

## Section 106

Return of Final Meeting in a  
Creditors' Voluntary Winding UpPursuant to Section 106 of the  
Insolvency Act 1986

To the Registrar of Companies

**S.106**

Company Number

08793832

Name of Company

Applejack Diners Ltd

I / We

W Vaughan Jones, The Maltings, East Tyndall Street, Cardiff, CF24 5EZ

Susan Clay, The Maltings, East Tyndall Street, Cardiff, CF24 5EZ

Note The copy account must be  
authenticated by the written  
signature(s) of the Liquidator(s)

1 give notice that a general meeting of the company was ~~duly held on~~/summoned for 26 August 2016 pursuant to section 106 of the Insolvency Act 1986, for the purpose of having an account (of which a copy is attached) laid before it showing how the winding up of the company has been conducted, and the property of the company has been disposed of, and that ~~the same was done accordingly~~ / no quorum was present at the meeting.

2 give notice that a meeting of the creditors of the company was ~~duly held on~~/summoned for 26 August 2016 pursuant to Section 106 of the Insolvency Act 1986, for the purpose of having the said account laid before it showing how the winding up the company has been conducted and the property of the company has been disposed of and that ~~the same was done accordingly~~/no quorum was present at the meeting

The meeting was held at The Maltings, East Tyndall Street, Cardiff, CF24 5EZ

The winding up covers the period from 7 October 2015 (opening of winding up) to the final meeting (close of winding up)

The outcome of any meeting (including any resolutions passed) was as follows

No resolutions were passed at the meeting

The Joint Liquidators were released from office

Signed

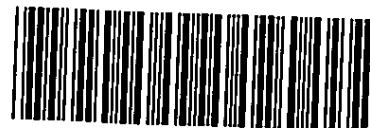


Date 26 August 2016

Jones Giles & Clay Ltd  
The Maltings  
East Tyndall Street  
Cardiff  
CF24 5EZ

Ref JGC0035/WVJ/SC

SATURDAY



A11

\*A5E9SDHD\*

27/08/2016

#1

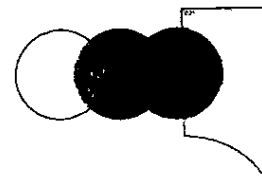
COMPANIES HOUSE

**Applejack Diners Ltd**  
**(In Liquidation)**  
**Joint Liquidators' Abstract of Receipts & Payments**  
**From 7 October 2015 To 26 August 2016**

S of A £		£	£
	<b>ASSET REALISATIONS</b>		
	Contribution from Shareholder	5,000 00	
	Bank Interest Net of Tax	0 32	
			5,000 32
	<b>COST OF REALISATIONS</b>		
	Specific Bond	24 00	
	Preparation of S of A	3,000 00	
	Office Holders Fees	1,492 27	
	Stationery & Postage	22 25	
	Statutory Advertising	376 80	
	IT Costs	45 00	
	Bank Charges	40 00	
			(5,000 32)
(15,000 00)	<b>PREFERENTIAL CREDITORS</b>		
	Employee Arrears/Hol Pay	NIL	
			NIL
(442,500 58)	<b>UNSECURED CREDITORS</b>		
(55,000 00)	Trade & Expense Creditors	NIL	
	Directors Loans	NIL	
			NIL
(70,000 00)	<b>DISTRIBUTIONS</b>		
	Ordinary Shareholders	NIL	
			NIL
<b>(582,500.58)</b>			<b>(0.00)</b>
	<b>REPRESENTED BY</b>		
	Vat Receivable		971 85
	Vat Control Account		(971 85)
			NIL



W Vaughan Jones  
Joint Liquidator



**JonesGiles&Clay**  
**INSOLVENCY PRACTITIONERS**

26 August 2016

**TO ALL MEMBERS AND CREDITORS**

**FINAL PROGRESS REPORT UNCHANGED FROM DRAFT DATED 15 JUNE 2016**

Dear Sir/Madam

The Maltings  
East Tyndall Street  
Cardiff  
CF24 5EZ

Tel: 029 2035 1490  
Fax: 029 2046 4352  
www.jonesgilesclay.co.uk

**Applejack Diners Limited - In Liquidation**

I am writing to advise you that, in accordance with Section 106 of the Insolvency Act 1986, the final meetings of members and creditors of the above named company, in liquidation, will be held on 26 August 2016 at 10.00 a.m. and 10.30 a.m. respectively at the offices of Jones, Giles & Clay Limited, The Maltings, East Tyndall Street, Cardiff, CF24 5EZ. Formal notice of the meetings together with an appropriate proxy form is enclosed herewith.

I am required to consider the convenience of creditors when holding any general meeting. In my experience, creditors seldom attend such meetings and this meeting is therefore being held in my own office to minimise costs. If you wish to attend the meeting and consider that the proposed venue is inconvenient, please let me know within the next fourteen days so that I may reconsider the venue.

**Purpose of the meeting**

The purpose of the meeting is for the liquidator to present the report below showing how the liquidation has been conducted and the property of the company disposed of. If you would like further explanations on any aspect of my report, and do not wish to attend the meeting, please telephone or write to me.

To assist creditors in considering this matter, I enclose the following documents:

- Notice of the final meetings of members and creditors;
- Liquidator's Abstract of Receipts and Payments,
- Jones, Giles & Clay Limited charge-out rates
- Proxy form
- Statement of Creditors' or Members' Rights

**Voting at the meetings**

The purpose of the final meetings of members and creditors is for the liquidator to lay before each meeting an account of his acts and dealings and of the conduct of the winding-up. There are no formal resolutions required to be voted upon by statute.

Votes at the meeting are based on the value of your debt as evidenced by a written statement of your claim

If you are not a limited company, you may vote if

- 1 you attend the meeting and have either submitted or bring with you a statement of your claim, or
- 2 you do not attend the meeting but nominate someone else to attend on your behalf and return the proxy form by midday on the business day before the meeting. You can nominate the chairman of the meeting to act as your proxy and vote in accordance with your wishes. You must submit a statement of claim either at or before the meeting.

If you are a limited company, you must ensure the enclosed proxy is received no later than midday on the business day before the meeting. It may be posted or sent by facsimile. You must also provide a written statement of claim if you have not already done so.

### **Members**

Votes are based on the nominal value of your shares. All other voting rules are as above.

### **Report to creditors**

A copy of the Liquidators' Abstract of Receipts and Payments Account made up to date is attached.

### **Assets**

There were no realisable assets listed on the directors' statement of affairs.

### **Liabilities**

#### **Preferential and Unsecured creditors**

No dividend will be declared in respect of the claims of either Preferential or unsecured creditors. Actual claims received are:

	<b>Actual</b>	<b>Statement of affairs</b>
	<b>£</b>	<b>£</b>
Preferential creditors	*	15,000
Unsecured creditors	88,100	497,501

\* The claim from the Redundancy Payments Service has not been received as yet.

Creditors' claims have not been formally agreed.

## **Investigation**

The liquidator has a duty to investigate the conduct of the directors and submit a report to The Insolvency Service on the conduct of those directors or shadow directors who were in office in the three years prior to the liquidation

I should confirm that I have complied with these obligations

## **Remuneration**

All amounts drawn in fees have been from funds provided by the shareholder for that express purpose. A fixed sum of £5,000 was agreed with the shareholder prior to the liquidation to include all fees and disbursements. In common with all professional firms, our scale rates increase from time to time and a copy of Jones, Giles & Clay Limited's current charge-out rates is attached

I summarise on the attached schedule details of the hours spent on the various tasks undertaken during the liquidation to 10 June 2016. Time has been spent on dealing with claims from former company employees, investigating the affairs of the company, dealing with correspondence and queries from creditors. Likewise, time has been spent on post-appointment tax matters and on compliance with both statutory requirements and the firm's internal procedures.

A total of 35 hours has been spent at an average of £225 per hour totalling £7,905. It is anticipated that a further 10 hours totalling £1,600 will be spent in closing the case bringing the total time spent to 45 hours at an average of £211 per hour totalling £9,505. To date £700 has been drawn in respect of those costs and it is anticipated that a further £792 will be drawn prior to the final meeting of creditors. The balance will be written off.

In accordance with the resolutions passed by the directors pre-liquidation and subsequently supported by the Members and Creditors at their meetings, Jones, Giles & Clay Limited's pre-liquidation fees of £3,000 plus disbursements and VAT have been paid.

Background information to help creditors understand the law and their rights in relation to determining how the liquidator will be paid is available at <http://www.insolvency-practitioners.org.uk> (Navigate via "Regulation and Guidance" to "Creditors Guide to Fees")

## **Disbursements**

Category 1 and 2 disbursements are itemised in the attached receipts and payments account

## **Outstanding issues**

There is a balance of approximately £139 in the liquidation bank account which together with a post liquidation VAT refund will be used to pay the remaining liquidation costs and for the statutory advertising in respect of the final meetings.

Once the final meetings of members and creditors have been held, the final Receipts and Payments account will be filed at Companies House and the company will be dissolved approximately three months thereafter

### **Conclusion**

Should you require any further information regarding the meetings, or the conduct of this liquidation, please do not hesitate to contact me

Yours faithfully

A handwritten signature in black ink, appearing to be 'W Vaughan Jones', written over the typed name.

W Vaughan Jones  
Joint Liquidator

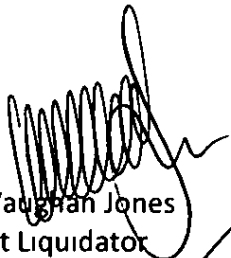
IN THE MATTER OF THE INSOLVENCY ACT 1986

NOTICE OF FINAL MEETINGS

**Applejack Diners Limited – In Liquidation**

**NOTICE IS HEREBY GIVEN** pursuant to section 106 of the Insolvency Act 1986 that Final Meetings of Members and Creditors of the above named Company will be held at the offices of Jones, Giles & Clay Ltd, The Maltings, East Tyndall Street, Cardiff, CF24 5EZ on 26 August 2016 at 10.00 a m and 10.30 a m respectively, for the purpose of having a report and account laid before them, showing how the winding-up has been conducted, the property of the Company disposed of, hearing any explanation that might be given, deciding whether or not the liquidator should have his release and confirming the date for the disposal of books and records

A Member or Creditor entitled to attend and vote at the Meetings may appoint a proxy, who need not be a Member or Creditor to attend and vote instead of him Proxies for use at the meeting should be lodged at Jones, Giles & Clay Ltd, The Maltings, East Tyndall Street, Cardiff, CF24 5EZ, no later than 12 00 noon on 25 August 2016



W Vaughan Jones  
Joint Liquidator

15 June 2016

**Applejack Diners Ltd**  
**(In Liquidation)**  
**Joint Liquidators' Abstract of Receipts & Payments**  
**To 14/06/2016**

<b>S of A £</b>		<b>£</b>	<b>£</b>
	<b>ASSET REALISATIONS</b>		
	Contribution from Shareholder	5,000 00	
	Bank Interest Net of Tax	0 07	
			5,000 07
	<b>COST OF REALISATIONS</b>		
	Specific Bond	24 00	
	Preparation of S of A	3,000 00	
	Office Holders Fees	700 00	
	Stationery & Postage	10 00	
	Statutory Advertising	288 00	
	IT Costs	45 00	
	Bank Charges	40 00	
			(4,107 00)
(15,000 00)	<b>PREFERENTIAL CREDITORS</b>		
	Employee Arrears/Hol Pay	NIL	
			NIL
(442,500 58)	<b>UNSECURED CREDITORS</b>		
(55,000 00)	Trade & Expense Creditors	NIL	
	Directors Loans	NIL	
			NIL
(70,000 00)	<b>DISTRIBUTIONS</b>		
	Ordinary Shareholders	NIL	
			NIL
<b>(582,500 58)</b>			<b>893.07</b>
	<b>REPRESENTED BY</b>		
	Vat Receivable		813 40
	Interest Bearing Current Account		139 27
	Vat Control Account		(59 60)
			<b>893 07</b>



### Summary of time costs as at 10 June 2016

Classification of work function	Hours				Total hours	Time cost	Average hourly rate
	Partner	Manager	Other senior professional	Assistants & Support staff			
						£	£
Administration & planning	2 10	0 20	0 00	2 05	4 35	987 00	227
Investigations	1 00	0 00	0 00	1 50	2 50	510 00	204
Creditors	11 50	0 00	1 00	12 80	25 30	5,481 00	217
Realisation of assets	2 70	0 00	0 00	0 30	3 00	927 00	309
	<u>17 30</u>	<u>0 20</u>	<u>1 00</u>	<u>16 65</u>	<u>35 15</u>	<u>7,905 00</u>	<u>225</u>
Anticipated future time costs							
Closing	2 00	0 00	4 00	4 00	10 00	1,600 00	160
Total anticipated time costs						<u>9,505 00</u>	
Total fees claimed							
Paid to date						700 00	
To be invoiced						<u>792 00</u>	
						<u>1,492 00</u>	

# Jones Giles & Clay Ltd

## STANDARD CHARGE OUT RATES

1 May 2016 – 30 April 2017

### Time costs

All partners and staff are charged out at standard hourly rates appropriate to their grade as follows, and time is recorded in 6 minute units. Our fees do increase from time to time, and updates will be issued to creditors in future statutory reports

	£
Insolvency Practitioner/Director	330
Senior Manager	240
Manager	180
Supervisor	150
Case Administrator	120
Support staff	80

### Disbursements

#### ***Category 1 costs – (Approval not required from creditors)***

- Out of pocket expenses are charged at cost
- Postage is charged at the prevailing rate for either first or second class (this is not charged for routine day to day correspondence).
- Case specific management system licence fee is charged at the rate advised annually by the software provider, currently estimated at £15 per annum.

#### ***Category 2 costs – (Approval required from creditors)***

- Where a room is booked at a Jones Giles & Clay office for a meeting of creditors or of a creditors' committee, a charge of £50 is paid.
- Mileage is charged out at standard rates that comply with H M Revenue and Customs limits, or AA recommended rates
- The costs of printing and stationery relating to initial, interim and final reports is charged at the rate of 10p per sheet. No charges are made for routine day-to day correspondence
- The cost of storing books and records will be charged at the rate of 9.75p per box per week

VAT is added to disbursement charges as necessary

**NB: In the case of Company Voluntary Arrangements or Individual Voluntary Arrangements, acceptance of the arrangement will be deemed to be acceptance to the above charging policy**

Rule 4 067, 8 1 Insolvency Act 1986

**Proxy (Creditor's Voluntary Winding Up)****Applejack Diners Limited (in liquidation)****Notes to help completion  
of the form**Please give full name and  
address for communication

Name of creditor/member

Address

Please inset name of  
person (who must be 18 or  
over) or the "chairman of  
the meeting" (see note  
below) If you wish to  
provide for alternative  
proxy-holders in the  
circumstances that your first  
choice is unable to attend  
please state the name(s) of  
the alternatives as well

Name of proxy-holder

1

2

3

Please delete words in  
brackets if the proxy-holder  
is only to vote as directed ie  
he has no discretion

I appoint the above person to be my/the creditor's/member's proxy-holder at the meeting of  
creditors/members to be held on 26 August 2016 , or at any adjournment of that  
meeting The proxy-holder is to propose or vote as instructed below (and in respect of any  
resolution for which no specific instruction is given, may vote or abstain at his/her discretion)

Any other resolutions which  
the proxy-holder is to  
propose or vote in favour of  
or against should be set out  
in the space provided

If more room is required  
please use the other side  
of this form

**This form must be signed**

Signature

Date

Name in CAPITAL LETTERS

Only to be completed if the  
creditor/member has not  
signed in person

Position with creditor/member or relationship to creditor/member or other authority for  
signature

Please note that if you nominate the chairman of the meeting to be your proxy-holder  
he will either be a director of the company or the current liquidator

## ***Statement of Members'/Creditors' Rights***

Within 21 days of receipt of a Progress Report (or 7 business days where the report has been prepared for the purposes of a meeting to receive the Office Holder's resignation), a creditor, or in the case of an MVL a member, may request the Office Holder to provide further information about the remuneration and expenses set out in the Report. A request must be in writing and may be made by

- A secured creditor, or
- An unsecured creditor with the concurrence of at least 5% in value of the creditors (including that creditor) or the permission of the Court,
- In the case of an MVL, by members of the company with at least 5% of the total voting rights of all the members having the right to vote at general meetings, or
- With the permission of the Court –
  - Any unsecured creditor
  - In the case of an MVL, any member

The Office Holder must provide the requested information within 14 days, unless he considers that

- The time or cost involved in preparing the information would be excessive, or
- Disclosure would be prejudicial to the conduct of the proceedings or might be expected to lead to violence against any person, or
- The Office Holder is subject to an obligation of confidentiality in relation to the information requested,

in which case he must give the reasons for not providing the information

Any creditor may apply to the Court within 21 days of the Office Holder's refusal to provide the requested information, or the expiry of the 14 days time limit for the provision of the information

If a creditor or, in the case of an MVL, a member, or in the case of a Bankruptcy, the Bankrupt, believes that the Office Holder's Remuneration is, in all the circumstances, excessive, the basis is inappropriate, or the expenses incurred by the Office Holder are, in all the circumstances, excessive, he may, provided certain conditions are met, apply to the Court

Application may be made to the Court

- By any secured creditor, or any unsecured creditor with either the concurrence of at least 10% in value of the creditors (including that creditor) or the permission of the Court,
- In the case of a Bankruptcy, by the Bankrupt,
- In the case of an MVL, by members of the company with at least 10% of the total voting rights of all the members having the right to vote at general meetings

Any such application must be made within 8 weeks of the applicant receiving the Office Holder's Progress Report in which the charging of the remuneration or incurring of the expenses in question is first reported

If the Court considers the application well founded, it may order that the remuneration be reduced, the basis be changed, or the expenses be disallowed or repaid. Unless the Court orders otherwise, the costs of the application must be paid by the applicant and not out of the assets

Where application is made for the annulment of a Bankruptcy Order on the grounds of payment in full, the Trustee's Report to the Court under Rule 6.207 must include a statement of

- The Trustee's remuneration,
- The basis fixed for the Trustee's remuneration, and
- The expenses incurred by the Trustee,

And the applicant may apply for an Order on the grounds that the remuneration or expenses are, in all the circumstances, excessive