

LIQ03

Notice of progress report in voluntary winding up



Companies House

FRIDAY



A20 *A7FF4549* 28/09/2018 #358
COMPANIES HOUSE

1	Company details		→ Filling in this form Please complete in typescript or in bold black capitals.
Company number	0 1 6 1 1 6 1 6		
Company name in full	Fanhear Limited		
2	Liquidator's name		
Full forename(s)	Matthew Douglas		
Surname	Hardy		
3	Liquidator's address		
Building name/number	30 St. Paul's Square		
Street	Birmingham		
Post town	West Midlands		
County/Region			
Postcode	B 3 1 Q Z		
Country			
4	Liquidator's name ①		
Full forename(s)			① Other liquidator Use this section to tell us about another liquidator.
Surname			
5	Liquidator's address ②		
Building name/number			② Other liquidator Use this section to tell us about another liquidator.
Street			
Post town			
County/Region			
Postcode			
Country			

LIQ03

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6

Period of progress report

From date

^d3^d0^m0^m8^y2^y0^y1^y7

To date

^d2^d9^m0^m8^y2^y0^y1^y8

7

Progress report

☒ The progress report is attached

8

Sign and date

Liquidator's signature

Signature

X

M. D. Hardy

X

Signature date

^d2^d6^m0^m9^y2^y0^y1^y8

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

Statement of Affairs £		From 30/08/2017 To 29/08/2018 £	From 30/08/2016 To 29/08/2018 £
	ASSETS NOT PLEDGED		
6,000.00	Cash in Hand	NIL	6,000 00
2,327.48	Cash at Bank	NIL	1,967 78
NIL	Plant & Machinery	NIL	NIL
NIL	Stock in Trade	NIL	NIL
NIL	Corporation Tax Refund	NIL	NIL
	Insurance Settlement	NIL	4,101.80
		NIL	12,069.58
	COST OF REALISATIONS		
	Statutory Advertising	NIL	237.00
	Statement of Affairs Fee	NIL	2,500.00
	Stationery, Printing & Carriage	NIL	8.48
	Specific Bond	NIL	35 00
	Accountancy Fees	NIL	500.00
	Liquidator's Fees (Percentage Basis)	NIL	1,025.45
	Liquidators Fees (Fixed Basis)	NIL	7,500.00
		NIL	(11,805.93)
	UNSECURED CREDITORS		
(2,520.00)	Trade & Expense Creditors	NIL	NIL
(135,274 00)	HM Revenue & Customs - APN	NIL	NIL
(3,946.81)	HM Revenue & Customs - VAT	NIL	NIL
(407 00)	Loan Accounts	NIL	NIL
		NIL	NIL
	DISTRIBUTIONS		
(100.00)	Ordinary Shareholders	NIL	NIL
		NIL	NIL
(133,920.33)		NIL	263.65
	REPRESENTED BY		
	Estate Bank A/c Non Interest Bearing		263 65
			263.65

M. D. Hardy

Matthew Douglas Hardy
Liquidator

TO ALL KNOWN MEMBERS AND CREDITORS

Our Ref: MDH/GJB/SLH/JS/LG/F4I/CVLIR161500

26 September 2018

Dear Sirs

Fanhear Limited ("the Company") – In Creditors' Voluntary Liquidation

I am pleased to provide my Annual Progress Report in the above matter.

Creditors will recall that M T Coyne was appointed as Liquidator of the Company on 30 August 2016. However, Mr Coyne was replaced by myself, M D Hardy, by an Order of the Court dated 29 November 2016. A copy of the Order is available on written request.

I attach at **Appendix A** statutory information that I am obliged to provide.

Executive Summary

The Company undertook contracts for maintenance works in various locations around the UK. It held few assets, mainly aged items and its main asset at cessation was cash held in its current bank account.

My duties and functions as Liquidator are the realisation of the Company's assets, the agreement of the claims of Creditors, investigation of the Directors' conduct and the Company's affairs generally, and the eventual distribution of the Liquidation funds between the Creditors in accordance with their legal entitlements if there are sufficient funds to do so.

However, due to the limited nature of the Company's assets, a dividend to Creditors was unlikely.

Liquidator's Actions Since Last Report

As Creditors will recall from my last report, the Company records showed that it was due a Corporation Tax ("CT") refund which was being withheld by HM Revenue & Customs in lieu of the conclusion of their investigation into an Employee Benefit Trust. After a number of discussions with the Accountants and HMRC undertaken by Mr Coyne and his staff, I received notification in January 2017 that the Accelerated Payment Notice had been withdrawn. Accordingly, I instructed the Company's former Accountants to revisit the position with regards to the CT refund that could now be repaid to the Company.

However, following much correspondence between myself, the Accountants and HMRC, HMRC have advised that their investigations, in fact, remain ongoing and that until these are satisfied, they will not release the CT refund. I have referred this to the Accountants for further review and am currently awaiting their response

Continued

During this reporting period, I have completed all statutory returns required of me as Liquidator and I have also completed and filed all necessary returns with HMRC.

Receipts and Payments

I attach my Receipts and Payments Account for the current reporting period from 30 August 2017 to 29 August 2018. The account also represents the cumulative position for the entire period of the Liquidation being 30 August 2016 to 29 August 2018. The balance of funds are held in a non-interest bearing estate bank account.

Assets

No further assets have been realised. The position with regards to the refund of CT remains *uncertain*.

Investigation

During a previous reporting period, I undertook an initial investigation into the Company's affairs to establish whether there were any potential asset recoveries or conduct matters that justified further investigation, taking account of the public interest, potential recoveries, the funds likely to be available to fund an investigation, and the costs involved. Specifically, I recovered, listed and reviewed the Company's accounting records; obtained and reviewed copy bank statements for the 12 months prior to the Company ceasing to trade from the Company's bankers; and compared the information in the Company's last set of accounts with that contained in the Statement of Affairs lodged in the Liquidation and made enquiries about the reasons for the changes.

There were no matters that justified further investigation in the circumstances of this appointment.

In accordance with my statutory duties I am required, within three months of my appointment, to submit a confidential report to the Secretary of State in relation to the conduct of any past or present Director. I would confirm that my report was submitted during a previous reporting period in satisfaction of this requirement.

Costs of Liquidation

Professional Fees

Professional Advisors have been engaged to provide assistance during the course of the Liquidation.

As advised above, I instructed Jerroms, the Company's former Accountants and a firm regulated by the Institute of Chartered Accountants in England and Wales, to assist with the recovery of a Corporation Tax refund. They were deemed to be the most suitable choice as they have a full knowledge of the Company and had completed all previous returns for the Company. They have confirmed that they hold adequate professional indemnity insurance.

It was agreed that a payment would be made to Jerroms if the CT refund was secured. To date, as reported above, no such refund has been made by HMRC and one is now not likely. A summary setting out further details including the scope of their engagement, fees paid and future costs anticipated is attached at **Appendix B**.

The choice of professionals used is based on their experience and ability to perform this type of work, the complexity and nature of the assignment and the basis of my fee arrangement with them. The fees charged have been reviewed and I am satisfied that they have been reasonable in the circumstances of the case.

Continued

Pre-Appointment Remuneration

The Creditors previously authorised the payment of a fee of £2,500 for my assistance with preparing the Statement of Affairs and arranging the meeting of Creditors to appoint a Liquidator.

The fee for preparing the Statement of Affairs and arranging a meeting of Creditors to appoint a Liquidator was paid from first realisations in a previous reporting period and is shown in the enclosed Receipts and Payments account.

Creditors also resolved to approve the costs of the Company Accountants, Jerroms, for their assistance in the preparation of the Statement of Affairs. I would confirm that their fee, in the approved amount of £500 was settled in full in a previous reporting period.

Liquidator's Expenses

I have incurred expenses of £30 in the current reporting period being 30 August 2017 to 29 August 2018. No expenses have been drawn during this period. A summary of the expenses in this matter can be found at **Appendix C**.

I obtained approval from the Creditors on 3 October 2016, to draw Category 2 disbursements in this matter.

As at 29 August 2018, I do not anticipate that the expenses I will incur in this matter will exceed the total expenses I estimated I would incur when my remuneration was authorised by the Creditors.

Liquidator's Remuneration

The Liquidator's remuneration was approved on a fixed fee of £7,500 for all of the standard work performed in respect of the Liquidation. This amount has been drawn in full, being £7,500 during a previous reporting period, in respect of work done for which fees were approved as a fixed fee. No further fees will be drawn in this respect.

The Liquidator was also authorised to draw 25% in respect of all realisations in the Liquidation but excluding the cash held by this Firm prior to the appointment and also the cash at bank. Based on the realisations that have been achieved to 29 August 2018, the Liquidator is entitled to remuneration of £1,025. This amount was drawn in full in a previous reporting period. If realisations are made in respect of the CT refund, then further fees may be drawn. However, at this time, this is unlikely.

There is certain work that I am required by the insolvency legislation to undertake in connection with the Liquidation that provides no financial benefit for the Creditors. A description of the routine work undertaken since my appointment as Liquidator is contained in **Appendix D**.

Outcome for Creditors

Secured & Preferential Creditors

There were no Secured or Preferential Creditors anticipated in this matter and no claims have been received.

Continued

Unsecured Creditors

The position as regards Unsecured Creditors can be summarised as follows:

Creditor	Estimated Statement of Affairs Value of Unsecured Claims (£)	Number of Claims Received to Date	Value of Unsecured Creditor Claims To Date (£)
Trade Creditors	2,520	1	2,520
Crown Departments – APN	135,274	N/A	Nil
Crown Departments – VAT	3,947	None	Nil
Associated Parties / Loan Accounts	4,070	None	Nil
Totals	145,811	1	2,520

I confirm that there will be no dividend declared for the Unsecured Creditors as funds realised have been allocated to pay the costs and fees of the procedure. A formal notice in relation to the dividend position has also been circulated to Creditors as part of this progress report.

There have been no returns to Shareholders.

Conclusion

As described herein, there are a number of matters which remain ongoing at the time of this report. I will continue to progress those matters and to satisfy my statutory functions with a view to bringing the Liquidation to a close upon resolution of the same. Further information will be circulated to Creditors in due course.

I have attached at **Appendix E**, a Statement of Creditors rights in relation to these proceedings.

If Creditors have any queries regarding the conduct of the Liquidation, or if they want hard copies of any of the documents made available online, they should contact Sharon Hill by email at sharonh@poppletonandappleby.co.uk, or by phone on 0121 200 2962.

Yours faithfully
For and on behalf of
Fanhear Limited

M. D. Hardy
Matthew Douglas Hardy
Liquidator

Encs

APPENDIX A

STATUTORY INFORMATION

Company Name:	Fanhear Limited
Registered Office:	30 St. Paul's Square, Birmingham, West Midlands, B3 1QZ
Former Registered Office:	2115-2117 Ground Floor, Oak Tree Court Coventry Road, Sheldon, Birmingham, B26 3EA
Registered Number:	01611616
Liquidator's Name:	Matthew Douglas Hardy
Liquidator's Address:	30 St Paul's Square, Birmingham, West Midlands, B3 1QZ
Liquidators' Date of Appointment:	29 November 2016
Former Liquidator:	Martin Thomas Coyne
Former Liquidators' Date of Appointment:	30 August 2016
Former Liquidator's Address:	35 Ludgate Hill, Birmingham, B3 1EH

SUMMARY OF PROFESSIONAL COSTS

Firm Name	Scope of Work	Agreed Fee Structure	Budgeted Costs £	Fees Paid £	Unbilled Costs and Disbursements (WIP C/F) £	Estimated Future Costs £	Current Budgeted Costs (C/F) £
Jerrons	Review position in respect of the CT	Fixed fee	500	Nil	None	Unknown	500
Totals			500	Nil	None	Unknown	500

Notes:

The choice of professional engaged is based on their experience and ability to perform this type of work, the complexity and nature of the assignment and the basis of my fee arrangement with them. The fees charged have been reviewed and I am satisfied that they have been reasonable in the circumstances of the case.

LIQUIDATOR'S COSTS AND EXPENSES

Category 1 Disbursement	Amount Incurred in Previous Reporting Periods (£)	Amount Paid in Previous Reporting Periods (£)	Amount Incurred in Current Reporting Period (£)	Amount Paid in Current Reporting Period (£)	Further Costs to be Incurred (£)	Further Costs to be Paid (£)	Revised Budget (£)
Statutory Advertising	237	237	Nil	Nil	Nil	Nil	237
Postage	8	8	Nil	Nil	6	6	14
Bond	35	35	Nil	Nil	Nil	Nil	35
Totals	280	280	Nil	Nil	6	6	286

Category 2 Disbursement	Amount Incurred in Previous Reporting Periods (£)	Amount Paid in Previous Reporting Periods (£)	Amount Incurred in Current Reporting Period (£)	Amount Paid in Current Reporting Period (£)	Further Costs to be Incurred (£)	Further Costs to be Paid (£)	Revised Budget (£)
Storage	15	Nil	30	Nil	155	200	200
Totals	15	Nil	30	Nil	155	200	200

ROUTINE WORK UNDERTAKEN IN CREDITORS' VOLUNTARY LIQUIDATIONS

1. Administration & Planning

- *Preparing documentation required.*
 - Preparation of statements of insolvency practice checklists.
 - Preparation and continued review of case checklist to ensure compliance on all statutory and best practice matters.
 - Preparation, completion and review of independence and ethics checklists.
 - Completion of relevant post Liquidation VAT forms for HM Revenue & Customs.
 - Completion of relevant post Liquidation Corporation Tax Forms for HM Revenue & Customs.
- Dealing with all routine correspondence, e mails and telephone calls.
 - Includes correspondence with Creditors, Shareholders and other Stakeholders.
 - Internal correspondence between Insolvency Practitioner, managers and case administrators.
 - Deal with correspondence from Companies House.
 - Dealing with correspondence from HM Revenue & Customs.
 - Ensuring that a member of staff is generally available to deal with telephone queries.
 - Ensuring that email correspondence is dealt with within the Firm's response policy.
- Maintaining physical case files and electronic case details in our computerised systems.
 - Data input of details pertaining to assets and liabilities onto bespoke software system.
 - Input and management of case diary onto bespoke software system.
 - Filing and scanning of electronic and written correspondence to relevant files.
- Review and storage.
 - Prepare and complete periodic case reviews, to include review on progression, ethics and independence checks.
 - Liaise with storage Agents in relation to books and records recovered from the Company.
 - Liaise with external review agencies to ensure progression and compliance of case.
 - Case bordereau reviews and maintenance.
- Case planning and administration.
 - Hold internal meetings to discuss case strategy and progression
 - Drafting case notes to ensure strategy remains appropriate.
 - Overseeing and managing work conducted by case administrators.
- Preparing reports to interested parties.
 - Annual progress reports to Creditors, Members and Stakeholders where appropriate.
- Cashiering
 - Maintaining and managing the Liquidator's cashbook and bank account(s).
 - Maintenance of cashier file.
 - Review level of turnover on bank account.
 - Invest funds onto deposit accounts, where appropriate.
 - Input of transactional data during the Liquidation.
 - Completion of journals where appropriate.
 - Review bank statements and complete bank reconciliations
 - Physical banking of cheques to account.
 - Paying costs and expenses from the case account.

- Ensuring statutory lodgements and taxation affair obligations are met.
 - Preparation of relevant VAT forms for HM Revenue & Customs.
 - Preparation of relevant Corporation Tax Forms to HM Revenue & Customs.
 - Preparation of statutory forms to Companies House, to include progress and final reports.

2. Creditors

- Dealing with Creditor correspondence, emails and telephone calls.
 - Attendance to queries within Firm policy timescales
 - Lodging of Creditor claims.
 - Reviewing and adjudicating upon proofs of debts received from Creditors.
 - Maintaining Creditor information within our computerised systems.
- Preparing reports to Creditors and other interested parties.
 - Preparation and circulation of statutory reports to Creditors, Members and Stakeholders.

3. Asset Realisations

- Liaising with HMRC and Accountants regarding CT refund.

STATUTORY DISCLOSURE REQUIREMENTS

Legislative requirements state that when an Insolvency Practitioner reports to Members and Creditors, there are certain statutory statements he must make. In order to fully comply with these conditions, we have set out below the statements which apply in these proceedings in this Appendix, rather than in the report itself, with the intention of keeping the report informative for Members and Creditors *who are more likely to be interested in the practical points arising in the insolvency.*

The statement which forms part of this statutory report which also need to be considered along with it is as follows:-

- Please note that no funds have been held with the Insolvency Services Account at any time during the Liquidation, therefore, it has been neither possible nor necessary to reconcile this account with the Secretary of State.

Comments as Regards Liquidator's Remuneration:-

- For further information with regards to this firm's policy on fees and disbursements as well as general guidance regarding a Liquidator's fees in a Creditors' Voluntary Liquidation, you may download a Creditors' Guide to Fees on our website at www.poppletonandappleby.co.uk and choose the following options: Creditors Login, Creditors' Guidance Notes, then choose, A Creditors' Guide to a Liquidator's Fees Effective from October 2015 and April 2017.
- An unsecured Creditor may, with the permission of the Court, or with the concurrence of 5% in value of the unsecured Creditors (including the Creditor in question), request further details of the Liquidator's remuneration and expenses within 21 days of their receipt of this report. Any secured Creditor may request the same details in the same time limit.
- An unsecured Creditor may, with the permission of the Court, or with the concurrence of 10% in value of the unsecured Creditors (including the Creditor in question), apply to Court to challenge the amount of remuneration charged by the Liquidator as being excessive, and/or the basis of the Liquidator's remuneration, and/or the amount of the expenses incurred as being excessive, within 8 weeks of their receipt of this report. Any secured Creditor may make a similar application to court within the same time limit.
- A hard copy of these documents can be provided on request.

Provision of Services Regulations Summary for Poppleton & Appleby

- To comply with the Provision of Services Regulations, some general information about this Firm can be found on our website at <http://www.poppletonandappleby.co.uk>. To access, choose the following options: Creditors Login, Creditors' Guidance Notes, Provision of Services Regulations Summary for Poppleton & Appleby, Provision of Services.

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

Statement of Affairs £		From 30/08/2017 To 29/08/2018 £	From 30/08/2016 To 29/08/2018 £
	ASSETS NOT PLEDGED		
6,000.00	Cash in Hand	NIL	6,000.00
2,327.48	Cash at Bank	NIL	1,967.78
NIL	Plant & Machinery	NIL	NIL
NIL	Stock in Trade	NIL	NIL
NIL	Corporation Tax Refund	NIL	NIL
	Insurance Settlement	NIL	4,101.80
		NIL	12,069.58
	COST OF REALISATIONS		
	Statutory Advertising	NIL	237.00
	Statement of Affairs Fee	NIL	2,500.00
	Stationery, Printing & Carriage	NIL	8.48
	Specific Bond	NIL	35.00
	Accountancy Fees	NIL	500.00
	Liquidator's Fees (Percentage Basis)	NIL	1,025.45
	Liquidators Fees (Fixed Basis)	NIL	7,500.00
		NIL	(11,805.93)
	UNSECURED CREDITORS		
(2,520.00)	Trade & Expense Creditors	NIL	NIL
(135,274.00)	HM Revenue & Customs - APN	NIL	NIL
(3,946.81)	HM Revenue & Customs - VAT	NIL	NIL
(407.00)	Loan Accounts	NIL	NIL
		NIL	NIL
	DISTRIBUTIONS		
(100.00)	Ordinary Shareholders	NIL	NIL
		NIL	NIL
(133,920.33)		NIL	263.65
	REPRESENTED BY		
	Estate Bank A/c Non Interest Bearing		263.65
			263.65

Notice About Final Dividend Position

Fanhear Limited ("the Company") – In Creditors' Voluntary Liquidation


Company registered number: 01611616

Notice is given under Rule 14.36 of The Insolvency (England and Wales) Rules 2016, by Matthew Douglas Hardy, the Liquidator, to the Creditors of Fanhear Limited, that no dividend will be declared to Unsecured Creditors

A dividend will not be declared to Unsecured Creditors as the funds realised have been used to make payments to meet the expenses of the Liquidation.

Creditors requiring further information regarding the above, should either contact me at 30 St. Paul's Square, Birmingham, West Midlands, B3 1QZ, or contact Sharon Hill by telephone on 0121 200 2962, or by email at sharonh@poppletonandappleby.co.uk.

DATED THIS 26TH DAY OF SEPTEMBER 2018


Matthew Douglas Hardy
Liquidator

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 **Julie Simcox**Company name **Poppleton & Appleby**Address **30 St. Paul's Square****Birmingham**Post town **West Midlands**

County/Region

Postcode

B**3****1****Q****Z**

Country

DX

Telephone **0121 200 2962****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