

In accordance with Rule 18.7 of the Insolvency (England & Wales) Rules 2016 and Sections 92A, 104A and 192 of the Insolvency Act 1986.

LIQ03

Notice of progress report in voluntary winding up



Companies House

For further information, please refer to our guidance at www.gov.uk/companieshouse

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
Surname	Bass

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 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	0	m	1	m	1	y	2	y	0	y	2	y	1	
To date	d	0	d	9	m	1	m	1	y	2	y	0	y	2	y	2	

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><div>DocuSigned by:</div><div></div><div>48B9F1B8777C434...</div></div> <div>X</div>																
Signature date	d	2	d	2	m	1	m	2	y	2	y	0	y	2	y	2	

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 **Daria Gutowska**

Company name **Menzies LLP**

Address **2 Sovereign Quay**

Havannah Street

Post town **Cardiff**

County/Region

Postcode **C F 1 0 5 S F**

Country

DX **DX 200767 Cardiff Bay**

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)
Liquidator's Summary of Receipts & Payments

Statement of Affairs £		From 10/11/2021 To 09/11/2022 £	From 10/11/2014 To 09/11/2022 £
	ASSET REALISATIONS		
NIL	ADJR Limited	NIL	NIL
NIL	Angel 9 Limited	NIL	NIL
	Property Rights/Patents	NIL	3,500.00
Uncertain	Shares & Investments	NIL	NIL
Uncertain	Trademark	NIL	NIL
		NIL	3,500.00
	COST OF REALISATIONS		
	Agents/Valuers Fees	NIL	1,100.00
	Liquidators Fees	NIL	2,400.00
		NIL	(3,500.00)
	UNSECURED CREDITORS		
(637,721.00)	Inter-company Loan	NIL	NIL
(354,421.48)	Trade & Expense Creditors	NIL	NIL
		NIL	NIL
	DISTRIBUTIONS		
(120.00)	Ordinary Shareholders	NIL	NIL
		NIL	NIL
(992,262.48)		NIL	NIL
	REPRESENTED BY		
			NIL

Note:

All items detailed on the receipts and payments account are shown net of VAT as the Company was VAT registered and VAT has therefore been recovered for the benefit of the liquidation estate.

DocuSigned by:



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Jonathan David Bass
Liquidator

AMBER ENTERTAINMENT (UK) LIMITED - **IN CREDITORS' VOLUNTARY LIQUIDATION**

LIQUIDATOR'S PROGRESS REPORT PURSUANT TO SECTION 104A OF THE INSOLVENCY ACT 1986
AND RULE 18.2 OF THE INSOLVENCY (ENGLAND & WALES) RULES 2016

FOR THE PERIOD 10 NOVEMBER 2021 TO 9 NOVEMBER 2022

DATED 22 DECEMBER 2022

AMBER ENTERTAINMENT (UK) LIMITED - IN CREDITORS' VOLUNTARY LIQUIDATION – (“THE COMPANY”)

ANNUAL PROGRESS REPORT

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3. Investigations
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7. Further information
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2. Liquidator's receipts and payments account
3. Liquidator's analysis of time costs and narrative of work undertaken
4. Liquidator's actual time costs incurred
5. Comparison of estimated expenses and actual costs incurred

1. INTRODUCTION AND EXECUTIVE SUMMARY

- 1.1 I was appointed Liquidator of the Company on 10 November 2014. I now present my progress report for the eighth year of the liquidation, pursuant to Section 104A of the Insolvency Act 1986 ("the Act") and Rule 18.2 of the Insolvency (England & Wales) Rules 2016 ("the Rules").
- 1.2 The Company's statutory information is attached at Appendix 1 of this report.
- 1.3 Each creditor has a right under Regulation 11(2) of the Insolvency Regulations 1994 to require the liquidators to supply a statement of Receipts and Payments free of charge.

Executive summary

- 1.4 At the date of my appointment the Company had ceased trading and accordingly I took steps to realise the remaining assets with a view to distributing the funds to creditors, after costs, in the prescribed order of priority. As Liquidator, I was also obliged to investigate the Company's affairs. As stated in my previous reports, the Statement of Affairs detailed the Company's assets to be a trademark, an interest in two companies and shares and investments, all of which proved to hold no value to the estate. A sum of £3,500.00 was previously realised in respect of property rights and patents, as shown on the attached Receipts & Payments Account. At the outset it was anticipated I would not be in a position to declare a dividend to any class of creditor and this continues to be the case (see section 4 below).
- 1.5 The manner in which the affairs of the Company have been managed since my last progress report is set out below.
- 1.6 Based on current known information about the Company's financial position, and after taking into account the estimated office holders' fees and expenses, it is anticipated that there will be insufficient realisations to pay a dividend to secured creditors and ordinary unsecured creditors. I refer you to section 4 below.
- 1.7 My Receipts & Payments Account for the period from 10 November 2021 to 9 November 2022, which I have reconciled to the financial records that I am required to maintain, is attached at Appendix 2. All receipts and payments are shown net of VAT. Please note the balance of funds in hand is £nil.

2. ASSET REALISATIONS

- 2.1 There have been no asset realisations during the period of the report.

3. INVESTIGATIONS

- 3.1 My investigations into a potential asset, a writer's contract, which may be realisable for the benefit of creditors, continue.
- 3.2 During the period I have reviewed the relevant contract and bank statements and liaised with the bank to confirm whether a payment in respect of the contract was made or not.
- 3.3 Once that information is available to me, I will be able to determine whether there is any recovery action to be taken.

4. LIABILITIES, DIVIDEND PROSPECTS AND ALLOCATION OF COSTS

4.1 LIABILITIES

Secured creditors

- 4.1.1 On my appointment I was aware that the Company had granted fixed and floating charges to Coutts & Company ("Coutts"). In particular, Coutts held a fixed and floating charge over the Company's property and assets.
- 4.1.2 No claims have been received from or paid to the secured creditor under their fixed and floating charge.
- 4.1.3 The legislation requires that if the Company has created a floating charge after 15 September 2003, a prescribed part of the Company's net property (i.e. the money that would otherwise be available to the charge holder) should be ring-fenced for distribution to unsecured creditors.
- 4.1.4 In this case, as the charge in favour of Coutts was created after 15 September 2003, the prescribed part provisions of the legislation apply. These require that a share of the floating charge assets are reserved for distribution to unsecured creditors as follows:
- 50% of the first £10,000 of the net property; and
 - 20% of the remaining net property, up to a maximum of £600,000

Preferential creditors

- 4.1.5 The Company had no preferential creditors.

Non-preferential unsecured creditors

- 4.1.6 The Statement of Affairs included 20 unsecured creditors with an estimated total liability of £992,142.48. I have received claims from 14 creditors at a total of £295,719.06. I have not received claims from 10 creditors with original estimated claims in the Statement of Affairs of £757,374.16.

4.2 DIVIDEND PROSPECTS

Floating charge creditors

- 4.2.1 As previously reported, the prescribed part provisions apply. On the basis of realisations to date, together with estimated future realisations, and after taking into account the costs of the liquidation to date, the net property of the Company is nil.

Unsecured creditors

- 4.2.2 Since the Company's net property is nil there is no prescribed part available for distribution to the non-preferential creditors.

5. LIQUIDATOR'S REMUNERATION & EXPENSES

Liquidators' remuneration

- 5.1 At a meeting of creditors held on 10 November 2014 it was resolved that my remuneration be fixed by reference to time properly spent by myself and my staff in attending to matters arising in the liquidation.
- 5.2 My total time costs to 9 November 2022 amount to £62,802.58, representing 281.95 of hours work at a blended charge out rate of £222.74 per hour, of which £9,985.50 was charged in the period since 10 November 2021, at a blended charge out rate of £214.28 per hour.
- 5.3 I attach at Appendix 3, a breakdown of these time costs by work category and staff grade, together with a narrative explanation of work done in the period since my last report to creditors.
- 5.4 I have not been able to draw any remuneration in this period.
- 5.5 Given the size and technical nature of the liquidation, much of the work described in the sections above was undertaken by me, a manager and administrators. Additional assistance was provided by cashiers dealing with banking and statutory duties, and administrators offering various support services. All time spent on administering various duties was charged directly to the case in 6 minute units.
- 5.6 Further information about creditors' rights can be obtained by visiting the creditors' information micro-site published by the Association of Business Recovery Professionals (R3) at <http://www.creditorinsolvencyguide.co.uk/>.
- 5.7 Details about how an office holder's fees may be approved for each case type are available in a series of Guidance Notes issued with Statement of Insolvency Practice 9, and they can be accessed at <https://www.menzies.co.uk/helping-you/business-recovery/fees-guide/>. There are different versions of these Guidance Notes, and in this case please refer to the version for appointments from November 2011 to September 2015.

Professional and sub-contractors' fees, and other expenses

- 5.8 I have incurred total expenses of £1,564.68 since my appointment as Liquidator of which £52.00 was incurred in the period since my last report to creditors. I have drawn £1,100.00 to 9 November 2022. No expenses have been drawn in the reporting period. Menzies LLP has paid £464.68 on behalf of the liquidation estate, which I have not been able to reimburse from the estate as yet due to lack of realisations.
- 5.9 The following expenses were incurred in the period since my last progress report:

Details of expense	Amount incurred/ accrued in the reporting period
Category 1 expenses	
N/A	£Nil
Category 2 expenses	
Storage of books and records	£52.00

- 5.10 I have used the following agents, professional advisors and subcontractors in the reporting period:

Professional advisor	Nature of work	Basis of fees
JG Collection Services	Storage agent	Fixed fee per box

- 5.11 The choice of professionals was based on my perception of their experience and ability to perform this type of work and the complexity and nature of the assignment. I also considered that the basis on which they will charge their fees represented value for money. I have reviewed the charges they have made and am satisfied that they are reasonable in the circumstances of this case.
- 5.12 JG Collection Services was instructed to store the Company's books and records as they are specialists in respective filed and provide the service at a competitive rate.
- 5.13 Appendix 5 details the expenses incurred and drawn to date. Further it also summarises Menzies LLP's expese policy.

6. **CREDITORS' RIGHTS TO FURTHER INFORMATION AND TO CHALLENGE LIQUIDATORS' REMUNERATION AND EXPENSES**

Creditors' right to request information

- 6.1 Any secured creditor, or an unsecured creditor with the support of at least 5% in value of unsecured creditors or with the leave of court, may (in writing) request me to provide additional information regarding remuneration or expenses already supplied within this report. In accordance with rule 18.9(2) of the Rules, such a request or application for leave must be made within 21 days of receipt of this report.

Creditors' right to challenge remuneration and/or expenses

- 6.2 Any secured creditor, or an unsecured creditor with the support of at least 10% in value of the unsecured creditors or with permission of the court, may apply to court for one or more orders under Rule 18.36(4) or 18.37(4) of the Rules. In accordance with rule 18.34(3) of the Rules such applications must be made within eight weeks of receipt of this report.

7. **FURTHER INFORMATION**

- 7.1 The Liquidator is a data controller of personal data as defined by the relevant provisions of the applicable data protection legislation. Menzies LLP will act as a data processor on their instructions. Personal data will be kept secure and processed only for matters relating to the insolvency appointment. Full details of our privacy notice is at the following link: <https://www.menzies.co.uk/legal/>.
- 7.2 To comply with the Provision of Services Regulations, some general information about Menzies LLP, including about our complaints policy and Professional Indemnity Insurance, can be found at <https://www.menzies.co.uk/legal/> and <https://www.menzies.co.uk/helping-you/business-recovery/making-a-complaint/>.

8. **CONCLUDING REMARKS**

- 8.1 The liquidation will remain open until my investigations have been fully resolved. I am uncertain as to the length of time this may take based on the information currently available to me. Once resolved, I will be in a position to conclude the liquidation.
- 8.2 I will report again on the progress of the liquidation after the next anniversary of the liquidation or in the final account, whichever is earlier.

- 8.3 If creditors have any queries regarding the conduct of the liquidation, or if they want hard copies of any of the documents made available on-line, they should contact Daria Gutowska by email at DGutowska@menzies.co.uk, or by phone on +44 (0)3309 129 083.

DocuSigned by:



Jonathan David Bass
Liquidator

APPENDIX 1

STATUTORY INFORMATION

Company name:	Amber Entertainment (UK) Limited
Company number:	06791968
Registered office:	Lynton House, 7-12 Tavistock Square, London, WC1H 9LT
Former registered office:	264 High Street, Beckenham, Kent, BR3 1DZ
Former trading address:	21 Ganton Street, 4th Floor, London, W1F 9BN
Principal trading activity:	Motion picture production activities
Liquidator's names:	Jonathan David Bass
Liquidator's address:	Lynton House, 7-12 Tavistock Square, London, WC1H 9LT
Date of appointment:	10 November 2014
Contact details of Liquidator	Daria Gutowska on +44 (0)3309 129 083 or at DGutowska@menzies.co.uk
Details of any changes of Liquidator:	Following a Court Order dated 9 December 2016, Barry David Lewis was removed as Liquidator and Jonathan David Bass became the sole Liquidator. Please note that on 1 July 2015, Harris Lipman LLP merged with Menzies LLP to create a practice operating under the Menzies LLP name.

APPENDIX 2

LIQUIDATOR'S RECEIPTS AND PAYMENTS ACCOUNT

Appendix 2
Amber Entertainment (UK) Limited
(In Liquidation)
Liquidator's Abstract of Receipts & Payments

Statement of Affairs		From 10/11/2021 To 09/11/2022	From 10/11/2014 To 09/11/2022
	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

Note:

All items detailed on the receipts and payments account are shown net of VAT as the Company was VAT registered and VAT has therefore been recovered for the benefit of the liquidation estate.

APPENDIX 3

LIQUIDATOR'S TIME COSTS

TIME CHARGE OUT SUMMARY FOR THE PERIOD FROM 10.11.2021 - 09.11.2022

Classification of Work Function	HOURS					Total Hours	Time Costs £	Blended Hourly Rate £
	Partner/ Director	Manager	Senior	Administrator	Support			
Brought Forward From 09.11.2021						235.35	52,817.08	224.42
Administration & Planning	1.60	5.40	-	16.30	1.30	24.60	4,935.50	200.63
Realisation of Assets	-	-	-	-	-	-	-	-
Creditors	-	-	-	-	-	-	-	-
Investigations	1.30	8.10	-	12.60	-	22.00	5,050.00	229.55
Total Hours	2.90	13.50	-	28.90	1.30	46.60		
Total Costs	1,485.00	4,266.00	-	4,098.00	136.50		9,985.50	214.28
Total Carried Forward						281.95	62,802.58	222.74

Fees Drawn for Period Ended:

09.11.2015	-
09.11.2016	2,400.00
09.11.2017	-
09.11.2018	-
09.11.2019	-
09.11.2020	-
09.11.2021	-
09.11.2022	-
Total Fees Drawn to Date:	2,400.00

Balance of Time Costs Accrued but Unpaid

60,402.58

CHARGE OUT RATES OF INSOLVENCY TEAM MEMBERS

	<u>From 1 June 2022</u>	<u>1 Oct 2021 to 31 May 2022</u>
	£ per hour	£ per hour
Partner/Director	500-580	450-525
Manager	300-450	270-400
Senior	270-280	240-250
Administrator	150-220	135-200
Support Staff	120	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 £550 per hour, and the administrator is £150 per hour.

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

APPENIX 3 CONTINUED

LIQUIDATOR'S NARRATIVE OF WORK UNDERTAKEN IN THE PERIOD 10 NOVEMBER 2021 TO 9 NOVEMBER 2022

A description of the work undertaken since my last progress report is as follows:

1 Administration and planning

There are certain aspects of the case that are required by statute and for the efficient running of the case. They are not expected to provide a direct quantifiable benefit to creditors; however, without them, other aspects of the case which do provide a quantifiable benefit to creditors would be less efficient. They include the maintenance of physical case files and electronic case management information, periodic review of files, strategic case planning and the routine administration of the case, as well as preparation of documentation and reports and dealing with correspondence.

Specifically:

Reporting

It was necessary to prepare a progress report to members and creditors for circulation following anniversary to advise upon the progress made over the year.

Other

I was contacted by Companies House to advise me that a director had been disqualified and to request me to file the relevant form to terminate his appointment.

2 Asset realisations

Net asset realisations provide the financial benefit to creditors and their quantum directly contributes to any dividend ultimately available to creditors.

No time has been spent in this category during the reporting period.

3 Investigations

Complying with statutory requirements will not necessarily produce a financial benefit to creditors but may identify potential avenues which could lead to a recovery for the benefit of creditors.

Time spent during the period included:

Further investigation

As detailed in section 3, my investigations into a potential asset, a writer's contract, continue. During the period time was spent reviewing files; accounting records, Company records and bank statements, and deciding appropriate strategy. I have also liaised with the bank to confirm whether a payment in respect of the writer's contract was made or not.

4 Creditors (claims and distribution)

No time has been spent in this category during the reporting period.

APPENDIX 4

LIQUIDATOR'S ACTUAL TIME COSTS INCURRED

TIME CHARGE OUT SUMMARY FOR THE PERIOD FROM 10.11.2014 - 09.11.2022

Classification of Work Function	HOURS					Total Hours	Time Costs £	Blended Hourly Rate £
	Partner/ Director	Manager	Senior	Administrator	Support			
Administration & Planning	14.90	28.80	10.60	106.80	13.35	174.45	36,832.85	211.14
Realisation of Assets	2.70	2.60	0.60	19.00	-	24.90	5,500.00	220.88
Creditors	0.70	2.90	3.10	22.60	0.60	29.90	5,478.00	183.21
Investigations	11.80	28.00	-	12.90	-	52.70	14,991.73	284.47
Total Hours	30.10	62.30	14.30	161.30	13.95	281.95		
Total Costs	13,156.23	18,669.50	3,289.00	26,736.35	951.50		62,802.58	222.74

Total Fees Drawn to Date:	2,400.00
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Balance of Time Costs Accrued but Unpaid	60,402.58
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CHARGE OUT RATES OF INSOLVENCY TEAM MEMBERS

	<u>From 1 June 2022</u>	<u>1 Oct 2021 to 31 May 2022</u>
	£ per hour	£ per hour
Partner/Director	500-580	450-525
Manager	300-450	270-400
Senior	270-280	240-250
Administrator	150-220	135-200
Support Staff	120	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 £550 per hour, and the administrator is £150 per hour.

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

APPENDIX 5

LIQUIDATOR'S COMPARISON OF ESTIMATED EXPENSES AND ACTUAL COSTS INCURRED AND PAID

Details of Expense	Incurred / Accrued in the period since last report £	Total incurred / accrued to date £	Paid in period since last report £	Total paid to date £
<u>Category 1 expenses</u>				
Specific penalty bonding - this is insurance required by statute that every officeholder has to obtain for the protection of each estate, with the premium being based on the value of the Company's assets	0.00	24.00	0.00	0.00
Statutory advertising - various notices relating to the Company have to be placed in the London Gazette	0.00	99.00	0.00	0.00
<u>Agents' fees</u>				
Williams & Partners has been instructed to assist with the collection of assets. The basis of the fees is percentage of realisations.	0.00	1,100.00	0.00	1,100.00
The London Law Agency Ltd has been instructed to carry out international searches.	0.00	134.00	0.00	0.00
<u>Category 2 expenses</u>				
Collection, listing and storage of books and records - JG Collection have been instructed to collect the books and records of the Company. The books and records will be stored by the agent throughout the period of the Liquidation and for one year following the dissolution of the Company. The basis of the fees is fixed fee per box.	52.00	207.68	0.00	0.00
Totals	52.00	1,564.68	0.00	1,100.00

APPENDIX 5 CONTINUED

LIQUIDATOR'S COMPARISON OF ESTIMATED EXPENSES AND ACTUAL COSTS INCURRED AND PAID

Expenses are any payments from the estate which are neither an office holder's remuneration nor a distribution to a creditor or a member. The term expenses also includes disbursements which are payments which are first met by the office holder, and then reimbursed to the office holder from the estate.

Category 1 expenses

Specific expenditure relating to the administration of the insolvent estate and payable to a person or persons who are not associates of the office holder 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 expenses will generally comprise external supplies of incidental services specifically identifiable to the case. Typical items include legal fees, agents' fees, sub-contractors' fees, statutory advertising, insurance of assets, search fees, specific penalty bonding, invoiced travel and properly reimbursed expenses incurred by personnel in connection with the case.

Category 2 expenses

These are expenses that are directly referable to the administration of the insolvent estate and are made to associates of the officeholder or have an element of shared costs.

Category 2 expenses require creditor approval.

Menzies LLP do not as a matter of policy seek approval of, or claim any, category 2 expenses other than those which are paid to associates of the office holder.