

# LIQ03

## Notice of progress report in voluntary winding up



Companies House

For further information, please  
refer to our guidance at  
[www.gov.uk/companieshouse](http://www.gov.uk/companieshouse)

### 1 Company details

Company number 09184608

Company name in full XQ Digital Resilience Limited

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

### 2 Liquidator's name

Full forename(s) Paul Robert

Surname Appleton

### 3 Liquidator's address

Building name/number 29th Floor

Street 40 Bank Street

Post town London

County/Region

Postcode E14 5NR

Country

### 4 Liquidator's name ①

Full forename(s) Paul

Surname Cooper

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

### 5 Liquidator's address ②

Building name/number 29th Floor

Street 40 Bank Street

Post town London

County/Region

Postcode E14 5NR

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>	<sup>d</sup>	<sup>m</sup>	<sup>m</sup>	<sup>y</sup>	<sup>y</sup>	<sup>y</sup>	<sup>y</sup>
	3	0	1	0	2	0	2	0
To date	<sup>d</sup>	<sup>d</sup>	<sup>m</sup>	<sup>m</sup>	<sup>y</sup>	<sup>y</sup>	<sup>y</sup>	<sup>y</sup>
	2	9	1	0	2	0	2	1

**7** Progress report

☒ The progress report is attached

**8** Sign and date

Liquidator's signature

Signature

X 

X

Signature date	<sup>d</sup>	<sup>d</sup>	<sup>m</sup>	<sup>m</sup>	<sup>y</sup>	<sup>y</sup>	<sup>y</sup>	<sup>y</sup>
	1	5	1	2	2	0	2	1

# LIQ03

## 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 Paul Robert Appleton

Company name Begbies Traynor (London) LLP

Address 29th Floor

40 Bank Street

Post town London

County/Region

Postcode E 1 4 5 N R

Country

DX

Telephone 020 7400 7900



### 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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## **XQ Digital Resilience Limited (In Creditors' Voluntary Liquidation)**

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Progress report

Period: 30 October 2020 to 29 October 2021

### **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.

Please note that as from 17 March 2021, David Rubin and Partners has become part of Begbies Traynor's corporate recovery and insolvency practice and is now trading as 'Begbies Traynor'. Further information in relation to Begbies Traynor and the Begbies Traynor Group can be accessed at: <http://www.begbies-traynorgroup.com>. David Rubin & Partners becoming part of Begbies Traynor will not affect the manner in which the liquidation of the Company will be conducted, which will continue to be dealt with by the existing members of the David Rubin & Partners' Team, with support from Begbies Traynor's personnel where required.

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## **Contents**

- ❑ Interpretation
- ❑ Company Information
- ❑ Details of appointment of Liquidators
- ❑ Progress during the period
- ❑ Estimated outcome for Creditors
- ❑ Remuneration and Expenses
- ❑ Liquidators' Expenses
- ❑ Assets that remain to be realised and work that remains to be done
- ❑ Other relevant information
- ❑ Creditors' Rights
- ❑ Conclusion
- ❑ Appendices
  - 1. Liquidators' Account of Receipts and Payments
  - 2. Liquidators' Time Costs
  - 3. Statement of Liquidators' Expenses

# 1. INTERPRETATION

<b><u>Expression</u></b>	<b><u>Meaning</u></b>
"the Company"	XQ Digital Resilience 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"	Paul Robert Appleton of Begbies Traynor (London) LLP, 31st Floor, 40 Bank Street, London, E14 5NR  And  Paul Cooper of Begbies Traynor (London) LLP, 29th Floor, 40 Bank Street, London, E14 5NR
"the Act"	The Insolvency Act 1986 (as amended)
"the Rules"	The Insolvency (England & Wales) Rules 2016
"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):	XQ Digital Resilience Limited
Company registered number:	09184608
Company registered office:	c/o Begbies Traynor, 29th Floor, 40 Bank Street, London, E14 5NR
Former trading address:	17 Miller Court Severn Drive, Tewkesbury Business Park, Tewkesbury, GL20 8DN

### 3. DETAILS OF APPOINTMENT OF LIQUIDATORS

Date winding up commenced:	30 October 2020
Date of liquidators' appointment:	30 October 2020
Changes in liquidator (if any):	None

### 4. PROGRESS DURING THE PERIOD

#### **Receipts and Payments**

Attached, at Appendix 1, is our abstract of receipts and payments, for the period from 30 October 2020 to 29 October 2021, which is explained further below.

#### **Receipts**

##### Refund/Recovery

The sum of £200 has been received from Teacher Stern LLP in respect of a refund due to the Company.

##### Balance from Administration

This represents the funds in the Administration bank account at the time of conversion to liquidation, which has been transferred accordingly.

##### Bank Interest

Gross bank interest in the sum of £12.37 has been received during the reporting period.

#### **Payments**

##### Joint Administrators' Remuneration

The balance of the Joint Administrators' Remuneration, totalling £82,033.00 plus VAT, has been drawn during the reporting period.

##### Joint Liquidators' Remuneration

Joint Liquidators' Remuneration of £5,467.00 plus VAT has been drawn during the period.

##### Agent's Fees

The sum of £3,980.50 plus VAT has been paid to Peter Davies & Sons Ltd in respect of their valuation and assistance with sale of computer equipment and office furniture, which was realised during the Administration.

##### VAT

Payment in the sum of £40,035.50 was made to HM Revenue & Customs in respect of the VAT payable at the conclusion of the Administration.

### Statutory Advertising

This represents the costs for the publishing of statutory advertising in the London Gazette in respect of the notice of appointment of liquidators and the intended distribution to creditors.

### Corporation Tax

The amount of £55.86 has been paid to HM Revenue & Customs during the course of the Liquidation in respect of corporation tax payable for the Administration period.

### Bank Charges

Bank charges in the sum of £15 have been incurred during the period.

### **Distributions to Creditors**

#### Unsecured Creditors

A first and final dividend of 0.01623 pence in the pound has been declared and paid to unsecured creditors with agreed claims. The total amount paid to unsecured creditors with agreed claims is £59,160.00.

### **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?**

Creditors will recall that the sole purpose of moving the Company from Administration to liquidation was to enable a distribution of funds to the Company's unsecured creditors, following the successful completion of the Administration. We have, therefore, undertaken work in respect of the adjudication of unsecured creditors' claims and have declared and paid a first and final distribution to unsecured creditors accordingly.

It has also been necessary to carry out all statutory and general case administration and progression work, including but not necessarily limited to the notifications of the appointment of liquidators, bank reconciliations, case reviews, etc.

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 creditors to understand what has been done, why it was necessary and what financial benefit (if any) the work has provided to creditors.

The costs incurred in relation to each heading are set out in the Time Costs Analysis, which is attached at Appendix 2.

#### General case administration and planning

We are required to maintain records to demonstrate how the case is administered, and to document any decisions that materially affect the case. At the onset of the case, a strategy for how the case would be managed was formed and regular reviews have subsequently been undertaken in order to ensure case progression and that the files are kept up to date.

Whilst this does not benefit creditors financially, it is necessary to ensure the efficient and compliant progression of the liquidation, which ensures that work is carried out to high professional standards.



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

As Insolvency Practitioners, we are governed by the Insolvency Act and Rules, together with following best practice guidelines known as Statements of Insolvency Practice. We have certain statutory obligations and duties to fulfil whilst in office, which include notifying various bodies of our appointment, including creditors, Companies House, and to advertise our appointment in the London Gazette. We are also duty bound to correspond with creditors and issue notice of the insolvency event to the likes of the pensions departments, banks and other parties who would have an interest in the proceedings. There is also the duty to bond the case appropriately.

This work does not benefit creditors financially but is necessary in accordance with the Insolvency Act, Rules and best practice.

#### Realisation of assets

A referred to in the Receipts and Payments section above, a refund in the sum of £200 was recovered from Teacher Stern LLP during the period under review.

In addition, the Company had a leasehold property, which was not considered to have a marketable value and, as such, it was necessary to complete the process of disclaiming the lease.

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

Creditors will recall that the sole purpose of moving the Company from Administration to liquidation was to enable a distribution of funds to the Company's unsecured creditors.

In cases where there are sufficient funds to enable a dividend to creditors, we have to undertake certain statutory formalities. This includes writing to all creditors who have not yet lodged a proof of debt and advertising a notice of intended dividend. We also must review the claims and supporting documents received by creditors and formally adjudicate on the claims. This sometimes involves seeking additional supporting documents from creditors who's claims require further review. Thereafter, we must calculate and distribute accordingly, and issue of a notice of dividend to relevant parties.

#### Other matters which includes seeking decisions from creditors (via Deemed Consent Procedure and/or via Decision Procedures), tax, litigation, pensions and travel

During the course of administering the case, we are also required to carry out additional work which doesn't necessarily fall under any of the other categories above. This may includes seeking decisions from creditors in respect of our remuneration, and whether a creditors committee is formed.

We are also required to submit VAT and Tax returns when appropriate in order to reclaim monies for the estate and pay over any taxes due to HMRC. We are also duty bound to provide notifications and further assistance to pensions departments where applicable.

There may not be any obvious financial benefit to creditors, but all work carried out would be necessary for the administration and progression of the case.

## 5. ESTIMATED OUTCOME FOR CREDITORS

Details of the sums owed to each class of the Company's creditors were provided in the Director's statement of affairs included in the Statement of Proposals of the former Administrators.

### **Secured Creditors**

There are no secured creditors.

### **Preferential Creditors**

Preferential creditors were paid in full during the Administration.

### **Unsecured Creditors**

A first and final dividend of 0.01623 pence in the pound has been declared and paid to unsecured creditors with agreed claims. Claims of 94 creditors, totalling £3,645,440.49, were admitted for dividend purposes. The total amount distributed to unsecured creditors with agreed claims was £59,160.00.

There are insufficient funds to pay a further dividend as the balance of funds realised have already been distributed or used or allocated to defray the expenses of the liquidation.

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

Section 176A of the Act 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.

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, as the prescribed part provisions do not apply.

## **6. REMUNERATION & EXPENSES**

At the outset of the liquidation, the following resolutions were sought from creditors, and obtained by creditors via a Decision Procedure by way of correspondence on 22 December 2020:

1. THAT the Joint Liquidators' fees estimate for further work after 2 December 2020 is noted and IT IS DECIDED THAT their remuneration be fixed by reference to the time given by them and the various grades of their staff according to their firm's usual charge out rates in attending to matters arising in the liquidation, and that they be authorised to draw their post appointment time costs incurred to date of £12,552, as reported, and such further remuneration, per the fees estimate, up to an additional £33,005, as and when funds are available.
2. THAT the Joint Liquidators be authorised to draw category 2 disbursements in accordance with his published tariff, details of which accompanied the Decision Notice.

Our time costs for the period from 30 October 2020 to 29 October 2021 amount to £46,967.50, which represents 139.2 hours, at an average rate of £337.41 per hour.

A Time Costs Analysis for the period 30 October 2020 to 29 October 2021 is set out at Appendix 2.

To 29 October 2021, we have drawn the total sum of £5,467.00 on account of our remuneration.

Our firm's current hourly charge-out rates applicable to this appointment, which are charged in units of 6 minutes exclusive of VAT, are as follows:

	£
Senior / Managing Partners	550
Partners/Office holders	495
Managers / Senior Managers	350 - 395
Senior Administrators	220 - 295
Administrators	160 - 200
Cashiers and Assistants	150 - 295
Support Staff	120 – 150

### **Time Costs Analysis**

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.

As can be seen from the information above, our time costs incurred have exceeded the limit of our approved remuneration. However, we do not intend to creditors' approval to increase our remuneration at this stage. For the avoidance of any doubt, we have not drawn any remuneration in excess of the level approved.

A copy of 'A Creditors' Guide to Liquidators Fees (E&W) 2017' 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](http://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**

### **Expenses**

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

### **Expenses actually incurred compared to those that were anticipated**

Creditors will recall that we estimated that the expenses of the liquidation would total £200.00. This estimate has not been exceeded. However, the expenses that we have paid so far have exceeded that estimate, as a result of the various expenses, which have been paid during the Liquidation, but are in respect of expenses incurred during the Administration period.

## **8. 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 creditors?**

Following submission of this Report, we intend to send to any unclaimed dividends to the Insolvency Service and finalise the administration of the liquidation.

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

Any additional costs incurred in closing this matter are expected to be nominal.

#### **Expenses**

Any additional expenses incurred in closing this matter are also expected to be nominal and are detailed at Appendix 3.

#### **What is the anticipated payment for administering the case in full?**

We estimated that the cost of administering the liquidation would be in the region of £45,557.00, and approval has been received by the creditors to draw our remuneration up to that level.

However, the remuneration that we can draw in the liquidation is limited to the amount that has been transferred from the Administrators, together with any amounts realised during the liquidation, less any costs incurred. At this stage in the Liquidation, we can estimate that total remuneration to be drawn by the liquidators will be in the region of £44,800.00 and that all additional costs incurred over and above that level will be written off.

However, please note that should there be additional or unexpected asset realisations, we will look to draw our remuneration from those too, capped at the level that the creditors approve.

## **9. OTHER RELEVANT INFORMATION**

#### **Connected party transactions**

There have not been any sales of the Company's assets to connected parties during the period under review.

#### **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.

## **10. CREDITORS' RIGHTS**

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

Pursuant to Rule 18.9 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 incurred during the period of this progress report.

### **Right to make an application to court**

Pursuant to Rule 18.34 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 expenses incurred during the period of 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.

A handwritten signature in black ink, consisting of a stylized 'P' followed by a long horizontal stroke.

**Paul Appleton**  
Joint Liquidator

Dated: 15 December 2021

APPENDIX 1

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## ACCOUNT OF RECEIPTS AND PAYMENTS

Period: 30 October 2020 to 29 October 2021

RECEIPTS

Refund/Recovery	200.00
Balance from Administration	230,060.11
Bank Interest Gross	12.37
	<hr/>
	230,272.48

PAYMENTS

Joint Administrators' Remuneration	82,033.00
Joint Liquidators' Remuneration	5,467.00
Agents Fees	3,980.50
VAT	40,036.50
Statutory Advertising	189.00
Corporation Tax	55.86
Bank Charges	15.00
	<hr/>
	(131,776.86)

DISTRIBUTIONS TO CREDITORS

Unsecured Creditors	59,160.00
	<hr/>
	(59,160.00)

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39,335.62

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REPRESENTED BY

Vat Receivable	18,333.90
Current Account	21,001.72
	<hr/>
	39,335.62
	<hr/>



## STATEMENT OF EXPENSES

Expenses incurred during the period of this progress report

Type of expense	Name of party with whom expense incurred	Amount incurred £	Amount discharged £	Balance (to be discharged) £
Statutory Advertising	Courts Advertising Ltd	189.00	189.00	

Additional expenses anticipated for future work

Expenses anticipated to be incurred prior to closure of the case	Name of party with whom expense anticipated to be incurred	Amount estimated to cost £
ISA Unclaimed Dividend Fund Fee	The Insolvency Service	50.00