

Liquidator's Progress Report

Pursuant to Sections 92A, 104A and 192 of the
Insolvency Act 1986

S.192

To the Registrar of Companies

Company Number

06342477

Name of Company

(a) Insert full name of
company

(A) Donna Flower Limited

(b) Insert full name(s)
and address(es)

I (b) Chris Parkman
Purnells
Treverva, Penryn
Nr Falmouth,
Cornwall
TR10 9BL

The liquidator of the company attach a copy of my Progress Report under section 192 of
the Insolvency Act 1986

The Progress Report covers the period from 17 February 2012 to 16 February 2013

Signed

Chris Parkman

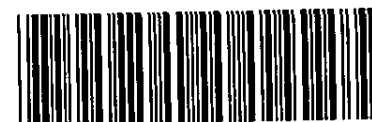
Date

8/3/13

Presenter's name,
address and
reference
(if any)

Chris Parkman &
Purnells
Treverva, Penryn
Nr Falmouth,
Cornwall
TR10 9BL
Reference D1058C

MONDAY



A23WEDNS

A18

11/03/2013

#166

COMPANIES HOUSE

Donna Flower Limited (the "Company")

List of Appendices

1. Progress Report of the Liquidation covering the period from 17 February 2012 to 16 February 2013.
2. Receipts and Payments Account.
3. Statement of Expenses incurred within the liquidation during the period.
4. Report to creditors in accordance with Statement of Insolvency Practice Number 9 and the Insolvency (Amendment) Rules 2010.
5. Analysis of time spent by the Joint Liquidators.
6. Schedule of applicable Charge Out Rates.

Donna Flower Limited (the "Company")

Report Of The Joint Liquidators For The Period From The Commencement Of
The Liquidation On 17 February 2012 To 16 February 2013

The First Anniversary Of The Liquidator's Appointment

1. Introduction

Chris Parkman of Purnells, Treverva Farm, Treverva, Penryn, Nr Falmouth, , Cornwall, TR10 9BL was appointed Liquidator of Donna Flower Limited on 17 February 2012. There have been no changes in office holders during the period.

a) The Company Registered Office is as follows:-

Purnells
Trewoon
Poldhu Cove
Mullion
Nr Helston
Cornwall
TR12 7JB

b) The registered number of the company is 06342477.

2. Receipts And Payments Account

A receipts and payments account is attached at appendix 2.

The receipts and payments account compares the actual realisations made to date with the estimated realisations set out in the director's statement of affairs, which was presented to creditors at the meeting held on the 17 February 2012.

3. Assets

3.1 Freehold

The Company owned the Freehold of the Pendarves Inn in Camborne.

Natwest had a fixed charge over the property in excess of it's value.

In that regard Natwest took possession of the property and marketed it for sale.

The freehold was sold on 28 September 2012 for the sum of £225,000. As at that date Natwest's charge stood at £307,972. Accordingly there was no surplus to come back to the liquidation.

3.2 Fixtures and Fittings

The Company owned the Fixtures and Fittings of the Public House and it had been hoped that the Liquidator would be able to market the Pub as a going concern to maximise the return to Natwest and the liquidation.

However, Natwest informed the liquidator that they wished to sell the freehold only. On receipt of this information the Liquidator instructed Andrew Body of Lodge & Thomas to uplift and sell all of the Company's Fixtures and Fittings that were in the pub.

Following the auctions and deducting the Agents' fees the proceeds were received in the sum of £2,573 and that sum is reflected in the Receipts and Payments Account at Appendix 1.

3.3 PPL Refund

The Director of the Company provided the Liquidator with a copy of the Company's licence granted by PPL.

The Liquidator wrote to PPL asking for a part refund of the fee, which had been paid in full up front for a 12 month period.

PPL responded to the Liquidator's letter on 10 May 2012 stating that the fee was non-refundable and therefore there was no realisable asset.

3.4 Insurance Refund

The Liquidator was advised by the Insolvency Risks Service that a premium refund of £3,464.74 was being sent to Plymouth Insurance Brokers. The Liquidator therefore wrote to Plymouth Insurance Brokers to request that sum be paid to the liquidation.

Plymouth Insurance Brokers advised on 27 April 2012 that as the Direct Debit had defaulted the refund was going to the finance company to cover the arrears.

4. Cost of the Liquidation

- 4.1. The receipts and payments account at Appendix 1 sets out details of the payments made to date.
- 4.2. An analysis of the Liquidator's costs and other information in accordance with SIP 9 (Statement of Insolvency Practice Number 9) is set out at Appendices 2 and 5.

5. **Secured Creditors**

The only secured creditor in this case was Natwest with their legal charge over the Pendarves Inn Freehold.

The Public House was sold and resulted in a £82,972 shortfall to Natwest. Natwest will now be a unsecured creditor for that amount.

6. **Preferential Creditors**

The employees of the Company are preferential creditors in respect of their arrears of wages and holiday pay.

Unfortunately due to insufficient realisations a dividend will not become payable to the preferential creditors.

7. **Floating Charge Creditors**


There are no floating charge creditors in this case.

8. **Unsecured Creditors**

Unfortunately due to insufficient realisations a dividend will not become payable to the unsecured creditors.

9. **Conclusion**

The liquidation continues to finalise the investigation into the Company's financial affairs.



Chris Parkman BSC HONS, MABRP, MIPA, ACCA
Liquidator

Dated: 27 February 2012

Purnells
Treverva Farm
Treverva, Penryn
Nr Falmouth,
Cornwall
TR10 9BL

Donna Flower Limited (the "Company")Liquidator's Annual Receipts And Payments Account

From The Commencement Of The Liquidation On The 17 February 2012 To
The 16 February 2013, The Date To Which The Liquidator's First Annual
Report Has Been Prepared

<u>Receipts</u>	<u>Estimated Value</u> <u>Of Assets Per</u> <u>Statement Of</u> <u>Affairs</u>	<u>From</u> <u>17/02/2012</u> <u>To</u> <u>16/02/2013</u>
	£	£
Freehold	NIL	NIL
Fixtures & Fittings	11,390	2,573
Licence Refund	68	NIL
	-----	-----
	11,458	2,573
	=====	=====
<u>Other Receipts</u>		
VAT		515

Total Receipts		3,088
		=====
<u>Payments</u>		
Statement of Affairs Fee		1,181
Liquidators Fees		NIL
Waste Clearance		23
Agents' Fees		917
VAT		403
Category 1 Disbursements		
Advertising	194	
Mail redirection	24	
Travel Expenses	11	
Company Searches	4	
Bordereau	50	
Open Cover	281	

		564
Category 2 Disbursements		NIL

		3,088
Balance at Bank		NIL

Total Payments		3,088
		=====

Donna Flower Limited ("The Company")

Liquidator's Statement of Expenses
Incurred for the period 17 February 2012 to 16 February 2013
(In Accordance with the Insolvency (Amendment) Rules 2010
- Rule 4.49C)

The expenses incurred within the Liquidation for the period 17 February 2012 to 16 February 2013 were as follows:

	£	£
<u>Category 1 Disbursements</u>		
Advertising	194	
Mail redirection	24	
Travel Expenses	11	
Company Searches	4	
Bordereau	50	
Open Cover	281	

		564
<u>Category 2 Disbursements</u>		NIL

<u>TOTAL</u>		564
		===

Donna Flower Limited (the "Company")
Report To Creditors In Accordance With
Statement Of Insolvency Practice Number 9 (SIP 9)
And The Insolvency (Amendment) Rules 2010

1 Explanation Of The Office Holders Time Charging Policies

- 1.1 Hourly charge out rates are reviewed on the 31st March each year in line with Purnells year end.
- 1.1 Each staff member records in units of six minutes and analyses that time into the categories shown below at paragraph 4.
- 1.2 Each staff member has his or her own grade and hourly charge out rate.
- 1.3 SIP 9, which deals with time recording was introduced on the 1st January 2003. Under that Statement of Insolvency Practice there is no requirement to analyse time spent prior to 31st December 2002. To provide further information however all time spent on this matter since appointment has been analysed.

2. Explanation Of The Office Holders Policies In Relation To Disbursements

- 2.1 SIP 9 distinguishes between what are called "Category One" and "Category Two" disbursements.
- 2.2 Category one disbursements includes specific expenditure related to the administration of this insolvency matter where such sums are paid to third parties. In accordance with SIP 9 no separate approval process is required for "category one" disbursements.
- 2.3 Category two disbursements are those, which are not specific to this particular insolvency matter, but are more in the nature of shared or allocated costs.

It is Purnells' policy not to charge Category 2 disbursements.

3. Analysis Of Time Spent

- 3.1 SIP 9 is a guidance note of best practice concerning an insolvency practitioners remuneration and expenses. SIP 9 was reviewed with effect from the 31st December 2002 after which date it was recommended that insolvency practitioners should provide a detailed analysis of their time costs.

3.2 Appendix 5 sets out an analysis of the hours and cost of that time spent since my appointment on this particular matter.

The break down of those costs into the following categories:

- Administration & Planning
- Realisation of assets
- Creditors
- Investigation
- Trading

is also shown at Appendix 5 to this report.

4 Explanation Of What Time Is Allocated To Each Of The Five "Categories" Of Analysis

4.1 Administration and Planning

This category of time allocation includes time spent on the following work.

- 4.1.1. Preparation of minutes of first meeting and filing of appointment documentation.
- 4.1.1. Notification of appointment to creditors and other interested parties.
- 4.1.2. Setting up the case on micro-controller computer system and setting up a detailed case record book with related files.
- 4.1.3. Personalising all procedures and work instructions to this particular case to include those instructions relating to:
 - record keeping
 - communication and control relating to secured and preferential creditors
 - control process for the realisation of assets
 - the obtaining of insurance and bordereau cover
 - the control of debtor collections
 - the control of obtaining proofs of debts from creditors
 - the process for agreeing employee claims
 - the identification, review and storage of client records
 - the maintenance of client cash books, bank accounts and related VAT and tax matters
 - a definition as to the review process to be followed
 - the investigation required

- control of the closing process
- information needed to be retained following closure
- the preparation and circularisation of annual and closing reports to creditors
- the maintenance of records of time spent and disbursements paid.

4.1.4. Reviewing documentation and other available information and determining the initial strategy upon appointment.

4.1.5. Maintaining the bank accounts and recording all transactions. Reconciliation of those accounts and preparation of periodic Receipts and Payments account summaries.

4.1.6. Undertaking a review of the case at two monthly intervals.

4.2 Realisation of Assets

This category of time allocation includes time spent on:

4.2.1. Maintaining control totals over trade and other debtors outstanding and all processes involved in the collection in of those debts.

4.2.2. Determining and realising the amount of interest in any freehold and leasehold properties.

4.2.3. Determining and realising, with the assistance of valuers and auctioneers the interest in any vehicles, office equipment, plant and other equipment, stock and work in progress.

4.2.4. Legal actions to realise assets.

4.3 Creditors

This category of time allocation includes time spent on:

4.3.1. Requesting forms of proof of debt.

4.3.2. Checking and recording those forms when received.

4.3.3. Disputing certain proofs and negotiating an agreed figure.

4.3.4. Chasing for outstanding proofs.

4.3.5. Reviewing and dealing with creditors claiming reservation of title.

4.3.6. Completing Inland Revenue form P35 and VAT form 100 and pursuing such claims.

4.3.7. Checking the validity of any security said to be held by a creditor who claims to hold:

- a legal charge
- an equitable charge
- or on Hire Purchase
- or Leasing Agreements

4.3.8. Calculating and paying dividends to creditors.

4.4 **Investigation**

This category of time allocation includes time spent on reviews to determine whether or not any further assets existed over and above those disclosed by the debtor.

4.5 **Trading**

This category of time allocation includes time spent in monitoring and controlling trading activities of the business where the Liquidator has an involvement in any such trading.

5. **Creditors Rights**

Secured Creditors and Unsecured Creditors with the concurrence of at least 5% in value of the Unsecured Creditors, including the creditor in question, have the right under 4.49E of the Insolvency Rules 1986 to request further information about remuneration or expenses set out in the progress report. The request must be made within 21 days of receipt of the draft report.

Secured Creditors and Unsecured Creditors with the concurrence of at least 10% in value of the Unsecured Creditors, including that creditor, or with the permission of the court, have the right under Rule 4.131 of the Insolvency Rules 1986 to challenge the Liquidator's remuneration, no later than 8 weeks following receipt of the draft report.

Donna Flower Limited (the "Company")

Analysis Of Time Spent By The Liquidator

I was appointed Liquidator of the above company on the 17 February 2012. From that date to 16 February 2013, 53.4 hours of time has been spent on this matter at a time cost of £7,749.

The average cost per hour is £145.11.

An analysis of that time is attached.

Fees actually drawn, as per Appendix 1 are as follows:-

	£
Liquidators Fee	NIL

<u>TOTAL</u>	NIL
	===

The effective charge out rate is therefore £NIL per hour.

The Liquidator's remuneration was fixed on a time costs basis as approved by creditors at the creditors meeting held on 17 February 2012.

Under Statement of Insolvency Practice Number 9 the Liquidator is required to note what has been "achieved" in the liquidation. In that regard, the Liquidator has:

- Realised the Company's assets.
- Corresponded with creditors.
- Undertaken his statutory investigation into the affairs of the Company.
- Submitted his report to the Insolvency Service as regards the conduct of the directors.
- Corresponded with the Secured Creditor regarding the sale of the Freehold and
- Prepared and circulated their first progress report to creditors.

	9.2		27.2		5		41.4	6492	156.81
	1.5		8		1.5		11	1577	143.36
	5.1		7.1		3.8		16	2756	172.25
	0.8		15.8		2.3		18.9	2380	128.93
	0.8		6.7				7.5	1036	138.13
	17.4		64.8		12.6		94.8		
	5046		7827		1368		14241		
	290		120.78		108.57				150.22

-41.4 -6492 -156.81

53.4 7749 145.11

Appendix 6

Donna Flower Limited (the "Company")

Schedule Of Applicable Charge Out Rates

	£
Partners and Associates	290
Managers	170
Seniors	110 - 180
Administration Staff	90 - 120