

LIQ03

Notice of progress report in voluntary winding up



Companies House

THURSDAY



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23/11/2017

#104

COMPANIES HOUSE

1 Company details

Company number 0 6 7 9 1 9 6 8

Company name in full Amber Entertainment (UK) Limited

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

2 Liquidator's name

Full forename(s) Jonathan David Bass FCCA FABRP

Surname MIPA

3 Liquidator's address

Building name/number Lynton House

Street

Post town 7-12 Tavistock Square

County/Region London

Postcode W C 1 H 9 L T

Country

4 Liquidator's name

Full forename(s)

Surname

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

5 Liquidator's address

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	0	m	1	m	1	y	2	y	0	y	1	y	6	
To date	d	0	d	9	m	1	m	1	y	2	y	0	y	1	y	7	
7		Progress report															
		<input checked="" type="checkbox"/> The progress report is attached															
8		Sign and date															
Liquidator's signature	<div>Signature</div> <div>X</div>  <div>X</div>																
Signature date	d	1	d	6	m	1	m	1	y	2	y	0	y	1	y	7	

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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	Carol Payne
Company name	Menzies LLP
Address	Lynton House
Post town	7-12 Tavistock Square
County/Region	London
Postcode	W C 1 H 9 L T
Country	
DX	
Telephone	029 2049 5444



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

Amber Entertainment (UK) Limited
(In Liquidation)
Joint Liquidator's Summary of Receipts & Payments

Statement of Affairs £		From 10/11/2016 To 09/11/2017 £	From 10/11/2014 To 09/11/2017 £
	ASSET REALISATIONS		
Uncertain	Trademark	NIL	NIL
NIL	ADJR Limited	NIL	NIL
NIL	Angel 9 Limited	NIL	NIL
Uncertain	Shares & Investments	NIL	NIL
	Property Rights/Patents	NIL	3,500.00
		NIL	3,500.00
	COST OF REALISATIONS		
	Liquidators Fees	NIL	2,400.00
	Agents/Valuers Fees	NIL	1,100.00
		NIL	(3,500.00)
	UNSECURED CREDITORS		
(354,421.48)	Trade & Expense Creditors	NIL	NIL
(637,721.00)	Inter-company Loan	NIL	NIL
		NIL	NIL
	DISTRIBUTIONS		
(120.00)	Ordinary Shareholders	NIL	NIL
		NIL	NIL
(992,262.48)		NIL	NIL
	REPRESENTED BY		
			NIL

Our ref: JDB/CAP/A3569

Your ref:

Date: 16 November 2017

TO ALL MEMBERS AND CREDITORS

Please ask for
Carol Payne
T: +44(0)2920674993
CPayne@menzies.co.uk

Dear Sirs

AMBER ENTERTAINMENT (UK) LIMITED - IN CREDITORS VOLUNTARY LIQUIDATION

This is the Liquidator's third annual progress report ("the report") for the year ended 9 November 2017.

This report should be read in conjunction with my previous reports.

1. Statutory information

The company's registered name is Amber Entertainment (UK) Limited and it traded in the motion pictures production activities sector.

The company was incorporated on 15 January 2009 under company number 06791968.

The registered office of the company was formerly 264 High Street, Beckenham, Kent, BR3 1DZ and was changed on 24 November 2014 to 2 Mountview Court, 310 Friern Barnet Lane, Whetstone, London N20 0YZ for the purposes of the Liquidation. The registered office was further changed on 11 November 2015 to Lynton House, 7-12 Tavistock Square, London, WC1H 9LT due to a relocation of our offices.

I, Jonathan David Bass FCCA FABRP MIPA of Menzies LLP, Lynton House, 7-12 Tavistock Square, London, WC1H 9LT was appointed Liquidator of the above-named company by Members and Creditors on 10 November 2014.

There have been no changes of Liquidator in the period to which this report relates, however, I, Jonathan David Bass FCCA FABRP MIPA became the sole Liquidator of the above-named company, by the order of the Court on 9 December 2016 following the retirement of the previous Joint Liquidator Mr Barry David Lewis FCA FABRP MIPA.

2. Liquidator's progress during the period of this report

During the period of this report I have received further information regarding the potential asset, which is detailed in my previous report. This asset relates to an outstanding writers contract and a potential payment due to the company in connection with the buyback of this contract.

I have continued to pursue this matter with the director and my investigations are ongoing.

In addition to the asset matters detailed above, throughout the period of my administration I have responded to the queries of creditors and noted creditor claims.

Specific tasks such as the agreement of creditor claims, VAT and tax issues, cashiering and statutory returns, have been allocated to team members who have specialist knowledge in the relevant areas.

Additionally, I have complied with obligations imposed by statute and my regulatory body which include, but are not limited to, the submission of returns to Companies House and HM Revenue & Customs, and specific penalty bonding.

Please advise me as soon as possible if you are aware of any other assets of the company that have not been referred to above or previously.

Investigative matters

If you are aware of any matters which you believe require my investigation, please advise me accordingly, in writing, providing as much detail as possible with regard to those matters. Any such contact will, of course, be kept confidential.

3. Abstract of the Liquidator's receipts and payments

I attach at Appendix 3 an abstract of my receipts and payments for the period of this report.

Please note that all items detailed on the receipts and payments account are shown net of VAT as the company was registered for VAT and the VAT can therefore be recovered for the benefit of the insolvent estate.

4. Assets which remain to be realised

As per section 2 above I am currently pursuing a potential outstanding asset of the company, relating to the buyback of a writers contract, and my investigations are ongoing.

5. Liquidator's remuneration

My remuneration was fixed by reference to the time properly spent by myself and my staff in attending to matters arising in the Liquidation at a meeting of creditors on 10 November 2014.

For creditor's information, the charge out value of time costs incurred during the period to which this report relates amounts to £6,241.82 made up of 26.60 hours at an average charge out rate of £234.65 per hour.

This cost has primarily been incurred in the administration of the Liquidation and the investigation into the location and nature of the company's assets, full details of which are covered in section 2 above.

I attach at Appendix 1 a breakdown of the time costs between the grades of staff allocated to the case, which includes details of the current charge out rates of myself and my team who have been and will be dealing with the Liquidation.

You will note from the attached breakdown of time costs that I have recovered £2,400.00 in respect of my time costs to date. However, no fees have been drawn from the insolvent estate during the period under review.

The charge out value of time costs incurred throughout the case up to the end of the period to which this report relates amounts to £28,192.08. Should further realisations be made, I will discharge these fees. If there are no further realisations, the balance will be borne by myself and my firm.

A copy of "A Creditors' Guide to Liquidator's Fees", issued by the Association of Business Recovery Professionals, which sets out the basis of fixing the Liquidator's Remuneration, is available on our website at:

<https://www.menzies.co.uk/helping-you/business-recovery/fees-guide/>

You should then choose the appropriate creditor guide for the type of appointment after November 2011.

Please let me know if you do not have access to the internet and would prefer a hard-copy of this guide.

6. Liquidator's expenses

No expenses have been paid from the estate during the period of this progress report.

A statement with regard to my disbursements recovery policy is attached at Appendix 2.

7. Return to creditors pursuant to Section 176A.

The provisions of Section 176A of the Act require a calculation to be made of the prescribed part of the company's net property for distribution to unsecured creditors. The prescribed part must be calculated and provided for where debentures of the company have been created after 15 September 2003.

In dealing with realisations under the prescribed part, I am entitled to take into account the claims of the preferential creditors and the costs and expenses associated in dealing with the prescribed part.

The company's net property comprises floating charge realisations less preferential claims and the costs of dealing with the prescribed part.

As there are no relevant floating charges, the provisions of Section 176A do not apply in this matter.

8. Outcome for creditors

I have received claims in respect of PAYE, NI, Corporation Tax and VAT totalling £17,570.11.

Trade and Expense creditor claims received to date total £278,148.95 against total creditors' claims shown on the company's statement of affairs of £354,421.48. There are, therefore, creditors of approximately £76,272.53 yet to prove their claims.

There are insufficient funds to enable a dividend to be paid to any class of creditor.

9. Creditors' right to information

A creditor may make a request for further information regarding my remuneration and expenses. Any such request must be in writing and should be made within 21 days of receipt of this report. Where the request is made by an unsecured creditor, it must be supported by at least 5% in value of the unsecured creditors, or with the permission of the Court.

If the information requested is either prejudicial to my conduct of this case, might lead to violence against any person, may be confidential or the costs of preparing the requested information would be excessive, I may not be obliged to provide it.

Any unsecured creditor may make an application to the Court in respect of any information provided following such a request, or my failure to provide same, after 14 days of my receipt of that request.

Additionally, creditors may make an application to Court to challenge the amount or basis of my remuneration and expenses, which must be supported by at least 10% in value of the creditors, including the applicant's claim. The application must be made within 8 weeks of receipt of this report. The costs of the application must also be paid by the creditors making the application.

Further details with regard to these provisions form part of the guidance notes relating to fees referred to previously.

10. Next report

I am required to provide a further progress report within two months of the end of the next anniversary of the Liquidation.

I regret that, in the present circumstances, I am unable to provide an indication as to when I expect to conclude the administration of this liquidation. I hope to be able to give a better indication in my next report.

Should you have any further queries in relation to the contents of this report, or with regard to other matters arising, please do not hesitate to contact me.

Yours faithfully
For and on behalf of
Amber Entertainment (UK) Limited



Jonathan David Bass FCCA FABRP MIPA
Joint Liquidator

AMBER ENTERTAINMENT (UK) LIMITED - IN LIQUIDATION

APPENDIX 1

TIME CHARGE OUT SUMMARY FOR THE PERIOD FROM 10.11.2016 - 09.11.2017

HOURS

Classification of work function	Partner/Director	Manager	Senior	Administrator	Support	Total Hours	Time Costs	Average Hourly Rate
							£	£
Admin and Planning	0.20	0.30	0.00	4.90	0.00	5.40	954.00	176.67
Investigations	5.80	4.50	0.00	0.00	0.00	10.30	3,493.32	339.16
Realisation of Assets	0.00	0.00	0.00	4.30	0.00	4.30	774.50	180.12
Creditors	0.00	0.60	0.00	6.00	0.00	6.60	1,020.00	154.55
Support	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Total Hours	6.00	5.40	0.00	15.20	0.00	26.60		
Total Costs	2,240.82	1,545.50	0.00	2,455.50	0.00		6,241.82	

CHARGE OUT RATES OF INSOLVENCY TEAM MEMBERS

	From 1 Oct 2017	1 Oct 2016 - 30 Sept 2017
	£ per hour	£ per hour
Partner/Director	365-505	315-505
Manager	225-295	225-345
Senior	195	185-230
Administrator	75-195	85-180
Support Staff	80-95	55.60-105

Note 1 There may have been a number of promotions through the various grades during the period of the administration.

Note 2 Overhead costs are reflected in the charge out rates detailed.

Note 3 The charge-out rate of the Insolvency Practitioner for this assignment is currently £X per hour, and the administrator is £X per hour.

Note 4 Time is recorded in minimum units of 6 minutes.

APPENDIX 2

DISBURSEMENTS RECOVERY POLICY

Professional advisors have been selected on the basis that they have the appropriate experience and qualifications to effectively deal with the issues arising in a case of this nature.

All disbursements are shown as net of VAT. As the company was registered for VAT purposes VAT can be recovered for the benefit of the insolvent estate.

Category 1 Disbursements

Specific expenditure relating to the administration of the insolvent estate and payable to an independent third party is recoverable without creditor approval. Such expenditure is made if funds are available from the insolvent estate. If funds are not available then payment is made from this firm's office account and reimbursed from the estate should funds become available.

Category 1 disbursements will generally comprise external supplies of incidental services specifically identifiable to the case. Typical items include legal fees, agents' fees, statutory advertising, insurance of assets, search fees, specific penalty bonding, telephone calls, postage, invoiced travel and properly reimbursed expenses incurred by personnel in connection with the case.

Appendix 3
Amber Entertainment (UK) Limited
(In Liquidation)
Joint Liquidator's Abstract of Receipts & Payments

Statement of Affairs		From 10/11/2016 To 09/11/2017	From 10/11/2014 To 09/11/2017
ASSET REALISATIONS			
Uncertain	Trademark	NIL	NIL
NIL	ADJR Limited	NIL	NIL
NIL	Angel 9 Limited	NIL	NIL
Uncertain	Shares & Investments	NIL	NIL
	Property Rights/Patents	NIL	3,500.00
		NIL	3,500.00
COST OF REALISATIONS			
	Liquidators Fees	NIL	2,400.00
	Agents/Valuers Fees	NIL	1,100.00
		NIL	(3,500.00)
UNSECURED CREDITORS			
(354,421.48)	Trade & Expense Creditors	NIL	NIL
(637,721.00)	Inter-company Loan	NIL	NIL
		NIL	NIL
DISTRIBUTIONS			
(120.00)	Ordinary Shareholders	NIL	NIL
		NIL	NIL
(992,262.48)		NIL	NIL
REPRESENTED BY			
			NIL

PROOF OF DEBT – GENERAL FORM**AMBER ENTERTAINMENT (UK) LIMITED - IN LIQUIDATION****Date of Winding-up Order / Resolution for Winding-up - 10 November 2014**

1.	Name of Creditor (If a company, please also give company registration number)	
2.	Address of Creditor	
3.	Total amount of claim, including any Value Added Tax and outstanding uncapitalised interest as at the date the company went into Liquidation.	£
4.	Details of any documents by reference to which the debt can be substantiated. [Note: There is no need to attach them now but the Liquidator may call for any document or evidence to substantiate the claim at his discretion as may the Official Receiver whilst acting as receiver and manager or the chairman or convenor of any meeting]	
5.	If the total amount in 3 above includes outstanding uncapitalised interest, please state amount	£
6.	Particulars of how and when debt incurred (If you need more space append a continuation sheet to this form.)	
7.	Particulars of any security held, the value of the security, and the date it was given	
8.	Particulars of any reservation of title claimed in respect of goods supplied to which the claim relates	
9.	Signature of creditor or person authorised to act on his behalf Name in BLOCK LETTERS Position with or relation to creditors Date: Address of person signing (if different from 2 above)	

Admitted to vote for	Admitted for dividend for
£	£
Date	Date
Official Receiver/Liquidator	Liquidator