

WU07

Notice of progress report in a winding-up  
by the court



Companies House

SATURDAY



\*A8YCL5W8\*

A02

08/02/2020

#124

COMPANIES HOUSE

**1** Company details

Company number	02566891	→Filling in this form Please complete in typescript or in bold black capitals.
Company name in full	DATASERVE DIRECT LIMITED	

**2** Liquidator's name

Full forename(s)	JAMES RICHARD	
Surname	DUCKWORTH	

**3** Liquidator's address

Building name/number	284	
Street	CLIFTON DRIVE SOUTH	
Post town	LYTHAM ST. ANNES	
County/Region	LANCASHIRE	
Postcode	FY8 1LH	
Country		

**4** Liquidator's name \*

Full forename(s)		<b>1</b> Other Liquidator. Use this section to tell us about another liquidator.
Surname		

**5** Liquidator's address \*

Building name/number		<b>2</b> Other Liquidator. Use this section to tell us about another liquidator.
Street		
Post town		
County/Region		
Postcode		
Country		

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**Period of progress report**

From date

15/07/2018

To date

14/07/2019

7

**Progress report**

☒ The progress report is attached

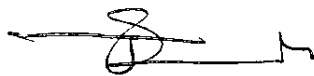
8

**Sign and date**

Liquidator's signature

Signature

X








X

Signature date

02/08/2019

**WU07**

Notice of progress report in a winding-up by the court

	<b>Presenter information</b>		<b>Important information</b>
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.		All information on this form will appear on the public record	
Contact name <b>JAMES RICHARD DUCKWORTH</b>			<b>Where to send</b>
Company name <b>FREEMAN RICH</b>		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, DF14 3UZ. DX 33050 Cardiff.	
Address  <b>284 CLIFTON DRIVE SOUTH</b>			
Post town <b>LYTHAM ST. ANNES</b>			
County/Region <b>LANCASHIRE</b>			
Postcode <b>FY8 1LH</b>			
Country <b>UK</b>			
DX			
Telephone <b>01253 712231</b>			
	<b>Checklist</b>		
We may return forms completed incorrectly or with information missing.			<b>Further information</b>
Please make sure you have remembered the following:  <input type="checkbox"/> The company name and number match the information held on the public Register. <input type="checkbox"/> You have provided the new registered office address in section 2. <input type="checkbox"/> You have signed the form.		For further information, please see the guidance notes on the website at <a href="http://www.companieshouse.gov.uk">www.companieshouse.gov.uk</a> or email <a href="mailto:enquiries@companieshouse.gov.uk">enquiries@companieshouse.gov.uk</a>  This form is available in an alternative format. Please visit the forms page on the website at <a href="http://www.gov.uk/companieshouse">www.gov.uk/companieshouse</a>	

## **DATASERVE DIRECT LIMITED - IN COMPULSORY LIQUIDATION**

**Liquidator's Annual Progress Report to Creditors and Members for the period 15th July 2018 to 14th July 2019**

### **STATUTORY INFORMATION**

Name of Company:	<b>DATASERVE DIRECT LIMITED</b>
Registered Office:	<b>284 Clifton Drive South, Lytham St Annes, Lancashire, FY8 1LH</b>
Former Registered Office:	<b>The Business Centre, Earls Colne Airfield, Colchester, CO6 2NS</b>
Registered Number:	<b>02566891</b>
Court Name and Number:	<b>COLCHESTER COUNTY COURT NO. 412 OF 2011</b>
Liquidator's Name:	<b>James Richard Duckworth</b>
Liquidator's Address:	<b>Freeman Rich, 284 Clifton Drive South, Lytham St Annes, Lancashire FY8 1LH</b>
Contact Telephone Number:	<b>01253 712231</b>
Date of Winding-up Order:	<b>24th August 2011</b>
Liquidator's Date of Appointment:	<b>15th July 2013</b>

### **SUMMARY OF LIQUIDATOR'S ACTIONS SINCE APPOINTMENT**

Creditors will be aware from previous Reports that I brought claims against the Director, Solicitors were instructed and a Settlement Agreement was ultimately reached. A third party paid sufficient funds to enable the debts and costs of the Liquidation to be paid in full. Creditors' claims were settled in full and the only matter which remained outstanding was finalising tax matters in order that the Liquidation could be closed.

### **LIQUIDATOR'S ACTIONS SINCE LAST REPORT**

This is my sixth Annual Progress Report and should be read in conjunction with my previous Annual Progress Reports.

I have spent time in the reporting period as follows:-

- Preparing and issuing the last Annual Progress Report.
- Carrying out periodic reviews of the case.
- Completing statutory matters.
- Carrying out ongoing cashing work.
- Quarterly Bond reviews.
- Due Diligence requirements.
- Data Protection Notices.

During this period I have continued correspondence with HM Revenue & Customs. Tax matters are now almost finalised and I anticipate receiving a refund from HM Revenue & Customs imminently. I shall then proceed to close the Liquidation. My Final Report will be issued as soon as possible thereafter.

## RECEIPTS AND PAYMENTS ACCOUNT

My Receipts & Payments Account for the period from 15th July 2018 to 14th July 2019 is attached. All amounts in the Receipts & Payments Account are shown net of VAT.

The account attached to this Report has been reconciled with that which is held by the Secretary of State in respect of the winding up.

The balance of funds are held in an interest bearing account operated by the Insolvency Service.

## ASSETS

The Official Receiver's Report to Creditors identified the following assets:-

Details	Amount
Book Debts	£150.00
Fixtures & Fittings	£500.00

## LIABILITIES

### Secured Creditors

There are provisions of the insolvency legislation that require a Liquidator to set aside a percentage of a Company's assets for the benefit of the unsecured creditors in cases where the Company gave a "Floating Charge" over its assets to a lender on or after 15th September 2003. This is known as the "prescribed part of the net property" ("prescribed part"). A Company's net property is that left after paying the preferential creditors, but before paying the lender who holds a Floating Charge. Any costs of the liquidation that are payable before the Liquidator has reached a position to make a distribution to the Floating Charge Holder have to be deducted from Floating Charge realisations before arriving at an amount for the "net property" of the Company. As a result, the costs associated with realising Floating Charge assets, paying preferential claims in full, the general costs of winding-up and the costs of confirming the validity of the Floating Charge will have to be deducted before the "net property" is calculated. The prescribed part that the Liquidator then has to set aside for unsecured creditors is:

- 50% of the first £10,000 of the net property; and
- 20% of the remaining net property;

up to a maximum of £600,000.

In my previous Reports I informed creditors that there was a fixed and floating charge dated 19th August 1995 in favour of HSBC Bank plc. That Charge has now been settled and Companies House shows that the Charge has been settled accordingly.

### Unsecured Creditors

The Official Receiver's Report to Creditors included Unsecured Creditors with an estimated total liability of £83,646. To date I have received claims from two creditors in the total sum of £72,305.63. I have not received claims from two creditors in the estimated sum of £352.01.

Included in the Unsecured Creditors figure was an amount due to HSBC Bank PLC in the sum of £28,462 which has now been settled.

## DIVIDEND PROSPECTS

A dividend of 100 pence in the £ was paid to creditors during the period 15th July 2017 to 14th July 2019. It is not anticipated that there will be any further payments made to creditors on account of statutory interest.

## LIQUIDATOR'S REMUNERATION

My remuneration was previously authorised by creditors following a Postal Resolution obtained on 23rd December 2013. My remuneration has been fixed by reference to the time properly given in attending to matters arising in the liquidation.

No remuneration has been drawn in this period.

I have drawn £41,408.16 all of which was drawn in the period between 15th July 2017 to 14th July 2018.

Further information about creditors' rights can be obtained by visiting the creditors' information micro-site published by the Association of Business Recovery Professionals (R3) at <http://www.creditorinsolvencyguide.co.uk/>. A copy of 'A Creditor's Guide to Liquidator's Fees' can be viewed online at <https://www.r3.org.uk/what-we-do/publications/professional/fees>. There are different versions of these Guidance Notes and in this case please refer to the November 2011 version.

Time to be charged on all cases is in 5 minute units and hourly billing rates for the periods since the date of my appointment are as follows (plus VAT):-

	From April 2011	
See note below	A	B
Insolvency Practitioners	255.00	425.00
Chartered Accountants/Solicitor	240.00	320.00
Insolvency Solicitor	240.00	320.00
Associates	220.00	330.00
Managers	175.00	225.00
Senior Professionals	150.00	225.00
Administrators	120.00	180.00
Cashier	100.00	
Assistants	90.00	120.00
Support Staff	85.00	115.00

A Basic Charge out rates

B Charge out rates for special investigation work undertaken in complex cases

A schedule of the time costs incurred in this period is shown in the analysis below:-

	IP	Chartered	Associate	Other Snr			Support		Total	Avg. Hrly.
	Hours	Accountant	Hours	Prof.	Cashier	Assistants	Staff	Hours	Costs	Rate
		Hours	Hours	Hours	Hours	Hours	Hours	Hours	£	£
<b>Administration and Planning - See Note A above</b>										
Statutory	0.00	0.00	2.83	0.08	0.00	2.50	0.00	5.41	862.91	
Maintenance of Records	0.17	0.00	0.00	0.00	0.00	1.25	0.00	1.42	155.00	
General Admin	0.00	0.00	0.42	0.00	0.00	1.91	2.67	5.00	490.81	
VAT & TAX	0.58	9.33	0.00	0.08	0.00	0.00	0.00	9.99	2401.25	
Review	1.17	0.00	1.42	0.00	0.00	1.25	0.00	3.84	721.67	
Cashiering	0.00	0.00	0.00	0.00	0.50	0.00	0.00	0.50	56.23	
	1.92	9.33	4.67	0.16	0.50	6.91	2.67	26.16	4687.87	179
<b>Realisation of Assets - See Note A above</b>										
Director's Loan Accounts	0.00	9.42	0.17	0.00	0.00	0.00	0.00	9.59	2296.67	
Property	0.00	0.00	0.92	0.00	0.00	0.00	0.00	0.92	201.67	
	0.00	9.42	1.09	0.00	0.00	0.00	0.00	10.51	2498.34	238
<b>Creditors - See Note A above</b>										
General Correspondence	0.33	0.00	0.00	0.25	0.00	0.08	0.00	0.66	130.00	
	0.33	0.00	0.00	0.25	0.00	0.08	0.00	0.66	130.00	197
<b>Total Hours</b>	<b>2.25</b>	<b>18.75</b>	<b>5.76</b>	<b>0.41</b>	<b>0.50</b>	<b>6.99</b>	<b>2.67</b>	<b>37.33</b>	<b>7316.21</b>	
<b>Total Costs (£)</b>	<b>573.75</b>	<b>4500.00</b>	<b>1265.01</b>	<b>64.58</b>	<b>56.23</b>	<b>630.00</b>	<b>226.64</b>		<b>7316.21</b>	<b>196</b>

A schedule of the time costs incurred since my appointment is shown in the analysis below:-

	IP	Chartered	Associate	Other Snr				Support		Total	Avg. Hrly.
	Hours	Accountant	Hours	Prof.	Admin.	Cashier	Assistants	Staff	Hours	Costs	Rate
		Hours	Hours	Hours	Hours	Hours	Hours	Hours	Hours	£	£
<b>Administration and Planning - See Note A above</b>											
Open	0.00	0.00	0.50	0.00	0.00	0.00	3.66	0.00	4.16	440.00	
Planning	0.00	0.00	1.00	0.00	0.00	0.00	0.00	0.00	1.00	220.00	
Statutory	0.00	0.00	15.16	0.58	0.00	0.00	9.57	0.00	25.31	4297.07	
Maintenance of Records	1.09	0.00	0.08	0.00	0.00	0.00	2.91	0.00	4.08	557.08	
General Admin	0.50	0.33	1.34	0.50	0.08	0.00	19.49	35.50	57.74	5354.33	
VAT & TAX	0.58	16.50	0.00	2.42	0.00	0.00	0.00	0.00	19.50	4471.25	
Review	2.58	1.42	5.26	0.00	0.00	0.00	5.67	0.00	14.93	2663.76	
Cashiering	0.00	0.00	0.00	0.00	0.00	6.91	0.00	0.00	6.91	697.78	
	4.75	18.25	23.34	3.50	0.08	6.91	41.30	35.50	133.63	18701.27	140
<b>Investigations - See Note B above</b>											
Initial Investigation	0.00	0.00	4.09	0.00	0.00	0.00	0.00	0.00	4.09	1347.50	
Enquiries & Searches	0.00	0.00	0.25	0.00	0.00	0.00	0.33	0.00	0.58	110.83	
Books and Records	8.83	5.75	0.50	0.00	0.00	0.00	2.75	0.00	17.83	5998.75	
Enquiry Financial Advisors	0.00	4.00	0.92	0.00	0.00	0.00	0.00	0.00	4.92	1582.50	
Instructing Solicitors/Notes to Assist	8.50	3.25	0.00	0.00	0.00	0.00	0.00	0.00	11.75	4652.50	
	17.33	13.00	5.76	0.00	0.00	0.00	3.08	0.00	39.17	13692.08	350
<b>Realisation of Assets - See Note A above</b>											
Director's Loan Accounts	38.50	40.75	15.42	0.08	0.00	0.00	0.00	0.00	94.75	23001.64	
Book Debts	0.00	0.00	0.25	0.00	0.00	0.00	0.00	0.00	0.25	55.00	
Property	0.00	0.00	1.50	0.00	0.00	0.00	0.00	0.00	1.50	330.00	
PPI	0.00	0.00	0.00	0.00	0.00	0.00	1.33	0.00	1.33	114.17	
	38.50	40.75	17.17	0.08	0.00	0.00	1.33	0.00	97.83	23500.81	240
<b>Creditors - See Note A above</b>											
Agreeing Creditors' Claims	0.00	20.58	0.00	0.00	0.00	0.00	0.75	0.00	21.33	5007.50	
General Correspondence	11.16	3.25	1.00	1.75	0.00	0.00	1.08	0.00	18.24	4245.00	
	11.16	23.83	1.00	1.75	0.00	0.00	1.83	0.00	39.57	9252.50	234
<b>Total Hours</b>	<b>71.74</b>	<b>95.83</b>	<b>47.27</b>	<b>5.33</b>	<b>0.08</b>	<b>6.91</b>	<b>47.54</b>	<b>35.50</b>	<b>310.20</b>	<b>65146.66</b>	
<b>Total Costs (£)</b>	<b>21242.92</b>	<b>24040.00</b>	<b>11027.48</b>	<b>864.58</b>	<b>10.00</b>	<b>697.78</b>	<b>4246.55</b>	<b>3017.35</b>		<b>65146.66</b>	<b>210</b>

A description of the routine work undertaken is as follows:-

Administration:

This represents the work involved in the routine administrative functions of the case by me and my staff, together with the control and supervision of the work done on the case by me and my managers. It does not give direct financial benefit to the creditors, but has to be undertaken by the office holder to meet their requirements under the insolvency legislation and the Statements of Insolvency Practice, which set out required practice that office holders must follow.

- Maintaining physical case files.
- Maintaining the case on the practice's electronic case management system and entering data.
- Dealing with all routine correspondence and e-mails relating to the case.
- Cashiering – Maintaining and managing the office holder's cashbook.
- Logging and banking of estate receipts and payments.
- Undertaking regular reconciliations of the bank account containing estate funds.
- Reviewing the adequacy of the specific penalty bond on a quarterly basis.
- Undertaking periodic reviews of the progress of the case.
- Overseeing and controlling the work done on the case by case administrators.
- Preparing, reviewing and issuing Annual Progress Reports to Creditors and Members.
- Preparing and filing VAT Returns.
- Preparing and filing Corporation Tax Returns.
- Filing reports at Companies House.
- Ongoing Due Diligence and consideration of threats to fundamental principles.
- Data Protection Notices.

Realisation of Assets:

- Corresponding with HM Revenue & Customs regarding recovery Section 419 Tax.

Creditors:

Claims of Creditors - I need to maintain up to date records of the names and addresses of creditors, together with the amounts of their claims as part of the management of the case, and to ensure that notices and reports can be issued to the creditors.

- Dealing with creditor correspondence, emails and telephone conversations regarding their claims.
- Maintaining up to date creditor information on the case management system.

## **LIQUIDATOR'S DISBURSEMENTS**

### Category 1 Disbursements

My expenses to date amount to £5,827.75 of which £102 was incurred during this period. I have drawn £5,725.75 leaving an amount of £102 outstanding.



The following expenses have been incurred, and paid by me. Any which are outstanding will be reimbursed when sufficient funds are available, subject to any priority payments; These are shown on the attached Receipts and Payments account as Outstanding Category 1 disbs.

Type of expense	Amount incurred in this period £	Amount incurred to date £	Amount outstanding £
H.M. Land Registry charges	-	34.00	-
Bordereau	102.00	432.00	102.00
Advertising	-	153.50	-
Legal Disbursements	-	5,185.00	-
Actual Postage (Courier Costs)	-	23.25	-

The following agents or professional advisors have been utilised in this matter:-

Professional Advisor	Nature of work	Fee Arrangement
Clarke Mairs LLP	Solicitors	Time Costs on formal Conditional Fee Arrangement

The choice of professionals was based on my perception of their experience and ability to perform this type of work, the complexity and nature of the assignment and the basis of my Fee Arrangement with them. Clarke Mairs LLP were instructed to advise on and assist in the recoveries against the Director.

Solicitors have been paid the sum of £20,000 and they have now confirmed that they will not be claiming the 50% uplift under the terms of the Conditional Fee Arrangement.

### **Category 2 Disbursements**

My expenses were approved by creditors following a Postal Resolution obtained on 3rd December 2013.

The following Category 2 Disbursements have been incurred and will be paid, if sufficient funds are available, at the finalisation of my administration:-

Type of Category 2 Disbursement	Amount incurred in this period £	Amount incurred to date £	Amount outstanding £
Storage	43.20	259.20	259.20

A policy decision has been made not to charge postage.

### **FURTHER INFORMATION**

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.

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.

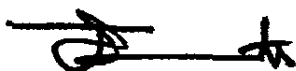
To comply with the Provision of Services Regulations, general information about this firm can be found in the attached summary sheet.

## **SUMMARY**

The Liquidation will remain open until the tax matters are concluded and any further funds received distributed.

Should you have any queries regarding this Report, or the liquidation in general, please contact either myself or Mrs Morris at this office.

Dated this 2nd day of August 2019



J.R. DUCKWORTH  
Liquidator

**Dataserve Direct Limited**  
**(In Liquidation)**  
**Liquidator's Summary of Receipts & Payments**

Statement of Affairs £	From 15/07/2018 To 14/07/2019 £	From 24/08/2011 To 14/07/2019 £
<b>ASSET REALISATIONS</b>		
	NIL	140,000.00
	16,287.21	16,287.21
500.00	NIL	500.00
150.00	NIL	3,214.33
	NIL	1,000.00
	NIL	190.53
	16,287.21	161,192.07
<b>COST OF REALISATIONS</b>		
	NIL	34.00
	NIL	2,387.01
	88.00	528.00
	NIL	5.50
	3,877.14	4,948.84
	NIL	1,545.00
	102.00	432.00
	NIL	41,408.16
	NIL	153.50
	NIL	20,000.00
	NIL	5,185.00
	NIL	38.11
	NIL	23.25
	(4,067.14)	(76,688.37)
<b>UNSECURED CREDITORS</b>		
	NIL	72,305.63
	NIL	(72,305.63)
<b>650.00</b>	<b>12,220.07</b>	<b>12,198.07</b>
<b>REPRESENTED BY</b>		
		(102.00)
		12,300.07
		<b>12,198.07</b>

Note:

All amounts in this Receipts and Payments Account are exclusive of VAT.

The Liquidator's Receipts and Payments Account has been reconciled with that held by the Secretary of State at the Insolvency Service.