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| **Case name:** | Aberdeen House Care Limited |
| **Name of office holder:** | Laura Stewart & Gareth Wilcox |
| **Type of appointment:** | Creditors Voluntary Liquidation |
| **Date of appointment:** | TBC |

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| 1. **Factors considered in deciding insolvency type** |
| Please refer to Minutes for GW |
| **2.) Appointment Strategy**  **(i.e. how will the appointment be effected; timings, appointor requirements, any difficulties with getting proxies from shareholders or creditors, meeting location issues, risk of majority creditor voting against etc).** |
| **Virtual Meeting and Creditors meeting – Zoom / Teams**  Meetings to be called asap due to possible threat of wind up from HMRC and employee claims. Proceedings to commence once residents have been rehomed.  3 January – Board meeting and short notice – all docs to be issued same day and posted.  11 January – Decision date  Expected votes from Companies – directors, Aberdeen Property, Davlyn House, RPO and Nest Pensions.  **Notice to be issued to Shareholders via email**  **Notice for inter-company loans to be issued via email (postal address accountants)**     * **Are there any immediate areas of risk to the assets?  This could be distraint, petition, hazardous waste, counter claims, ROT, liens, perishable stock etc. Provide details.**   YES   * WUP petition from R&V – see document in case file. Document appears to be non-compliant. In addition court hearing is scheduled for the 10 January – no advert has been placed in Gazette as of 3 Jan 2023 * Premises to be sold as vacant possession. Time needed to be given for possible sale of assets before end of January if assets are to be kept on site. Unless agents able to uplift and store? * Hazardous waste to be dealt with by Director’s prior to proceedings. * **On Instructions / appointment;**   **Instructions (pre-appointment) -**   * Establish liabilities from Clumber for staff and pension to prepare SOA. * Agreement and balance for Lloyds to be provided by RK * Instruct agents / valuers – see asset schedule (5) * Insurance Company details * Closing balance on account on cessation of trade and any remaining funds to be moved to client account in preparation for liquidation. * Confirmation from director that hazardous waste will be dealt with prior to proceedings. * Confirmation from director that client and patient records have been returned to family / local authority (GDPR procedures). * Cash at bank on date of cessation of trade. Remaining funds to be moved to estate / client account. * Issue notice to CQC * Issue notice to local authority |

**On appointment**

* Arrange for books and records to be uplifted (consider agents uplifting pre-appointment).
* Day 1 checklists to be completed in line with Stat procedure.
* BHG to complete formal statutory filing / notices in line with normal routine.

1. **Asset Realisation Strategy**

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| Description of asset | Estimated to realise £ | Approach to be taken | |
| HMRC – Corporation Tax  (Post-appointment) | Unknown | Establish previous years CT payments, potential for CT recovery – company showing profits for 2021. | |
| Debtor Ledgers  (Post-appointment) | £112,059.29 | Issue letter requesting proposals.  Trinity House Care - to repay prior to liquidation in order to fund liquidation.  Wayside Care - £80,000.00 agreement in principle for funds to be repaid on sale of property of wayside property.  Wayside property - £14,980.00 – letter to be issued to request proposals of repayment. agreement in principle for funds to be repaid on sale of property of wayside property.  Consideration to be given for ‘security’ against Wayside Property for the funds owing from Wayside Care. Possible time scale 6-12 months.  Council funds. As the home is paid in arrears, further funds to be received from LA for residents in home from 30 Dec – 3 Jan. Will need to issue letter to council RE funds to be paid over to client account. | |
| Overdrawn Dividends  (Post-appointment) | £16,348.00 | YR end March 2023 accounts show (£28,000) drawn dividends. Deficiency at end of year (£16,348). However, possible funds continued to be drawn or put back from March – cessation of trade.  If position remains the same, repayment required of illegal / overdrawn dividend amount of £16,348. | |
| Plant and Machinery  (Pre-appointment) | Unknown. | Desktop valuation to be concluded (opus introduction).  Fixed Asset Register required from accountant.  Possible uplift and further realisations.  Substantial depreciation value and reduction in value between 2022 – 2023 accounts. | |
| 1. **Was the decision made to trade the business?** | | | **N** | |
| If yes, factors taken into account when making that decision: | | | | |
| 1. **Was a pre-pack sale of the Company’s assets/business undertaken?**   **(This includes a proposed sale back to connected persons in a CVL).** | | | TBC | |
| **If yes, factors taken into account when making that decision, including justification as to why such an approach was appropriate:** | | | | |
| Awaiting guidance from agents on desktop valuation and possible sale pre/post liquidation of assets. | | | | |
| 1. **Operation of Estate Bank Account/ISA bank reconciliations**   Estate account to be opened by Opus. | | | | |
| 1. **SIP 2 Investigation**   (Note points requiring to be investigated, particularly COVID-19 support funding)   * Audit intercompany loan movements and frequency of payments. * Audit of bank statements to establish any ‘drawings’ from directors / shareholders. * Consideration to be given to time frames of funds withdrawn from Aberdeen and increased profitability of Wayside / Trinity. Has Aberdeen suffered due to movement of funds into Wayside / Trinity? * Trinity property was sold for 1mil and no funds returned to associated Companies. * Many changes in April 2023 for ‘share capital’ – to be looked at further * What is the pre-payment (7350) on trial balance? * Potential for any CT reclaim? * ‘Motor Running expenses’ on latest TB – no record of such expenses prior to this visible. Review previous years accounts? Have such funds been put on particular ledger from drawings? Obtain leger. * Confirm with accountant reason for depreciation value? * R&D claims made against accountants recommendation. Accountant made comments on ‘investigating’ where these funds were paid / used. * Any concealed assets / removed assets prior to appointment? Compare FA with inventory from RK. | | | | |
| 1. Fee approval   **Fee approval to be sought on TCE with split duties between firms.**  **Further resolutions to be sought; cat 2 disbursement, agents fees and Clumber.**  Record the reasons why fee approval is not being sought at the first opportunity following appointment:  Record when it is proposed that fee approval will be sought:  Record the proposed fee basis that will be sought in due course: | | | | |

Signed: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

(Office holders) INSERT IP

Dated: