

LIQ03

Notice of progress report in voluntary winding up



Companies House

MONDAY



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13/07/2020

#129

COMPANIES HOUSE

1 Company details

Company number 0 8 0 8 6 0 5 1

Company name in full The Miracle Chair Company Limited

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

2 Liquidator's name

Full forename(s) David Frederick

Surname Wilson

3 Liquidator's address

Building name/number 29 Park Square West

Street Leeds

Post town LS1 2PQ

County/Region

Postcode

Country

4 Liquidator's name

Full forename(s)

Surname

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

5 Liquidator's address

Building name/number

Street

Post town

County/Region

Postcode

Country

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

LIQ03

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6 Period of progress report

From date	d	2	d	6	m	0	m	5	y	2	y	0	y	1	y	9
To date	d	2	d	5	m	0	m	5	y	2	y	0	y	2	y	0

7 Progress report

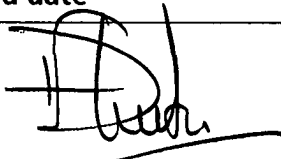
☐ The progress report is attached

8 Sign and date

Liquidator's signature

Signature

X



X

Signature date

d	0	d	7	m	0	m	7	y	2	y	0	y	2	y	0
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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 **David Frederick Wilson**

Company name **DFW Associates**

Address **29 Park Square West**

Leeds

Post town **LS1 2PQ**

County/Region

Postcode

Country

DX

Telephone **01133907940**



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 or email 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

**The Miracle Chair Company Limited
(In Liquidation)
Liquidator's Summary of Receipts & Payments**

Statement of Affairs £	From 26/05/2019 To 25/05/2020 £	From 26/05/2016 To 25/05/2020 £
SECURED CREDITORS		
Hugh Briggs	12,000.00	12,000.00
	<u>(12,000.00)</u>	<u>(12,000.00)</u>
ASSET REALISATIONS		
Surplus from Administration	NIL	13,363.42
Book Debts	15,590.09	15,590.09
Bank Interest Gross	11.71	46.85
	<u>15,601.80</u>	<u>29,000.36</u>
COST OF REALISATIONS		
Administrators Fees	3,000.78	5,450.78
Office Holders Fees	6,230.00	8,730.00
Office Holders Expenses	NIL	137.00
	<u>(9,230.78)</u>	<u>(14,317.78)</u>
	<u>(5,628.98)</u>	<u>2,682.58</u>
REPRESENTED BY		
Bank Current Account		2,682.58
		<u>2,682.58</u>

~~David Frederick Wilson~~
Liquidator

The affairs, business and property of the company are being dealt with by the Liquidator, who acts as the Company's agent and without personal liability.

Liquidator's Annual Report to Members and Creditors

The Miracle Chair Company Limited – In Liquidation (“The Company”)

For the period to 26th May 2019 to 25th May 2020

This report has been produced by the Liquidator solely to comply with his statutory duty to report to creditors 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 for any purpose other than this report to them, or by any other person for any purpose whatsoever.

THE MIRACLE CHAIR COMPANY LIMITED

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11. Conclusion

APPENDICES

1. Receipts and Payments Account for the period 26th May 2019 to 25th May 2020
2. Details of the Time Incurred in accordance with Statement of Insolvency Practice 9 for the period 26th May 2019 to 25th May 2020
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4. Creditor Claim Form
5. Details of creditors' rights (Rules 18.9 and 18.34)
6. DFW Privacy Statement

ABBREVIATIONS

"The Act"	Insolvency Act 1986 (as amended)
"The Rules"	Insolvency (England & Wales) Rules 2016
"The Liquidator"	David Frederick Wilson
"Date of Appointment"	26 th May 2016
"Period of this Report"	26 th May 2019 to 25 th May 2020
"Office"	29 Park Square West, Leeds, LS1 2PQ

1. STATUTORY INFORMATION

Company Number:	08086051
Date of Incorporation:	28 th May 2012
Principal Activity:	32990 – Other Manufacturing not elsewhere classified 74100 – Specialised Design Activities
Previous Name:	None
Trading Name:	The Miracle Chair Company
Registered Office:	29 Park Square West , Leeds, LS1 2PQ

Previous Registered Office:	8 St John Street, Manchester, M3 4DU
Trading Address:	8 St John Street, Manchester, M3 4DU
Mortgage & Charges:	Hugh Alexander Briggs held security by way of a Debenture dated 4 th July 2014 (filed on 23 rd July 2014)

		<i>Appointed</i>	<i>Resigned</i>
Directors:	Hugh Alexander Briggs	3 rd May 2013	-
	Simon Freedman	3 rd May 2013	-
	Emma Freedman	28 th May 2012	-

2. INTRODUCTION

In accordance with the Proposals approved by creditors in the prior administration I was appointed as Liquidator of the Company on 26th May 2016. My appointment took effect upon the cessation of my appointment as Administrator and the registration of Form 2.34B – Notice of Move from Administration to Creditors' Voluntary Liquidation at Companies House. I confirm that I am licensed to act as an insolvency practitioner in the UK by the Institute of Chartered Accountants in England and Wales. There has been no change in office-holder, or my contact details, since the date of Liquidation.

This report has been prepared in accordance with the requirements of Section 104a of the Insolvency Act 1986 and Rule 18.7 of the Insolvency (England & Wales) Rules 2016 to provide members and creditors with a report on the progress of the of the Liquidation and I am obliged to deliver a copy of this report to them. A copy of this report will also be filed with the Registrar of Companies.

This account includes details of matters arising in the Liquidation for the period 26th May 2019 to 25th May 2020 and summarises the key issues that arose during the period.

Case Strategy

My overall strategy for the Liquidation was and remains to realise the Company's assets as expeditiously as possible. As explained below, recoveries are continuing however they are finite in quantum.

It is now clear, all assets having been realised or quantified, that there will be no dividend for non-preferential creditors. However, I expect there to be sufficient to pay a dividend to the secured creditor, further details can be found in section 4 of this report.

I have been assisted in the performance of my duties by a Case Administrator who have the day to day conduct of the Liquidation and who helped me to ensure that work done was carried out at the appropriate grade, having regard to its complexity. I have not used any sub-contractors or professional advisers during this Liquidation. There has been no change to my strategy for the conduct of this case since my appointment.

3. PROGRESS DURING THE PERIOD

Receipts and Payments during the Period

Receipts

Bank Interest Gross

Bank interest of £11.71 has been received in the period of this report and represents the interest paid on the funds held in the Liquidator's account.

Book Debts

The sum of £15,590.09 has been realised from the book debts during this period.

Payments

The sum of £12,000.00 was paid to Hugh Briggs. Further details can be found in section 4 of this report.

Office Holders Fee

The sum of £6,230.00 was paid in relation to the Office Holders fee. Further details can be found in section 5 of this report.

Administrators Fees

The sum of £3,000.78 has been paid in relation to the Administrators fees. Further details can be found in section 5 of this report.

4. OUTCOME FOR CREDITORS

Secured Creditors

As detailed in the Administration, Mr Hugh Alexander Briggs held security by way of a Debenture dated 4th July 2014 (filed on 23rd July 2014), granting a fixed and floating charge over the undertaking and all property and assets, present and future, including goodwill, book debts, uncalled capital, buildings, fixtures and fixed plant and machinery. The amount outstanding at the date of Administration was approximately £250,000.00.

The sum of £12,000.00 has been paid to Mr Hugh Alexander Briggs under the debenture.

I anticipate that there will be a further distribution to the secured creditor, however they will suffer a substantial shortfall under the terms of their security. The quantum and timing of this distribution is yet to be confirmed.

Preferential Creditors

There are no creditors of this classification.

Unsecured Creditors

The estimated statement of affairs in the Administration, estimated total unsecured debts of £860,473.24. To date, unsecured claims of £77,172.59 have been received.

A claim form is attached at Appendix 4, for creditors who have not yet submitted a claim to complete and return with supporting evidence.

Any surplus funds will be used to distribute to the Charge holder as detailed above and the balance of funds will be utilised to defray the expenses of the Liquidation. As a result, there will be no distribution to unsecured creditors in this instance. This notice was given in my last progress report pursuant to Rule 14.37 of the Insolvency (England & Wales) Rules 2016.

Prescribed part for unsecured creditors pursuant to Section 176a of the Act

Section 176a of the Insolvency Act 1986 provides that, where the company has created a floating charge on or after 15 September 2003, the Liquidator must make a prescribed part of the Company's net property available for the unsecured creditors and not distribute it to the floating charge holder except in so far as it exceeds the amount required for the satisfaction of unsecured debts. The prescribed part disappplies in this instance as there are insufficient realisations.

5. THE LIQUIDATOR'S REMUNERATION, DISBURSEMENTS & EXPENSES

Remuneration

Rule 18.20(5a) of the Insolvency (England & Wales) Rules 2016 states that where a Company which is in Administration moves into Liquidation and the former Administrators become the Liquidator, the basis of the office holders' remuneration fixed in the Administration also applies in the subsequent Liquidation. Accordingly, the basis of the Liquidator's remuneration (as approved the charge holder in the Administration) will be payable by reference to time properly given by the Liquidator and his staff in attending to matters arising in the Liquidation. The charge holder has also confirmed that he is authorised to draw disbursements, including disbursements for services provided by his firm (defined as Category 2 disbursements in Statement of Insolvency Practice 9) in accordance with his firm's charging policy (attached at Appendix 3 of this report).

DFW Associates standard charging rates have changed during the conduct of the Liquidation, as follows:-

Briefly:-

- Work done in realising the assets of the Company was in the direct financial interests of the creditors
- Work done in performing investigations was a statutory requirement but would also have been in the direct financial interests of creditors had it led to additional asset realisations
- All other work is required by statute or professional regulations

Time costs amounting to £2,500.50 have been incurred in the period of this report made up of 9.90 hours at an average charge out rate of £252.58 across all grades of staff. More detailed information is provided in the Appendix 2. Time is charged in 6 minute increments.

Liquidator's fees of £6,230.00 have been drawn in the period of this report detailed in the receipts and payments account attached at Appendix 1.

The following further information in relation to the Liquidator's time costs is enclosed with this report:

- Table of time spend and charge-out value for the period 26th May 2019 to 25th May 2020;
- DFW Associates charging policy for disbursements; and
- Details of creditors' rights: (Creditors' and members' requests for further information and details of remuneration and expenses: application to court by a creditor or members on grounds that remuneration or expenses are excessive in accordance with Rule 18.9 and 18.34 of the Insolvency (England & Wales) Rules 2016).

Please note an explanatory leaflet "A Creditor's Guide to Liquidator's Remuneration", is also available on request from my office or on my website at www.dfwassociates.co.uk.

Disbursements & Expenses

There have been no category 1 or category 2 disbursements paid during the period. No further professional expenses or disbursements have been incurred during the period of this report.

6. INVESTIGATIONS INTO THE AFFAIRS OF THE COMPANY

The Liquidator has a statutory duty to investigate the conduct of the Directors and any person he considers to be or have been a shadow or de facto Director during the period of three years before the date of his appointment, in relation to their management of the affairs of the company and the causes of its failure.

My preliminary investigations revealed no matters that it was in the interests of creditors for me to investigate in depth and no matters came to light subsequently during the Liquidation.

The Liquidator is also obliged to submit confidential reports to the Department for Business Innovation and Skills. I can confirm that I have discharged my duties in this regard.

7. BENEFITS FOR CREDITORS

I expect there to be a dividend distribution to the secured creditor, the quantum and timing of this distribution is yet to be confirmed.

Whilst there has been and will be no distribution available for any other class of creditor, creditors can be assured that the conduct of the Directors has been investigated.

8. MATTERS OUTSTANDING

I am yet to make a final distribution to the secured creditor. Once I have made this payment, I will be in a position to close the Liquidation.

9. CONCLUSION

The Liquidator is required to provide a progress report within two months of the end of the next anniversary of the Liquidation or at the conclusion of the Liquidation, whichever is sooner.

Should you have any further queries please contact my office in writing or by telephone to 0113 390 7940, alternatively direct any emails to info@dfwassociates.co.uk.



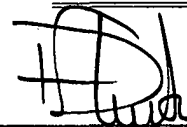
Dated: 7th July 2020

David Frederick Wilson
Liquidator of The Miracle Chair Company Limited

**The Miracle Chair Company Limited
(In Liquidation)**

LIQUIDATOR'S RECEIPTS AND PAYMENTS ACCOUNT

	Statement of affairs £	From 26/05/2019 To 25/05/2020 £	From 26/05/2016 To 25/05/2020 £
RECEIPTS			
Surplus from Administration		0.00	13,363.42
Book Debts		15,590.09	15,590.09
Bank Interest Gross		11.71	46.85
Vat Receivable		2,046.16	2,863.56
Vat Control Account		0.00	517.40
		<u>17,647.96</u>	<u>32,381.32</u>
PAYMENTS			
Hugh Briggs		12,000.00	12,000.00
Administrators Fees		3,000.78	5,450.78
Office Holders Fees		6,230.00	8,730.00
Office Holders Expenses		0.00	137.00
Vat Receivable		1,846.16	2,863.56
Vat Control Account		0.00	517.40
		<u>23,076.94</u>	<u>29,698.74</u>
BALANCE - 25 May 2020			<u><u>2,682.58</u></u>



David Frederick Wilson
Liquidator