

Section 94

Form 4.71

Return of Final Meeting in a
Members' Voluntary Winding Up

Pursuant to Section 94 of the
Insolvency Act 1986

To the Registrar of Companies

S.94

Company Number

03119127

Name of Company

Baron Design Limited

~~W~~We Mary Anne Currie-Smith
Unit 3a, Crome Lea Business Park
Madingley Road
Cambridge
CB23 7PH

W John Kelly
10th Floor
Temple Point
1 Temple Row
Birmingham
B2 5LG

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

give notice that a general meeting of the company was duly held on/~~summoned for~~ 19 August 2013 pursuant to section 94 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~~

The meeting was held at c/o Begbies Traynor (Central) LLP, 3A Crome Lea Business Park, Madingley Road, Cambridge, CB23 7PH

The winding up covers the period from 2 April 2012 (opening of winding up) to the final meeting (close of winding up)

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

The Chairman proposed the resolution set out below and from the proxy forms received, the Chairman declared the resolution to have been passed

THAT the Joint Liquidators' final report and account of receipts and payments be approved

Signed



Date 19 August 2013

Begbies Traynor (Central) LLP
Unit 3a, Crome Lea Business Park
Madingley Road
Cambridge
CB23 7PH

Ref BA096MVL/MACS/WJK/HN/SWP/PC



BARON DESIGN LIMITED (IN MEMBERS' VOLUNTARY LIQUIDATION)

Final report and account of the liquidation pursuant to
Section 94 of the Insolvency Act 1986 and Rule 4.126A of
the Insolvency Rules 1986

Period: 2 April 2013 to 19 August 2013

Important Notice

This report has been produced solely to comply with our statutory duty to report to members of the Company pursuant to Section 94 of the Insolvency Act 1986. This report is private and confidential and may not be relied upon, referred to, reproduced or quoted from, in whole or in part, by members for any purpose other than this report to them, or by any other person for any purpose whatsoever.

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1. INTERPRETATION

<u>Expression</u>	<u>Meaning</u>
"the Company"	Baron Design Limited (In Members' Voluntary Liquidation)
"the liquidators", "we", "our" and "us"	Mary Anne Curne-Smith of Begbies Traynor (Central) LLP, 3A Crome Lea Business Park, Madingley Road, Cambridge, CB23 7PH and W John Kelly of Begbies Traynor (Central) LLP, 10th Floor, Temple Point, 1 Temple Row, Birmingham, B2 5LG
"the Act"	The Insolvency Act 1986 (as amended)
"the Rules"	The Insolvency Rules 1986 (as amended)
"secured creditor" and "unsecured creditor"	Secured creditor, in relation to a company, means a creditor of the company who holds in respect of his debt a security over property of the company, and "unsecured creditor" is to be read accordingly (Section 248(1)(a) of the Act)
"security"	(i) In relation to England and Wales, any mortgage, charge, lien or other security (Section 248(1)(b)(i) of the Act), and (ii) In relation to Scotland, any security (whether heritable or moveable), any floating charge and any right of lien or preference and any right of retention (other than a right of compensation or set off) (Section 248(1)(b)(ii) of the Act)
"preferential creditors"	Any creditor of the Company whose claim is preferential within Sections 386, 387 and Schedule 6 to the Act

This is our final report and account of the liquidation and should be read in conjunction with the progress report to members dated 22 April 2013

2. COMPANY INFORMATION

Trading name(s)	Baron Design Limited
Company registered number	03119127
Company registered office	c/o Begbies Traynor (Central) LLP, 3A Crome Lea Business Park, Maddingley Road, Cambridge, CB23 7PH
Former trading address	49-51 High Street, Trumpington, Cambridge, CB2 9HZ

3. DETAILS OF APPOINTMENT OF LIQUIDATORS

Date winding up commenced	2 April 2012
Date of liquidators' appointment	Both appointed on 2 April 2012
Changes in liquidator (if any)	None

4. PROGRESS SINCE APPOINTMENT

Details of the progress made during the liquidation since the date of our appointment were provided in our annual progress report dated 22 April 2013

Since the date of that report, we have prepared and submitted the final corporation tax return for the period, discharged the associated tax liability, requested and obtained tax clearances to close the liquidation, ensured that all final costs of the liquidation (including the liquidators' final remuneration) had been accounted for and discharged and distributed surplus funds totalling £97,080 62 to the sole ordinary shareholder of the Company

Attached at Appendix 1 is our abstract of receipts and payments for the period from 2 April 2012 to 19 August 2013, incorporating a period account for the period from 2 April 2013 to 19 August 2013. Our comments in respect of items appearing in the period account are as follows

RECEIPTS

There have been no receipts into the liquidation estate during the period

PAYMENTS

Liquidators' Fees

As previously reported, we sought and received approval to draw additional fees of £4,000 on account, further details of which are noted at Section 7 of this report.

Liquidators' Disbursements

Disbursements of £84 60 have been drawn during the period, in accordance with the resolution passed at the General Meeting of Members held on 2 April 2012. Further details are noted at Section 7 and Appendix 2 of this report.

Corporation Tax

A payment of £15 23 has been made to HM Revenue & Customs in respect of the corporation tax liability due for the period of liquidation

Storage Costs

The Company's books and records are stored at an offsite facility for which quarterly charges are payable. During the period, £45 73 has been paid to Doxbond (Cambridge) for the continued storage and eventual destruction and disposal of the Company's books and records

Distributions to the Ordinary Shareholders

Distributions totalling £97,080 62 has been made to the ordinary shareholder, further details of which are noted at Section 6 of this report.

5. OUTCOME FOR CREDITORS

As in any liquidation, in a members' voluntary liquidation creditors are required to prove their claims and the liquidators must examine the proofs and the particulars of the claims and admit them, in whole or in part, or reject them. The liquidators must then settle the priorities of the creditors (as between secured, preferential, and unsecured) before paying them in full with statutory interest.

The statement of assets and liabilities embodied within the statutory declaration of solvency sworn by the director indicated that there were a number of outstanding creditors, including retention creditors. We have paid, with statutory interest (where applicable), all trade and expense creditors and latterly the retention creditors.

We have obtained clearance from HM Revenue & Customs that no further amounts are due in respect of PAYE and National Insurance, Corporation Tax and VAT.

6. DISTRIBUTIONS TO MEMBERS

During the period, we have distributed final surplus funds of £97,080 62 to the sole shareholder of the Company (Baron Design Holdings Limited).

In total, we have distributed surplus funds of £197,080 62.

7. REMUNERATION & DISBURSEMENTS

Our remuneration has been fixed by reference to the time properly given by us for the work undertaken prior to appointment and as liquidators and the various grades of our staff calculated at the prevailing hourly charge out rates of Begbies Traynor (Central) LLP for attending to matters arising in the winding up subject to us agreeing that our remuneration shall not exceed the sum of £2,500 in circumstances where the value of the time given by us and our staff in attending to matters arising in the winding up and prior to appointment exceeds this sum.

We are also authorised to draw disbursements, including disbursements for services provided by our firm (defined as category 2 disbursements in Statement of Insolvency Practice 9) in accordance with our firm's policy, details of which were presented to the general meeting of the Company at which various resolutions, including the special resolution that the Company be wound up voluntarily, were passed and which is attached at Appendix 2 of this report.

Our time costs for the period from 2 April 2012 to 2 July 2013 amount to £15,586.00 which represents 72.90 hours at an average rate of £213.80 per hour

The following further information in relation to our time costs and disbursements is set out at Appendix 2

- ☐ Narrative summary of time costs incurred
- ☐ Table of time spent and charge-out value for the period 2 April 2013 to 2 July 2013
- ☐ Cumulative table of time spent and charge-out value for the period 2 April 2012 to 2 July 2013
- ☐ Begbies Traynor (Central) LLP's policy for re-charging disbursements
- ☐ Begbies Traynor (Central) LLP's charge-out rates

To date, we have drawn the total sum of £6,500 plus disbursements of £193.93 on account in accordance with the approval obtained

Details of the Category 2 disbursements and also disbursements that should be treated as Category 2 disbursements that have been taken in accordance with the approval obtained are provided in the narrative summary of time costs incurred which is at Appendix 2

8. UNREALISABLE ASSETS

There are no assets that have been deemed unrealisable

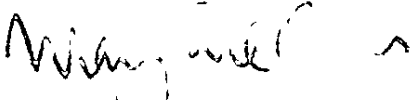
9. CONCLUSION

This report and account of receipts and payments will be laid before a final meeting of the Company to be held on Monday 19 August 2013 in accordance with Section 94 of the Act. Formal notice of the meeting and a proxy form are enclosed with the covering letter accompanying this report. The meeting is a formal requirement of liquidation procedure and a prelude to the formal dissolution of the Company, which will occur automatically, approximately three months later. Pursuant to Section 173(2) of the Act we will be released from liability at the time that we vacate office.

If you wish to attend the meeting, it would assist in making the necessary administrative arrangements if you would inform the case manager by telephone. This is particularly important if you consider that the proposed venue is inconvenient. In that event, we will consider reconvening the meeting to an alternative venue to be agreed. Any such request should be made within the next seven days.

If you do not wish to attend the meeting in person, you can appoint a proxy to attend on your behalf. The proxy form should be returned to our office by 12 noon on the business day before the meeting. Please note that my staff and I will not accept receipt of completed proxy forms by email. Submission of proxy forms by email will lead to the proxy being held invalid and the vote not cast.

Should you require further explanation of any matters contained within this report, you should contact our office and speak to the case manager, Hoan Nguyen, in the first instance, who will be pleased to assist.



Mary Currie-Smith
Joint Liquidator

Dated 2 July 2013

ACCOUNT OF RECEIPTS AND PAYMENTS

Period 2 April 2012 to 19 August 2013

(Incorporating a period account from 2 April 2013 to 19 August 2013)

Baron Design Limited
(In Liquidation)
Joint Liquidators' Abstract of Receipts & Payments

Declaration of Solvency		From 02/04/2013 To 19/08/2013	From 02/04/2012 To 19/08/2013
ASSET REALISATIONS			
10,993 00	Fixed Assets	NIL	NIL
53,315 99	Book Debts	NIL	52,937 56
7,191 67	Tax Refund	NIL	6,458 11
142,872 00	Cash at Bank	NIL	163,115 60
	Retention Monies	NIL	24,395 76
	Bank Interest Gross	NIL	76 13
	Sundry Refunds	NIL	208 79
		<u>NIL</u>	<u>247,191 95</u>
COST OF REALISATIONS			
	Office Holders Fees	4,000 00	6,500 00
	Office Holders Expenses	84 60	193 93
	Corporation Tax	15 23	15 23
	Retention Creditors	NIL	21,222 90
	Storage Costs	45 73	45 73
	Statutory Advertising	NIL	452 25
	Pre-Appointment VAT	NIL	398 79
		<u>(4,145 56)</u>	<u>(28,828 83)</u>
UNSECURED CREDITORS			
(8,032 10)	Trade Creditors	NIL	21,010 30
	Statutory Interest	NIL	272 20
(174 68)	HMRC - PAYE	NIL	NIL
(423 37)	HMRC (VAT)	NIL	NIL
		<u>NIL</u>	<u>(21,282 50)</u>
DISTRIBUTIONS			
(1,000 00)	Ordinary Shareholders	<u>97,080 62</u>	<u>197,080 62</u>
		<u>(97,080 62)</u>	<u>(197,080 62)</u>
<u>204,742.51</u>		<u><u>(101,226.18)</u></u>	<u><u>0.00</u></u>
REPRESENTED BY			
			<u><u>NIL</u></u>



Mary Anne Curne-Smith
Joint Liquidator

TIME COSTS AND DISBURSEMENTS

- a Begbies Traynor (Central) LLP's policy for re-charging expenses/disbursements,
- b Begbies Traynor (Central) LLP's charge-out rates,
- c Narrative summary of time costs incurred,
- d Table of time spent and charge-out value for the period from 2 April 2013 to 2 July 2013, and
- e Cumulative table of time spent and charge-out value for the period from 2 April 2012 to 2 July 2013

BEGBIES TRAYNOR CHARGING POLICY

INTRODUCTION

This note applies where a licensed insolvency practitioner in the firm is acting as an office holder of a solvent estate and seeks member approval to draw remuneration on the basis of the time properly spent in dealing with the case. It also applies where further information is to be provided to members regarding the office holder's fees following the passing of a resolution for the office holder to be remunerated on a time cost basis. Best practice guidance¹ requires that such information should be disclosed to those who are responsible for approving remuneration.

In addition, this note applies where member approval is sought to make a separate charge by way of expenses or disbursements to recover the cost of facilities provided by the firm and also where payments are to be made to outside parties in which the office holder or his firm or any associate has an interest. Best practice guidance² requires that such charges should be disclosed to those who are responsible for approving the office holder's remuneration, together with an explanation of how those charges are calculated.

OFFICE HOLDER'S FEES IN RESPECT OF THE ADMINISTRATION OF SOLVENT ESTATES

The office holder has overall responsibility for the administration of the estate. He/she will delegate tasks to members of staff. Such delegation assists the office holder as it allows him/her to deal with the more complex aspects of the case and ensures that work is being carried out at the appropriate level. There are various levels of staff that are employed by the office holder and these appear below.

The firm operates a time recording system which allows staff working on the case along with the office holder to allocate their time to the case. The time is recorded at the individual's hourly rate in force at that time which is detailed below.

EXPENSES INCURRED BY OFFICE HOLDERS IN RESPECT OF THE ADMINISTRATION OF SOLVENT ESTATES

Best practice guidance classifies expenses into two broad categories:

- ☐ *Category 1 disbursements (approval not required)* - specific expenditure that is directly related to the case usually referable to an independent external supplier's invoice. All such items are charged to the case as they are incurred.
- ☐ *Category 2 disbursements (approval required)* - items of incidental expenditure directly incurred on the case which include an element of shared or allocated cost and which are based on a reasonable method of calculation.

(A) The following items of expenditure are charged to the case (subject to approval):

- Internal meeting room usage for the purpose of statutory meetings of creditors is charged at the rate of £100 (London £150) per meeting,
- Car mileage is charged at the rate of 45 pence per mile,
- Storage of books and records (when not chargeable as a *Category 1 disbursement*) is charged on the basis that the number of standard archive boxes held in storage for a particular case bears to the total of all archive boxes for all cases in respect of the period for which the storage charge relates,

¹ Statement of Insolvency Practice 9 (SIP 9) – Remuneration of insolvency office holders in England & Wales (Effective 6 April 2010)

² *Ibid* 1

- Displaying properties for sale on the 'Accelerated Property Sales from Begbies Traynor' section of the Begbies Traynor website is charged at the rate of £75 00 per property;
 - *Expenses which should be treated as Category 2 disbursements (approval required)* – in addition to the 2 categories referred to above, best practice guidance indicates that where payments are made to outside parties in which the office holder or his firm or any associate has an interest these should be treated as Category 2 disbursements
- (B) The following items of expenditure will normally be treated as general office overheads and will not be charged to the case although a charge may be made where the precise cost to the case can be determined because the item satisfies the test of a *Category 1 disbursement*
- Telephone and facsimile
 - Printing and photocopying
 - Stationery

BEGBIES TRAYNOR CHARGE-OUT RATES

Begbies Traynor is a national firm. The rates charged by the various grades of staff that may work on a case are set nationally, but vary to suit local market conditions. The rates applying to the Cambridge office as at the date of this report are as follows:

	Standard 1 May 2011 – until further notice Regional
Partner	395
Director	345
Senior Manager	310
Manager	265
Assistant Manager	205
Senior Administrator	175
Administrator	135
Trainee Administrator	110
Support	110

Time spent by support staff such as secretarial, administrative and cashiering staff is charged directly to cases. It is not carried as an overhead.

Time is recorded in 6 minute units.

SUMMARY OF OFFICE HOLDERS' TIME COSTS

1 CASE OVERVIEW

- 1.1 This overview and the time costs analysis attached is intended to provide sufficient information to enable the body responsible for the approval of the office holders' fees to consider the level of those fees in the context of the case

1.2 Complexity of the case

The case should have been relatively straightforward as there were limited assets which needed to be realised i.e. cash at bank, a number of book debts and a pre-appointment corporation tax refund

As previously reported, the number of trade and expense creditors had increased as although cheques had been issued to these creditors prior to the liquidation commencing, these did not clear the bank account and therefore a significant amount of time was spent in resolving this matter, reviewing and agreeing claims and ensuring that statutory interest (where applicable) was paid

Further time was spent recovering the Company's book debts, dealing with debtor enquiries and disputes and chasing payment of the outstanding debts. All book debts have been recovered, with one book debt deemed irrecoverable as this had been paid prior to appointment. The debt collection exercise has since been concluded

Latterly, a significant amount of time was spent chasing recovery of retention monies due to the Company from the Westbrook project; dealing with queries from the retention creditors, reviewing and agreeing claims of the retention creditors and making payments to the retention creditors as necessary

During the period of this report, we have prepared and submitted the final corporation tax return for the liquidation, discharged the associated tax liability; sought and obtained tax clearances to close the liquidation, discharged final costs of the liquidation and distributed the remaining surplus funds of £97,080.62 to the sole shareholder

1.3 Exceptional responsibilities

Aside from our usual duties and responsibilities as Liquidators, no exceptional responsibilities have been undertaken

1.4 The office holders' effectiveness

Our aim was to realise the Company's assets, settle outstanding creditor claims and make distributions to the ordinary shareholder in a timely manner. We believe we have been effective in this manner as all assets have been realised and creditor claims (including claims of the retention creditors) have been dealt with

In addition, we have made distributions totalling £197,080.62 to the sole shareholder

1.5 Nature and value of property dealt with by the office holders'

The Company operated from premises which were personally owned by the director. There were no other property assets to be dealt with

1.6 Anticipated return to members

The Declaration of Solvency estimated surplus funds of £202,742.51 would be available for distribution to the ordinary shareholder

Due to increased creditor claims and costs of the liquidation, the sum of £197,080.62 has been distributed

1 7 Time costs analysis

An analysis of time costs incurred between 2 April 2012 and 2 July 2013 prepared in accordance with Statement of Insolvency Practice 9 is attached showing the number of hours spent by each grade of staff on the different types of work involved in the case, and giving the average hourly rate charged for each work type

The time costs analysis provides details of work undertaken by the office holders and their staff following their appointment only

1 8 The views of the members

All member's correspondence, emails and telephone enquires have been dealt with in a timely manner

1 9 Approval of fees

It was resolved at the General Meeting of the Members held on 2 April 2012

"THAT the Joint Liquidators remuneration be fixed by reference to the time properly given by them for the work undertaken prior to appointment and as liquidators and the various grades of their staff calculated at the prevailing hourly charge out rates of Begbies Traynor (Central) LLP for attending to matters arising in the winding up subject to the Joint Liquidators agreeing that their remuneration shall not exceed the sum of £2,500 in circumstances where the value of the time given by them and their staff in attending to matters arising in the winding up and prior to appointment exceeds this sum "

1 10 Approval of Expenses and Disbursements

It was resolved at the General Meeting of the Members held on 2 April 2012

"THAT the Joint Liquidators be authorised to draw disbursements, including disbursements for services provided by their firms (defined as Category 2 disbursements in Statement of Insolvency Practice 9), in accordance with their firm's policy, details of which accompanied the information presented to the general meeting of the Company "

1 11 Category 2 Disbursements

In accordance with the resolution obtained in relation to expenses and disbursements, the following Category 2 disbursements and disbursements which should be treated as Category 2 disbursements have been charged to the case since the date of my appointment:

Other amounts paid or payable to the office holder's firm	
Type and purpose	Amount £
Postage	6 83
Bond Premium	102 50
Statutory Advertising	84 60
TOTAL	193 93

1 12 Other professionals employed & their costs

No other professionals have been employed

2 EXPLANATION OF LIQUIDATORS' CHARGING AND DISBURSEMENT RECOVERY POLICIES

- 2 1 Begbies Traynor (Central) LLP's policy for charging fees and expenses and also the rates charged by the various grades of staff who have worked on the case are also attached

3. SUMMARY OF WORK CARRIED OUT SINCE OUR LAST REPORT

3.1 Since the date of our last report, the following work has been carried out:

- Sought and obtained tax clearances to close the liquidation,
- Prepare final outcome statement prior to distribution of remaining surplus funds to the ordinary shareholder;
- Discharge final costs of the liquidation including the Liquidators' remuneration,
- Deal with all routine correspondence and queries,
- Deal with all member correspondence, emails and phone calls,
- Deal with all creditor correspondence, emails and phone calls,
- Distribute remaining surplus funds to the ordinary shareholder;
- Prepare the final progress report,
- Closure formalities

TABLE OF TIME SPENT AND CHARGE-OUT VALUE

Period. 2 April 2013 to 2 July 2013

(including a cumulative table of time spent for the period 2 April 2012 to 2 July 2013)

[illegible]

[illegible]