

LIQ03

Notice of progress report in voluntary winding up



Companies House

THURSDAY



A16 *A7KOL00Y* 13/12/2018 #42
COMPANIES HOUSE

1 Company details

Company number 07000687

Company name in full Jeremy Franklin Limited

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

2 Liquidator's name

Full forename(s) Lisa

Surname Alford

3 Liquidator's address

Building name/number Purnells

Street 5a Kernick Industrial Estate

Post town Penryn

County/Region Cornwall

Postcode TR109EP

Country UK

4 Liquidator's name ①

Full forename(s) Chris

Surname Parkman

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

5 Liquidator's address ②

Building name/number Purnells

Street 5a Kernick Industrial Estate

Post town Penryn

County/Region Cornwall

Postcode TR109EP

Country UK

② Other liquidator
Use this section to tell us about
another liquidator.

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6 Period of progress report

From date	d 1	d 6	m 1	m 0	y 2	y 0	y 1	y 7
To date	d 1	d 5	m 1	m 0	y 2	y 0	y 1	y 8

7 Progress report

☒ The progress report is attached

8 Sign and date

Liquidator's signature	Signature	
	X	X
	<i>sew.</i>	

Signature date	d 1	d 1	m 1	m 2	y 2	y 0	y 1	y 8
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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 Elizabeth Blake

Company name Purnells

Address

Post town

County/Region

Postcode

Country

DX

Telephone 01326340579



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

Jeremy Franklin Limited T/A Jeremy Franklin Optician
Also T/A Eye Boutique & Vision (the "Company")

Schedule of Appendices

1. Progress Report of the Liquidation covering the period from 16 October 2017 to 15 October 2018.
2. Receipts and Payments Account.
3. Statement of Expenses incurred within the liquidation during the period.
4. Analysis of time spent by the Joint Liquidators.
5. Schedule of applicable Charge Out Rates.
6. Report to creditors in accordance with Statement of Insolvency Practice Number 9 and the Insolvency (England and Wales) Rules 2016.

Jeremy Franklin Limited T/A Jeremy Franklin Optician
Also T/A Eye Boutique & Vision (the "Company")

Report of the Joint Liquidators For The Period From The Commencement Of The
Liquidation On 16 October 2017 to 15 October 2018

1. Introduction

Chris Parkman and Alessandro Sidoli of Purnells, 5a Kernick Industrial Estate, Penryn, Near Falmouth, Cornwall, TR10 9EP were appointed Joint Liquidators of Jeremy Franklin Limited on 16 October 2017.

I subsequently replaced Mr Sidoli as Joint Liquidator on 23 August 2018, under a court ordered block transfer of cases, which had been sought as Mr Sidoli was leaving Purnells employ in order to relocate to Manchester.

a) The Company Registered Office is as follows:

Purnells
Suite 4 Portfolio House
3 Princes Street
Dorchester
Dorset
DT1 1TP

b) The registered number of the Company is 07000687.

2. Receipts And Payments Account

A Receipts and Payments Account is attached at Appendix 2.

That 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 sworn on 11 October 2017.

3. Assets

3.1 Natwest Bank Plc

The director's statement of affairs recorded that the sum of £8 would be realisable in respect of the residual credit balance on the Company's current account with NatWest Bank Plc.

The actual sum realised in that regard was £2,030.

That sum is recorded separately in the Receipts and Payments Account at Appendix 2.

3.2 Debtors

As at the date of liquidation, the director had advised that the Company had outstanding debtors in the sum of £9,231.

Following the Joint Liquidators appointment it transpired that the consumer trade debts were not in fact recoverable because as the Company had been placed into liquidation the debtors refused to collect or pay for their glasses given that no warranty or aftercare could be provided.

In so far as the two commercial debtors were concerned, Iris Eyecare Ltd and NHS England, Iris Eyecare had paid into the Company's account prior to liquidation so no sums were realisable in that regard and

insufficient supporting documentation was available to enable the NHS debt to be successfully pursued.

3.3 Assets

The Director of the Company had advised that the fixtures and fittings, plant, machinery and stock had a realisable value of £29,045, as follows:

	<u>Amount</u>
	<u>£</u>
Fixtures & Fittings	1,755
Plant & Machinery	20,930
Stock	6,360

	29,045
	=====

Following the liquidators appointment, a third party expressed an interest in purchasing some of the fixtures, fittings, plant, machinery and stock held at the Company's premises at Carbis Bay. As no additional expressions of interest were received their offer of £20,000 plus VAT was accepted and payment has been made in full.

A small quantity of assets were uplifted and sold at auction by Lodge and Thomas Chartered Surveyors, Truro and the sum of £614 was realised in that regard.

Accordingly, the total sum of £20,614 is recorded as having been realised in the Receipts and Payments Account at Appendix 2.

4. Investigations

- 4.1 The liquidators have undertaken work in accordance with Statement of Insolvency Practice 2 (A Liquidators' Investigations into the Affairs of an Insolvent Company).

The Joint Liquidators have identified a number of issues that require further explanation and are in correspondence with the Director in that regard.

- 4.2. We have completed our statutory obligation to submit a report to the Insolvency Service as regards the conduct of the director. The contents of that report remains confidential.

5. Costs of the Liquidation

- 5.1. The Receipts and Payments Account at Appendix 2 sets out details of the payments made to date.
- 5.2. Attached at Appendix 4 is an analysis of the Joint Liquidators' time costs for the period 16 October 2017 to 15 October 2018.
- 5.4. On 30 March 2017 creditors resolved by correspondence that the Joint Liquidators' may draw the following fees:

A fixed Administration Fee of £5,000 plus VAT for the first year plus an additional £1,000 plus VAT for each additional year the liquidation remains open,

A Realisation Fee which equates to 15% of gross realisations plus VAT,

A fixed fee for dealing with creditors of £4,000 plus VAT,

A fixed fee for undertaking our statutory investigations and conduct reporting of £3,000 plus VAT,

In the event that our investigations result in additional recoveries being made the following additional fees may be drawn out of investigation realisations:

75% of first £20,000
50% of next £20,000
40% of next £10,000
25% of balance

Subsequent guidance received from our governing body however now indicates that as investigation realisations are for the most part unknown at the start of a case it is best practice to agree any fees to be drawn out of investigation realisations separately with creditors once the level of realisations, if any, is known.

- 5.5. The time costs that have been incurred since the date of the Joint Liquidators' Appointment have been analysed at Appendix 4 and the Joint Liquidators have drawn fees in the period to which this report relates, as follows:

	<u>£</u>
Fixed Administration Fee	5,000
Fixed Creditors Fee	4,000
Fixed Investigation Fee	3,000
Realisation Fees	3,000

	15,000
	=====

- 5.6. Any outstanding fees will be drawn in the next reporting period, should sufficient funds become available to do so.

- 5.6. A Statement of Affairs Fee of £4,000 plus VAT has been drawn in relation to work carried out up to and including the date of the initial creditors meeting.

6. Fixed Charge Creditors

There are no fixed charge creditors to consider in this liquidation.

7. Preferential Creditors

The only preferential creditors to consider in this liquidation were the employees in respect of arrears of wages and holiday pay.

Following the liquidators appointment claims were submitted to the Redundancy Payments Office ("RPO") on behalf of the employees and the RPO have now lodged their preferential claim within the liquidation.

Unfortunately however asset realisations have been insufficient to date to enable a dividend to be paid to any class of creditor within the liquidation.

8. Floating Charge Creditors

There are no floating charge creditors to consider in this liquidation.

9. Unsecured Creditors

Thirty four creditors with claims totalling £318,290 have proved in the liquidation to date. Unfortunately however asset realisations have been insufficient to date to enable a dividend to be paid to any class of creditor within the liquidation.

10. Conclusion

The liquidation continues in order for the Joint Liquidators investigations into the financial affairs of the Company to be concluded.



Lisa Alford, MABRP, MIPA
Joint Liquidator
IP No: 9723

Dated: 11 December 2018

Purnells
5a Kernick Industrial Estate
Penryn
Nr Falmouth
Cornwall
TR10 9EP

Website: www.purnells.co.uk

Telephone: 01326 340579

Email: lisa@purnells.co.uk

Jeremy Franklin Limited T/A Jeremy Franklin Optician
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Joint Liquidators' Annual Receipts And Payments Account

From The Commencement of the Liquidation
On 16 October 2017 to 15 October 2018

<u>Receipts</u>	<u>Estimated Value Of Assets Per Statement Of Affairs</u>	<u>16.10.17 To 15.10.18</u>
	<u>£</u>	<u>£</u>
Natwest Bank Plc	8	2,030
Debtors	9,231	Nil
Fixtures & Fittings	1,755	Nil
Plant & Machinery	20,930	20,614
Stock	6,360	Nil
	-----	-----
	38,284	22,644
	=====	
 <u>Other Receipts</u>		
None		-----
		22,644
		=====
 <u>Payments</u>		
Statement of Affairs Fee		4,000
Fixed Administration Fee		5,000
Fixed Creditor Fee		4,000
Fixed Investigation Fee		3,000
Realisation Fees		3,000
Category 1 Disbursements		3,111
Category 2 Disbursements		Nil
VAT		143

Balance at Bank		22,254
		390

<u>Total Payments</u>		22,644
		=====

Jeremy Franklin Limited T/A Jeremy Franklin Optician
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Joint Liquidators' Statement of Expenses
Incurred for the Period 16 October 2017 to 15 October 2018
(In Accordance with the Insolvency (England & Wales) Rules 2016)

The expenses incurred within the Liquidation (recorded in the Receipts and Payments Account at Appendix 2 as "Category 1 Disbursements") for the period 16 October 2017 to 15 October 2018 were as follows:

	<u>£</u>
Land Registry Searches	3
Bordereau	223
Advertising Costs	164
Open Cover	208
Solicitor Fees	1,800
Agents Fees	663
Bank Charge	50

<u>Per Receipts and Payments</u>	3,111
	=====

No expenses have been incurred during the period to which this report relates that have yet to be paid.

	PARTNER	MANAGER	SENIORS	ADMINISTRATION STAFF	TIME TRANSFER	TOTAL HOURS	TIME COST	AVERAGE HOURLY RATE
PRE-APPOINTMENT		0.7	5.5	16.7		22.9	3448	150.57
ADMINISTRATION AND PLANNING		0.1	5.5	19.2		24.8	3280	132.26
REALISATION OF ASSETS		0.7	8.2	10.4		19.3	3310	171.5
CREDITORS			3.8	16.8		20.6	2847	138.2
INVESTIGATION		0.1	9.6	0.7		10.4	2333	224.33
TOTALS								
HOURS	1.6		32.6	63.8		98		
COST	464		7570	7184			15218	
AVERAGE HOURLY RATE	290		232.21	112.6				155.29

Post App Hours	75.10
Post App Time	11770.00
Post App Hourly Rate	156.72

Appendix 5

Jeremy Franklin Limited T/A Jeremy Franklin Optician
Also T/A Eye Boutique & Vision (the "Company")

Schedule of Applicable Charge Out Rates

	<u>£</u>
Licensed Insolvency Practitioners	290
Managers	170-290
Seniors	110-130
Administration Staff	90-120

Jeremy Franklin Limited T/A Jeremy Franklin Optician
Also T/A Eye Boutique & Vision (the "Company")

Report To Creditors In Accordance With
Statement Of Insolvency Practice Number 9 (SIP 9)
And The Insolvency (England and Wales) Rules 2016

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.
- 1.2 Each staff member records in units of six minutes and analyses that time into the categories shown below at paragraph 4.
- 1.3 Each staff member has his or her own grade and hourly charge out rate.

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

- 2.1 SIP 9 distinguishes between "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.

3. Analysis Of Time Spent

- 3.1 Appendix 4 sets out an analysis of the hours and cost of that time spent since our appointment on this particular matter.
- 3.2 Those costs are broken down into the following categories:
 - Administration & Planning
 - Realisation of assets
 - Creditors
 - Investigation
 - Trading

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

4.1 Administration and Planning

- 4.1.1. Preparation of the Deemed Consent Procedure documents and filing of appointment documentation.
- 4.1.2. Notification of appointment to creditors and other interested parties.
- 4.1.3. Case set up on micro-controller computer system and setting up a detailed case record book with related files.
- 4.1.4. 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
- reviewing the debtors
- 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.

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

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

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

4.2 **Realisation of Assets**

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

4.2.3. Legal actions to realise assets.

4.3 **Creditors**

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. Checking the validity of any security said to be held by creditors claiming to hold:

- Leasing Agreements

4.3.8. Calculating and paying dividends to creditors.

4.4 Investigation

Reviews to determine whether or not any further assets existed over and above those disclosed by the debtor.

4.5 Trading

Monitoring and controlling trading activities of the business where the Liquidator has an involvement in any such trading.

5. Creditors Rights

5.1. Secured Creditors and Unsecured Creditors with the concurrence of at least 5% in value of the Unsecured Creditors, including the creditor in question, or an unsecured creditor with the permission of the court have the right under Rule 18.9 of the Insolvency (England & Wales) Rules 2016 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.

5.2. 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 18.29 of the Insolvency (England & Wales) Rules 2016 to challenge the Liquidator's remuneration, no later than 8 weeks following receipt of the draft report.