

Liquidator's Progress Report

S.192

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

To the Registrar of Companies

Company Number

07810902

Name of Company

Gomer Solutions Limited

+/ We

David Hill, 1st Floor North, Anchor Court, Keen Road, Cardiff, CF24 5JW

Stephen Wade, 1st Floor North, Anchor Court, Keen Road, Cardiff, CF24 5JW

the liquidator(s) of the company attach a copy of my/our Progress Report
under section 192 of the Insolvency Act 1986

The Progress Report covers the period from 28/11/2013 to 27/11/2014

Signed

Date

19.12.14

Begbies Traynor (Central) LLP
1st Floor North
Anchor Court
Keen Road
Cardiff
CF24 5JW

Ref GO081CVL/DH/SW/NA/AIW

SATURDAY



A3N3P9YO

A10

20/12/2014

#151

COMPANIES HOUSE

Gomer Solutions Limited (In Creditors' Voluntary Liquidation)

Progress report pursuant to Section 104A of the
Insolvency Act 1986 and Rule 4.49C of the
Insolvency Rules 1986

Period: 28 November 2013 to 27 November 2014

Important Notice

This progress report has been produced solely to comply with our statutory duty to report to creditors and members of the Company on the progress of the liquidation. The report is private and confidential and may not be relied upon, referred to, reproduced or quoted from, in whole or in part, by creditors and members for any purpose other than this report to them, or by any other person for any purpose whatsoever.

Contents

- ☐ Interpretation
- ☐ Company information
- ☐ Details of appointment of liquidators
- ☐ Progress during the period
- ☐ Estimated outcome for creditors
- ☐ Remuneration and disbursements
- ☐ Liquidators' expenses
- ☐ Assets that remain to be realised
- ☐ Other relevant information
- ☐ Creditors' rights
- ☐ Conclusion
- ☐ Appendices
 - 1 Account of receipts and payments
 - 2 Time costs and disbursements
 - 3 Statement of Liquidators' expenses

1. INTERPRETATION

<u>Expression</u>	<u>Meaning</u>
"the Company"	Gomer Solutions Limited (In Creditors' Voluntary Liquidation)
"the liquidation"	The Company moving into creditors' voluntary liquidation from administration pursuant to Paragraph 83 of Schedule B1 to the Act
"the liquidators", "we", "our" and "us"	David Hill of Begbies Traynor (Central) LLP, 1st Floor North, Anchor Court, Keen Road, Cardiff, CF24 5JW and Stephen Wade of Begbies Traynor (Central) LLP, 1st Floor North, Anchor Court, Keen Road, Cardiff, CF24 5JW
"the Act"	The Insolvency Act 1986 (as amended)
"the Rules"	The Insolvency Rules 1986 (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 creditor"	Any creditor of the Company whose claim is preferential within Sections 386, 387 and Schedule 6 to the Act

2. COMPANY INFORMATION

Trading name(s)	Gomer Solutions Limited
Company registered number	07810902
Company registered office	1st Floor North, Anchor Court, Keen Road, Cardiff, CF24 5JW
Former trading address	Unit 7 Eastgate Business Park, Wentloog, Cardiff, CF3 2EY

3. DETAILS OF APPOINTMENT OF LIQUIDATORS

Date winding up commenced	28 November 2013
Date of liquidators' appointment	28 November 2013
Changes in liquidator (if any)	None

4. PROGRESS DURING THE PERIOD

Attached at Appendix 1 is our abstract of receipts and payments for the period from 28 November 2013 to 27 November 2014

Receipts

Book Debts

Further to the recovery of funds in the administration, we have received £920 from ABN-AMRO Commercial Finance Limited, being the surplus funds due to the Company

Funds due from the Administration

Following the move from administration to liquidation, the surplus funds of £62,459 in the administration were transferred to the liquidation

Payments

Administrators' fees

The fees due to the joint administrators which were unpaid when the liquidation commenced were £15,000

Wages & Salaries

A payment of £553 was paid to the director, being the agreement made in the administration to cover the director's salary for one week whilst he supervised the completion of work in progress following our appointment as administrators

Administrative costs

We have incurred storage charges of £239 and statutory advertising costs of £151

5. ESTIMATED OUTCOME FOR CREDITORS

The sums owed to creditors at the date of our appointment are based upon the information detailed in the directors' statement of affairs submitted to the former administrators. The distributions made during the period of the administration and the work we have undertaken in the course of the liquidation are as follows

Secured creditor

ABN-AMRO Commercial Finance Ltd ("ABN-AMRO") was owed £127,335 at the date of appointment being funds advanced to the Company. Since the date of our appointment charges of £16,029 have been added to the account. These borrowings were secured on factored debts and a debenture dated 2 December 2011 giving a fixed and floating charge over the assets of the Company.

ABN-AMRO has been paid in full from realisations from the factored debts.

Preferential creditors

The preferential claims of ex-employees for arrears of wages, salary and holiday pay were estimated at £7,500 for the purposes of the statement of affairs. Claims were agreed in the sum of £7,305. These claims have been paid in full.

Prescribed Part for unsecured creditors pursuant to Section 176A of the Act

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, there is no net property as defined in Section 176A(6) of the Act and, therefore, no prescribed part of net property is available for distribution to the unsecured creditors.

Unsecured creditors

We consider that there will be sufficient funds for a dividend to be paid to the unsecured creditors.

6 REMUNERATION & DISBURSEMENTS

Pursuant to Rule 4.127(5A)(a) of the Rules, our remuneration is treated as having been fixed on the same basis as the former administrators, 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.

Pursuant to Statement of Insolvency Practice 9, we are also authorised to draw disbursements, including disbursements for services provided by our firm (defined as Category 2 disbursements in Statement of Insolvency Practice 9) on the same basis as the former administrators, namely, in accordance with our firm's policy, a copy of which is attached at Appendix 2 of this report.

Our time costs for the period from 28 November 2013 to 27 November 2014 amount to £7,905 which represents 29.2 hours at an average rate of £271 per hour.

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

- ☐ Narrative summary of time costs incurred
- ☐ Table of time spent and charge-out value for the period 28 November 2013 to 27 November 2014
- ☐ Begbies Traynor (Central) LLP's policy for re-charging disbursements
- ☐ Begbies Traynor (Central) LLP's charge-out rates

GOMER SOLUTIONS LIMITED - IN LIQUIDATION

To 27 November 2014, we have not drawn any fees on account of our remuneration in accordance with the above approval. To 27 November 2014, we have drawn disbursements in the sum of £239.35.

A copy of 'A Creditors' Guide to Liquidators Fees (E&W)' which provides guidance on creditors' rights on how to approve and monitor a Liquidator's remuneration and on how the remuneration is set can be obtained online at www.begbies-traynor.com/creditorsguides. Alternatively, if you require a hard copy of the Guide, please contact our office and we will arrange to send you a copy.

7. LIQUIDATORS' EXPENSES

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

8. ASSETS THAT REMAIN TO BE REALISED

We are currently pursuing a CIS tax refund due to the Company. As soon as we are in receipt of the tax refund from HM Revenue & Customs, it is our intention to make a distribution to the unsecured creditors.

9. OTHER RELEVANT INFORMATION

Investigations and reporting on directors conduct

You may be aware that a liquidator has a duty to enquire into the affairs of an insolvent company to determine its property and liabilities and to identify any actions which could lead to the recovery of funds. In addition, a liquidator is also required to consider the conduct of the Company's directors and to make an appropriate submission to the Department for Business Innovation and Skills. We can confirm that we have discharged our duties in these respects.

Connected party transactions

We have not been made aware of any sales of the Company's assets to connected parties.

10. CREDITORS' RIGHTS

Right to request further information

Pursuant to Rule 4.49E of the Rules, within 21 days of the receipt of this report a secured creditor, or an unsecured creditor with the concurrence of at least 5% in value of the unsecured creditors, including that creditor, (or an unsecured creditor with less than 5% in value of the unsecured creditors, but with the permission of the court) may request in writing that we provide further information about our remuneration or expenses which have been detailed in this progress report.

Right to make an application to court


Pursuant to Rule 4.131 of the Rules, any secured creditor or any unsecured creditor with the concurrence of at least 10% in value of the unsecured creditors including that creditor, (or any unsecured creditors with less than 10% in value of the unsecured creditors, but with the permission of the court) may, within 8 weeks of receipt of this progress report, make an application to court on the grounds that the remuneration charged or the

GOMER SOLUTIONS LIMITED - IN LIQUIDATION

expenses incurred as set out in this progress report are excessive or, the basis fixed for our remuneration is inappropriate

11. CONCLUSION

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



David Hill
Joint Liquidator

Dated 19 December 2014


GOMER SOLUTIONS LIMITED - IN LIQUIDATION

APPENDIX 1

ACCOUNT OF RECEIPTS AND PAYMENTS

Period 28 November 2013 to 27 November 2014

Gomer Solutions Limited
(In Liquidation)
Joint Liquidators' Abstract of Receipts & Payments

Statement of Affairs	From 28/11/2013 To 27/11/2014
SECURED ASSETS	
Book Debts	920 08
	<u>920 08</u>
ASSET REALISATIONS	
VAT Refund	18 00
Bank Interest Gross	127 91
Surplus funds from Administration	62,458 64
	<u>62,604 55</u>
COST OF REALISATIONS	
Joint Administrators' Fees	15,000 00
Office Holders Expenses	239 35
Corporation Tax - Administration	15 00
Statutory Advertising	150 74
Wages & Salaries	553 00
	<u>(15,958 09)</u>
	<u>47,566.54</u>
REPRESENTED BY	
Bank 2 Current	47,552 93
Suspense - unpaid dividend cheque	13 61
	<u>47,566.54</u>
	
	David Hill Joint Liquidator

TIME COSTS AND DISBURSEMENTS

- a Begbies Traynor (Central) LLP's policy for re-charging expenses/disbursements,
- b Begbies Traynor (Central) LLP's charge-out rates,
- c Narrative summary of time costs incurred, and
- d Table of time spent and charge-out value for the period from 28 November 2013 to 27 November 2014

BEGBIES TRAYNOR CHARGING POLICY

INTRODUCTION

This note applies where a licensed insolvency practitioner in the firm is acting as an office holder of an insolvent estate and seeks creditor 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 creditors 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 guidance¹ requires that such information should be disclosed to those who are responsible for approving remuneration.

In addition, this note applies where creditor 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 guidance² requires 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 INSOLVENT 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 INSOLVENT 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 usually 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 incidental expenditure directly incurred on the case which include an element of shared or allocated cost and which are based on a reasonable method of calculation.

(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 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,

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

² Ibid 1

- Displaying properties for sale on the 'Accelerated Property Sales from Begbies Traynor' section of the Begbies Traynor website is charged at the rate of £75 00 per property,

(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 Cardiff office as at the date of this report are as follows

	Standard 1 May 2011 – until further notice Regional
Partner	395
Director	345
Senior Manager	310
Manager	265
Assistant Manager	205
Senior Administrator	175
Administrator	135
Trainee Administrator	110
Support	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.

SUMMARY OF OFFICE HOLDERS' TIME COSTS

CASE NAME	GOMER SOLUTIONS LIMITED
CASE TYPE	CREDITORS' VOLUNTARY LIQUIDATION
OFFICE HOLDERS	DAVID HILL AND STEPHEN WADE
DATE OF APPOINTMENT	28 NOVEMBER 2013

1 CASE OVERVIEW

- 1.1 This overview and the time costs analysis attached is intended to provide sufficient information to enable the body responsible for the approval of the office holders' fees to consider the level of those fees in the context of the case

1.2 Complexity of the case

The main actions in this liquidation have involved the realisation of the Company assets and the completion of the liquidators' statutory, investigatory and administrative duties

1.3 Exceptional responsibilities

None

1.4 The office holders' effectiveness

We set out to maximise the value of the assets for the benefit of creditors and we believe this has been achieved

1.5 Nature and value of property dealt with by the office holders

Please refer to the report for further details

1.6 Anticipated return to creditors

As detailed within the report, following the realisation of the factored book debts, the liability due to ABN-AMRO Commercial Finance Limited was fully discharged in the administration. The claims of preferential creditors were also paid in full in the administration. It is further anticipated that there will be sufficient funds to enable a distribution to be made to the unsecured creditors

1.7 Time costs analysis

An analysis of time costs incurred between 28 November 2013 and 27 November 2014 prepared in accordance with Statement of Insolvency Practice 9 is attached showing the number of hours spent by each grade of staff on the different types of work involved in the case, and giving the average hourly rate charged for each work type

The time costs analysis provides details of work undertaken by the Liquidators and their staff following their appointment only

1.8 The views of the creditors

Progress reports were previously circulated to creditors during the period of the Administration. Details of our actions since the liquidation commenced are set out in our annual progress report to creditors attached

1.9 Approval of fees

Pursuant to Rule 4.127(5A)(a) of the Rules, our remuneration is treated as having been fixed on the same basis as the former administrators, 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

1 10 Approval of Expenses and Disbursements

Pursuant to Statement of Insolvency Practice 9, we are also authorised to draw disbursements, including disbursements for services provided by our firm (defined as Category 2 disbursements in Statement of Insolvency Practice 9) on the same basis as the former administrators, namely, in accordance with our firm's policy, a copy of which is attached at Appendix 2 of this report

2 SUMMARY OF WORK CARRIED OUT SINCE OUR LAST REPORT

2 1 Since the date of our last report, the following work has been carried out

- Collection of book debts,
- Submission of corporation tax and VAT returns,
- Dealing with creditors' claims and correspondence generally,
- Scrutiny of the key reasons for the failure of the Company and reporting to the Department of Trade and Industry as required by statute, and
- Statutory reporting to members and creditors

[illegible]

STATEMENT OF EXPENSES

Type of expense	Name of party with whom expense incurred	Amount incurred £	Amount discharged £	Balance (to be discharged) £
Joint Administrators Fees'	Begbies Traynor (Central) LLP	15,000 00	15,000 00	Nil
Wages & salaries	Various employees	553 00	553 00	Nil
Storage costs	Begbies Traynor (Central) LLP	239 35	239 35	Nil
Statutory advertising	TMP (UK) Limited	150 74	150 74	Nil