

LIQ03

Notice of progress report in voluntary winding up



Companies House

For further information, please

FRIDAY



A13 *A7WG4ANC* 04/01/2019 #102
COMPANIES HOUSE

Please complete in typescript or in
bold black capitals.

1 Company details

Company number 0 1 1 6 0 0 9 4

Company name in full Arun Sails Limited

2 Liquidator's name

Full forename(s) Kevin

Surname Lucas

3 Liquidator's address

Building name/number 2 Pacific Court

Street Atlantic Street

Post town Altrincham

County/Region Cheshire

Postcode W A 1 4 5 B J

Country

4 Liquidator's name ①

Full forename(s)

Surname

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

5 Liquidator's address ②

Building name/number

Street

Post town

County/Region



Postcode

Country

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

LIQ03

Notice of progress report in voluntary winding up

6	Period of progress report															
From date	d	1	d	7	m	1	m	1	y	2	y	0	y	1	y	7
To date	d	1	d	6	m	1	m	1	y	2	y	0	y	1	y	8
7	Progress report															
<input checked="" type="checkbox"/> The progress report is attached																
8	Sign and date															
Liquidator's signature	Signature															
																
Signature date	d		d		m		m		y		y		y		y	

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

Company name

Lucas Johnson Limited

Address

2 Pacific Court

Pacific Road

Post town

Atlantic Street

County/Region

Altrincham

Postcode

C h e s h i r e

Country

DX

Telephone

0161 929 8666



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

ARUN SAILS LIMITED - IN LIQUIDATION

**Liquidator's third Annual Progress Report pursuant to Section 104A of the Insolvency Act 1986
For the period from 17 November 2017 to 16 November 2018**

**ARUN SAILS LIMITED - IN LIQUIDATION
FOR THE PERIOD FROM 17 NOVEMBER 2017 TO 16 NOVEMBER 2018**

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Receipts and Payments Account

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**ARUN SAILS LIMITED - IN LIQUIDATION
FOR THE PERIOD FROM 17 NOVEMBER 2017 TO 16 NOVEMBER 2018**

1. STATUTORY INFORMATION

Date of Winding Up Resolution:	17 November 2015
Name of Liquidator:	Kevin Lucas of Lucas Johnson Limited, 2 Pacific Court, Pacific Road, Atlantic Street, Altrincham, Cheshire WA14 5BJ
Date of Appointment:	17 November 2015
Company Name:	Arun Sails Limited ("the Company")
Trading Styles:	N/a
Registered Number:	01160094
Registered Office:	2 Pacific Court, Pacific Road, Atlantic Street, Altrincham, Cheshire, WA14 5BJ
Changes in Office Holder:	None

2. INTRODUCTION

- 2.1 A resolution to wind up the above Company was passed on 17 November 2015, when Kevin Lucas was appointed Liquidator.
- 2.2 This is the third annual progress report to creditors and covers the period from 17 November 2017 to 16 November 2018 and is issued pursuant to Section 104A of the Insolvency Act to provide creditors with an update on the progress of the Liquidation. This report should be read in conjunction with the Liquidator's previous reports.
- 2.3 References in this report to rules and sections are, unless expressly provided otherwise, respectively references to the rules of the Insolvency (England & Wales) Rules 2016 and to sections of the Insolvency Act 1986.

3. PROGRESS OF THE LIQUIDATION DURING THE REPORTING PERIOD

Book Debts

- 3.1 As previously advised, the director's Statement of Affairs ("S of A") detailed book debts with a realisable value of £30,366. The Liquidator wrote again to all the outstanding debtors requesting payment and the sum of £336 was realised in the period.
- 3.2 A significant number of debtors disputed the amounts due or advised that they had been paid prior to the liquidation; evidence of payment was provided in most cases. The remainder of the debts relate to small number of amounts under £500 and it is not considered cost effective to pursue these further. No further realisations are therefore anticipated in this respect.

**ARUN SAILS LIMITED - IN LIQUIDATION
FOR THE PERIOD FROM 17 NOVEMBER 2017 TO 16 NOVEMBER 2018**

Director's Loan Account

- 3.3 The Liquidator has continued to investigate the position on the potential overdrawn director's loan account. An update will be provided in the next progress report.

Future Realisations

- 3.4 The only potential future realisation is in respect of the overdrawn director's loan account.

4. RECEIPTS AND PAYMENTS ACCOUNT

- 4.1 A Receipts and Payments Account for the period is attached at Appendix 1.

5. LIQUIDATOR'S REMUNERATION, DISBURSEMENTS AND EXPENSES

Remuneration

- 5.1 The basis upon which the Liquidator charges remuneration was agreed by creditors by resolution obtained by correspondence dated 28 June 2016. Creditors agreed that the Liquidator could draw remuneration based on the time spent by the Liquidator and his staff in attending to matters arising in the Liquidation, plus VAT and disbursements.
- 5.2 The Liquidator's time costs for the period 17 November 2017 to 16 November 2018 are £9,755.00 and are shown in more detail in Appendix 2. This represents 50.9 hours at an average hourly rate of £191.65. Time has been mainly spent on Realisation of Assets; below is further guidance on the work involved for each category:

Category	Description of work undertaken
Admin & Planning	Dealing with Statutory reporting and filing requirements, including the annual report to creditors and HMRC returns; maintenance of records & files, case strategy and reviews.
Realisation of Assets	Correspondence with the book debtors including numerous telephone calls and letters disputing the amounts due. Continued investigation into the extent of the Director's loan account.
Creditors	Dealing with matters in relation to creditors' queries.

- 5.3 The Liquidator's total time costs to date since the commencement of the Liquidation are £38,582.50. This represents 189.8 hours at an average hourly rate of £203.28.
- 5.4 The Liquidator has drawn remuneration of £2,500 in the period of this report.

Disbursements

- 5.5 Disbursements incurred by the Liquidator are split into two categories:
- Category 1 disbursements are items of specific expenditure that are directly related to the case, where exact costs can be ascertained and recharged without profit, and are usually referable to an independent external supplier's invoice.
 - Category 2 disbursements are additional items of incidental expenditure that relate to the estate but are either not directly attributable, or include an element of shared or allocated cost and which are based on a reasonable method of calculation. These have been previously approved by creditors by resolution obtained by correspondence and details of rates can be seen at Appendix 3.

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- 5.6 No Category 1 disbursements have been incurred or recharged in the period.
- 5.7 Category 2 disbursements incurred are shown at Appendix 2. As required by Statement of Insolvency Practice Number 9, a schedule of the Liquidator's charge out rates and disbursement charging policies is shown at Appendix 3.
- 5.8 During the period no Category 2 disbursements have been drawn.
- 5.9 A copy of 'A Creditors' Guide to Liquidators' Fees' which provides guidance on creditors' rights on how to approve and monitor a Liquidator's remuneration and on how the remuneration is set is available at <http://www.lucasjohnson.co.uk/downloads/fee-guides/>. Alternatively, if you require a hard copy of the Guide, please contact the Liquidator's office.

Expenses

- 5.10 No Liquidator's expenses have been incurred or paid during the reporting period.

6. OTHER MATTERS AND INFORMATION TO ASSIST CREDITORS

Outcome for Secured Creditors

- 6.1 The S of A did not include details of any charges. However the Company's records, and the information held at Companies House, indicates that there was a fixed and floating charge debenture in favour of Barclays Bank plc ("Barclays") dated 12 October 1989.
- 6.2 It is not believed that there is any liability to Barclays and the Company banked with National Westminster Bank plc at the date of the liquidation. However, a certificate of satisfaction has not been filed at Companies House.

Outcome for Preferential Creditors

- 6.3 The S of A detailed that there were preferential creditors of £4,070 in respect of arrears of wages and holiday pay. A claim of £2,002 has been received from Redundancy Payments Service in this respect.
- 6.4 There is no prospect of a dividend to preferential creditors in this matter as the funds realised have already been used or allocated for defraying the expenses of the liquidation.

Prescribed Part pursuant to Section 176A of the Act

- 6.5 Under Section 176A of the Act a Liquidator is required to set aside a proportion of the realisations for unsecured creditors where there is a secured creditor who holds a qualifying floating charge created on or after 15 September 2003. This is known as the Prescribed Part.
- 6.6 As there are no qualifying floating charges registered at Companies House, the Prescribed Part does not apply in this matter.

Outcome for Unsecured Creditors

- 6.7 The S of A detailed unsecured creditors of £183,173. As at the date of this report, claims totalling £205,621 have been received from unsecured creditors.

ARUN SAILS LIMITED - IN LIQUIDATION
FOR THE PERIOD FROM 17 NOVEMBER 2017 TO 16 NOVEMBER 2018

- 6.8 There is no likelihood of a distribution to unsecured creditors as the funds realised have already been used or allocated for defraying the expenses of the liquidation.

Creditors' rights

- 6.9 In accordance with Rule 18.34 of the Rules, any secured creditor, or any unsecured creditor with either the concurrence of at least 10% in value of the creditors or the permission of the court, may, where it is believed the basis or quantum of remuneration or expenses charged by the Liquidator are, in all the circumstances, excessive or inappropriate, apply to the court within the prescribed period for an order adjusting the remuneration or expenses.
- 6.10 In accordance with Rule 18.9 of the Rules a secured creditor, or an unsecured creditor with either the concurrence of at least 5% in value of the unsecured creditors or the permission of the court has the right to make a request in writing to the Liquidator for further information about remuneration or expenses set out in this progress report. If no response is received within 14 days any creditor has the right to apply to court within the subsequent 21 day period for the court to make such order as it thinks just.

Next Report to Creditors

- 6.11 The next report to creditors will be sent out to creditors following the next anniversary of the Liquidation or the conclusion of the winding up, whichever may be sooner.

Kevin Lucas
Liquidator

02 January 2019

APPENDIX 1 – RECEIPTS AND PAYMENTS ACCOUNT

ARUN SAILS LIMITED - IN LIQUIDATION

RECEIPTS AND PAYMENTS ACCOUNT FOR THE PERIOD 17 NOVEMBER 2017 TO 16 NOVEMBER 2018

Arun Sails Limited
(In Liquidation)
Liquidator's Summary of Receipts & Payments

Statement of Affairs £		From 17/11/2017 To 16/11/2018 £	From 17/11/2015 To 16/11/2018 £
	ASSET REALISATIONS		
3,100.00	Plant & Machinery	NIL	7,200.00
100.00	Office Furniture and Equipment	NIL	300.00
30,365.72	Book Debts	336.00	6,372.17
	Director's Loan Account	NIL	NIL
	Cash at Bank	NIL	1,737.19
	Third Party Funds	NIL	32.59
	Bank Interest Gross	0.45	6.27
	Refund of Services	NIL	498.64
	Domain Name	NIL	625.00
		336.45	16,771.86
	COST OF REALISATIONS		
	Specific Bond	NIL	130.00
	Statement of Affairs Fee	NIL	5,000.00
	Liquidators Fees	2,500.00	8,500.00
	Liquidators Disbursements	NIL	536.36
	Agents/Valuers Disbursements	NIL	10.00
	Agents/Valuers Fees	NIL	1,342.50
	Insurance of Assets	NIL	109.50
		(2,500.00)	(15,628.36)
	PREFERENTIAL CREDITORS		
(4,060.00)	Employee Arrears/Hol Pay - RPO	NIL	NIL
(10.00)	Employee Arrears/Hol Pay	NIL	NIL
		NIL	NIL
	UNSECURED CREDITORS		
(57,294.44)	Trade & Expense Creditors	NIL	NIL
(26,870.00)	Employees - RPO	NIL	NIL
(4,009.00)	Employees	NIL	NIL
(86,000.00)	Directors Loan Account	NIL	NIL
(9,000.00)	HM Revenue & Customs - VAT	NIL	NIL
Uncertain	Lease dilapidations clause	NIL	NIL
		NIL	NIL
	DISTRIBUTIONS		
(7,500.00)	Ordinary Shareholders	NIL	NIL
		NIL	NIL
(161,177.72)		(2,163.55)	1,143.50
	REPRESENTED BY		
	Bank 1 Current		1,143.50
			1,143.50

APPENDIX 2 – SIP 9 TIME ANALYSIS AND CATEGORY 2 DISBURSEMENTS

ARUN SAILS LIMITED - IN LIQUIDATION

TIME ANALYSIS FOR THE PERIOD 17 NOVEMBER 2017 TO 16 NOVEMBER 2018

Time Entry - SIP9 Time & Cost Summary

A0034 - Arun Sails Limited
All Post Appointment Project Codes
From: 17/11/2017 To: 16/11/2018

Classification of Work Function	Partner	Manager	Other Senior Professionals	Assistants & Support Staff	Total Hours	Time Cost (£)	Average Hourly Rate (£)
Admin & Planning	0.40	0.00	2.70	13.30	16.40	2,077.50	126.68
Case Specific Matters	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Creditors	0.00	0.00	0.20	0.10	0.30	55.00	183.33
Investigations	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Pre Appointment	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Realisation of Assets	5.10	0.00	29.10	0.00	34.20	7,622.50	222.88
Trading	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Total Hours	5.50	0.00	32.00	13.40	50.90	9,755.00	191.65
Total Fees Claimed						5,000.00	
Total Disbursements Claimed						480.14	

Time Entry - SIP9 Time & Cost Summary

Category 2 Disbursements

A0034 - Arun Salls Limited
From: 17/11/2017 To: 16/11/2018

Other amounts paid or payable to the office holders firm or to party in which the office holder or his firm or any associate has an interest.

Transaction Date	Type and Purpose	Amount
16/01/2018	Photocopying and Stationery, Postage and Stationery	400.00
Total		400.00

APPENDIX 3 – LUCAS JOHNSON

CHARGE OUT RATES AND DISBURSEMENT POLICY EFFECTIVE FROM 1 JANUARY 2016

Fee Accrual

The Office Holder is the general name for the Insolvency Practitioner dealing with the case affairs.
In accordance with the Act and the Rules, the Office Holder shall charge appropriate fees for dealing with the case affairs.

It is usual practice for the agreement of fees to be sought on the basis of time properly incurred in dealing with the case. However on occasion it is necessary to seek agreement of fees as a fixed percentage of assets realised and/or distributions made, or indeed a defined fixed fee.

The precise basis of how fees are to be incurred will be formally given to creditors prior to agreement being sought.

The legal agreement and basis upon which post appointment fees are agreed is determined by the relevant category of creditors, details of which are explained within the respective independent creditors' guides to fees.
Unless otherwise advised, fees shall be drawn on account from the case funds as and when realisations allow, subject to agreement.

Estimation of Fees

Where an Office Holder wishes to seek the agreement of fees on a time costs basis, he is required to give creditors full details of not only what he believes such fees to be, but what works shall be done in relation to those fees.

Because it is quite difficult to contemplate what a case will involve before appointment, we have gathered information to work out average time required to complete similar work for this type of appointment.

The fee estimate for time costs has been proposed using average data from this review. This forms the basis of our time costs projection.

This forecast is based upon the firm's policy in relation to the projection of fees for this type of insolvency. Calculations have been made using specific details of the case such as the type of realisations, number of creditors and the anticipated duration of the case prior to closure.

Fees Charged on Fixed Fee Basis

Fixed fees are per matter. For example correspondence with creditors may be charged at a fixed rate of £50 per creditor per annum, similarly employees, directors, shareholders may all be charged on a fixed cost basis per annum. Any costs shown for these fees should not usually change from that guide provided.

Fees on a Percentage Basis

Where it is intended that fees be drawn on a percentage basis, for example the realisation of assets, or the distribution of funds, these fees can only be calculated on the amount of funds to be dealt with. This final fee may therefore be lower than that information provided in our guide or indeed not at all.

Contingent Fees

Contingent fees (where applicable) are those which are only payable on the recovery of a windfall and the later distribution to creditors where a dividend can be paid. All contingent fees, whether for the recovery of a windfall or contingent asset are fixed at 20%.

All future distributions are to be charged at 10%, irrespective of whether the initial forecast shows a distribution to be payable.

Fee Basis

In order to simplify information, the basis for post appointment fee shall simply be referred to as our Fee Policy.

Staff

Each member of staff involved with the case will time charge on an individual basis. The hourly cost of each member of staff shall be calculated in accordance with their experience and resultant grade within the practice.

In view of the complexity of the work involved, it is not practice policy to use sub contractors, however we reserve the right to do so should the case require. Details of any sub contractor used and the reasons why shall be provided within the respective statutory report SIP 9 detail.

VAT

Services provided by Insolvency practitioners are subject to VAT, except when acting as Nominee or Supervisor of an estate.

Our fees will be subject to VAT at the appropriate rate.

Where the case is not registered for VAT, VAT shall be shown as an irrecoverable expense of the estate.

Disbursements

Every case dealt with will incur expenses in addition to fees.

Expenses will cover a number of areas, such as advertising, insolvency practitioner insurance and legal fees.

Where the Office Holder or his firm pays these out of their own funds (e.g. the firm's office account) these will be classed as Disbursements. The Office Holder is required to explain the amount and nature of such disbursements whenever a formal abstract of accounts is produced.

Regulations require that we separate category 1 and 2 disbursements for your information. An explanation of which is as follows:

Category 1 Disbursements:

Category 1 disbursements are expenses directly attributable to the case, where exact costs can be ascertained and recharged without profit. These can, but are not limited to, include insolvency bonds, advertising, company searches, post redirection orders, postage, external room hire, external storage as well as public transport and accommodation costs incurred by staff whilst attending to the administration of the estate.

Category 2 Disbursements

Category 2 disbursements are additional overheads that relate to the estate but are either not directly attributable to it, or the exact cost is not ascertainable and therefore cannot be precisely recharged. These expenses include, inter alia, stationery, photocopying and storage costs.

Any authorised category 2 disbursements which have been charged shall be shown in the statutory abstract of accounts.

The following are a current schedule of category 2 disbursements which may (*) be charged by Lucas Johnson

- Mileage shall be recharged at 50pence per mile
- Destruction of boxes shall be recovered as a category 1 expense; and
- Storage of books and records at £30 per box per annum
- Fixed charge for the issue of each circular at £10 per relevant party per annum.
- Internal meeting room (where required) charged at £50 per hour or part thereof.

(*) Lucas Johnson does not ordinarily recover all category 2 disbursements, but reserves the right to do so, where such disbursements are substantial and appropriate sanction has been obtained.

The following items of expenditure will normally be treated as general office overheads by the Office Holder and will not be charged to the case:

- Telephone and facsimile
- Printing and photocopying
- Stationery
- Email addresses or telephone numbers set up and used exclusively for the case
- Destruction of boxes

Disclosure of Use of Connected Parties

Please note that where it is necessary to use the services of an external agent who is associated to the Office Holder's business by way of common directors and/or shareholders, it is advised by law, that this shown as a category 2 disbursement. Kindly note that no additional profit element will be charged in regard to these services, if applicable. At the effective date of this policy, the Office Holder had no connection with any external agent.

Charge Out Rates

A table of current hourly charge out rates are provided below:

Charges for usual cases	(£)
Partner/Director/Consultant	350
Manager/Senior Manager	250-275
Assistant Manager	225
Administrator/Senior Administrator	150-200
Cashier ^(#)	100
Junior and Support Staff	100

A table of hourly charge out rates prior to 31 December 2015 provided below:

Charges for usual cases	(£)
Partner/Director/Consultant	300
Manager/Senior Manager	200-250
Assistant Manager	190
Administrator/Senior Administrator	125-175
Cashier ^(#)	75
Junior and Support Staff	75

(#) Please note that time charged by our cashiers relates only to accounting matters relevant to the case.

The basis upon which the Office Holder determines the appropriate charge out rate on the complexity of the case is detailed in the respective independent creditors' guides to fees, available to download from our company website or by email from this office.

Further, the Office Holder reserves the right to uplift both the hourly rates and category 2 disbursements periodically without further recourse to the creditors. By law, such increases must be disclosed to creditors within each statutory report.

Support Staff

In an effort to minimise costs to the case, it is necessary to use support staff to undertake certain matters. Support staff time is charged in the same manner as technical staff on the rates outlined above.

Recording of Fees

Time is formally recorded in prescribed categories in units of 6 minutes. All units of time properly spent, shall be recorded on a formal time management system and retained throughout appointment, irrespective of the basis of fees.

Reporting of Fees

All reports and correspondence detailing fees incurred and indeed drawn will provide the legal basis upon which fees have been incurred and from whom sanction was given in relation to those fees.

Such information shall be contained within statutory progress reports and be in the prescribed form. When providing such a report, under existing insolvency regulations, creditors are able to request further and better particulars of fees and disbursements where they believe further explanation is required.

The exact basis of how requisite members and creditors may request such information will be attached with each statutory progress report subsequently issued.

Code of Ethics

I am required to advise you at the earliest opportunity, that I am bound by the Code of Ethics of my regulator ICAEW.