

## The Insolvency Act 1986

**Liquidator's Progress  
Report****S. 192****Pursuant to section 192 of the  
Insolvency Act 1986**

To the Registrar of Companies

For official use

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|  |  |  |
|--|--|--|

Company Number

07136073

Name of Company

(a) Insert full  
name of company

(a) LENWADE LIMITED

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

I (b)

Jonathan Lord of Bridgestones Ltd, 125/127 Union Street, Oldham,  
Lancashire, OL1 1TE, United Kingdomthe liquidator of the company attach a copy of my Progress Report under  
section 192 of the Insolvency Act 1986

Signed


Date 4<sup>th</sup> July 2014Presenter's name  
address and  
reference  
(if any)Jonathan Lord  
Bridgestones Ltd  
125/127 Union Street  
Oldham  
Lancashire  
OL1 1TE  
United Kingdom

For Official Use

Liquidation Section

Post Room

TUESDAY



A22

\*A3BPCP76\*

08/07/2014

#179

COMPANIES HOUSE

**LENWADE LIMITED – IN LIQUIDATION**

**PROGRESS REPORT AND ACCOUNT OF THE LIQUIDATOR PURSUANT TO  
SECTION 104A OF THE INSOLVENCY ACT 1986**

**PERIOD 8<sup>TH</sup> MAY TO 7<sup>TH</sup> MAY 2014**

I write following my appointment as Liquidator of the above Company on 8<sup>th</sup> May 2013

It is now 1 year since my appointment in this matter, and I am therefore writing to all members and creditors in accordance with Section 104A of The Insolvency Act 1986, to advise you of my dealings in the liquidation and to lay before you an account of my receipts and payments

I enclose for your information a copy of my receipts and payments account for the period ended 7<sup>th</sup> May 2014. The receipts and payments account is self-explanatory and there is a balance in hand of £nil

As regards to specific matters within the course of my appointment, I comment as follows

**Background Information**

|                           |   |
|---------------------------|---|
| Company Number            | 07136073  |
| Director(s)               | Jane Patricia Scrivens<br>Amie Renaldy (resigned 31/12/12)<br>Lewis James Renaldy (resigned 31/12/12) |
| Nature of Business        | Hotel & Restaurant  |
| Trading Address           | Fakenham Road, Lenwade, Norfolk, NR9 5QP  |
| Current Registered Office | 125 / 127 Union Street, Oldham OL1 1TE  |
| Liquidator                | Jonathan Guy Lord   |
| Liquidators Address       | 125 / 127 Union Street, Oldham OL1 1TE  |
| Date of Instruction       | 18 <sup>th</sup> April 2013   |
| Date of Appointment       | 18 <sup>th</sup> April 2013   |

**Assets – Details Of Realisations To Date, And Any Assets That Remain To Be Realised**

The following assets were listed on the Company's statement of affairs, which was drawn up to the date of liquidation. I have made comments in relation to the progress made in collection of each asset

**Plant & Machinery – Statement of Affairs value £300**

The Director stated that the majority of the physical assets belong to the landlord, however one piece of equipment had a value of £300. The Director initially expressed an interest in purchasing this however a firm offer was not received.

Due to the costs associated with the sale of the asset, it has been written off as costs would outweigh any realisations made.

## **Plant & Machinery, Fixtures & Fittings, Property Improvements**

As mentioned earlier, the Director believes that the majority of the physical assets of the Company actually belong to the landlord and not the Company. This is currently being investigated and I have instructed Solicitors, Freeths LLP to assist me in this matter.

This is still ongoing and at this present moment in time it is uncertain as to whether any realisations will be made in this regard.

## **Prescribed Part**

There are provisions of the insolvency legislation that require a Liquidator, to set aside a percentage of a company's assets, for the benefit of the unsecured creditors in cases where the company gave a qualifying floating charge over its assets to a lender on, or after, 15 September 2003. This is known as the prescribed part of the net property. A company's net property is that which is left after paying the preferential creditors, but before paying the lender who holds a floating charge.

A Liquidator has to set aside

- 50% of the first £10,000 of the net property, and
- 20% of the remaining net property up to a maximum of £600,000

There is no qualifying floating charge in this case so the prescribed part provisions do not apply.

## **Duties and Investigations**

A description of the routine work undertaken in the liquidation to date is as follows:

### **Administration and Planning**

- Preparing the documentation and dealing with the formalities of appointment
- Statutory notifications and advertising
- Preparing documentation required
- Dealing with all routine correspondence
- Maintaining physical case files and electronic case details
- Review and storage
- Case bordereau
- Case planning and administration
- Preparing reports to members and creditors
- Convening and holding meetings of members and creditors

### **Creditors**

- Dealing with creditor correspondence and telephone conversations
- Preparing reports to creditors
- Maintaining creditor information
- Reviewing and adjudicating on proofs of debt received from creditors
- Dealing with employee's claims from the redundancy payments fund, and other enquiries generated from employees' requirements
- Generating P45, P35 and P60 Forms or dealing with the lack of information available to produce these documents

## **Investigations**

- Looking at the claim regarding the assets of the Company belonging to the landlord
- Review and storage of books and records
- Preparing a return pursuant to the Company Directors Disqualification Act
- Conducting investigations into the affairs of the Company
- Reviewing books and records to identify any transactions or actions a Liquidator may take against a third party in order to recover funds for the benefit of creditors
- Reviewing books and records and accounts to ensure that all assets have been disclosed, and obtaining explanations for any discrepancies revealed

## **Realisation of Assets**

- Corresponding with debtors and, if appropriate, collection agents, and attempting to collect outstanding book debts
- Liaising with the Company's bank regarding the closure of the account
- Investigating whether additional recoveries could be made resulting in potential realisations from the sale of assets prior to the Liquidator's appointment
- Liaising with valuation and disposal agents to dispose of physical and intellectual property assets

## **Cashiering**

- Maintaining and managing the Liquidator's cashbook and bank account
- Ensuring statutory lodgements and tax reporting obligations are met

I am continuing to investigate the claim made by the Directors and landlord that all assets in the hotel belong to the landlord. This may or may not lead to further realisations into the estate.

As well as realising assets and investigating the affairs of the Company, my other duties as Liquidator include the adjudication and admission of creditors' claims, assisting employees with pursuing claims from the Redundancy Payment Fund, where appropriate, and receiving and answering queries from creditors and interested parties.

In view of the low prospects of a repayment to creditors in this matter, and in order to reduce costs, I do not propose to spend time formally agreeing claims. I will hold claims, and I will only adjudicate on their validity if it becomes likely that a dividend will be paid.

I have dealt with investigations into the Company's practices and the reason behind the Company's failure.

I have undertaken a preliminary review of the Company's financial records and minutes for the 6 months prior to liquidation to identify any unusual or exceptional transactions.

I have compared the information within the statement of affairs with the last accounts produced by the Company to ascertain whether all significant assets can be identified and material movements in asset values can be explained.

I have undertaken work compulsory to my position, which includes submissions of returns to HM Revenue & Customs (where relevant), Companies House and specific penalty bonding. This is not an exhaustive list of my duties.

I have undertaken an investigation into the affairs of the Company and the conduct of the Directors. In accordance with my statutory duty I have submitted a Conduct Report to the Insolvency Services of the Department of Trade and Industry pursuant to the Company Directors Disqualification Act 1986 regarding the director. This report is confidential so I cannot disclose its content.

### **Outcome of investigation**

As mentioned earlier in this report, my investigations are currently ongoing. I am pursuing information from the landlord that confirms that the assets of the Company belong to him and not the Company in liquidation.

### **Progress Of Liquidation**

Since my appointment I have realised the assets detailed above, and carried out the duties and investigations listed above. I have attached to this report a copy of my receipts and payments account for the period since my appointment.

### **Liquidation Income and Expenditure**

Below is an explanation of the various headings shown on the attached receipts and payments account.

#### **Receipts**

No funds have been received into the liquidation account.

#### **Payments**

No payments have been made from the liquidation account.

#### **Specific Bond**

This is an insurance policy taken out by the insolvency practitioner. This policy covers the value of the assets within the liquidation against possible theft by the insolvency practitioner responsible. It is required by law to be taken out in any case where there are assets and is for the benefit of the creditors.

#### **Public Notices**

The liquidation must be advertised at various times in The London Gazette by law. These entries represent the costs associated with placing the advertisements.

#### **Liquidator's Remuneration**

At the first creditors meeting held on 8<sup>th</sup> May 2013 under Section 98 of the Insolvency Act 1986 a resolution was passed stating

- That the Liquidator be allowed to draw his remuneration on a time cost basis out of funds that are realised.

For the information of the creditors, the total time costs to date relating to work performed by myself and my staff in administering the liquidation is £13,621.00,

which equates to 60 70 hours charged at an average rate of £224 40 per hour A schedule of my time costs incurred to date is attached

Due to the lack of realisations in this case I have been unable to draw any remuneration, and the costs of this liquidation are currently being funded by this firm

### **Liquidator's Outlays**

Expenditure relating to the administration of the estate which is payable to a third party is recoverable from the estate without creditor consent

If funds were available, costs such as these have been paid via the Company's estate If funds were not available, then my firm has paid these costs, with a view to reimbursement, should estate funds be realised

Third party assistance has been sought on the basis that the advisors have the relevant experience and qualifications to deal with matters that are beyond my realm of expertise

### **Liquidator's Disbursements**

At the first creditors meeting held on 8<sup>th</sup> May 2013 under Section 98 of the Insolvency Act 1986 a resolution was passed stating

- The Liquidator will draw disbursements relating to work carried out These fees will cover all category 2 disbursements as classified in the "Creditors Guide to Insolvency Practitioner's Fees" and will be based on the following charges

|               |                    |
|---------------|--------------------|
| Photocopying  | 15p per copy       |
| Box Storage   | £2 50 per month    |
| Printed Paper | 15p per sheet      |
| Copy Paper    | 10p per sheet      |
| Mileage       | 10p – 40p per mile |
| Room Hire     | £60 per half day   |

I have not drawn any category 2 disbursements

### **Basis of Remuneration**

In accordance with Rule 4 127, the Liquidator's remuneration has been fixed by reference to the time properly given by the Liquidator and his staff in attending to matters arising in the winding up

### **Preparation of the Statement of Affairs**

That the sum of £3000 + VAT has been paid to Bridgestones by Country Hotels Limited as a deposit against the costs and expenses of holding the first meeting of creditors in accordance with section 98 of the Insolvency Act 1986 In accordance with Rule 4 62 of the Insolvency Rules 1986, the costs and expenses of summoning the first meeting of creditors and contributories is an expense of the Liquidation Therefore if any funds are realised in the estate that are available to defray the costs and expenses referred to, they will be repaid to Country Hotels Limited to the amount paid

### **Dividend Prospects**

Unsecured claims totalling £433,226 have been received, compared to the Statement of Affairs figure of £436,691

Due to lack of realisations no dividend is due to any class of creditors

### **Summary**

The liquidation will remain open until the matters regarding who owns the assets has been resolved, which I anticipate will be concluded in the next twelve to twenty four months. When investigations are concluded a final meeting of creditors will be convened to seek the release of the Liquidator in this matter.

If these matters are not resolved within the next 12 months, a further annual progress report will be issued.

### **Creditor's Rights To Object To The Content Of This Report Under the Insolvency Act 1986 and The Insolvency Rules 1986 (As Amended)**

In accordance with Rule 4.49E of the Insolvency Rules, within 21 Days of receipt of this report

- 1 A secured creditor  
or
- 2 An unsecured creditor with the concurrence of at least 5% in value of the unsecured creditors (including the creditor in question)

or with the permission of the Court upon an application made within 21 days

- 1 Any unsecured creditor

is allowed to make a request in writing to the Liquidator for further information about the remuneration or expenses set out in a progress report in accordance with rule 4.49C

The Liquidator must then comply with the request by providing the information requested, or respond explaining that so far as the Liquidator considers

- 1 The time or cost of preparation of the information would be excessive  
or
- 2 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
- 3 The Liquidator is subject to an obligation of confidentiality in respect of the information

giving reasons for not providing all the information

Also any secured creditor or 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 orders as set out below

Application may be made on the grounds that –

- 1 The remuneration charged by the Liquidator  
or
- 2 The basis fixed for the Liquidator's remuneration under Rule 4 127  
or
- 3 Expenses incurred by the Liquidator

is or are, in all the circumstances, excessive or, inappropriate

The application must be made within 8 weeks of receiving this report

For further details refer to the Insolvency Act 1986 and The Insolvency Rules 1986  
(as amended)

If you wish to raise any questions upon the contents of this report, then please feel  
free to attend the meetings, or alternatively, contact me at the above address

If you require any further information, please do not hesitate to contact Ian Dronsfield  
of this office



**Jonathan Lord – MIPA**  
**Liquidator**  
**Lenwade Limited**



**BRIDGESTONES LIMITED**

**LENWADE LIMITED  
in CREDITOR'S VOLUNTARY LIQUIDATION**

**LIQUIDATOR'S ACCOUNT OF RECEIPTS AND PAYMENTS  
FOR THE PERIOD - 8TH MAY 2013 TO 7TH MAY 2014**

**YEAR 1  
TO  
END**

**TOTALS**

**STATEMENT OF AFFAIRS**

**RECEIPTS**

£0 00

**TOTAL RECEIPTS**

£0 00

£0 00

**PAYMENTS**

**TOTAL PAYMENTS**

£0 00

£0 00

**NET RECEIPTS**

£0 00

£0 00

**CASH IN HAND**  
Made up as follows -  
Bank Account  
ISA Account

£0 00

£0 00

**\*INSOLV\* LENWADE LIMITED in Creditor's Voluntary Liquidation**

No

Analysis of Time Costs for the Period from 8 May 2013 to 7 May 2014

| Classification of work function | Hours                   |             |                  |             |                    |               |               | Average Hourly Rate (£) |
|---------------------------------|-------------------------|-------------|------------------|-------------|--------------------|---------------|---------------|-------------------------|
|                                 | Insolvency Practitioner | Director    | Senior Manager   | Manager     | Case Administrator | Cashiering    | Support Staff |                         |
| Administration and Planning     | 3 50                    | 0 00        | 17 90            | 0 00        | 0 00               | 0 20          | 0 00          | 225 95                  |
| Realisation of Assets           | 0 00                    | 0 00        | 1 30             | 0 00        | 0 00               | 0 00          | 0 00          | 200 00                  |
| Creditors                       | 0 00                    | 0 00        | 5 00             | 0 00        | 0 00               | 0 00          | 0 00          | 200 00                  |
| Investigation                   | 2 00                    | 0 00        | 24 20            | 0 00        | 0 00               | 6 60          | 0 00          | 228 06                  |
| <b>Total Hours</b>              | <b>5 50</b>             | <b>0 00</b> | <b>48 40</b>     | <b>0 00</b> | <b>0 00</b>        | <b>6 80</b>   | <b>0 00</b>   | <b>224 40</b>           |
| <b>Total Fees Claimed (£)</b>   | <b>1,980 00</b>         | <b>0 00</b> | <b>10,927 00</b> | <b>0 00</b> | <b>0 00</b>        | <b>714 00</b> | <b>0 00</b>   |                         |

| Hourly Rate Range          | From   | To     |
|----------------------------|--------|--------|
| Insolvency Practitioner    | 360 00 | 360 00 |
| Director                   | 0 00   | 0 00   |
| Senior Manager             | 200 00 | 320 00 |
| Manager                    | 0 00   | 0 00   |
| Case Administrator         | 0 00   | 0 00   |
| Cashier                    | 105 00 | 105 00 |
| Assistants & Support Staff | 0 00   | 0 00   |