

# LIQ03

## Notice of progress report in voluntary winding up



Companies House

FRIDAY



A24 \*A82RL5NL\* #213  
05/04/2019  
COMPANIES HOUSE

### 1 Company details

Company number 0 1 4 6 4 7 3 5  
Company name in full AMIN SONS AND COMPANY LIMITED

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

### 2 Liquidator's name

Full forename(s) EILEEN THERESA FRANCES  
Surname SALE

### 3 Liquidator's address

Building name/number SALE SMITH & CO LIMITED  
Street INDUCTA HOUSE  
FRYERS ROAD  
Post town BLOXWICH, WALSALL  
County/Region WEST MIDLANDS  
Postcode W S 2 7 L Z  
Country

### 4 Liquidator's name ①

Full forename(s)  
Surname

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

### 5 Liquidator's address ②

Building name/number  
Street  
Post town  
County/Region  
Postcode  
Country

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

LIQ03

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<b>6</b>	<b>Period of progress report</b>																																	
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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

Company name

Address

Post town

County/Region

Postcode

Country

DX

Telephone



**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)

# Sale Smith & Co. Ltd.

New Address: Inducta House, Fryers Road, Bloxwich, Walsall. West Midlands. WS2 7LZ  
~~Carmella House, 3&4 Grove Terrace, Walsall, West Midlands, WS1-2NE.~~  
Tel: 01922 624777 - Fax: ~~01922 720528~~ admin@salesmith.demon.co.uk

Business Recovery and Insolvency

TO ALL MEMBERS AND CREDITORS

PRIVATE AND CONFIDENTIAL

Our Ref: SS1431.ETFS.AB.MA.LTRCRS.0319

28th March 2019

Dear Sirs,

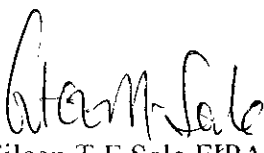
**AMIN SONS AND COMPANY LIMITED**  
**(IN CREDITORS VOLUNTARY LIQUIDATION)**

I refer to my appointment as Liquidator of the above named company and enclose my annual progress report in accordance with Rule 18.3 of the Insolvency (England & Wales) Rules 2016 together with a copy of my Receipts and Payments Account.

If there are any matters contained within the report upon which you require clarification, please do not hesitate to contact me.

Yours faithfully,

For and on behalf of Amin Sons and Company Limited  
(In Creditors Voluntary Liquidation)

  
Eileen T F Sale FIPA  
Liquidator

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# **AMIN SONS AND COMPANY LIMITED**

**(IN CREDITORS' VOLUNTARY LIQUIDATION)**

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Liquidator's First Progress Report  
Pursuant to Section 104(1) of the Insolvency Act 1986 (as amended)  
And Rule 18.3 of the Insolvency (England & Wales) Rules 2016

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**PRIVATE & CONFIDENTIAL**

Liquidator: Eileen T F Sale FIPA, of Sale Smith & Co. Limited, Inducta House,  
Fryers Road, Bloxwich, Walsall, West Midlands, WS2 7LZ

## **Content**

- 1 Administration and Planning
- 2 Enquires and Investigations
- 3 Realisation of Assets
- 4 Creditors
- 5 Fees and Expenses
- 6 Creditors' Rights
- 7 Opting Out Provision and Opting Out Receiving Documents
- 8 Conclusion

## **Appendices**

- Appendix I - Statutory Information
- Appendix II – Receipts and Payments account for the period 06/02/2018 to 05/02/2019
- Appendix III - Detailed list of work undertaken in the period
- Appendix IV - Time cost information for period 06/02/2018 to 05/02/2019
- Appendix V - Expenses summary for period 06/02/2018 to 05/02/2019

## **Additional Information**

Further information about creditors' rights can be obtained by visiting the creditors' information micro-site by R3 at <http://www.creditorinsolvencyguide.co.uk/>. Also, a copy of the R3 guidelines in respect of Insolvency Practitioners' fees relating to relating to creditors' voluntary liquidations is available at the link <https://www.r3.org.uk/what-we-do/publications/professional/fees>. Please note that there are different versions of the Guidance Notes, and in respect of this case you should refer to the 2017 version. If you are unable to access or download the guide, a hard copy of this document can be obtained on request from this office free of charge.

## **1 ADMINISTRATION AND PLANNING**

### **Statutory information**

Statutory information can be found at Appendix I.

The Liquidator is required to meet a considerable number of statutory and regulatory obligations. Whilst many of these tasks do not have a direct benefit in enhancing realisations for the insolvent estate, they assist in the efficient and compliant progressing of the administration of the case, which ensures that work is carried out to high professional standards.

### **Reporting**

The Liquidator has met her statutory and regulatory duties to report to creditors, as listed below. In consideration of the need for transparency and engagement with creditors, care has been taken to ensure that reports and other communications with creditors have provided useful details of the strategies pursued and the outcomes anticipated.

During the Review Period, the following key documents have been issued:

- i) Notification of the outcome of the Decision in relation to the appointment of the Liquidator;
- ii) S100 Report to creditors dated 23rd February 2018;
- iii) This progress report;

### **Other administration tasks**

During the Review Period, the following material tasks in this category were carried out:

- i) Case reviews etc.
- ii) Statutory and Compliance Duties;
- iii) Realisation of Assets as per Director's Statement of Affairs
- iv) Obtaining Company books and records etc.;
- v) Investigative matters including Bank account analysis;

## **2 ENQUIRIES AND INVESTIGATIONS**

During the Review Period, the Liquidator carried out an initial review of the Company's affairs in the period prior to appointment. This included seeking information and explanations from the director by means of questionnaires and interviews; making enquiries of the Company's accountants; reviewing information received from creditors; and collecting and examining the Company's bank statements, accounts and other records.

The directors provided the books and records and a completed questionnaire, as well as a Statement of Affairs.

### **Company Directors' Disqualification Act**

In accordance with my statutory duty, Conduct Reports have been forwarded to the appropriate Government Department in respect of the directors' handling of the affairs of the company.

### **Investigations**

In accordance with the best practice directives of SIP 2 "Investigations by Office Holders in Administrations and Insolvent Liquidations," the Liquidator has undertaken assessments to ascertain whether there are potential areas of recoveries for the estate or matters of public interest requiring furthermore detailed investigation. This work was also carried out with the objective of making an initial assessment of whether there were any matters which may lead to any recoveries for the benefit of creditors. This would typically include any potential claims which may be brought against parties either connected to, or who have past dealings with, the Company.

This initial assessment has been completed and the Liquidator did not identify any assets or actions which might lead to a recovery for creditors.

Although this work did not generate any financial benefit to creditors, it was necessary to meet the statutory duties as well as conduct appropriate enquiries and investigations into potential rights of actions to enhance realisations.

## **3 REALISATION OF ASSETS**

A summary of Liquidator's Receipts & Payments Account in this matter for the period 6th February 2018 to 5th February 2019 is attached at Appendix II. There have been no realisations in the winding up proceedings and all statutory costs etc, have been borne by this firm.

### **Transactions with connected parties**

In accordance with Statement of Insolvency Practice 13 ("SIP 13"), the Office Holder is required to disclose to creditors the details of any asset sold by the Liquidator to connected parties.

The Liquidator can confirm that no such sales were made to any party, including connected parties, during the course of her administration of the company's affairs.

## **4 CREDITORS**

Irrespective of whether sufficient realisations are achieved to pay a dividend to creditors, the Liquidator may to carry out certain tasks as detailed in the list at Appendix III. The following sections advise of anticipated outcomes to creditors and if any distributions are to be paid to creditors.



### **Secured creditors**

The company banked with Barclays Bank Plc, High Street, Erdington, Birmingham, and utilised facilities provided by the Bank. The Bank holds a Fixed and Floating debenture dated 14th July 1987, comprising a Fixed Charge on book debts, and a Floating Charge over all other assets. The Bank also holds the personal guarantee of a director, Mr M N Alvi, limited to £40,000.

### **Preferential creditors**

#### **Employee claims**

Crown Preference in relation to VAT and PAYE was abolished in 2003 and consequently, in the majority of cases, preferential creditors claims relate to certain liabilities in respect of unpaid wages, holiday pay and pension contributions only.

The relevant information for employees to submit claims has been forwarded to the Redundancy Payments Office and information and help has been given to employees to enable them to submit their claims online.

<u>Creditor</u>	<u>Per Statement of Affairs</u> £	<u>Claim Received</u> £
Wages & Holiday Pay	13,870	13,280.90
	<u>£13,870</u>	<u>£13,280.90</u>

### **Floating Charge Creditors**

The following claims have been received: -

<u>Creditor</u>	<u>Per Statement of Affairs</u> £	<u>Claim Received</u> £
Barclays Bank Plc	45,010	44,371.46
	<u>£45,010</u>	<u>£44,371.46</u>

### **Prescribed Part**

The 'Prescribed Part' is a statutory amount, calculated as a percentage of net floating charge realisations, which entitles unsecured creditors to a share of realisations. This is calculated on a sliding scale up to maximum of £600,000 before costs.

Based on present information, there will be insufficient realisations to discharge in full all costs of the proceedings and preferential creditors. Therefore, there will be no net property from which to deduct a prescribed part.

### **Unsecured creditors**

Certain creditors' claims remain outstanding, however, the following claims have been received to date: -

<u>Creditor</u>	<u>Per Statement of Affairs</u>	<u>Claim Received</u>
	£	£
Trade & Expense	382,198	87,793.34
HM Revenue & Customs (PAYE/VAT/NIC/CT)	5,148	3,445.81
Director's Loan Account	89,082	-
Redundancy & Payment in Lieu	70,431	62,086.33
Additional	-	7,430.31
	<u>£546,859</u>	<u>£160,756.39</u>

Please note that these figures are indicative only and should not be used as the sole or principal basis for any bad debt provision or other purposes. Further non-preferential creditors' received claims may subsequently cause revision, increase and/or additional costs.

The Liquidator has collated and acknowledged (where requested) the claims of the ordinary unsecured creditors, however, the unsecured claims have not been formally adjudicated upon at the date of this Report.

### **Dividend prospects**

Without prejudice to the final outcome of the matters relating to the administration of the winding up proceedings and, based on information to date, the Liquidator considers there will be insufficient realisations to discharge in full all costs of the proceedings. In the circumstances, there is no likelihood of a distribution to any class of creditor in this matter.

## **5 FEES AND EXPENSES**

### **Pre-Appointment Costs**

The board previously authorised the payment of a fee in the sum of £5,000 plus VAT for the assistance with preparing the Statement of Affairs and convening the decision procedure of the creditors.

This firm has received the sum of £4,500 as part payment in respect of discharging my firm's fee in respect of the Statement of Affairs fee. No other costs of any nature were required prior to the formal liquidation appointment.

### **The Liquidator's fees**

It is the firm's practice to ensure that work is conducted by the appropriate staff member at the appropriate level of experience. Junior members of staff deal with the day to day routine administration on cases, and a Case Manager and, ultimately, the Office Holder will then oversee the work undertaken. Where the issues are complex and litigious, the work will be closely supervised or undertaken by the Case Manager or Office Holder appointed.

The basis of the Liquidator's fees has not yet been fixed. No resolution was proposed to creditors in respect of the Liquidator's remuneration. Based on present information, the company has insufficient assets to enable the payment of any fees or disbursements from the estate.

The time costs for the period 6th February 2018 to 5th February 2019 total £8,845.07, representing 55.30 hours at an average hourly rate of £159.95. The time costs for the period are detailed at Appendix IV.

The Liquidator has not utilised the services of any sub-contractors on the administration of this case.

Initial correspondence forwarded to all creditors on 22nd January 2018, requested nominations for Members of Liquidation Committee, as required by Rule 6.19 of the Insolvency (England & Wales) Rules 2016 and none have been received. In the circumstances, no Liquidation Committee has been established in the winding-up proceedings.

### **Disbursements**

The disbursements which have been incurred and not yet paid during the period are detailed on Appendix V.

No resolution was proposed to creditors with regards to the Liquidator's Category 2 Disbursements.

Creditors' approval is not required for necessary external disbursements paid to independent third parties as disclosed. Payments made in respect of the above are defined as "Category 1 disbursements". Category 1 disbursements incurred in this case total £432.61, as disclosed on the attached schedule.

With effect from 1st January 2003, a Liquidator must obtain creditors' approval to draw her firm's internal disbursements, costs and expenses in dealing with an estate, including, as appropriate, printing, photocopying, document storage, registered office fee and telephone charges. Payments in respect of this type of expense are referred to as "Category 2 disbursements". Category 2 disbursements incurred in this case total £411.00, as disclosed on the attached schedule.

## 6 CREDITORS' RIGHTS

Under Rule 18.9 of the Insolvency Rules, an unsecured creditor may, with the permission of the court or with the concurrence of 5% in value of the unsecured creditors (including the creditor in question) request further details of the Liquidator's remuneration and expenses, within 21 days of receipt of this report. Any secured creditor may request the same details in the same time limit.

Under Rule 18.34 of the Rules, an unsecured creditor may, with the permission of the court or with the concurrence of 10% 'in value of the creditors (including the creditor in question), apply to court to challenge the amount and/or basis of the Liquidator's fees and the amount of any proposed expenses or expenses already incurred, within 8 weeks of receipt of this report. Any secured creditor may make a similar application to court within the same time limit.

## 7 OPTING OUT PROVISION AND OPTING OUT RECEIVING DOCUMENTS

### Opting out Provision

Creditors also have the option of 'Opting Out' from the receipt of our documentation, whether physical or electronic, at any time, unless the Insolvency Act requires that we must communicate with you by statute. In the circumstances, should you wish to 'opt-out' of any future communication, please advise us accordingly.

Please note opting-out will not affect the creditor's entitlement to receive dividends should any be paid to creditors. There are also certain documents that opted-out creditors will continue to receive.

## 8 CONCLUSION

Further reports will be forwarded in line with statutory provisions but in any intervening period, any creditor who may require further information regarding the content of this report, should not hesitate to contact the Liquidator.

Signed by IP: .....

MRS EILEEN T F SALE FIPA

Date: 28<sup>th</sup> MARCH 2019

## Appendix I

### STATUTORY INFORMATION

<b>Company Name:</b>	Amin Sons and Company Limited
<b>Company Number:</b>	01464735
<b>Date of Incorporation:</b>	4th December 1979
<b>Nature of Business:</b>	Retail of Fruit / Vegetables / Newspapers & Stationery
<b>Registered Office:</b>	Formerly: Unit 73, Wholesale Market Precinct, Birmingham, B5 6UL
	<b>Changed to:</b> Inducta House, Fryers Road, Bloxwich, Walsall, WS2 7LZ
<b>Trading Address:</b>	Formerly: Unit 73, Wholesale Market Precinct, Birmingham, B5 6UL
<b>Directors in last three years:</b>	Mr M N Alvi <b>Appointed:</b> Pre. 31st December 1991 <b>Resigned:</b> N/A
	Mr M I Alvi <b>Appointed:</b> 8th November 2006 <b>Resigned:</b> N/A
<b>Company Secretaries in last three years:</b>	Mr M N Alvi
<b>Auditors:</b>	Mahmood Ahed & Co., 784 Alum Rock Road, Birmingham, B8 2TE
<b>Debenture Holders:</b>	Barclays Bank Plc under a Fixed & Floating Debenture dated 14.07.87, Registered on 29.07.87
<b>Authorised &amp; Issued Share Capital</b>	£5,000 divided into Ordinary £1 Shares
<b>Class of Shares Issued:</b>	Ordinary
<b>Share Capital:</b>	£5,000
<b>Name of Shareholders:</b>	Mr M N Alvi <b>Shares Held:</b> 4,000 Ordinary £1 Shares
	Mr M I Alvi
<b>Class of Shares Issued:</b>	Ordinary
<b>Name and company numbers of parent, subsidiary and associated companies:</b>	None

Appendix II

COMPANY NUMBER: 01464735

AMIN SONS AND COMPANY LIMITED  
(IN CREDITORS VOLUNTARY LIQUIDATION)

SUMMARY OF THE LIQUIDATOR'S RECEIPTS AND PAYMENTS ACCOUNT  
FOR THE PERIOD 6TH FEBRUARY 20118 TO 5TH FEBRUARY 2019

As per Statement of Affairs £	<u>RECEIPTS</u>	£
<hr/>		<hr/>
£Nil		£Nil
<hr/>		<hr/>
	<u>PAYMENTS</u>	
		<hr/>
		£Nil
		<hr/>

Eileen T F Sale FIPA  
Liquidator  
28th March 2019

### Appendix III

#### **AMIN SONS AND COMPANY LIMITED (IN CREDITORS VOLUNTARY LIQUIDATION)**

Below is detailed information about the tasks undertaken by the Liquidator for the review period 6th February 2018 to 5th February 2019

<b>General Description</b>	<b>Brief Summary</b>
<b><i>Statutory compliance, Administration and Planning</i></b>	
Statutory/advertising	Advertising in accordance with statutory requirements Bonding the case for the value of the assets Filing of documents to meet statutory requirements including annual receipts and payments Post-liquidation VAT returns and deregistration formalities
Document maintenance/file review/checklist	Filing of documents Periodic file reviews documenting strategy Maintenance of statutory and case progression task lists/diaries Updating checklists
Bank account administration	Preparing correspondence opening and closing accounts Requesting bank statements Bank account reconciliations Maintenance of the estate cash book
Planning / Review	Discussions regarding strategies to be pursued
Books and records / storage	Dealing with records in storage Sending job files to storage
Pension scheme	Identifying whether there is a pension scheme Submitting the relevant notices if a pension scheme is identified
Reports	Circulating initial report to creditors upon appointment Preparing annual progress report, investigation, meeting and general reports to creditors Disclosure of sales to connected parties
<b><i>Investigations</i></b>	
SIP 2 Review	Collection and making an inventory of company books and records Correspondence to request information on the company's dealings, making further enquiries of third parties Reviewing questionnaires submitted by creditors and directors Reviewing company's books and records Preparation of deficiency statement Review of specific transactions and liaising with directors regarding certain transactions
Statutory reporting on conduct of director(s)	Preparing statutory investigation reports Liaising with Insolvency Service Submission of report with the Insolvency Service

General Description	Brief Summary
<i>Realisation of Assets</i>	
	This involves work in realising assets of the company which are known and stated in the Statement of Affairs. Correspondence with Bank
Book Debts	Examining company records and collecting supporting documentation Correspondence with debtors Dealing with disputes, including communicating with directors
Leasehold Property	Liaising with secured creditors and landlords Agreeing assignment, surrender or disclaiming property
<i>Creditors</i>	
Creditor Communication	Receive and follow up creditor enquiries via telephone Review and prepare correspondence to creditors and their representatives via email and post Exchanges with government departments Dealing with disputes, including communication with director Assisting employees to pursue claims via the RPO
Dealing with proofs of debt	Preparation of correspondence to potential creditors inviting submission of POD Receipt of POD Filing POD when not related to a dividend Corresponding with RPO regarding POD when not related to a dividend



**Appendix IV**

**AMIN SONS AND COMPANY LIMITED  
(IN CREDITORS VOLUNTARY LIQUIDATION)**

Summary of time spent for period 6th February 2018 to 5th February 2019

Classification Of work	Partner	Case Manager	Senior Admin	Support Staff	Total Hours	Time Cost £	Average Rate £/h £
Administration And planning (Pre)	13.70		8.70	5.00	27.40	6,440.97	235.07
Investigations	0.60		1.50		2.10	417.87	198.99
Realisation Of Assets	1.80		12.10		13.90	2,302.41	165.64
Trading							
Creditors	2.60		4.70	14.60	21.90	2,804.83	128.07
Statutory compliance, administration and planning	4.80		10.60	2.00	17.40	3,319.96	190.80
Total hours	9.80		28.90	16.60	55.30	8,845.07	159.95
Total fees claimed						£Nil	-

The table below sets out the current charge-out rates. Time charged in 6 minute units or multiples thereof

**Chargeout rates: -**

Partner	£351.45
Case Manager	£260.00
Senior Administrators	£138.00
Support Staff	£85.10

At the discretion of Sale Smith & Co. Limited, the above rates may be varied from time to time. Any changes will be notified to creditors when necessary.

## Appendix V

### **AMIN SONS AND COMPANY LIMITED (IN CREDITORS VOLUNTARY LIQUIDATION)**

#### Expenses summary for period 6th February 2018 to 5th February 2019

In accordance with Statement of Insolvency Practice 9 (SIP9) disbursements are categorised as Category 1 (direct disbursements) and Category 2 (indirect disbursements) as follows: -

#### **Category 1 Disbursements:**

Where there is specific expenditure relating to the administration of the insolvent's affairs and referable to payment to an independent third party, are treated as disbursements recoverable without prior approval of creditors. In this statement these are referred to as 'category 1 disbursements.

Type and purpose	Amount incurred in reporting period (£)	Amount drawn in reporting period (£)
Statutory Advertising	169.20	
Insolvency Bond	66.00	
Companies House Fee	9.00	
Postage	188.41	
<b>Total</b>	<b>£432.61</b>	<b>£Nil</b>

#### **Category 2 disbursements**

Category 2 disbursements are expenses incurred by the firm and recharged to the estate. They are not attributed by an independent third party and are recoverable in full from the estate, subject to the basis of the disbursement charge being approved by creditors in advance.

Type and purpose	Amount incurred in reporting period (£)	Amount drawn in reporting period (£)
Storage of Company Records (2 boxes)	80.00	
Storage of Administration Records	60.00	
Stationery & Printing	271.00	
<b>Total</b>	<b>£411.00</b>	<b>£Nil</b>

The storage of company's books and records are at the Insolvency Practitioner's own storage facility. The books and records will be stored in banker's boxes and a storage fee will be charged at the rate of £10 per box per quarter (13 weeks). This charge covers the transportation of records from the company's premises, storage retrieval of books and records in storage for administration purposes and the destruction of such books and records on the first anniversary of completion of the Insolvency administration.

The storage of company's working papers is at the Insolvency Practitioner's own storage facility. The files will be stored in banker's boxes and a storage fee will be charged at the rate of £10 per annum. This charge covers the administration costs of archiving and retrieval of documents.

All circulars will be sent out by second class post and the actual postage cost will be charged as an expense to the estate. In respect of circulars, stationery is charged at 10p per copy paper or facsimile.