

# LIQ03

## Notice of progress report in voluntary winding up



Companies House

FRIDAY



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A06

07/05/2021

#269

COMPANIES HOUSE

### 1 Company details

Company number 0 2 8 2 9 0 4 1

Company name in full ECR Consulting Limited

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

### 2 Liquidator's name

Full forename(s) Michael

Surname Jenkins

### 3 Liquidator's address

Building name/number 11 Clifton Moor Business Village

Street James Nicolson Link

Post town Clifton Moor

County/Region York

Postcode Y O 3 0 4 X G

Country

### 4 Liquidator's name ①

Full forename(s) David Adam

Surname Broadbent

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

### 5 Liquidator's address ②

Building name/number 11 Clifton Moor Business Village

Street James Nicolson Link

Post town Clifton Moor

County/Region York

Postcode Y O 3 0 4 X G

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 | <sup>d</sup> 0 | <sup>d</sup> 6 | <sup>m</sup> 0 | <sup>m</sup> 3 | <sup>y</sup> 2 | <sup>y</sup> 0 | <sup>y</sup> 2 | <sup>y</sup> 0 |
| To date   | <sup>d</sup> 0 | <sup>d</sup> 5 | <sup>m</sup> 0 | <sup>m</sup> 3 | <sup>y</sup> 2 | <sup>y</sup> 0 | <sup>y</sup> 2 | <sup>y</sup> 1 |

**7** Progress report

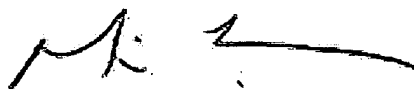
☒ The progress report is attached

**8** Sign and date

Liquidator's signature

Signature

X



X

Signature date

|                |                |                |                |                |                |                |                |
|----------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|
| <sup>d</sup> 0 | <sup>d</sup> 5 | <sup>m</sup> 0 | <sup>m</sup> 5 | <sup>y</sup> 2 | <sup>y</sup> 0 | <sup>y</sup> 2 | <sup>y</sup> 1 |
|----------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|

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  | James Crawford  |
| Company name  | Begbies Traynor (Central) LLP                           |
| Address       | 11 Clifton Moor Business Village<br>James Nicolson Link |
| Post town     | Clifton Moor  |
| County/Region | York  |
| Postcode      | Y O 3 0 4 X G   |
| Country       |   |
| DX            | york@btguk.com  |
| Telephone     | 01904 479801  |

**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](http://www.gov.uk/companieshouse) or email [enquiries@companieshouse.gov.uk](mailto: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](http://www.gov.uk/companieshouse)

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## **ECR Consulting Limited (In Member's Voluntary Liquidation)**

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### **Progress Report**

**Period: 6 March 2020 to 5 March 2021**

### **Important Notice**

This report has been produced solely to comply with our statutory duty to report to members of the Company pursuant to Section 92A 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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## **Contents**

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## 1. INTERPRETATION

| <u>Expression</u>                              | <u>Meaning</u>   |
|--|--|
| "the Company"                                  | ECR Consulting Limited (In Member's Voluntary Liquidation)   |
| "the liquidators", "we",<br>"our" and "us"     | Michael Jenkins and David Adam Broadbent of Begbies Traynor (Central) LLP, 11 Clifton Moor Business Village, James Nicolson Link, Clifton Moor, York, YO30 4XG   |
| "the Act"                                      | The Insolvency Act 1986 (as amended)   |
| "the Rules"                                    | The Insolvency (England and Wales) Rules 2016 (as amended)   |
| "secured creditor" and<br>"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<br><br>(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   |

## 2. COMPANY INFORMATION

|                            |   |
|----------------------------|---|
| Trading name:              | ECR Consulting Limited  |
| Company registered number: | 02829041  |
| Company registered office: | 11 Clifton Moor Business Village, James Nicolson Link, Clifton Moor, York, YO30 4XG |
| Former trading address:    | East Burn Farm, Austfield Lane, Hillam, Leeds, LS25 5NQ                             |

## 3. DETAILS OF APPOINTMENT OF LIQUIDATORS

|                                   |              |
|-----------------------------------|--------------|
| Date winding up commenced:        | 6 March 2020 |
| Date of liquidators' appointment: | 6 March 2020 |
| Changes in liquidator (if any):   | None         |

## 4. PROGRESS DURING THE PERIOD

### Receipts and Payments

Attached at Appendix 1 is our abstract of receipts and payments for the period from 6 March 2020 to 5 March 2021.

**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 members to understand what has been done, why it was necessary and what financial benefit (if any) the work has provided to members.

The costs incurred in relation to each heading are set out in the Time Costs Analysis which is attached.

### General case administration and planning

It is necessary to develop and review the strategy in respect of certain key elements, such as asset realisations, dependent upon the specific circumstances of a case.

Periodic reviews have been carried out in order to ensure that matters have progressed satisfactorily and that statutory requirements of the relevant legislation complied with.

Generally, it is necessary to maintain records to demonstrate how the case was administered and to document the reasons for any decisions that materially affect the case. Members of our staff have therefore undertaken general administrative duties in order to comply with this requirement.

Whilst this work has not benefitted the member financially, it is a necessary part of the general control of the case.

### Compliance with the Insolvency Act, Rules and best practice

We filed notice of our appointment with the Registrar of Companies. We advertised notice of our appointment and notice to creditors to submit claims in the London Gazette. We also issued notice of our appointment to HM Revenue & Customs ("HMRC") and other relevant parties.

We have taken out a bond (an insurance to protect the interests of unsecured creditors and the member in the anticipated realisations on a case). We have periodically reviewed the bond to ensure the level of cover remains adequate.

Our support staff have performed cashiering duties, such as banking funds, processing payments, maintaining the estate cash book accounting and carrying out regular bank reconciliations.

This work has not benefitted the member financially but was necessary in accordance with applicable legislation and best practice guidelines.

### Realisation of assets

A balance of £9,900 was collected from the Company's client in respect of outstanding invoices issued shortly prior to the date of liquidation. The amount differs from the balance listed in the statement of assets and

liabilities appended to the director's declaration of solvency because the sum of £3,300 had been transferred into the Company's bank account prior to our appointment.

The credit balance held in the Company's pre-liquidation bank account was recovered following our appointment. The total sum of £340,560.99 has been received.

This work has benefitted the member financially as it has enabled the realisation of funds for distribution to her.

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

We have paid a distribution to HM Revenue & Customs ("HMRC") in respect of VAT for the final pre-liquidation period.

We have corresponded extensively with a vehicle leasing company in respect of a leased motor vehicle that was made available for collection immediately following liquidation. Collection did not take place for some months due to the COVID-19 pandemic. Since then, we have issued numerous requests to the lease company to submit details of its claim against the Company. The claim has been received after the reporting period.

We have calculated and processed one distribution to the Company's member. This element of the work has benefitted the member financially by facilitating the distribution of funds to her.

We have also provided progress updates to the member upon request. This work does not benefit the member financially but is necessary in accordance with our duty of accountability to interested parties.

#### Other matters which includes meetings, tax, litigation, pensions and travel

This category includes attendance at the meeting at which the shareholder passed resolutions placing the Company into liquidation and appointing liquidators.

We have liaised with the Company's former accountants in respect of the accounts and Corporation Tax return for the final pre-liquidation trading period, which have subsequently submitted to HMRC. The corresponding tax was paid prior to the liquidation and a claim for Section 458 relief has been submitted by the Company's accountants. We have corresponded extensively with the relevant departments of HMRC in respect of all pre-liquidation tax matters seeking agreement to the final position such that the refund of Section 455 tax can be paid and the liquidation concluded.

In addition, we have dealt with post-liquidation tax formalities. In particular, we have reclaimed VAT charged on the fees and costs of the liquidation, which benefits the member financially by increasing funds in the liquidation estate available for distribution.

## 5. CREDITORS

As in any liquidation, in a member's 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 creditors) before paying them in full with statutory interest.

The claim of HMRC in respect of pre-liquidation VAT was paid during the period of this report.



## 6. DISTRIBUTIONS TO MEMBERS

A first distribution of £330,000 was declared to the sole member on 10 March 2020.

## 7. REMUNERATION & DISBURSEMENTS

### Remuneration

Our remuneration has been fixed by a resolution of the member of the Company 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 liquidation subject to us having agreed that our remuneration shall not exceed the sum of £1,500 in circumstances where the value of time given by us and our staff in attending to matters arising in the winding up exceeds this sum.

Our time costs for the period from 6 March 2020 to 5 March 2021 amount to £7,265.50, which represents 26.6 hours at an average rate of £273.14 per hour.

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

- ☐ Begbies Traynor (Central) LLP charging policy
- ☐ Time Costs Analysis for the period 6 March 2020 to 5 March 2021

We have drawn the total sum of £1,500 in accordance with the above approval.

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.

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

### Disbursements

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, 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.

To 5 March 2021, we have not drawn any disbursements.

No Category 2 disbursements have been incurred since the date of our appointment.

## 8. LIQUIDATORS' EXPENSES

A statement of the expenses incurred during the period of this progress report is attached at Appendix 3.

## 9. ASSETS THAT REMAIN TO BE REALISED AND WORK THAT REMAINS TO BE DONE

**What work remains to be done, why is this necessary and what financial benefit (if any) will it provide to members?**

### General case administration and planning

Periodic reviews of the case will continue to be carried out to ensure compliance with statutory requirements and that matters are progressing satisfactorily.

General administrative duties will continue to be carried out.

Whilst this work will not benefit the member financially, it is a necessary part of the general control of all cases of this nature.

### Compliance with the Insolvency Act, Rules and best practice

The Act and Rules require us, in our capacity as liquidators, to produce a progress report within two months after each anniversary of our appointment and a final report at the conclusion of the proceedings. The reports are issued to the member and filed with the Registrar of Companies.

It is a statutory requirement to ensure that the case remains adequately bonded in order to protect creditors' and the member's interests.

General banking and cashiering duties will continue to be undertaken.

Whilst this work does benefit the member financially, it is necessary to ensure compliance with applicable legislation and best practice guidelines.

### Realisation of assets

We will continue to liaise with HMRC regarding the Section 458 relief claim. This work will benefit the member by realising further funds for distribution.

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

We shall process a dividend to the remaining creditor.

Upon receipt of the tax refund from HMRC, we shall pay a final distribution to the member. This work will benefit the member financially by enabling the distribution of funds to her.

### Other matters which includes meetings, tax, litigation, pensions and travel

We will continue to liaise with HMRC in order to obtain clearance in respect of all pre and post-liquidation tax matters prior to conclusion of the liquidation. We will also deal with the submission of any necessary Corporation Tax returns for periods after the date of our appointment.

This work will not benefit the member financially but is necessary in accordance with applicable legislation and in order to conclude the liquidation.

### **How much will this further work cost?**

We estimate that the cost of the further work will be between £3,000 and £5,000; however, it should be noted that we will not receive any remuneration in respect of the time costs incurred above the agreed limit of £1,500, which has already been drawn by us.

### **Expenses**

We do not expect any further expenses to be incurred in connection with the work that remains to be done referred to above.

## **10. OTHER RELEVANT INFORMATION**

### **Use of personal information**

Please note that in the course of discharging 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 our office.

## **11. MEMBERS' RIGHTS**

### **Right to request further information**

Pursuant to Rule 18.9 of the Rules, within 21 days of the receipt of this report a member or members of the Company with at least 5% of the voting total rights of all the members having the right to vote at general meetings of the Company (or any member or members with less than 5% of the total voting rights, 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**

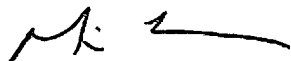
Pursuant to Rule 18.34 of the Rules, within 8 weeks of receipt of this progress report any member or members of the Company with at least 10% of the total voting rights of all the members having the right to vote at general meetings of the Company (or any member, or members with less than 10% of the total voting rights, but with the permission of the Court) may 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.

### **Obtaining information on the remuneration of liquidators and the payment of expenses**

The basis of remuneration for acting as liquidators will be sought following appointment. Notwithstanding this, beneficiaries of the anticipated surplus are able to seek information on their rights in relation to the remuneration and the payment of expenses and can obtain a copy of 'Begbies Traynor Guide for Shareholders. A Guide to the Liquidators' fees – England and Wales' on our website at <https://www.begbies-traynorgroup.com/services-to/shareholders>. Alternatively, if you require a hard copy of the guide, please contact our office.

## 12. CONCLUSION

We will report again in approximately twelve months' time or at the conclusion of the liquidation, whichever is the sooner.

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

**Michael Jenkins**  
Joint Liquidator

Dated: 5 May 2021

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# ACCOUNT OF RECEIPTS AND PAYMENTS

Period: 6 March 2020 to 5 March 2021

**ECR Consulting Limited**  
**(In Liquidation)**  
**Joint Liquidators' Account of Receipts & Payments**  
**6 March 2020 to 5 March 2021**

| Dec of Sol £      |                             | £          | £               |
|-------------------|-----------------------------|------------|-----------------|
|                   | <b>ASSET REALISATIONS</b>   |            |                 |
| 13,200.00         | Book Debt                   | 9,900.00   |                 |
| 47,000.00         | Section 458 Relief Claim    | NIL        |                 |
| 328,000.00        | Cash at Bank                | 340,560.99 |                 |
|                   | Bank Interest (Gross)       | 3.18       |                 |
|                   |                             |            | 350,464.17      |
|                   | <b>COST OF REALISATIONS</b> |            |                 |
|                   | Liquidators' Remuneration   | 1,500.00   |                 |
|                   | Accountancy Fees            | 2,750.10   |                 |
|                   | Statutory Advertising       | 283.50     |                 |
|                   |                             |            | (4,533.60)      |
|                   | <b>UNSECURED CREDITORS</b>  |            |                 |
|                   | HM Revenue & Customs (VAT)  | 8,242.74   |                 |
|                   |                             |            | (8,242.74)      |
|                   | <b>DISTRIBUTIONS</b>        |            |                 |
|                   | Ordinary Shareholders       | 330,000.00 |                 |
|                   |                             |            | (330,000.00)    |
| <b>388,200.00</b> |                             |            | <b>7,687.83</b> |
|                   | <b>REPRESENTED BY</b>       |            |                 |
|                   | Bank (Current Account)      |            | 7,687.83        |
|                   |                             |            | <b>7,687.83</b> |

## TIME COSTS AND DISBURSEMENTS

- a. Begbies Traynor (Central) LLP charging policy
- b. Time Costs Analysis for the period from 6 March 2020 to 5 March 2021

## **BEGBIES TRAYNOR (CENTRAL) LLP 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 guidance<sup>1</sup> 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. Best practice guidance<sup>2</sup> indicates 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 above.

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 above.

### **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 and 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 expenditure that are directly related to the case which 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.

(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 per meeting; and
- Car mileage is charged at the rate of 45p per mile.

(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

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<sup>1</sup> Statement of Insolvency Practice 9 (SIP 9) – Remuneration of insolvency office holders in England & Wales

<sup>2</sup> Ibid 1



### **BEGBIES TRAYNOR (CENTRAL) LLP 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 York office as at the date of this report are as follows:

| <b>Grade of staff</b> | <b>Charge-out rate (£ per hour)</b><br><b>1 December 2018 –</b><br><b>until further notice</b> |
|-----------------------|--|
| 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.

Time is recorded in 6 minute units.

ECR Consulting Limited (In Member's Voluntary Liquidation) - SIP9 Time Costs Analysis from 06/03/2020 to 05/03/2021

[illegible]

# STATEMENT OF EXPENSES

| Type of expense   | Name of party with whom expense incurred | Amount incurred<br>£ | Amount discharged<br>£ | Balance (to be discharged)<br>£ |
|---|--|----------------------|------------------------|---------------------------------|
| Expenses incurred with entities <b>not</b> within the Begbies Traynor Group |  |                      |                        |                                 |
| Accountancy fees  | UHY Calvert Smith LLP                    | 2,750.10             | 2,750.10               | Nil                             |
| Statutory advertising   | Courts Advertising Ltd                   | 283.50               | 283.50                 | Nil                             |
| Bond  | Marsh Ltd*                               | 72.50                | 72.50                  | Nil                             |
| Swear fee   | Harrowells Ltd*                          | 4.17                 | 4.17                   | Nil                             |

\* Paid by Begbies Traynor (Central) LLP as Category 1 disbursements (not yet reimbursed).