liquidator's name					
Full forename(s)	Ben					
Surname	Woodthorpe					
3	Liquidator's address	<u>'</u>				
Building name/number	ReSolve Advisory Limited					
Street	22 York Buildings					
Post town	London					
County/Region						
Postcode	W C 2 N 6 J U					
Country						
4	Liquidator's name					
Full forename(s)	Mark	Other liquidator Use this section to tell us about				
Surname	Supperstone	another liquidator.				
5	Liquidator's address	1				
Building name/number	ReSolve Advisory Limited	Other liquidator				
Street	22 York Buildings	Use this section to tell us about another liquidator.				
Post town	London					
County/Region						
Postcode	W C 2 N 6 J U					
Country		04/17 Varsian 1 0				

WU07

Notice of progress report in a winding-up by the court

6	Pei	riod of	progr	ess re	port						
From date	0	1	0	5	2	0	2	2			
To date	3	0	0	4	2	0	2	3			
7	Pro	gress	report		•		·	•			
		The p	rogress i	eport i	is attach	ed					
8	Sig	n and	date								
Liquidator's signature	Sign	ature			1	<u></u>				X	
Signature date	D 3	D 0	M 0	M 6	Y 2	Y 0	Y 2	Y 3			

WU07

Notice of progress report in a winding-up by the court

Presenter information	Important 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.	All information on this form will appear on the public record.
Jack Robinson	☑ Where to send
ReSolve Advisory Limited	You may return this form to any Companies House address, however for expediency we advise you to return it to the address below:
22 York Buildings	
John Adam Street	The Registrar of Companies, Companies House, Crown Way, Cardiff, Wales, CF14 3UZ. DX 33050 Cardiff.
London	
Postcode W C 2 N 6 J U	Further information
DX 020 7702 9775	For further information please see the guidance notes on the website at www.gov.uk/companieshouse or email enquiries@companieshouse.gov.uk
✓ Checklist	This form is available in an
We may return forms completed incorrectly or with information missing.	alternative format. Please visit the forms page on the website at
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.	www.gov.uk/companieshouse

WESTOVER MEDICAL LIMITED

In Compulsory Liquidation

Joint Liquidators' Annual Progress Report to Members and Creditors For the period 1 May 2022 to 30 April 2023

CONTENTS

- 1. Introduction
- 2. Liquidators' actions since last report
- 3. Receipts and payments account
- 4. Assets and future realisations
- 5. Outcome to creditors
- 6. Liquidators' remuneration
- 7. Liquidators' expenses
- 8. Further information

APPENDICES

- I. Statutory information
- II. Receipts and payments account
- III. Remuneration and expense policies, charge out rates and narrative
- IV. Joint Liquidators' time cost summary

1. INTRODUCTION

We refer to our appointment as the Joint Liquidators of Westover Medical Limited ("the Company") on 1 May 2014 and write to creditors of the Company to provide a progress report on the Liquidation of the Company.

This report covers the period from 1 May 2022 to 30 April 2023 ("the Reporting Period") and should be read in conjunction with both the Official Receiver's report (circulated to creditors on 9 April 2014) and our previous progress reports to creditors dated 29 June 2016, 28 June 2017, 25 June 2018, 7 June 2019, 26 June 2020, 27 September 2021 and 29 June 2022.

Statutory information relating to the Company is included at Appendix I.

2. LIQUIDATORS' ACTIONS SINCE LAST REPORT

The following actions have been undertaken during the Reporting Period:

- Liaised with the litigation funder, Henderson & Jones ("H&J") regarding settlement of the claim against Smart Medical Clinics Limited ("SMC");
- Liaised with the solicitors acting for the two petitioning creditors regarding their costs;
- Addressed the general administrative and statutory duties of the Liquidation;
- Addressed creditor queries and provided individual update requests; and
- Prepared progress reports for creditors.

RECEIPTS AND PAYMENTS ACCOUNT

I attach our receipts and payments account for the Reporting Period at Appendix II.

Receipts

Legal claim settlement

I have received £46,281 from H&J.

This sum represents the Company's share of the 'Part 36' settlement, which was entered into on 1 February 2022 between H&J and SMC.

Payments

ISA payment fees

An ISA payment fee of £0.15 was paid in the period.

Secretary of State fees

A Secretary of State fee of £6,942.15 was deducted following receipt of the settlement advised above.

Secretary of State fees are a UK Government charge applied to all asset realisations where a company was wound up by order of the Court prior to 21 July 2016. The figure is calculated as a percentage of the assets realised in the liquidation.

Petitioner's costs

A payment of £6,635 was made to Moorfields Advisory for Oliver Bebb Solicitors Ltd ("OBS") in part payment of the petitioning costs incurred by OBS.

Bank charges

Bank charges totalling £66 were paid in the Reporting Period.

4. ASSETS AND FUTURE REALISATIONS

Transfer of Business

As previously reported, the Liquidators assigned all claims (associated with the transfer of the Company's business) to H&J on 20 September 2017.

H&J pursued the claim and agreed to a 'Part 36' settlement with SMC in respect of the assigned claims on 1 February 2022.

The Company received £46,281 in the Reporting Period being the percentage of the settlement agreed with H&J after costs.

H&J expect to recover certain legal costs from the defendant. The Company is entitled to the same percentage of those recoveries. H&J's solicitor has advised that a court hearing is fixed for 7 November 2023 and negotiations are ongoing to reach a settlement before that date.

I will provide a further update in our next report.

OUTCOME TO CREDITORS

Secured creditors

There are no known secured creditors.

Preferential creditor

We are not currently aware of any employee claims considered to rank preferentially.

Unsecured creditors

The Director's estimated Statement of Affairs (SoA) indicates the Company has 100 unsecured creditors; however, amounts due were only provided for five of those creditors (totalling £1,144,818).

Since our appointment we have received 16 claims, totalling £1,255,108.

As reported previously, we do not envisage the future recoveries to be sufficient to discharge the costs of the liquidation. Therefore, it is unlikely there will be a dividend to the unsecured creditors in this matter.

6. **LIQUIDATORS'** REMUNERATION

Our remuneration was previously authorised by the creditors at a meeting held on 5 June 2014 to be drawn on a time cost basis.

Our total time costs to 30 April 2023 amount to £169,170, representing 583 hours of work at an average charge out rate of £290 per hour, of which £19,066 was charged in the Reporting Period, representing 46 hours of work at an average charge out rate of £417 per hour.

To date, we have not been able to draw any remuneration in this matter.

A schedule of our charge out rates, expense policy and a narrative description of the work undertaken in the Administration to date, together with the time costs incurred to date is attached as Appendix III and IV.

Further information about creditors' rights can be obtained by visiting the creditors' information microsite published by the Association of Business Recovery Professionals (R3) at http://www.creditorinsolvencyguide.co.uk/.

The relevant creditor's guide to Liquidators' Fees can be found under the heading Creditor Guides on our website at http://www.resolvegroupuk.com/resources/. Please note there are different versions of the guides, and in this case you should refer to the Creditors Guide to Liquidators fees between 1 November 2011 and 30 September 2015. A hard copy can be obtained on request, free of charge, from this office.

7. LIQUIDATORS' EXPENSES

Our expenses to 30 April 2023 amount to £920, of which £89 was incurred in the Reporting Period. Of the total expenses incurred since appointment, £105 is in respect of category 2 expenses.

The following expenses were incurred:

Post-appointment	Category 1	Category 2	Total £	Incurred in period	Paid to date	Estimated future
Advertising	75	-	75	-	-	-
Bonding	54	-	54	-	-	-
Creditor reporting services	25	-	25	-	-	-
IT Support	110	-	110	-	-	-
Postage	538	-	538	84	•	133
Printing and stationery	13	105	118	5	•	16
Total	815	105	920	89	1	149

No professional advisors have been utilised in this matter.

8. FURTHER INFORMATION

The Liquidation will remain open until the following outstanding matters have been completed:

- The receipt of the share of the legal costs to be agreed in respect of the settlement reached by H&J.
- All statutory duties associated with the Liquidation have been finalised.

I estimate this may take a further 12 months to conclude and, once resolved, the Liquidation will be brought to an end and the final receipts and payments account filed at Companies House.

An unsecured creditor may, with the permission of the court or with the concurrence of 10% in value of the unsecured creditors (including the creditor in question), apply to court to challenge the amount and/or basis of the Liquidators' fees and the amount of any proposed expenses or expenses already incurred, within eight weeks of receipt of this report. Any secured creditor may make a similar application to court within the same time limit.

At ReSolve, 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. As such, should you have any comments or complaints regarding the administration of this case then in the first instance you should contact one of the Joint Liquidators at the address given in this letter.

Should you have any comments or complaints, please contact Mark Supperstone in the first instance. If you consider that your comments or complaint have not been dealt with appropriately you should then put details of your concerns in writing to our complaints officer at complaints@resolvegroupuk.com who will then formally invoke our complaints procedure and we will endeavour to deal with your complaint under the supervision of a partner unconnected with the appointment.

If you still feel that you have not received a satisfactory response, then you may be able to make a complaint to the Complaints Gateway operated by the Insolvency Service. Any such complaints should be completed online using the form here: http://www.gov.uk/complain-about-insolvency-practitioner. If you have difficulty accessing the online complaints form, you can also make your complaint through the Insolvency Service Enquiry Line at: insolvency.enquiryline@insolvency.gov.uk or telephone: 0300 678 0015.

The Complaints Gateway will in turn determine if such complaint should be addressed by Mr Supperstone's, Mr Gunn's and Mr Woodthorpe's regulatory body.

relevant policies applicable details of the to you can be found here: http://www.resolvegroupuk.com/policies2/

Should you have any queries regarding the conduct of the Liquidation or any other queries, please do not hesitate to contact Jack Robinson of this office.

Yours faithfully

Mark Supperstone Joint Liquidator

For enquiries regarding this correspondence please contact:

Contact name: Jack Robinson Phone number: 020 3411 8102

Email: jack.robinson@resolvegroupuk.com

Cameron Gunn, Mark Supperstone, Lee Manning, Chris Farrington, Ben Woodthorpe, Simon Jagger and Russell Payne are licensed to act as Insolvency Practitioners in the United Kingdom by the Institute of Chartered Accountants in England and Wales and act without personal liability at all times
Please refer to the firm's privacy notice setting out your rights and explaining how your data will be used. The notice can be found on our website here www.resolvegroupuk.com/policies2/.

APPENDIX I

STATUTORY INFORMATION

Company name:	Westover Medical Limited
Registered number:	05683139
Date of incorporation:	21 January 2006
Registered office:	C/o ReSolve Advisory Limited 22 York Buildings John Adam Street London WC2N 6JU
Trading addresses:	27 Kensington Park Road London W11 2EU
	15 Bellevue Road London SW17 7EG
	13 Crescent Place South Kensington London SW3 3EA
Date of Liquidators' appointment:	1 May 2014
Court name and number:	High Court 8628 of 2013
Appointed by:	Creditors
Joint Liquidators:	Cameron Gunn (IP No. 9362)) Mark Supperstone (IP No. 9734) Ben Woodthorpe (IP No. 18370)
	ReSolve Advisory Limited 22 York Buildings John Adam Street London WC2N 6JU
EC Regulations of Insolvency Practitioners:	The EC Regulations apply to the proceedings, which are categorised as main proceedings with the meaning of the Regulations
Director:	Amber Kennard
Company secretary:	None
Current charges:	None

APPENDIX II

RECEIPTS AND PAYMENTS ACCOUNT

Westover Medical Limited (In Liquidation) JOINT LIQUIDATORS' RECEIPTS AND PAYMENTS ACCOUNT

of affairs £	To 30/04/2023 £	From 01/05/2014 To 30/04/2023 £
RECEIPTS		
Book Debts 20,000.00 Other Refunds Legal Claim settlement Bank Interest Gross Sundry Floating Assets / Realisations Sundry Refund	0.00 0.00 46,281.00 0.00 0.00 0.00	19,364.36 1,405.26 46,281.00 155.05 500.00 7.95
·	46,281.00	67,713.62
	40,201.00	07,710.02
PAYMENTS DTI Charma Face	0.45	0.45
DTI Cheque Fees Sec of State Fees	0.15 6,942.15	0.15 12,874.09
Petitioners Costs	6,635.00	6,635.00
Office Holders Fees	0.00	2,235.00
Agents/Valuers Fees	0.00	1,940.00
Legal Disbursements	0.00	9,705.00
Corporation Tax	0.00	29.81
Bank Charges	66.00	286.00
	13,643.30	33,705.05
Net Receipts/(Payments)	32,637.70	34,008.57
MADE UP AS FOLLOWS		
ISA NIB	32,637.70	34,008.57
	32,637.70	34,008.57

APPENDIX III

LIQUIDATORS' REMUNERATION AND EXPENSE POLICIES, CHARGE OUT RATES AND NARRATIVE

Joint Liquidators' charge out rates

The Joint Liquidators are remunerated on a time cost basis. Charge out rates used are appropriate to the skills and experience of a member of staff and the work that they perform. Time is recorded in six-minute units. Narrative is recorded to explain the work undertaken and the time spent is analysed into different categories of work. The hourly charge out rates to be used on this case are as follows:

Staff grade	Rate p/h from 1 Aug 2022 £		Rate p/h from 1 Jan 2020 £	Rate p/h from 30 Apr 2018 £	Rate p/h from 1 Jan 2016 £	Rate p/h to 31 Dec 2015 £
Partner	705 - 795	625 - 755	625 - 755	550 - 755	510	490
Director	615	515 - 535	515	450	415	400
Senior Manager	500	435	435	395	395	385
Manager	420	375	375	350	340	325
Assistant Manager	375	305	305	305	305	295
Senior Administrator	300	255	255	255	255	245
Administrator	245	220	220	220	195	185
Junior Administrator	175	175	175	175	145	125

Secretarial and support staff are not charged to the cases concerned, being accounted for as an overhead of ReSolve Advisory Limited. Our cashier is charged at the Senior Administrator rate. The charge out rate for Mark Supperstone, the lead office holder in this case, is £795 per hour.

Expense policy

In accordance with Statement of Insolvency Practice 9, the basis of expense allocation must be fully disclosed to creditors. Expenses are categorised as either Category 1 or Category 2 expenses:

Category 1

These are payments to persons providing the service to which the expense relates who are not an associate of the office holder. Category 1 expenses can be paid without creditor approval. Examples of Category 1 expenses are statutory advertising, external meeting room hire, external storage, specific bond insurance, external information hosting charges, and Company search fees.

Category 2

These are payments to associates or which have an element of shared costs. Before being paid, Category 2 expenses require approval in the same manner as an office holder's remuneration. Category 2 expenses require approval whether paid directly from the estate or as a disbursement.

Category 2 expenses that are likely to be incurred, and require specific approval include:

Mileage 45 pence per mile paid to staff working on the insolvency appointment

Photocopying 20 pence per sheet of paper for reporting purposes (correspondence will be

digital where at all possible to minimise this expense)

Category 1 and Category 2 expenses are subject to the rights of creditors to seek further information about them or to challenge them.

Professional advisors may be instructed to assist the office holder on the case where they consider that such assistance is necessary to enable them to appropriately administer the case. The fees charged by any professional advisors used will be recharged at cost to the case. Where the professional advisor is not an associate of the office holder it will be for the office holder to agree the basis of their fees. Where the professional advisor is an associate of the office holder it will be for those responsible for fixing the basis of the office holder's remuneration to approve payments to them. The fees of any professional advisors are subject to the rights of creditors to seek further information about them or to challenge them. Professional advisors that may be instructed on a case include:

- Solicitors/Legal Advisors,
- Auctioneers/Valuers,
- Accountants,
- Quantity Surveyors,
- Estate Agents,
- Pension specialists,
- Employment Claims specialists, and
- GDPR/Cyber Security specialists.

Narrative of the work carried out in the Reporting Period:

Administration and Planning

This represents the routine administrative work that is required of the office holders and their staff, together with the control and supervision of the work done on the case by the office holders and their staff. It does not give direct financial benefit to the creditors, but must be undertaken by the office holders to meet their requirements under the insolvency legislation and the SIP, which set out required practices that office holders must follow.

Case planning

- Reviewing available information to determine appropriate strategies.
- Case planning and administration.

Cashiering

- Dealing with the day-to-day management of the internal cash book.
- Reconciling the Company's bank account.

General administration

- Preparing required documentation.
- Dealing with all routine correspondence.
- Maintaining electronic case details.

Creditors

Work involved in dealing with all classes of creditors.

The office holders need to maintain up to date records of the names and addresses of creditors, together with the amounts of their claims as part of the management of the case, and to ensure that notices and reports can be issued to the creditors. The office holders will also have to deal with correspondence and queries received from creditors regarding their claims and dividend prospects as they are received. The office holders are required to undertake this work as part of their statutory obligations.

Unsecured

- Dealing with creditor correspondence, emails and telephone conversations.
- Maintaining up to date creditor information on the case management system.

Realisation of Assets

This is the work that needs to be undertaken to protect and then realise known assets, which should directly benefit creditors.

Legal matters

Liaising with H&J and its appointed solicitors regarding settlement and recovery of costs.

Statutory

These activities involve complying with legislation including but not limited to; The IA86, The IR16, The Companies Act 2006, The Bribery Act 2010, the Money Laundering Regulations 2017, SIPs and Pension Regulations. These activities do not add any direct benefit to creditors and they form part of the statutory obligations of the Administration.

- Preparation and delivery of all statutory documentation.
- Dealing with statutory issues required under IA86, IR 2016 and the Statements of Insolvency Practice.

APPENDIX IV

JOINT LIQUIDATORS' TIME COSTS SUMMARY

A total of 46 hours has been spent for the period 1 May 2022 to 30 April 2023 at an average charge out rate of £417, bringing the total cost since our previous report to £19,066.

A summary table is shown below:

	PARTMER / L	IKECIOK	WANAC	144	OTHER SERIOR F	KOPESSIONAL	TOTA	VL.	AVERAGE RATE
	Hours	Cost (£)	Hours	Cost (£)	Hours	Cost (£)	Hours	Cost (£)	Cost (£)
Administration & Planning									
Case planning / monitoring	1.00	689.00	12.20	5,827.00	1.70	501.00	14.90	7,017.00	470.94
Cashiering	1.00	625.00	0.90	430.50	8.60	2,355.00	10.50	3,410.50	324.81
General administration	-	-	2.00	902.50	1.00	255.00	3.00	1,157.50	385.83
Creditors									
Unsecured			4.20	2,080.50	0.10	30.50	4.30	2,111.00	490.93
		-	4.70	2,298.00	0.10	30.50	4.80	2,328.50	485.10
Realisation of Assets									
Sale of business / assets	-		8.20	3,599.50		-	8.20	3,599.50	438.96
Other assets	-	-	-	-	-	-	-	-	-
		-	8.20	3,599.50		-	8.20	3,599.50	438.96
Statutory									
Filing documents with CH / Court				-	0.70	178.50	0.70	178.50	255.00
Reporting to creditors	0.60	375.00	1.30	565.50	1.70	433.50	3.60	1,374.00	381.67
	0.60	375.00	1.30	565.50	2.40	612.00	4.30	1,552.50	361.05
Total hours and cost	2.60	1,689.00	29.30	13,623.00	13.80	3,753.50	45.70	19,065.50	417.19

The above costs exclude VAT.

A total of 583 hours were spent for the period 1 May 2014 to 30 April 2023 at an average charge out rate of £290, bringing the total cost to £169,170.

A summary table is shown below:

	PARTNER / D	RECTOR	MANAGER		OTHER SENIOR PE	ROFESSIONAL	TOTA	AVERAGE RATE	
	Hours	Cost (£)	Hours	Cost (£)	Hours	Cost (£)	Hours	Cost (£)	Cost (£)
Administration & Planning									
Case planning / monitoring	1.10	751.50	17.00	7,765.00	33.10	6,666.00	51.20	15,182.50	296.53
Cashiering	1.00	625.00	1.30	566.50	29.30	6,072.00	31.60	7,263.50	229.86
General administration	0.10	51.00	33.40	11,305.50	50.40	11,206.00	83.90	22,562.50	268.92
	2.20	1,427.50	51.70	19,637.00	112.80	23,944.00	166.70	45,008.50	270.00
Creditors									
Unsecured	7.80	3,822.00	20.80	7,475.50	19.00	4,102.00	47.60	15,399.50	323.52
	7.80	3,822.00	21.30	7,693.00	20.90	4,481.50	50.00	15,996.50	319.93
Investigations									
General investigation	1.30	637.00	62.80	20,485.00	65.80	14,039.00	129.90	35,161.00	270.68
Other investigation	0.60	306.00	23.60	7,824.50	13.70	2,452.50	37.90	10,583.00	279.23
	1.90	943.00	86.40	28,309.50	79.50	16,491.50	167.80	45,744.00	272.61
Realisation of Assets									
Book debts	-	-	5.00	1,625.00	-	-	5.00	1,625.00	325.00
Sale of business / assets	0.40	220.00	92.70	33,688.50	0.70	136.50	93.80	34,045.00	362.95
Other assets	0.70	486.50	18.10	5,885.00	4.80	937.00	23.60	7,308.50	309.68
	1.10	706.50	115.80	41,198.50	5.50	1,073.50	122.40	42,978.50	351.13
Statutory									
Statutory paperwork / form completion	-	-	-	-	4.20	988.00	4.20	988.00	235.24
Filing documents with CH / Court	-	-	-	-	3.70	811.50	3.70	811.50	219.32
Reporting to creditors	4.00	2,041.00	14.20	5,172.00	49.60	10,430.00	67.80	17,643.00	260.22
	4.00	2,041.00	14.20	5,172.00	57.50	12,229.50	75.70	19,442.50	256.84
·									
Total hours and cost	17.00	8,940.00	289.40	102,010.00	276.20	58,220.00	582.60	169,170.00	290.37