

LIQ03

Notice of progress report in voluntary winding up



Companies House

FRIDAY



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A7YD63BN

01/02/2019

#67

COMPANIES HOUSE

1 Company details

Company number 0 1 3 5 7 2 8 7

Company name in full WARBOYS SERVICES LIMITED

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

2 Liquidator's name

Full forename(s) Michael

Surname Rose

3 Liquidator's address

Building name/number M1 Insolvency

Street Gothic House

Barker Gate

Post town Nottingham

County/Region

Postcode N G 1 1 J U

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

Notice of progress report in voluntary winding up

6

Period of progress report

From date

d	2
---	---

d	1
---	---

m	1
---	---

m	2
---	---

y	2
---	---

y	0
---	---

y	1
---	---

y	7
---	---

To date

d	2
---	---

d	0
---	---

m	1
---	---

m	2
---	---

y	2
---	---

y	0
---	---

y	1
---	---

y	8
---	---

7

Progress report

☒ The progress report is attached

8

Sign and date

Liquidator's signature

Signature

X

mbe

X

Signature date

d	3
---	---

d	1
---	---

m	0
---	---

m	1
---	---

y	2
---	---

y	0
---	---

y	1
---	---

y	9
---	---

**Liquidator's Annual Progress Report to
Creditors & Members for the Year Ended
20 December 2018**

WARBOYS SERVICES LIMITED

- in Liquidation

29 January 2019

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1. Introduction and Statutory Information

- 1.1 I, Michael Rose of M1 Insolvency, Gothic House, Barker Gate, Nottingham NG1 1JU, was appointed as Liquidator of WARBOYS SERVICES LIMITED (the Company) on 21 December 2017. This progress report covers the period from 21 December 2017 to 20 December 2018 (the Period).
- 1.2 Information about the way that we will use, and store personal data on insolvency appointments may be found in the attached Privacy Notice.
- 1.3 The principal trading address of the Company was Unit 8 & 9 Osprey Court, Hinchingsbrooke Business Park, Huntingdon, Cambridgeshire PE29 6FN.
- 1.4 The registered office of the Company has been changed to c/o M1 Insolvency, Gothic House, Barker Gate, Nottingham NG1 1JU and its registered number is 01357287.

2. Progress of the Liquidation

- 2.1 This section of the report provides creditors with an update on the progress made in the liquidation during the Period and an explanation of the work done by the Liquidator and his staff.
- 2.2 At Appendix A is my Receipts and Payments Account for the Period.
- 2.3 The following is a summary of work carried out in the period of this report.

Creditors

Dealing with creditor queries and liaising with creditors regarding their claims, providing acknowledgements where requested.

Corresponding with HMRC regarding tax enquiries.

Employees

Liaising with employees regarding their claims.

Filing claims with the RPS.

Requesting proof of debt from RPS in anticipation of a dividend to preferential creditors.

Instructing Clumber Consultancy to submit the appropriate documents and claims in respect of the Company's pension scheme.

Filing online notifications with The Pensions Regulator.

Assets

Completing the sale of the Company's work in progress to LH Jones & Son.

Corresponding with HMRC regarding the VAT refund claimed in crown set off.

Reviewing transfer of a contract to Viking Pumps Limited.

Arranging insurance for the assets and premises prior to auction.

Corresponding with Eddisons regarding the value and ownership of assets sold in the period at public auction.

Closing the accounts and receiving funds from the Company's bank.

Realising insurance and other sundry refunds.

Instructing Colligant Limited to attempt recovery of the balance of the Company's book debts.

Disclaiming the lease on the Company's premises.

Investigation

Work carried out in compliance with Statement of Insolvency Practice 2 (SIP2) and the CDDA Report.

Corresponding with Company accountants regarding inter company accounts and preference shares.

Statutory, Administration and Planning

Preparation of post-liquidation VAT and corporation tax returns.

Maintenance of estate bank accounts including reconciliation.

Statutory bonding.

Internal case reviews and progression of case.

Administration (including statutory compliance & reporting)

2.4 An office holder must comply with certain statutory obligations under the Insolvency Act 1986 and other related legislation. Details about the work I anticipated would need to be done in this area was outlined to creditors in my initial fees estimate/information.

2.5 Where the costs of statutory compliance work or reporting to creditors exceeds the initial estimate, it will usually be because the duration of the case has taken longer than anticipated, possibly due to protracted asset realisations, which have in turn placed a further statutory reporting requirement on the Liquidator.

WARBOYS SERVICES LIMITED - in Liquidation

- 2.6 As noted in my initial fees estimate/information, this work will not necessarily bring any financial benefit to creditors, but is required on every case by statute.

Realisation of Assets

Plant, Machinery, Furniture & Equipment

- 2.7 The Company's chattel assets were sold at public auction by my agents, Eddisons. There has been some dispute over the ownership of some of the assets, which is ongoing. Therefore, final settlement in respect of sale proceeds has not been received and the funds are being held in the client account of Eddisons.
- 2.8 Eddisons anticipated fees in respect of this matter total £7,460 plus VAT.

Stock and Work in Progress

- 2.9 Stock was anticipated to realise £1,800 according to the directors' statement of affairs and was sold by Eddisons at auction for £3,600 which is currently being held in Eddisons' client account. There was no value placed on work in progress in the statement of affairs. However, on review a contract was identified and the value of the project less costs to complete was sold in the period realising £12,121.

Book Debts

- 2.10 Collections were initially undertaken by the director and then passed to my agent, Colligant Ltd. Realisations to date total £8,498 compared to a statement of affairs estimate of £30,000. Colligant currently hold a further £6,424 against which costs of £1,285 plus VAT will be deducted.

Cash at Bank

- 2.11 Cash at Bank realised £7,435 compared to a statement of affairs estimate of £2,492.

HMRC VAT Refund

- 2.12 As anticipated, the VAT refund due has been claimed in Crown set-off.

Other Receipts

- 2.13 I have received the following sums:

Insurance refund	£3,400
DVLA refunds	119
Bank interest	157

- 2.14 I also received the sum of £10,000 as a third party deposit against costs, which is held on the suspense account.

Life Assurance Policy

- 2.15 In the period of this report, I was informed of a life assurance policy for which the premiums were paid by the Company, which has a potential surrender value of c £5k. After taking legal advice from Fraser Brown, I have applied for the funds to be paid into the liquidation estate.
- 2.16 I have incurred legal costs of £175 plus VAT for the advice.
- 2.17 It is considered that the work the Liquidator and his staff have undertaken to date will bring a financial benefit to creditors. This may be a distribution to secured creditors of the Company only (from which a Prescribed Part fund may be derived for the benefit of unsecured creditors) or may, depending on realisations and the extent of any 3rd party security, result in a distribution to the preferential and unsecured creditors of the Company.

Creditors (claims and distributions)

- 2.18 Further information on the anticipated outcome for creditors in this case can be found at section 3 of this report. A liquidator is not only required to deal with correspondence and claims from unsecured creditors (which may include retention of title claims), but also those of any secured and preferential creditors of the Company. This may involve separate reporting to any secured creditor and dealing with distributions from asset realisations caught under their security, most typically a debenture.
- 2.19 Claims from preferential creditors typically involve employee claims and payments made on behalf of the Company by the Redundancy Payments Service following dismissal.
- 2.20 The above work will not necessarily bring any financial benefit to creditors generally, however a Liquidator is required by statute to undertake this work. Similarly, if a distribution is to be paid to any class of creditor, work will be required to agree those claims and process the dividend payments to each relevant class of creditor. The more creditors a company has, the more time and cost will be involved by the Liquidator in dealing with those claims.
- 2.21 I consider the following matters worth noting in my report to creditors at this stage:
- there are approximately seventy-one unsecured creditor claims in this case with a value per the directors' statement of affairs of £946,402;

- dealing with the claims of twelve employees; and
- I anticipate claims from preferential creditors totalling approximately £10,000.

Investigations

- 2.22 Some of the work the Liquidator is required to undertake is to comply with legislation such as the Company Directors' Disqualification Act 1986 (CDDA 1986) and Statement of Insolvency Practice 2 – Investigations by Office Holders in Administration and Insolvent Liquidations and may not necessarily bring any financial benefit to creditors, unless these investigations reveal potential asset recoveries that the Liquidator can pursue for the benefit of creditors.
- 2.23 I can confirm that I have submitted a report on the conduct of the directors of the Company to the Department for Business, Energy & Industrial Strategy under the CDDA 1986. As this is a confidential report, I am unable to disclose the contents.
- 2.24 Shortly after appointment, I made an initial assessment of whether there could be any matters that might lead to recoveries for the estate and what further investigations may be appropriate. This assessment took into account any information provided by creditors.
- 2.25 *The investigation is ongoing.*

Matters still to be dealt with

- Resolution of the ownership of chattel assets
- Collection of proceeds from life assurance policy
- Completion of book debt collections
- Completion of investigation matters
- Potential dividend to preferential creditors

3. Creditors

Secured Creditors

- 3.1 The Royal Bank of Scotland Plc holds a fixed and floating charge over the Company's assets. At the date of the liquidation the indebtedness to the secured creditor was estimated at £Nil, which has now been confirmed.

Preferential Creditors

- 3.2 A summary of preferential claims is detailed below.

Preferential claim	Received Claim £	Statement of Affairs Claim £
Employee claims and Department for Business, Energy & Industrial Strategy (BEIS)	£9,088	£11,149

- 3.3 I am in the process of agreeing preferential claims in anticipation of the payment of a dividend.

Unsecured Creditors

- 3.4 I have received claims totalling £72,298 from eighteen creditors. I have yet to receive claims from fifty-three creditors whose debts total £871,785 as per the Company's statement of affairs.
- 3.5 The Company granted a floating charge to The Royal Bank of Scotland Plc on 26 July 2006. Accordingly, I would be required to create a fund out of the Company's net floating charge property for unsecured creditors (known as the Prescribed Part). However, the secured creditor has no outstanding liability, therefore any available funds after settlement of preferential creditors are available to unsecured creditors.
- 3.6 The prospect of a dividend to unsecured creditors is dependent on the outcome of investigation matters and final assets realisations.

4. Liquidator's Remuneration

- 4.1 Creditors approved that the basis of the Liquidator's remuneration be fixed by reference to the time properly spent by him and his staff in managing the Liquidation. My fees estimate/information was originally provided to creditors when the basis of my remuneration was approved and was based on information available to me at that time.
- 4.2 A copy of that estimate is reproduced below.

WARBOYS SERVICES LIMITED - in Liquidation

Category of work	Estimated Number of Hours	Average blended charge out rate £	Estimated cost £
Administration (inc statutory compliance & reporting)	38.5	166.49	6,410
Realisation of assets	30	160.00	4,800
Creditors (claims & distributions)	29	166.90	4,840
Investigations	9	200.00	1,800
Case specific matters (where applicable)	19	169.74	3,225
Total estimated fees			£21,075

4.3 My time costs for the Period are £15,334. This represents 77.7 hours at an average rate of £197.35 per hour. Attached as Appendix B is a Time Analysis which provides details of the activity costs incurred by staff grade during the Period in respect of the costs fixed by reference to time properly spent by me in managing the liquidation. To date, £Nil plus disbursements of £Nil has been drawn on account.

4.4 I now consider that the fee estimate I previously provided for the liquidation is insufficient to complete my duties as a result of:

- the Company's affairs requiring more extensive investigation than previously anticipated;
- additional assets being identified c £8.5k;
- the Company's asset realisations have proved more protracted than was initially anticipated; this is due to disputes arising from ownership of the chattel assets;
- difficulties recovering the Company's book debts;
- dealing with the claims of the Company's creditors has taken more time than initially anticipated as I anticipate further work on agreeing unsecured claims; and
- investigation matters are ongoing.

4.5 The above have resulted in the liquidation entering a second year.

4.6 As a result, my revised fees estimate is set out below and I am seeking approval by correspondence from the creditors to increase this estimate. Further details can be found on the letter which accompanies this report.

Liquidator's Revised Fee Estimate

Category of work	Estimated Number of Hours	Average blended charge out rate £	Estimated cost £
Administration (inc statutory compliance & reporting)	50	172.70	8,635
Realisation of assets	35.5	169.44	6,015
Creditors (claims and distributions)*	64.1	168.45	10,798
Investigations	9	189.67	1,707
Case specific matters (employees)	19	169.74	3,225
Total estimated fees	177.6	171.06	£30,380

- 4.7 This includes logging and reviewing all claims received, as a dividend may be due, dependent on asset realisations.
- 4.8 A copy of 'A Creditors' Guide to Liquidators' Fees' is available on request or can be downloaded from www.icaew.com/en/technical/insolvency/creditors-guides.
- 4.9 Attached as Appendix C is additional information in relation to the Liquidator's fees, expenses and disbursements, including where relevant, information on the use of subcontractors and professional advisers.
- 4.10 Creditors approved the payment of M1 Insolvency's pre-appointment costs in the sum of £6,000 on 21 December 2017.
- 4.11 This sum has been drawn in the period of this report.

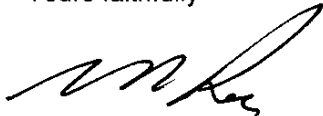
5. Creditors' Rights

- 5.1 Within 21 days of the receipt of this report, a secured creditor, or an unsecured creditor (with the concurrence of at least 5% in value of the unsecured creditors) may request in writing that the Liquidator provide further information about his remuneration or expenses which have been itemised in this progress report.
- 5.2 Any secured creditor, or an unsecured creditor (with the concurrence of at least 10% in value of the unsecured creditors) may within 8 weeks of receipt of this progress report make an application to court on the grounds that, in all the circumstances, the basis fixed for the Liquidator's remuneration is inappropriate and/or the remuneration charged or the expenses incurred by the Liquidator, as set out in this progress report, are excessive.

6. Next Report

- 6.1 I am required to provide a further report on the progress of the liquidation within two months of the next anniversary of the liquidation, unless I have concluded matters prior to this, in which case I will write to all creditors with my final account.
- 6.2 If you have any queries in relation to the contents of this report, I may be contacted by telephone on 0115 941 1467 or by email at info@m1insolvency.co.uk.

Yours faithfully

A handwritten signature in black ink, appearing to be 'M Rose', written in a cursive style.

M Rose
Liquidator

Encs

Liquidator's Abstract of Receipts & Payments

WAR01 WARBOYS SERVICES LIMITED (CVL)

Statement Of Affairs		From 21/12/2017 To 20/12/2018
	FLOATING CHARGE ASSETS	
12,400.00	Plant & Machinery	0.00
1,800.00	Stock and Work In Progress	12,121.03
	Suspence	10,000.00
	Sundry Receipts	119.16
	Insurance Refund	3,400.00
1,200.00	Office Furniture & Equipment	0.00
30,000.00	Debtors	8,497.76
2,491.60	Balance at Bank	7,434.97
	Bank Interest Gross	156.55
15,323.56	HMRC - VAT	0.00
		41,729.47
	COSTS	
	Pension Review and Claims	675.00
	Statutory Advertising	169.20
	Sundry Expenses/Disbursements	125.00
	Rates	303.06
	Insurance	392.00
	Pensions Advice	1,050.00
	Costs of Creditors Decision	6,000.00
		(8,714.26)
	PREFERENTIAL CREDITORS	
(11,149.49)	Wages & Holiday Pay	0.00
		0.00
	UNSECURED CREDITORS	
(113,085.15)	Trade & Expense Claim	0.00
(21,240.52)	Inland Revenue - PAYE & NIC	0.00
(901.04)	Shareholders Loan Accounts	0.00
(811,175.17)	Inter Company Accounts	0.00
(121,175.40)	Employee Claims	0.00
		0.00
	DISTRIBUTIONS	
(108,237.00)	Issued Share Capital	0.00
		0.00
(1,123,748.61)		33,015.21

REPRESENTED BY

Bank 1	31,605.21
VAT Control Account	(820.37)
VAT Paid/Received	2,230.37
	33,015.21

 LIQUIDATOR

WARBOYS SERVICES LIMITED
(In Creditors' Voluntary Liquidation)

Appendix B

Summary of Liquidator's Time Costs from 21 December 2017 to 20 December 2018

	Partner		Administrator		Junior Administrator		Total		Average Hourly Rate £
	Units	Cost £	Units	Cost £	Units	Cost £	Units	Cost £	
Statutory, Administration & Planning									
Statutory & Review	15	375.00	25	425.00	-	-	40	800.00	200.00
Receipts & Payments	40	1,000.00	48	816.00	18	189.00	106	2,005.00	189.15
Insurance	-	-	52	884.00	-	-	52	884.00	170.00
Landlords	5	125.00	-	-	-	-	5	125.00	250.00
General Administration	-	-	4	68.00	28	294.00	32	362.00	113.13
Appointment	23	575.00	18	306.00	22	231.00	63	1,112.00	176.51
Assets	119	2,975.00	16	272.00	-	-	135	3,247.00	240.52
Creditors	16	400.00	38	646.00	39	409.50	93	1,455.50	156.51
Investigations	110	2,750.00	45	765.00	13	136.50	168	3,651.50	217.35
Employee Claims	40	1,000.00	37	629.00	6	63.00	83	1,692.00	203.86

Total	368	9,200.00	283	4,811.00	126	1,323.00	777	15,334.00
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Average Hourly Rate (£)		250.00		170.00		105.00		197.35
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All Units are 6 minutes

WARBOYS SERVICES LIMITED - in Liquidation

Appendix C

Additional Information in Relation to the Liquidator's Fees, Expenses & Disbursements

1 Staff Allocation and the Use of Sub-Contractors

- 1.1 The general approach to resourcing our assignments is to allocate staff with the skills and experience to meet the specific requirements of the case.
- 1.2 The constitution of the case team will usually consist of a Partner, a Manager, and an Administrator or Assistant. The exact constitution of the case team will depend on the anticipated size and complexity of the assignment and the experience requirements of the assignment.
- 1.3 We are not proposing to utilise the services of any sub-contractors in this case.

2 Professional Advisors

- 2.1 On this assignment we have used the professional advisors listed below. We have also indicated alongside, the basis of our fee arrangement with them, which is subject to review on a regular basis.

Name of Professional Advisor	Basis of Fee Arrangement
Fraser Brown (legal advice)	£175 fixed fee
Clumber Consultancy (pension advice)	Set fee
Eddisons (valuation and disposal advice)	£180 Hourly rate + 10% of realisations and disbursements
Colligant Limited (book debt collection)	20% of debts recovered

- 2.2 Our choice was based on our perception of their experience and ability to perform this type of work, the complexity and nature of the assignment and the basis of our fee arrangement with them.

3 Liquidator's Expenses & Disbursements

- 3.1 The estimate of expenses (including disbursements) which were anticipated at the outset of the liquidation was provided to creditors when the basis of my fees were approved, a copy of which is set out below:

WARBOYS SERVICES LIMITED - in Liquidation

3.3 Category 1 disbursements do not require approval by creditors. The type of disbursements that may be charged as a Category 1 disbursement to a case generally comprise of external supplies of incidental services specifically identifiable to the case, such as postage, case advertising, invoiced travel and external printing, room hire and document storage. Also chargeable will be any properly reimbursed expenses incurred by personnel in connection with the case. These disbursements are included in the tables of expenses above.

3.4 Category 2 disbursements do require approval from creditors. These are costs which are directly referable to the appointment in question but are not payments which are made to an independent third party and may include shared or allocated costs that can be allocated to the appointment on a proper and reasonable basis such as internal room hire, document storage or business mileage. Details of Category 2 disbursements charged by this firm (where appropriate) were provided at the time the Liquidator's fees were approved by creditors. Any Category 2 disbursements incurred are specifically highlighted in the tables of expenses above.

4 Charge-Out Rates

4.1 M1 Insolvency's current charge-out rates are detailed below. Please note this firm records its time in minimum units of 6 minutes.

4.2

STAFF GRADE	CHARGE-OUT RATES FROM COMMENCEMENT (UP TO £ PER HOUR)
Partner	250
Administrator	170
Junior Administrator	105

WARBOYS SERVICES LIMITED - in Liquidation

Expense	Estimated cost £
Agents' costs	4,000
Accountants' costs	250
Solicitors' costs for advice	1,000
Debt collection costs	6,000
Statutory advertising	250
Specific penalty bond	270
External storage of company's books and records	170
External meeting room hire	50
Insolvency system fee	125
Contingency	935
Category 2 disbursements charged by the firm	1,450
	14,500

Current position of Liquidator's expenses

- 3.2 An analysis of the expenses paid to the date of this report, together with those incurred but not paid at the date of this report is provided below:

	Paid in the period covered by this report £	Incurred but not paid to date £	Total anticipated cost £
Agents' costs	-	7,461	7,461
Solicitors' costs	-	175	175
Book debt collection	-	1,285	3,000
Statutory advertising	169	-	169
Specific penalty bond	-	360	360
External storage of books and records	-	5	20
Property costs for auction	695	-	695
Insolvency system fee	125	-	125
Postage	-	184	284
Pension advice	1,725	-	2,025
Category 2 disbursements:			
Business mileage @ 45p per mile	-	130	150
Reports @ £3 each	-	675	1,167
Letters @ £1 each	-	30	60
Total	£2,714	£10,305	£15,691

Privacy Notice

APPENDIX D

Use of personal information

We process personal information to enable us to carry out our work as insolvency practitioners which includes processing data that was held by companies/individuals before our appointment together with data collected during an insolvency procedure or a fixed charge receivership. Our legal obligation to process personal data arises from work we are required to carry out under insolvency and other related legislation.

Insolvency practitioners are Data Controllers of personal data in so far as defined by data protection legislation. M1 Insolvency will act as Data Processor on their instructions about personal data in relation to an insolvency procedure or fixed charge receivership.

Personal data will be kept secure and processed only for matters relating to the insolvency procedure being dealt with.

The data we may process

The personal data insolvency practitioners may process in most cases will be basic details that may identify an individual and will typically be sufficient to allow us to carry out our work as insolvency practitioners, for example, dealing with the claims of individuals who are owed monies by the companies/individuals over whom we have been appointed.

However, insolvency practitioners may be appointed over entities that process personal data that is considered more sensitive, for example health records and this sensitive data will usually have been created before our appointment. Although we will take appropriate steps to safeguard sensitive data (or to destroy it where it is appropriate to do so), subject to limited exceptions, for example, where we identify previous conduct and/or action that requires further investigation, we will not be processing sensitive data.

Sharing information

We may share personal data with third parties where we are under a legal or regulatory duty to do so, or it is necessary for the purposes of undertaking our work as insolvency practitioners. We may also share personal data to lawfully assist the police or other law enforcement agencies with the prevention and detection of crime, where disclosure is necessary to protect the safety or security of any persons and/or otherwise as permitted by the law.

How long will we hold it?

Personal data will be retained for as long as any legislative or regulatory requirement requires us to hold it. Typically, this may be up to 6 years after which it will be destroyed.

What are your rights?


You have the right to receive the information contained in this document about how your personal data may be processed by us.


You also have the right to know that we may be processing your personal data and, in most circumstances, to have information about the personal data of yours that we hold, and you may ask for certain other details such as what purpose we may process your data for and how long we will hold it.


Individuals have the right to request that incorrect or incomplete data is corrected and in certain circumstances, you may request that we erase any personal data on you which may be held or processed as part of our work as insolvency practitioners. If you have any complaints about how we handle your personal data, please contact Michael Rose, email address info@m1insolvency.co.uk, so we may resolve the issue, where possible. You also have the right to lodge a complaint about any use of your information with the Information Commissioners Office (ICO), the UK data protection regulator.


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	Michael Rose
Company name	M1 Insolvency
Address	Gothic House
	Barker Gate
	Nottingham
Post town	
County/Region	
Postcode	N G 1 1 J U
Country	
DX	
Telephone	0115 941 1467

 Checklist
We may return forms completed incorrectly or with information missing.
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 attached the required documents.
<input type="checkbox"/> 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 or email 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