### **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

01560525

Name of Company

Dagenham Motors Limited

I<del>/We</del> Sean K Croston 30 Finsbury Square London EC2P 2YU

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

The Progress Report covers the period from 25/08/2011 to 24/08/2012

Signed

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Grant Thornton UK LLP 30 Finsbury Square London EC2P 2YU

Ref F22032B/SKC/MJS/CTM/EZF



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Recovery and Reorganisation Corporate Simplification Group

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23 October 2012

Dear Sirs

# Dagenham Motors Limited - In Member's Voluntary Liquidation (the Company)

I refer to my appointment as liquidator of the Company by its shareholder on 25 August 2011

I am now in a position to report on the progress of the liquidation for the period from 25 August 2011 to 24 August 2012 I attach

- Appendix 1, the information prescribed under the Insolvency Act 1986, relating to the Company,
- Appendix 2, an account of my receipts and payments in the liquidation,
- Appendix 3, an extract from the Insolvency Rules 1986, relating to the members' rights to request additional information from the liquidator, and
- Appendix 4, an extract from the Insolvency Rules 1986, relating to members' rights to challenge the liquidator's fees if excessive

#### Realisation and distribution of assets

The directors' statutory declaration of solvency made on 25 August 2011, disclosed that the Company had assets of £19,829,622, comprising an inter-company receivable due from Ford Retail Limited

I attach at Appendix 2 an account of my receipts and payments for the period to 24 August 2012 On 25 August 2011, the Company's assets were distributed in specie to the sole shareholder by way of a deed of distribution. The value placed upon the distribution was based upon the management accounts for the period ended 31 July 2011 and the declaration of solvency dated 25 August 2011.

In January 2012, I received details of an Industrial Injury claim against the Company, which I forwarded to Ford Retail Europe, for it to be referred to the relevant insurers. I await confirmation from the insurers as to whether the claim has been settled and I may proceed to close the liquidation

In April 2012, I received clearance from HM Revenue & Customs (HMRC) to close the liquidation of the Company

Chartered Accountants

Mombor firm within Grant Thornton International List

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I have received a number of "PPI" insurance claims from specialist claims firms. These have been rejected on the basis that they post-date the group re-organisation and have been brought against "Dagenham Motors", being the generic trading style of the group. I will continue to reject all such claims brought against the Company

#### Liquidator's fees and disbursements

My fees and disbursements for the liquidation are being met by a third party

The time costs for this liquidation for the period from 25 August 2011 to 24 August 2012, are £4,324 and the expenses (statutory bonding and advertising) are £411 80 I have requested a fee of £2,000 plus VAT and expenses of £411 80 plus VAT

I attach at Appendix 5, a copy of Rule 4 148C of the Insolvency Rules 1986, relating to a liquidator's remuneration, edited for members' voluntary liquidations

Please contact Mike J Smith on the contact details shown in Appendix 1, if you have any queries in relation to the content of, or enclosures to, this letter

Yours faithfully for and on behalf of Dagenham Motors Limited

Sean K Croston Liquidator **Appendix 1 - Prescribed information** 

Company name

Dagenham Motors Limited

Registered number

01560525

Registered office

No 1 Dorset Street, Southampton, SO15 2DP

Names of liquidator

Sean K Croston

Address of liquidator

Grant Thornton UK LLP

30 Finsbury Square,

London, EC2P 2YU

Liquidators' office-holder number

8930

Date of appointment of liquidator

25 August 2011

Details of any changes of liquidator

None

Telephone and email contact details for

the liquidator

Mike J Smith on 020 7728 2496 Email mike j smith@uk gt com

#### Appendix 2 - Abstract of the liquidator's receipts and payments

Declaration From 25/08/2011 of Solvency To 24/08/2012

£

RECEIPTS
Inter-company debt (in specie) 19,829,622 19,829,622

PAYMENTS
In specie distribution to shareholder (19,829,622)

#### Note:

The distribution in specie referred to above was valued by reference to the management accounts for the period ended 31 July 2011 and the declaration of solvency dated 25 August 2011

# Appendix 3 - Rule 4.49E: Members' request for further information (edited for application to a members' voluntary liquidation)

- 1 Members of the company with at least 5% of the total voting rights of all the members having the right to vote at general meetings of the company, or with the permission of the court upon an application, may make a request in writing to the liquidator for further information about remuneration or expenses set out in this report
- 2 The periods in which the request or application should be made are:
  - (a) 7 business days of receipt (by the last of them in the case of an application by more than one member) of the notice and account of his administration of the winding-up where it relates to the resignation of the liquidator under Rule 4 142, and
  - (b) 21 days of receipt (by the last of them in the case of an application by more than one member) of the report or draft report in any other case
- 3 The liquidator must, within 14 days of receipt of the request, either
  - (a) provide all of the information asked for, or
  - (b) so far as the liquidator considers that
  - (1) the time or cost of preparation of the information would be excessive, or
  - (ii) 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
  - (iii) the liquidator is subject to an obligation of confidentiality in respect of the information,
  - give reasons for not providing all of the information
- 4 Any member of the company, who need not be the same as the member(s) who asked for the information, may apply to the court within 21 days of the giving by the liquidator of reasons for not providing all of the information asked for, or the expiry of the 14 days from the date the information was requested, and the court may make such order as it thinks just

# Appendix 4 - Rule 4.148C: Members' claim that a liquidator's remuneration is excessive (edited for application to a members' voluntary liquidation)

- 1 Members of the company with at least 10% of the total voting rights of all the members having the right to vote at general meetings of the company, or any member with the permission of the court, may apply to the court for one or more of the orders in paragraph 6 on the grounds that
  - (a) the remuneration charged by the liquidator,
  - (b) the basis fixed for the liquidator's remuneration under Rule 4 148A, or
  - (c) expenses incurred by the liquidator,
  - is or are, in all the circumstances, excessive or, in the case of an application under sub-paragraph (b), inappropriate
- 2 An application must be made no later than 8 weeks (or 4 weeks when the liquidator has resigned in accordance with Rule 4 142) after receipt by the applicant of the report or account which first reports the charging of the remuneration or the incurring of the expenses in question ('the relevant report') The court may extend these periods as it sees fit
- 3 The court may, if it thinks that no sufficient cause is shown for a reduction, dismiss the application, but it must not do so unless the applicant has had the opportunity to attend the court for a hearing of which the applicant has been given at least 5 business days' notice but which is without notice to any other party
- 4 If the application is not dismissed under paragraph 3, the court must fix a venue for it to be heard and give notice to the applicant accordingly
- 5 The applicant must at least 14 days before the hearing send to the liquidator a notice stating the venue and accompanied by a copy of the application and of any evidence which the applicant intends to adduce in support of it
- 6 If the court considers the application to be well-founded, it must make one or more of the following orders
  - (a) an order reducing the amount of remuneration, which the liquidator was entitled to charge,
  - (b) an order fixing the basis of remuneration at a reduced rate or amount,
  - (c) an order changing the basis of remuneration,
  - (d) an order that some or all of the remuneration or expenses in question be treated as not being expenses of the liquidation,
  - (e) an order that the liquidator or the liquidator's personal representative pay to the company the amount of the excess of remuneration or expenses or such part of the excess as the court may specify,
  - and may make any other order that it thinks just, but an order under sub-paragraph (b) or (c) may be made only in respect of periods after the period covered by the relevant report
- 7 Unless the court orders otherwise, the costs of the application must be paid by the applicant and are not payable as an expense of the liquidation