

**James Leonard Parker – In Bankruptcy (“the Debtor”)
In the Southend County Court Number 299 of 2012**

TRUSTEE’S FINAL ACCOUNT TO CREDITORS

STATUTORY INFORMATION

Full name:	James Leonard Parker
Residential address:	58 Rectory Grove, Leigh on Sea, Essex SS9 1HJ
Principal trading activity:	Electrician
Trustee’s name	Deborah Ann Cockerton
Trustee’s address	18 Clarence Road, Southend on Sea, Essex SS1 1AN
Date of appointment	17 September 2012
Court name and reference	Southend County Court Number 299 of 2012

TRUSTEE’S ACTIONS SINCE APPOINTMENT

Since my last annual report I have considered whether to continue action in respect of the funds received by the debtor from the sale of the property at 46 Gordon Road. The recovery has been precluded due to a charge being registered against the property relating to a business loan and upon discussion with my solicitor I have concluded that the equity is not pursuable, and I therefore has ceased action in that regard. The nominal cash at bank balance held is to be drawn as my final fee and the case brought to a close.

During the whole bankruptcy, I have realised £2,914.32 in respect of cash at bank, £2,033.61 in respect of a PPI refund, and received £413 in respect of a refund of VAT on Supervisor’s fees paid in the debtors former IVA, in accordance with the Paymex ruling. With regard to the Debtors property jointly owned with his Mother, this was sold on 26 October 2012 with the sale proceeds of £31,624.61 being remitted to the debtor. Upon discovery of this I contacted the solicitors and the debtor to obtain further information. Following this I entered into considerable correspondence with the debtor regarding the money which had been paid into his account, to establish who the money belonged to so that repayment could be made to the bankruptcy estate in relation to the sum that the debtor had received that had legally belonged to him.

In March 2013 I applied for suspension of the debtor’s discharge due to this matter not being resolved and this was granted by the Court on 20 August 2013.

I held several meetings with the debtor to attempt to resolve this situation. It was agreed that the debtor would begin a repayment plan in June 2015 of £100.00 until his circumstances were more favourable to a higher payment. The payments commenced from July 2015 and were continued until August 2017. The debtor fell behind with his payments and accordingly I then instructed solicitors to pursue the debtor for the remaining balance. Enquiries by my solicitor were made and the debtor stated that a charge registered against the property in favour of Lloyds Bank related to a business loan which he had obtained with his previous business partner and therefore the benefit of this belonged to the debtor solely, and not his Mother, the joint owner. Enquiries were made into the payment of the sale proceeds into an account held in the sole name of the debtor, and evidence was provided to demonstrate that the debtor had attempted to have his Mother’s name added to that account but that the bank had refused to allow this. Following on from this, other routes of enquiry were made however I have decided to cease all further action on the matter due to the level of costs involved with continuing and taking into account the prospects of success which I do not consider to be sufficient in the circumstances. Accordingly I am now issuing my final account.

There is certain work that I am required by the insolvency legislation to undertake work in connection with the bankruptcy that provides no financial benefit for the creditors. A description of the routine work undertaken since my last progress report is contained in Appendix no.2.

RECEIPTS AND PAYMENTS ACCOUNT

My Receipts & Payments Account for the period from 17 September 2012 to 12 November 2018 is attached at Appendix 1. This has been reconciled with the Insolvency Services Account operated by The Insolvency Service in respect of the Bankruptcy.

ASSETS

Freehold Property – 46 Gordon Road

The debtor owned the above property jointly with his Mother. The property was sold on 26 October 2012 and the sale proceeds of £31,624.61 remitted to the debtor. As detailed above, enquiries were made in relation to this sale and the sum of £2,400 was received from the debtor in respect of a payment arrangement made with the debtor to repay the funds he received.

Cash at Bank

The sum of £2,914.32 has been received in respect of the debtor's cash at bank with the Cooperative Bank. This was not included in the original statement of affairs.

PPI Refund

The sum of £2,033.61 has been received in respect of a PPI refund from Lloyds bank. This was not included in the original statement of affairs.

Other Assets

There has been no other realisation of assets in the period other than net bank interest of £2.25.

LIABILITIES

Secured Liabilities

The Debtor does not have any mortgaged property, assets on lease/HP finance or assets covered by retention of title.

Preferential Creditors

There are no preferential creditors.

Crown Creditors

The statement of affairs did not expect any claims by HM Revenue & Customs and no claim has been received.

Non-preferential unsecured Creditors

The statement of affairs included 14 non-preferential unsecured creditors with an estimated total liability of £138,732.87. I have received claims from 4 creditors at a total of £35,857.50. To date I have not received claims from 10 creditors with original estimated claims in the statement of affairs of £102,875.37.

DIVIDENDS

A dividend will not be declared to unsecured creditors as the funds realised have been used to make payments to meet the expenses of the Bankruptcy.

INVESTIGATION INTO THE DEBTOR'S AFFAIRS

I undertook an initial investigation into the Debtor's affairs to establish whether there were any potential asset recoveries or conduct matters that justified further investigation, taking account of the public interest, potential recoveries, the funds likely to be available to fund an investigation, and the costs involved.

There were no matters that justified further investigation in the circumstances of this appointment.

TRUSTEE'S REMUNERATION

My remuneration was approved on a time cost basis based. My total time costs to 12 November 2018 amount to £29,643.50, representing 167.90 of hours work at an average charge out rate of £176.55 per hour, of which £1,342.50, representing 4.80 of hours work, was charged in the period since 17 September 2018, at an average charge out rate of £279.69 per hour.

I have drawn £2,193.91 to 12 November 2018 of which £693.91 was drawn in the period since 17 September 2018.

A detailed schedule of my time costs incurred to date and since 17 September 2018 compared with my original fees estimate is attached as Appendix 2.

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/>. Details about how an office holder's fees may be approved for each case type are available in a series of Guidance Notes issued with Statement of Insolvency Practice 9, and they can be accessed at www.dcabr.co.uk/individual-advice-guides. Please note that there are different versions of the Guidance Notes and in this case you should refer to the April 2017 version.

TRUSTEE'S EXPENSES

I have incurred total expenses in the Bankruptcy of £274.18 of which £20.00 was incurred in the period since 17 September 2018.

I have drawn £274.18 to date of which £20.00 was drawn in the period since 17 September 2018.

I have incurred the following expenses in the period since my last progress report:

Type of expense	Amount incurred/ accrued in the reporting period
Insolvency Bond	£20.00

I have used the following agents or professional advisors in the reporting period:

Professional Advisor	Nature of Work	Basis of Fees
Barker Gotelee LLP	Solicitors	Time costs (no fee charged)

The choice of professionals was based on my perception of their experience and ability to perform this type of work and the complexity and nature of the assignment. I also considered that the basis on which they will charge their fees represented value for money. I have reviewed the charges they have made and am satisfied that they are reasonable in the circumstances of this case.

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 Trustee's remuneration and expenses within 21 days of their receipt of this final account. 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 unsecured creditors (including the creditor in question), apply to Court to challenge the amount of remuneration charged by the Trustee as being excessive, and/or the basis of the Trustee's remuneration, and/or the amount of the expenses incurred as being excessive, within 8 weeks of their receipt of this final account. Any secured creditor may make a similar application to court within the same time limit.

To comply with the Provision of Services Regulations, some general information about DCA Business Recovery LLP can be found in the attached summary sheet.

SUMMARY

The Bankruptcy is now for all practical purposes complete and I am seeking the release of myself as Trustee. Creditors should note that provided no objections to my release are received I shall obtain my release as Trustee following the delivery of the final notice to the Court, following which my case files will be placed in storage.

If creditors have any queries regarding the conduct of the Bankruptcy, or if they want hard copies of any of the documents made available on-line, they should contact Keely Edwards on the above telephone number, or by email at keelyedwards@dcabr.co.uk before my release.



**Deborah Ann Cockerton MABRP MIPA
Trustee**

Enc.

Appendix no.1

1. Administration

- Case planning - devising an appropriate strategy for dealing with the case and giving instructions to the staff to undertake the work on the case.
- Setting up physical/electronic case files.
- Setting up the case on the practice's electronic case management system and entering data.
- Issuing the statutory notifications to creditors and other required on appointment as office holder, including gazetting the office holder's appointment.
- Obtaining a specific penalty bond.
- Convening and holding qualifying decision procedures or deemed consent procedures.
- Dealing with all routine correspondence and emails relating to the case.
- Creating, maintaining and managing the office holder's cashbook.
- Undertaking regular bank 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.
- Filing returns in Court.
- Preparing and filing VAT returns.
- Preparing and filing Corporation Tax returns
- Seeking closure clearance from HMRC and other relevant parties.
- Preparing, reviewing and issuing a final account and notice to creditors.
- Filing final returns in Court.

2. Creditors

- Obtaining information from the case records about employee claims.
- Completing documentation for submission to the Redundancy Payments Office.
- Corresponding with employees regarding their claims.
- Liaising with the Redundancy Payments Office regarding employee claims.
- Dealing with creditor correspondence, emails and telephone conversations regarding their claims.
- Maintaining up to date creditor information on the case management system.
- Issuing a notice of intended dividend and placing an appropriate gazette notice.
- Reviewing proofs of debt received from creditors, adjudicating on them and formally admitting them for the payment of a dividend.
- Requesting additional information from creditors in support of their proofs of debt in order to adjudicate on their claims.
- Calculating and paying a dividend to creditors, and issuing the notice of declaration of dividend.
- Paying tax deducted from the dividends paid to employees.

**Re: JAMES LEONARD PARKER
IN BANKRUPTCY**

**TRUSTEE'S RECEIPTS AND PAYMENTS ACCOUNT
FOR THE PERIOD 17 SEPTEMBER 2012 - 12 NOVEMBER 2018**

Estimated Realisations per SOA		Period 17/09/2018 to 12/11/2018	Cumulative Total to 12/11/2018
	Receipts		
-	Cash at Bank	0.00	2,914.32
-	VAT Refund on Supervisors Fees (Paymex Ruling)	0.00	413.00
-	Repayment of utilised funds from sale of 46 Gordon Road	0.00	2,400.00
-	PPI Refund	0.00	2,033.61
-	Gross Bank Interest	2.81	20.08
-		<u>2.81</u>	<u>7,781.01</u>
	Payments		
-	Balance of Official Receivers Fees	0.00	1,015.00
-	Secretary of State Fees	0.34	3,211.55
-	Quarterly Admin Fees	22.00	550.00
-	Stationery	0.00	29.40
-	Postage	0.00	13.58
-	Insolvency Bond	20.00	50.00
-	Land Registry Fee	0.00	16.00
-	Trustees Fees	693.91	2,193.91
-	Case Management Fee	0.00	110.00
-	Cheque Fees	0.00	3.30
-	BACS Fee	0.15	0.15
-	Statutory Advertising	0.00	84.60
-	Tax on Interest Earned	0.56	4.02
-	VAT	142.78	499.50
-		<u>879.74</u>	<u>7,781.01</u>
	Balance at Bank		<u><u>0.00</u></u>

Notes: Figures shown are net of VAT.

Appendix 2

Analysis of Trustee's Time Costs

In accordance with the Statement of Insolvency Practice No.9, creditors are advised that:-

1. The basis of the fees to be taken by the Trustee was approved by the Creditors on 17 September 2012.
2. It was resolved that such fees be paid on a time cost basis. This firm's standard insolvency rates with effect from 15 October 2015 are as stated below. For periods prior to this date lower rates will have applied. All rates are exclusive of valued added tax.

GRADE	Hourly rate from 15 Oct 2015	Hourly rate from 1 April 2014	Hourly rate from 1 April 2013	Hourly Rate from 1 Dec 2012	Hourly rate From 1 Jan 2012
	£	£	£	£	£
Partner	350	350	350	350	350
Senior Manager	275	275	275	250	250
Manager	250	250	250	225	225
Senior Administrator (Grade 1)	225	225	225	200	200
Senior Administrator (Grade 2)	-	200	200	175	175
Case Administrator (Grade 1)	175	175	175	150	150
Administrator (Grade 2)	-	150	150	125	125
Administrator (Grade 3)	-	110	110	90	90
Cashier	150	-	-	-	-
Support Staff	130	-	-	-	-

3. The total hours expended by the Trustee and all staff involved with the case during the period 17 September 2018 to 12 November 2018 is 4.80 hours and for the whole period is 167.90 hours. The Trustee has ensured that during each period the appropriate member of staff has undertaken the different tasks involved taking into account the complexity of the task and the qualifications and experience of the person involved.
4. The charge out value of the period 17 September 2018 to 12 November 2018 is £1,342.50 plus VAT and for the whole period is £29,643.50 plus VAT, an average of £279.69 plus VAT per hour for this period and £176.55 plus VAT per hour for the whole period.

The Trustee has been paid the sum of £2,193.91 plus VAT on account of time costs incurred during the whole period of the bankruptcy. This equates to an average of £13.07 plus VAT per hour for the whole period of the bankruptcy.

5. A general analysis of the time incurred during the period 17 September 2018 to 12 November 2018 confirms that work has been undertaken in the following areas:-

HOURS						Time Costs Incurred	Average Hourly Rate
Classification of Work	Partner	Manager	Other Senior Professionals	Assistants & Support Staff	Total Hours		
Administration and Planning	2.00		2.00		4.00	£1,150.00	£287.50
Investigations							
Realisation of Assets							
Trading							
Creditors	0.30			0.50	0.80	£192.50	£240.63
Case Specific Matters							
Total	2.30		2.00	0.50	4.80	£1,342.50	£279.69

6. A general analysis of the time incurred during the whole period to 12 November 2018 confirms that work has been undertaken in the following areas:-

HOURS						Time Costs Incurred	Average Hourly Rate
Classification of Work	Partner	Manager	Other Senior Professionals	Assistants & Support Staff	Total Hours		
Administration and Planning	29.60	1.60	2.70	102.80	136.70	£24,821.50	£181.58
Investigations	0.10			13.00	13.10	£1,335.00	£101.91
Realisation of Assets	4.30	1.10		3.10	8.50	£2,271.50	£267.24
Trading							
Creditors	0.70			8.90	9.60	£1,215.50	£126.61
Case Specific Matters							
Total	34.70	2.70	2.70	127.80	167.90	£29,643.50	£176.55

NOTICE OF NO DIVIDEND

Name of Bankrupt: Mr James Leonard Parker
Court Details: In the High Court of Justice - No 299 of 2012
Address: 58 Rectory Grove, Leigh on Sea, Essex, SS9 2HJ
Other address at which Bankrupt resided in the period of 12 months preceding the making of the bankruptcy order: 46 Gordon Road, Strood, Kent ME2 3HJ
Date of Birth: 26/10/1964
Occupation: Electrician
Aliases: None
Trading Name: None
Trading Address: None

This Notice is given under Rule 14.36 of the Insolvency (England & Wales) Rules 2016 ("the Rules"). It is delivered by Deborah Ann Cockerton, the Trustee of the Bankrupt, of DCA Business Recovery LLP, 18 Clarence Road, Southend-on-Sea, Essex, SS1 1AN, United Kingdom (telephone - 01702 344558) who was appointed by the Court.

The Trustee gives notice confirming that no dividend will be declared in the Bankruptcy.

The funds realised have already been distributed or used or allocated for paying the expenses of the Bankruptcy.

The Trustee will now proceed to conclude the Bankruptcy and therefore any claims against the assets of the estate are required to be established by 17 December 2018.

Signed 
Deborah Ann Cockerton
Trustee

Date: 12 November 2018

Names of Insolvency Practitioner:	Deborah Ann Cockerton
Nature of Appointment:	Trustee
Date of Appointment:	17 September 2012
Address of Insolvency Practitioner:	DCA Business Recovery LLP, 18 Clarence Road, Southend-on-Sea, Essex, SS1 1AN
IP Numbers	9641
Contact Name	Keely Edwards
Email Address	keelyedwards@dcabr.co.uk
Telephone Number	01702 344558

NOTICE THAT THE ADMINISTRATION OF THE BANKRUPT'S ESTATE IS COMPLETE

Name of Bankrupt: Mr James Leonard Parker
Court Details: In the High Court of Justice - No 299 of 2012
Address: 58 Rectory Grove, Leigh on Sea, Essex, SS9 2HJ
Other address at which Bankrupt resided in the period of 12 months preceding the making of the bankruptcy order: 46 Gordon Road, Strood, Kent ME2 3HJ
Date of Birth: 26/10/1964
Occupation: Electrician
Aliases: None
Trading Name: None
Trading Address: None

This Notice is given under Rule 10.87 of the Insolvency (England & Wales) Rules 2016 ("the Rules). It is delivered by Deborah Ann Cockerton, the Trustee of the Bankrupt, of DCA Business Recovery LLP, 18 Clarence Road, Southend-on-Sea, Essex, SS1 1AN, United Kingdom (telephone - 01702 344558) who was appointed by the Court.

The Trustee gives notice that the administration of the bankrupt's estate is for practical purposes complete.

Please be aware that:

- (i) Creditors have the right to request information from the Trustee under Rule 18.9 of the Rules;
- (ii) Creditors have the right to challenge the Trustee's remuneration and expenses under Rule 18.34 of the Rules;
- (iii) The Bankrupt has a right to challenge the Trustee's remuneration and expenses under Rule 18.35 of the Rules; and
- (iv) Creditors have the right to object to the release of the Trustee's by giving notice in writing below before the end of the prescribed period to:

Deborah Ann Cockerton DCA Business Recovery LLP, 18 Clarence Road, Southend-on-Sea, Essex, SS1 1AN, United Kingdom

The prescribed period ends at the later of: (i) eight weeks after delivery of this notice, or (ii) if any request for information under Rule 18.9 of the Rules or any application to court under that Rule or Rule 18.35 of the Rules is made, when that request or application is finally determined.

The Trustee will vacate office under Section 298 of the Insolvency Act 1986 ("the Act") on delivering to the Court the final report and notice saying whether any creditor has objected to release.

The Trustee will be released under Section 298 of the Act at the same time as vacating office unless any of the creditors objected to release.

Relevant extracts of the Rules referred to above are provided overleaf.

Signed 
Deborah Ann Cockerton
Trustee

Date: 12 November 2018

Names of Insolvency Practitioner(s): Deborah Ann Cockerton

Nature of Appointment: Trustee

Date of Appointment: 17 September 2012

Address of Insolvency Practitioner(s):

DCA Business Recovery LLP, 18 Clarence Road,
Southend-on-Sea, Essex, SS1 1AN, United
Kingdom

IP Numbers

9641

Contact Name

Keely Edwards

Email Address

keelyedwards@dcabr.co.uk

Telephone Number

01702 344558

RELEVANT EXTRACTS OF RULES 18.9 AND 18.34 OF THE INSOLVENCY (ENGLAND & WALES) RULES 2016

Rule 18.9

- (1) The following may make a written request to the office-holder for further information about remuneration or expenses set out in a final report under rule 18.14:
 - a secured creditor;
 - an unsecured creditor with the concurrence of at least 5% in value of the unsecured creditors (including the creditor in question); or
 - any unsecured creditor with the permission of the court.
- (2) A request or an application to the court for permission by such a person or persons must be made or filed with the court (as applicable) within 21 days of receipt of the report by the person, or by the last of them in the case of an application by more than one creditor.

18.35.—(1) A bankrupt may, with the permission of the court, make an application on the grounds that—

- (a) the remuneration charged by the office-holder is in all the circumstances excessive;
- (b) the expenses incurred by the office-holder are in all the circumstances excessive.

(2) The bankrupt may make such an application for one or more of the orders set out in rule 18.36(4).

(3) The application must be made no later than eight weeks after receipt by the bankrupt of the report under rule 10.87.

(4) The court must not give the bankrupt permission to make an application unless the bankrupt shows that—

- (a) there is (or would be but for the remuneration or expenses in question); or
- (b) it is likely that there will be (or would be but for the remuneration or expenses in question),

a surplus of assets to which the bankrupt would be entitled.

(5) Paragraph (4) is without prejudice to the generality of the matters which the court may take into account in determining whether to give the bankrupt permission.