

# LIQ03

## Notice of progress report in voluntary winding up



Companies House

WEDNESDAY



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10/04/2019

#237

COMPANIES HOUSE

### 1 Company details

Company number 0 6 4 4 7 0 3 4

Company name in full Montpelier Professional (Leeds) Limited

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

### 2 Liquidator's name

Full forename(s) Julian

Surname Pitts

### 3 Liquidator's address

Building name/number Fourth Floor

Street Toronto Square

Post town Toronto Street

County/Region Leeds

Postcode L S 1 2 H J

Country

### 4 Liquidator's name ①

Full forename(s) Richard

Surname Kenworthy

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

### 5 Liquidator's address ②

Building name/number Fourth Floor

Street Toronto Square

Post town Toronto Street

County/Region Leeds

Postcode L S 1 2 H J

Country

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

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**6** Period of progress report

From date	<sup>d</sup> 2	<sup>d</sup> 9	<sup>m</sup> 0	<sup>m</sup> 1	<sup>y</sup> 2	<sup>y</sup> 0	<sup>y</sup> 1	<sup>y</sup> 8
To date	<sup>d</sup> 2	<sup>d</sup> 8	<sup>m</sup> 0	<sup>m</sup> 1	<sup>y</sup> 2	<sup>y</sup> 0	<sup>y</sup> 1	<sup>y</sup> 9

**7** Progress report

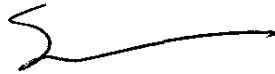
☒ The progress report is attached

**8** Sign and date

Liquidator's signature

Signature

X



X

Signature date

<sup>d</sup> 2	<sup>d</sup> 9	<sup>m</sup> 0	<sup>m</sup> 3	<sup>y</sup> 2	<sup>y</sup> 0	<sup>y</sup> 1	<sup>y</sup> 9
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## Notice of progress report in voluntary winding up

**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	Adam Humphrey
Company name	Begbies Traynor (Central) LLP
Address	Fourth Floor Toronto Square
Post town	Toronto Street
County/Region	Leeds
Postcode	L S 1 2 H J
Country	
DX	
Telephone	0113 244 0044

**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](http://www.gov.uk/companieshouse) or email [enquiries@companieshouse.gov.uk](mailto: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](http://www.gov.uk/companieshouse)

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## **Montpelier Professional (Leeds) Limited (In Members' Voluntary Liquidation)**

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Progress report

Period: 29 January 2018 to 28 January 2019

### **Important Notice**

This report has been produced solely to comply with our statutory duty to report to members of the Company pursuant to Section 92A of the Insolvency Act 1986. This report is private and confidential and may not be relied upon, referred to, reproduced or quoted from, in whole or in part, by members for any purpose other than this report to them, or by any other person for any purpose whatsoever.

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# 1. INTERPRETATION

<u>Expression</u>	<u>Meaning</u>
"the Company"	Montpelier Professional (Leeds) Limited (In Members' Voluntary Liquidation)
"the liquidators", "we", "our" and "us"	Julian Pitts of Begbies Traynor (Central) LLP,, Fourth Floor, Toronto Square, Toronto Street, Leeds, LS1 2HJ and Richard Kenworthy of Begbies Traynor (Central) LLP, Fourth Floor, Toronto Square, Toronto Street, Leeds, LS1 2HJ
"the Act"	The Insolvency Act 1986 (as amended)
"the Rules"	The Insolvency (England and Wales) Rules 2016 (as amended)
"secured creditor" and "unsecured creditor"	Secured creditor, in relation to a company, means a creditor of the company who holds in respect of his debt a security over property of the company, and "unsecured creditor" is to be read accordingly (Section 248(1)(a) of the Act)
"security"	(i) In relation to England and Wales, any mortgage, charge, lien or other security (Section 248(1)(b)(i) of the Act); and  (ii) In relation to Scotland, any security (whether heritable or moveable), any floating charge and any right of lien or preference and any right of retention (other than a right of compensation or set off) (Section 248(1)(b)(ii) of the Act)
preferential creditors	Any creditor of the Company whose claim is preferential within Sections 386, 387 and Schedule 6 to the Act

# 2. COMPANY INFORMATION

Company registered number:	06447034
Company registered office:	Toronto Square, Toronto Street, Leeds, LS1 2HJ
Former trading address:	Sanderson House, 22 Station Road, Horsforth, LS18 5NT

# 3. DETAILS OF APPOINTMENT OF LIQUIDATORS

Date winding up commenced.	23 January 2018
Date of liquidators' appointment:	29 January 2018

## 4. PROGRESS DURING THE PERIOD

### **Receipts and Payments**

Attached at Appendix 1 is our abstract of receipts and payments for the period from 29 January 2018 to 28 January 2019.

### **What work has been done in the period of this report, why was that work necessary and what has been the financial benefit (if any) to creditors?**

Details of the types of work that generally fall into the headings mentioned below are available on our firm's website - <http://www.begbies-traynorgroup.com/work-details> Under the following headings we have explained the specific work that has been undertaken on this case. Not every piece of work has been described, but we have sought to give a proportionate overview which provides sufficient detail to allow members to understand what has been done, why it was necessary and what financial benefit (if any) the work has provided to members.

The costs incurred in relation to each heading are set out in the Time Costs Analysis which is attached.

#### General case administration and planning

The Joint Liquidators have formulated an appropriate strategy in order to progress the liquidation. This strategy has been reviewed regularly and amended as the case has progressed. This has included full case and compliance reviews, a six monthly review and a review of the costs and expenses incurred during the liquidation.

#### Compliance with the Insolvency Act, Rules and best practice

As required by the Rules, we notified the Registrar of Companies of our appointment. Time has also been spent setting up the necessary banking facilities, and ensuring payments made and monies received are processed correctly. Furthermore, the Joint Liquidators have a statutory requirement to ensure the case is adequately bonded to protect the realisations for the benefit of any creditors.

#### Investigations

HM Revenue & Customs ("HMRC") wrote to the Company following our appointment, advising that they believed the Company had used a tax avoidance scheme and that a tax liability of approximately £275k was due. The directors of the Company have disputed this claim, stating that the Company has in fact never entered any tax schemes. As liquidators, we have a duty to establish if there are any valid debts owed by the Company and as a result, time has been spent liaising with HMRC to establish the veracity of their claim

#### Realisation of assets

On appointment, the Company had an outstanding debtor ledger in the region of £200k. The sum of £112k has been recovered to date, with collection work ongoing. One of the Company's debtors, Visionary Sports Investment Limited, has entered compulsory liquidation, following the issue of a winding up petition by the Company as a creditor. Work is ongoing to seek a recovery for the benefit of the Company's estate. Details of legal costs incurred to date in this regard are detailed at Appendix 3

#### Dealing with all creditors' claims (including employees), correspondence and distributions

As a part of any Liquidation, claims are often brought to light by parties who believe they are owed funds by the Company. Time has spent reviewing the validity of these claims

Other matters which includes meetings, tax, litigation, pensions and travel

Time under this heading includes physical meetings which have been held to discuss the HMRC position. Time has also been spent dealing with the Company's other tax affairs.

## 5. CREDITORS

As in any liquidation, in a members' voluntary liquidation creditors are required to prove their claims and the liquidators must examine the proofs and the particulars of the claims and admit them, in whole or in part, or reject them. The liquidators must then settle the priorities of the creditors (as between secured, preferential and unsecured creditors) before paying them in full with statutory interest.

A declaration of solvency was sworn by the directors on 24 January 2018, stating that the Company was able to pay all liabilities within 12 months of appointment. Whilst HMRC have lodged a claim in the Liquidation the Directors have maintained that this is wholly disputed and no amount is due. We have obtained documentation to support the Directors position and consequently remain of the view that the Company remains solvent. Email correspondence with HMRC suggest that they accept this but await confirmation from their enquiries in the Isle of Man before they formally withdraw their claim.

We are therefore not taking any steps at this time to convert this winding up to a creditors' voluntary liquidation.

## 6. DISTRIBUTIONS TO MEMBERS

A distribution has not yet been made to members. This is due to the ongoing dispute with HMRC. Once this has been settled, we will make a first and final distribution to members.

## 7. REMUNERATION & DISBURSEMENTS

Our remuneration has been fixed by reference to the time properly given by us (as liquidators) and the various grades of our staff calculated at the prevailing hourly charge out rates of Begbies Traynor (Central) LLP, in attending to matters arising in the liquidation subject to us having agreed that our remuneration shall not exceed the sum of £3,000 in circumstances where the value of time given by us and our staff in attending to matters arising in the winding up exceeds this sum.

We are also authorised to draw disbursements, including disbursements for services provided by our firm and/or entities within the Begbies Traynor group, in accordance with our firm's policy, details of which were presented to the general meeting of the Company at which various resolutions, including the special resolution that the Company be wound up voluntarily, were passed.

Our time costs for the period from 29 January 2018 to 28 January 2019 amount to £27,303 which represents 97 hours at an average rate of £281 per hour.

The following further information in relation to our time costs and disbursements is set out at Appendix 2:

- ☐ Time Costs Analysis for the period 29 January 2018 to 28 January 2019
- ☐ Begbies Traynor (Central) LLP's charging policy



To date, we have not drawn any amounts on the basis of our remuneration. However we have drawn the total sum of £590 in relation to disbursements.

The Time Costs Analysis for the period of this report attached at Appendix 2 shows the time spent by each grade of staff on the different types of work involved in the case, and gives the total costs and average hourly rate charged for each work type.

Please note that the analysis provides details of the work undertaken by us and our staff following our appointment only.

## **8. LIQUIDATORS' EXPENSES**

A statement of the expenses incurred during the period of this progress report is attached at Appendix 3.

## **9. ASSETS THAT REMAIN TO BE REALISED AND WORK THAT REMAINS TO BE DONE**

**What work remains to be done, why is this necessary and what financial benefit (if any) will it provide to members?**

We will continue to liaise with HMRC and connected parties regarding the ongoing dispute in relation to their claim in the Liquidation. We will also finalise our collection of debts, notably the debts due from Visionary Sports Investment Limited which is now in liquidation.

Once the above has been completed, we will make a first and final distribution to members and begin closure proceedings.

**How much will this further work cost?**

Further costs are difficult to predict but should matters continue as envisaged, our additional costs are unlikely to exceed £5,000.

### **Expenses**

We will continue to seek to collect in the debts and intend to utilise the services of BTG Advisory to assist with this. Expenses incurred will be 5% of debts collected plus any legal fees and court costs, should these be necessary.

## **10. OTHER RELEVANT INFORMATION**

### **Use of personal information**

Please note that in the course of discharging our statutory duties as liquidators, we may need to access and use personal data, being information from which a living person can be identified. Where this is necessary, we are required to comply with data protection legislation. If you are an individual and you would like further information about your rights in relation to our use of your personal data, you can access the same at <https://www.begbies-traynorgroup.com/privacy-notice>. If you require a hard copy of the information, please do not hesitate to contact us.

## 11. MEMBERS' RIGHTS

### **Right to request further information**

Pursuant to Rule 18.9 of the Rules, within 21 days of the receipt of this report a member or members of the Company with at least 5% of the voting total rights of all the members having the right to vote at general meetings of the Company (or any member or members with less than 5% of the total voting rights, but with the permission of the court) may request in writing that we provide further information about our remuneration or expenses which have been incurred during the period of this progress report

### **Right to make an application to Court**

Pursuant to Rule 18.34 of the Rules, within 8 weeks of receipt of this progress report any member or members of the Company with at least 10% of the total voting rights of all the members having the right to vote at general meetings of the Company (or any member, or members with less than 10% of the total voting rights, but with the permission of the Court) may make an application to court on the grounds that the remuneration charged or the expenses incurred during the period of this progress report are excessive or, the basis fixed for our remuneration is inappropriate.

## 12. CONCLUSION

We will report again in approximately twelve months time or at the conclusion of the liquidation, whichever is the sooner.



J N R Pitts  
Joint Liquidator

Dated: 29 March 2019

# ACCOUNT OF RECEIPTS AND PAYMENTS

Period: 29 January 2018 to 28 January 2019

Dec of Sol £		£	£
	<b>SECURED ASSETS</b>		
	Goodwill	<u>41,666.65</u>	41,666.65
	<b>ASSET REALISATIONS</b>		
22,659.00	WIP	24,999.99	
181,136.00	Trade Debtors (External)	111,568.81	
16,703.00	Trade Debtors (associated)	NIL	
23,207.00	Cash at Bank	23,207.00	
944,124.00	Other Debtors	NIL	
	Bank Interest Gross	<u>21.23</u>	159,797.03
	<b>COST OF REALISATIONS</b>		
	Office Holders Expenses	559.00	
	Debt Collection Legal Fees	1,200.00	
	Debt Collection disbs & Court fees	3,012.60	
	Legal Fees	7,000.00	
	Legal Disbursements	5,682.00	
	Statutory Advertising	253.80	
	Settlement of Legal Claim	<u>1.00</u>	(17,708.40)
	<b>UNSECURED CREDITORS</b>		
(32,973.17)	HMRC (VAT)	NIL	
(514,390.00)	Montpelier Professional - Loan	<u>NIL</u>	NIL
	<b>DISTRIBUTIONS</b>		
(600,800.00)	Ordinary Shareholders	<u>NIL</u>	NIL
<b>39,665.83</b>			<b><u>183,755.28</u></b>
	<b>REPRESENTED BY</b>		
	Vat Receivable		12,658.58
	Bank 1 Current		168,088.80
	Vat Control Account		3,007.90
			<b><u>183,755.28</u></b>

## TIME COSTS AND DISBURSEMENTS

- a. Begbies Traynor (Central) LLP's charging policy; and
- b. Time Costs Analysis for the period from 29 January 2018 to 28 January 2019.

## **BEGBIES TRAYNOR CHARGING POLICY**

### **INTRODUCTION**

This note applies where a licensed insolvency practitioner in the firm is acting as an office holder of a solvent estate and seeks member approval to draw remuneration on the basis of the time properly spent in dealing with the case. It also applies where further information is to be provided to members regarding the office holder's fees following the passing of a resolution for the office holder to be remunerated on a time cost basis. Best practice guidance<sup>1</sup> requires that such information should be disclosed to those who are responsible for approving remuneration.

In addition, this note applies where member approval is sought to make a separate charge by way of expenses or disbursements to recover the cost of facilities provided by the firm. Best practice guidance<sup>2</sup> indicates that such charges should be disclosed to those who are responsible for approving the office holder's remuneration, together with an explanation of how those charges are calculated.

### **OFFICE HOLDER'S FEES IN RESPECT OF THE ADMINISTRATION OF SOLVENT ESTATES**

The office holder has overall responsibility for the administration of the estate. He/she will delegate tasks to members of staff. Such delegation assists the office holder as it allows him/her to deal with the more complex aspects of the case and ensures that work is being carried out at the appropriate level. There are various levels of staff that are employed by the office holder and these appear below.

The firm operates a time recording system which allows staff working on the case along with the office holder to allocate their time to the case. The time is recorded at the individual's hourly rate in force at that time which is detailed below.

### **EXPENSES INCURRED BY OFFICE HOLDERS IN RESPECT OF THE ADMINISTRATION OF SOLVENT ESTATES**

Best practice guidance classifies expenses into two broad categories:

- *Category 1 disbursements (approval not required)* - specific expenditure that is directly related to the case and referable to an independent external supplier's invoice. All such items are charged to the case as they are incurred.
- *Category 2 disbursements (approval required)* - items of expenditure that are directly related to the case which include an element of shared or allocated cost and are based on a reasonable method of calculation, but which are not payable to an independent third party.

(A) The following items of expenditure are charged to the case (subject to approval):

- Internal meeting room usage for the purpose of statutory meetings of creditors is charged at the rate of £100 (London £150) per meeting;
- Car mileage is charged at the rate of 45 pence per mile;
- Storage of books and records (when not chargeable as a *Category 1 disbursement*) is charged on the basis that the number of standard archive boxes held in storage for a particular case bears to the total of all archive boxes for all cases in respect of the period for which the storage charge relates.

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<sup>1</sup> Statement of Insolvency Practice 9 (SIP 9) – Remuneration of insolvency office holders in England & Wales

<sup>2</sup> Ibid 1

(B) The following items of expenditure will normally be treated as general office overheads and will not be charged to the case although a charge may be made where the precise cost to the case can be determined because the item satisfies the test of a *Category 1 disbursement*:

- Telephone and facsimile
- Printing and photocopying
- Stationery

#### BEGBIES TRAYNOR CHARGE-OUT RATES

Begbies Traynor is a national firm. The rates charged by the various grades of staff that may work on a case are set nationally, but vary to suit local market conditions. The rates applying to the Leeds office as at the date of this report are as follows:

<b>Grade of staff</b>	<b>Charge-out rate (£ per hour) 1 December 2018 – until further notice</b>
Partner	495
Director	445
Senior Manager	395
Manager	345
Assistant Manager	250
Senior Administrator	225
Administrator	175
Junior Administrator	140
Support	140

Prior to 1 December 2018, the following rates applied:

<b>Grade of staff</b>	<b>Charge-out rate (£ per hour)</b>
Partner	395
Director	345
Senior Manager	310
Manager	265
Assistant Manager	205
Senior Administrator	175
Administrator	135
Junior Administrator	110
Support	60 - 110

Time spent by support staff such as secretarial, administrative and cashiering staff is charged directly to cases. It is not carried as an overhead.

Time is recorded in 6 minute units.

**SIP9 Montpelier Professional (Leeds - Members Voluntary Liquidation - 80MO280.MVL : Time Costs Analysis From 29/01/2018 To 28/01/2019**

Staff Grade	Consultant/Partner	Director	Sr Mgr	Mgr	Asst Mgr	Sr Admin	Admin	Jr Admin	Support	Total Hours	Time Cost £	Average hourly rate £
General Case Administration and Planning	5.5	19.6				2.6	0.3			8.4	2,668.00	317.62
Administration						7.4	2.5	6.9	0.6	37.2	9,364.50	251.73
<b>Total for General Case Administration and Planning</b>	<b>5.5</b>	<b>19.6</b>				<b>10.0</b>	<b>2.8</b>	<b>6.9</b>	<b>0.6</b>	<b>45.6</b>	<b>12,032.50</b>	<b>263.87</b>
Compliance with the Insolvency Act, Rules and best practice						5.1			0.2	5.3	914.50	172.56
Appointment												
Banning and Bonding								0.6	6.0	6.6	756.00	114.55
Case Closure												0.00
Statutory reporting and statement of affairs								1.0		1.0	110.00	110.00
<b>Total for Compliance with the Insolvency Act, Rules and best practice</b>						<b>5.1</b>		<b>1.6</b>	<b>6.2</b>	<b>12.9</b>	<b>1,760.50</b>	<b>136.02</b>
Investigations		1.1				2.1				3.2	747.00	233.44
CCDA and investigations												
<b>Total for Investigations</b>	<b>1.1</b>	<b>1.1</b>				<b>2.1</b>				<b>3.2</b>	<b>747.00</b>	<b>233.44</b>
Realisation of assets		9.6								9.6	3,662.00	383.54
Debt collection												0.00
Property business and asset sales												
Retention of Title/Third party assets												0.00
<b>Total for Realisation of assets:</b>	<b>9.6</b>	<b>9.6</b>								<b>9.6</b>	<b>3,662.00</b>	<b>383.54</b>
Trading												0.00
Trading												0.00
<b>Total for Trading:</b>												<b>0.00</b>
Dealing with all creditors claims (including employees), correspondence and distributions						1.0				1.0	175.00	175.00
Secured												
Others	2.5	12.9								15.4	5,536.00	359.81
Creditors committee												0.00
<b>Total for Dealing with all creditors claims (including employees), correspondence and distributions</b>	<b>2.5</b>	<b>12.9</b>				<b>1.0</b>				<b>16.4</b>	<b>5,715.00</b>	<b>348.35</b>
Other matters which includes seeking decisions of creditors, meetings, tax, litigation, pensions and travel												0.00
Seeking decisions of creditors												0.00
Meetings												0.00
Other												0.00
Tax	4.0	3.0							0.7	7.7	2,692.00	349.61
Litigation		1.9								1.9	655.50	345.00
<b>Total for Other matters:</b>	<b>4.0</b>	<b>4.9</b>							<b>0.7</b>	<b>6.6</b>	<b>3,347.50</b>	<b>506.70</b>
Total hours by staff grade	12.0	48.3				18.2	2.8	8.5	7.5	97.3		
Total time cost by staff grade	4,740.00	17,163.50				3,205.00	378.00	941.00	865.00	27,302.50		
Average hourly rate £	395.00	355.77				176.10	135.00	110.71	114.00			280.90
Total fees drawn to date £											0.00	

# STATEMENT OF LIQUIDATORS' EXPENSES

Type of expense	Name of party with whom expense incurred	Amount incurred £	Amount discharged £	Balance (to be discharged) £
Expenses incurred with entities <b>not</b> within the Begbies Traynor Group				
Statutory advertising	Courts Advertising Limited	253.80	253.80	-
Legal Fees	Legal Studio Solicitors	12,700.00	7,000.00	5,700.00
Legal Disbursements	Legal Studio Solicitors	5,682.00	5,682.00	-
Debt Collection Legal Fees	Ison Harrison Solicitors	1,200.00	1,200.00	-
Debt Collection Legal Disbursements	Ison Harrison Solicitors	3,012.60	3,012.60	-