

LIQ14

Notice of final account prior to dissolution in CVL



Companies House

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

1 Company details

Company number	02979027	→ Filling in this form Please complete in typescript or in bold black capitals.
Company name in full	East Sussex Disability Association Limited	

2 Liquidator's name

Full forename(s)	John	
Surname	Walters	

3 Liquidator's address

Building name/number	2/3	
Street	Pavilion Buildings	
Post town	Brighton	
County/Region	East Sussex	
Postcode	BN1 1EE	
Country		

4 Liquidator's name ①

Full forename(s)	Jonathan James	① Other liquidator Use this section to tell us about another liquidator.
Surname	Beard	

5 Liquidator's address ②

Building name/number	2/3	② Other liquidator Use this section to tell us about another liquidator.
Street	Pavilion Buildings	
Post town	Brighton	
County/Region	East Sussex	
Postcode	BN1 1EE	
Country		

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6

Liquidator's release

☐ Tick if one or more creditors objected to liquidator's release.

:

7

Final account

☒ I attach a copy of the final account.

8

Sign and date

Liquidator's signature

Signature

X



X

Signature date

d

1

d

0

m

0

m

2

y

2

y

0

y

2

y

2

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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 **John Walters**

Company name **Begbies Traynor (Central) LLP**

Address **2/3 Pavilion Buildings**

Post town **Brighton**

County/Region **East Sussex**

Postcode **B N 1 1 E E**

Country

DX

Telephone **01273 322960**



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

East Sussex Disability Association
Limited **(In Creditors' Voluntary
Liquidation)**

Final report and account of the liquidation

Period: 24 August 2021 to 16 December 2021

Important Notice

This report has been produced solely to comply with our statutory duty to report to creditors and members of the Company pursuant to Section 106 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 creditors and 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"	East Sussex Disability Association Limited (In Creditors' Voluntary Liquidation)
"the liquidation"	The appointment of liquidators on 24 August 2016.
"the liquidators", "we", "our" and "us"	John Walters and Jonathan James Beard of Begbies Traynor (Central) LLP, 2/3, Pavilion Buildings, Brighton, East Sussex, BN1 1EE
"the Act"	The Insolvency Act 1986 (as amended)
"the Rules"	The Insolvency (England & Wales) Rules 2016
"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 creditor"	Any creditor of the Company whose claim is preferential within Sections 386, 387 and Schedule 6 to the Act

2. COMPANY INFORMATION

Trading name(s):	N/A
Company registered number:	02979027
Company registered office:	2/3 Pavilion Buildings, Brighton, East Sussex, BN1 1EE
Former trading address:	1 Faraday Close, Eastbourne, East Sussex, BN22 9BH

3. DETAILS OF APPOINTMENT OF LIQUIDATORS

Date winding up commenced:	24 August 2016
Date of liquidators' appointment:	24 August 2016
Changes in liquidator (if any):	None

4. PROGRESS SINCE OUR LAST REPORT

This is our final report and account of the liquidation and should be read in conjunction with the progress reports to creditors dated 24 August 2016 to 23 August 2017, 24 August 2017 to 23 August 2018, 24 August 2018 to 23 August 2019, 24 August 2019 to 23 August 2020 and 24 August 2020 to 23 August 2021.

Receipts and Payments

Attached at Appendix 1 is our abstract of receipts and payments for the period from 24 August 2021 to 16 December 2021.

No additional assets have been realised during the period covered by this report with the exception of a small amount of deposit interest.

What work has been done in the period of this report, why was that work necessary and what has been the financial benefit (if any) to creditors?

Details of the types of work that generally fall into the headings mentioned below are available on our firm's website - <http://www.begbies-traynorgroup.com/work-details>. Under the following headings we have explained the specific work that has been undertaken on this case. Not every piece of work has been described, but we have sought to give a proportionate overview which provides sufficient detail to allow creditors to understand what has been done, why it was necessary and what financial benefit (if any) the work has provided to creditors.

The costs incurred in relation to each heading are set out in the Time Costs Analysis which is attached at Appendix 2. There is an analysis for the period of the report and also an analysis of time spent on the case since the date of our appointment.

The details below relate to the work undertaken in the period of the report only. Our previous reports contain details of the work undertaken since our appointment.

General case administration and planning

The work undertaken in respect of general case administration and planning has mainly consisted of the following:

- Discussions between the case administrator and the lead partner in respect of ongoing case strategy;
- Detailed case reviews;
- Filing;
- Ensuring that the IP Record is up to date;
- Review the case file to ensure compliance.

Filing and case reviews are necessary to comply with this firm's ongoing review requirements and do not directly result in a financial benefit to creditors.

Compliance with the Insolvency Act, Rules and best practice

Compliance with the Insolvency Act, Rules and best practice has mainly consisted of the following:

- Preparing our previous report and this report and sending to creditors;
- Filing relevant documents with Companies House;
- Dealing with any payments and general banking;
- Reviewing the level of bonding.

It is necessary to do the above work in order to comply with the Insolvency Act, Rules and best practice. We do not anticipate this work being a financial benefit to creditors.

Dealing with all creditors' claims (including employees), correspondence and distributions

This has included the following:

- Reviewing and replying to creditor correspondence and updating records accordingly;
- Agreeing unsecured creditors and paying a dividend.

This work has allowed creditors to receive dividend.

Other matters which includes seeking decisions from creditors (via Deemed Consent Procedure and/or Decision Procedures), tax, litigation, pensions and travel

- Submitting relevant Tax returns and seeking clearance from HMRC with regard to finalising the liquidation.

This work does not result in a financial benefit to creditors but is required under tax legislation.

5. OUTCOME FOR CREDITORS

Details of the sums owed to each class of the Company's creditors were provided in the directors' statement of affairs.

Secured creditor

There are no known secured creditors.

Preferential creditors

Preferential claims of employees for arrears of wages, salary and holiday pay were admitted in the total sum of £3,790.68.

A dividend of 100 pence in the £ has been paid to the preferential creditors.

Dividend	Date of Dividend	Amount (pence in £)
First and Final	12 November 2020	100

Prescribed Part for unsecured creditors pursuant to Section 176A of the Act

Section 176A of the Act provides that, where the company has created a floating charge on or after 15 September 2003, the liquidator must make a prescribed part of the Company's net property available for the unsecured creditors and not distribute it to the floating charge holder except in so far as it exceeds the amount required for the satisfaction of unsecured debts. Net property means the amount which would, were it not for this provision, be available to floating charge holders out of floating charge assets (i.e. after accounting for preferential debts and the costs of realising the floating charge assets). The prescribed part of the Company's net property is calculated by reference to a sliding scale as follows:

- ❑ 50% of the first £10,000 of net property;
- ❑ 20% of net property thereafter;
- ❑ Up to a maximum amount to be made available of £600,000

A liquidator will not be required to set aside the prescribed part of net property if:

- ☐ the net property is less than £10,000 and the liquidator thinks that the cost of distributing the prescribed part would be disproportionate to the benefit; (Section 176A(3)) or
- ☐ the liquidator applies to the court for an order on the grounds that the cost of distributing the prescribed part would be disproportionate to the benefit and the court orders that the provision shall not apply (Section 176A(5)).

To the best of our knowledge and belief, there are no unsatisfied floating charges created or registered on or after 15 September 2003 and, consequently, there is no net property as defined in Section 176A(6) of the Act and, therefore, no prescribed part of net property is available for distribution to the unsecured creditors.

Unsecured creditors

Unsecured creditors were estimate at £78,376.

After issuing a notice of intended dividend to all creditors who had not provided details of their claim and advertising for claims in the London Gazette, we admitted claims totalling £56,583.90 from unsecured creditors.

A dividend of 18.04 pence in the £ was paid to unsecured creditors on 19 November 2021.

Dividend	Date of Dividend	Amount (pence in £)
First and Final	19 November 2021	18.04

I am required by the Insolvency (England & Wales) Rules 2016 to inform creditors if:

- (a) I intend to declare a final dividend;
- (b) if no dividend will be declared; or
- (c) if no further dividend will be declared.

There are insufficient funds to pay a further dividend as the balance of funds realised have already been distributed or used or allocated for defraying the expenses of the liquidation. Therefore, no further dividend will be paid.

6. REMUNERATION & EXPENSES

Remuneration

Our remuneration has been fixed by a decision of the creditors on 2 November 2017 obtained via a Decision Procedure by way of correspondence by reference to the time properly given by us (as liquidators) and the various grades of our staff calculated at the prevailing hourly charge out rates of Begbies Traynor (Central) LLP in attending to matters arising in the winding up as set out in our fees estimate dated 12 October 2017 in the sum of £51,196. A further fee increase was approved by creditors on 20 October 2020 for the sum of £7,643.50. We are also authorised to draw disbursements for services provided by our firm and/or entities within the Begbies Traynor group, in accordance with our firm's policy, a copy of which is attached at Appendix 2 of this report.

Our time costs for the period from 24 August 2021 to 16 December 2021 amount to £7,064.50 which represents 24.2 hours at an average rate of £291.92 per hour.

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

- Time Costs Analysis for the period 24 August 2021 to 16 December 2021
- Begbies Traynor (Central) LLP's charging policy

Time Costs Analysis

The Time Costs Analysis for the period of this report attached at Appendix 2 shows the time spent by each grade of staff on the different types of work involved in the case and gives the total costs and average hourly rate charged for each work type. An additional analysis is also attached which details the time costs for the entire period for which we have administered the liquidation.

Please note that each analysis provides details of the work undertaken by us and our staff following our appointment only.

To 16 December 2021, we have drawn the total sum of £58,839.50 on account of our remuneration, against total time costs of £67,522.50 incurred since the date of our appointment. In addition to the time costs information disclosed at Appendix 2 for the period since our last progress report, our previous progress reports contained details of the time costs we had incurred as at the date of each report.

What was the anticipated payment for administering the case in full and did the joint liquidators receive that payment?

We estimated that the cost of administering the case would be in the region of £58,839.50, and subsequently you provided approval for us to draw our remuneration up to that level.

Details of what remuneration has been drawn is detailed above. All additional costs incurred over and above what has been approved are to be written off.

Category 1 Expenses

To 16 December 2021, we have also drawn expenses in the sum of £3,241.29.

Category 2 Expenses

In accordance with the resolution obtained in relation to expenses, the following Category 2 expenses have been charged to the case since the date of our appointment.

Other amounts paid or payable to the office holder's firm	
Type and purpose	Amount £
Mileage	31.05

A copy of 'A Creditors' Guide to Liquidators Fees (E&W) 2021' which provides guidance on creditors' rights on how to approve and monitor a Liquidator's remuneration and on how the remuneration is set can be obtained online at www.begbies-traynor.com/creditorsguides. Alternatively, if you require a hard copy of the Guide, please contact our office and we will arrange to send you a copy.

7. LIQUIDATORS' EXPENSES

A statement of the expenses incurred since our last progress report is attached at Appendix 3. A cumulative statement showing the total expenses incurred since the date of our appointment also appears at Appendix 3.

8. UNREALISABLE ASSETS

There are no assets that have proved to be unrealisable.

9. OTHER RELEVANT INFORMATION

Use of personal information

Please note that although it is our intention to conclude the liquidation, in the course of us continuing to discharge our statutory duties as liquidators, we may need to access and use personal data, being information from which a living person can be identified. Where this is necessary, we are required to comply with data protection legislation. If you are an individual and you would like further information about your rights in relation to our use of your personal data, you can access the same at <https://www.begbies-traynorgroup.com/privacy-notice>. If you require a hard copy of the information, please do not hesitate to contact us.

10. CREDITORS' RIGHTS

Right to request further information

Pursuant to Rule 18.9 of the Rules, within 21 days of the receipt of this report a secured creditor, or an unsecured creditor with the concurrence of at least 5% in value of the unsecured creditors, including that creditor, (or an unsecured creditor with less than 5% in value of the unsecured creditors, but with the permission of the court) may request in writing that we provide further information about our remuneration or expenses which have been incurred during the period of this progress report.

Right to make an application to court

Pursuant to Rule 18.34 of the Rules, any secured creditor or any unsecured creditor with the concurrence of at least 10% in value of the unsecured creditors including that creditor, (or any unsecured creditors with less than 10% in value of the unsecured creditors, but with the permission of the court) may, within 8 weeks of receipt of this progress report, make an application to court on the grounds that the remuneration charged or the expenses incurred during the period of this progress report are excessive or, the basis fixed for our remuneration is inappropriate.

11. CONCLUSION

This report and account of receipts and payments is our final account of the winding-up, showing how the liquidation has been conducted and details of how the Company's property has been disposed of.

Unless creditors object, by giving notice in writing within 8 weeks of the delivery of the notice of our final account, we will have our release from liability at the same time as vacating office. We will vacate office upon our delivering to the Registrar of Companies our final account.

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

A handwritten signature in black ink, appearing to be 'J Walters', with a long, sweeping horizontal stroke extending to the right.

J Walters
Joint Liquidator

Dated: 16 December 2021

ACCOUNT OF RECEIPTS AND PAYMENTS

Period: 24 August 2021 to 16 December 2021

Statement of Affairs £	From 24/08/2016 To 23/08/2021 £	From 24/08/2021 To 16/12/2021 £	From 24/08/2016 To 16/12/2021 £
ASSET REALISATIONS			
	500.67	0.24	500.91
4,003.04	317.40	NIL	317.40
52,628.27	54,559.74	NIL	54,559.74
	26,594.66	NIL	26,594.66
NIL	NIL	NIL	0.00
100.00	50.00	NIL	50.00
165.10	NIL	NIL	0.00
Uncertain	NIL	NIL	0.00
8,000.00	25,200.00	NIL	25,200.00
26,283.11	26,216.35	NIL	26,216.35
	3,727.38	(3,727.38)	0.00
	137,166.20	(3,727.14)	133,439.06
COST OF REALISATIONS			
	4,988.65	NIL	4,988.65
	100.00	NIL	100.00
	700.00	NIL	700.00
	94.81	NIL	94.81
	350.00	NIL	350.00
	19,689.32	170.65	19,859.97
	19,044.40	NIL	19,044.40
	343.33	NIL	343.33
	58,105.00	734.50	58,839.50
	31.05	NIL	31.05
	96.00	NIL	96.00
	935.00	NIL	935.00
	84.00	NIL	84.00
	148.50	NIL	148.50
	10,000.00	NIL	10,000.00
	3,226.21	19.31	3,245.52
	253.80	99.45	353.25
	NIL	25.75	25.75
	155.00	48.14	203.14
	(118,345.07)	(1,097.80)	(119,442.87)
PREFERENTIAL CREDITORS			
(4,665.65)	(3,790.68)	NIL	(3,790.68)
UNSECURED CREDITORS			
(78,376.27)	NIL	(10,205.51)	(10,205.51)
	15,030.45	(15,030.45)	0.00

COSTS AND EXPENSES

- a. Begbies Traynor (Central) LLP's charging policy;
- b. Time Costs Analysis for the period from 24 August 2021 to 16 December 2021 and
- c. Cumulative Time Costs Analysis for the period from 24 August 2016 to 16 December 2021

BEGBIES TRAYNOR CHARGING POLICY

INTRODUCTION

This policy applies where a licensed insolvency practitioner in the firm is acting as an office holder of an insolvent estate and seeks creditor 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 creditors regarding the office holder's fees following the creditors' decision being made for the office holder to be remunerated on a time cost basis. Best practice guidance* requires that such information should be disclosed to those who are responsible for approving the basis of an office holder's remuneration. Within our fee estimate creditors can see how we propose to be remunerated.

In addition, this policy applies where creditor approval is sought to make a separate charge by way of expenses or disbursements to recover the cost of facilities provided by the firm. It also applies where payments are to be made to parties other than the firm, but in relation to which the office holder, the firm or any associate has an interest. Best practice guidance* indicates that such charges should be disclosed to those who are responsible for approving the basis of 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 INSOLVENT ESTATES

The office holder has overall responsibility for the administration of the estate. He/she will delegate tasks to members of their 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 in 6 minute units 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 INSOLVENT ESTATES

Expenses are payments from the estate which are neither an office holder's remuneration nor a distribution to a creditor or a member. Expenses also include disbursements, which are expenses that are initially paid by the office holder's own firm, but which are subsequently reimbursed from the estate when funds are available.

Best practice guidance classifies expenses into two broad categories:

- ❑ Category 1 expenses (approval not required) - Specific expenditure that is directly related to the case and referable to an independent external supplier's invoice. All such items are charged to the case as they are incurred.
- ❑ Category 2 expenses (approval required) - Items of expenditure that are directly related to the case and either:
 - (i) include an element of shared or allocated cost and are based on a reasonable method of calculation, but which are not payable to an independent third party; or
 - (ii) are items of expenditure which are payable to an associate of the office holder and/or their firm.

Shared or allocated costs (pursuant to (i) above)

The following expenses include an element of shared or allocated cost and are charged to the case (subject to approval).

- ❑ Internal meeting room usage for the purpose of physical meetings of creditors is charged at the rate of £100 (London £150) per meeting; and
- ❑ Car mileage which is charged at the rate of 45 pence per mile;

General Office Overheads.

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 expense:

- ❑ 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 Brighton office as at the date of this report are as follows:

Grade of staff	Charge-out rate (£ per hour) 1 December 2018 until further notice
Partner	495
Director	445
Senior Manager	395
Manager	345
Assistant Manager	250
Senior Administrator	225
Administrator	175
Junior Administrator	140
Support	140

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

As detailed above, time is recorded in 6 minute units.

SIP9 East Sussex Disability Associa - Creditors Voluntary Liquidation - 02EA097.CVL : Time Costs Analysis From 24/08/2021 To 16/12/2021

[illegible]

SIP9 East Sussex Disability Associa - Creditors Voluntary Liquidation - 02EA097.CVL : Time Costs Analysis From 24/08/2016 To 16/12/2021

[illegible]

STATEMENT OF EXPENSES

Type of expense	Name of party with whom expense incurred	Amount incurred £	Amount discharged £	Balance (to be discharged) £
Expenses incurred with entities not within the Begbies Traynor Group				
Postage	Postworks	19.31	19.31	-
Statutory advertising	Courts Advertising	99.45	99.45	-
Storage	Restore	48.14	48.14	-

CUMULATIVE STATEMENT OF EXPENSES

Type of expense	Name of party with whom expense incurred	Amount incurred £
Agents Fees	SIA Group	4,988.65
Agents Fees	Carol Attfield – Lip Speaker	100.00
Legal Fees	Julian Dobson	19,044.40
Legal Fees	Fortis Law	343.33
Statutory Advertising	Courts Advertising	353.25
Financial Planners	Harvey Curtis LLP	350.00
Consultant Fees (Pension Claims)	Clumber Consultancy	700.00
Professional Charges	Knill James	935.00
Property Expenses	Room Hire	96.00
Bond	AUA Insolvency Risk Services Ltd	148.50
Postage & Stationery	Neopost / postworks	3,245.52
Shredding Services	Shred It	84.00
Storage	Restore	203.14
Unclaimed dividend fee	Insolvency Service	25.75