

Liquidator's Progress Report

S.192

Pursuant to Sections 92A and 104A and 192
of the Insolvency Act 1986

To the Registrar of Companies

Company Number

2786436

Name of Company

Merseyseal Construction Services Limited

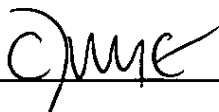
I/*me*

Claire L Dwyer, 4 The Stables, Wilmslow Road, Didsbury, Manchester, M20 5PG

the liquidator~~(s)~~ of the company attach a copy of my/our Progress Report
under section 192 of the Insolvency Act 1986

The Progress Report covers the period from 28/02/2013 to 27/02/2014

Signed



Date

Jones Lowndes Dwyer LLP
4 The Stables
Wilmslow Road
Didsbury
Manchester, M20 5PG

Ref MER001/CLD/ISJ/HS



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07/03/2014

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COMPANIES HOUSE

FRIDAY

Merseyseal Construction Services Limited
(In Liquidation)
Liquidator's Abstract of Receipts & Payments

Statement of Affairs		From 28/02/2013 To 27/02/2014
	SECURED CREDITORS	
(58,839 23)	National Westminster Bank PLC	<u>NIL</u> NIL
	HIRE PURCHASE	
6,000 00	Mercede-Benz Reg-KM59 TVK (Note 3)	NIL
(9,749 94)	Finance Company-Lombard	NIL
4,500 00	Mercede-Benz reg-KR58 WRX (Note 3)	NIL
(7,433 00)	Finance Company-Lombard	<u>NIL</u> NIL
	ASSET REALISATIONS	
5,000 00	Plant, Machinery & Equipment (Note 4)	3,500 00
3,500 00	Motor Vehicles (Note 4)	3,500 00
18,270 16	Book Debts (Note 5)	18,815 92
	Rates Refund	30 84
	Pension Refund	<u>69 34</u>
		25,916 10
	COST OF REALISATIONS	
	Preparation of S of A	1,000 00
	s98 meeting fee	5,000 00
	Liquidators Fees	9,075 00
	Bordereau Insurance	NIL
	Agents/Valuers Fees	1,250 00
	Statutory Advertising	<u>297 00</u>
		(16,622 00)
	PREFERENTIAL CREDITORS	
	DE Arrears & Holiday Pay	3,824 25
(2,616 40)	RPO Employee Claims	<u>105 23</u>
		(3,929 48)
	UNSECURED CREDITORS	
(11,431 99)	Trade & Expense Creditors (Note 6)	NIL
(96,671 34)	RPO Employee Claims	NIL
(11,747 09)	HMRC-Paye/Nic (Note 7)	NIL
(50,429 41)	HMRC-VAT (Note 7)	<u>NIL</u>
		NIL
	DISTRIBUTIONS	
(9,900 00)	Ordinary Shareholders	<u>NIL</u>
		NIL
(221,548.24)		<u>5,364.62</u>
	REPRESENTED BY	
	Bank 1 Current	<u>5,364 62</u>
		<u>5,364.62</u>



jones lowndes dwyer LLP

REPORT TO MEMBERS AND CREDITORS

4 March 2014

Dear Sir or Madam

Merseyseal Construction Services Limited – In Liquidation

This is my first annual report to creditors following my appointment as Liquidator of the above named Company on 28 February 2013

If you would like further explanations of any aspect of my report or the conduct of the liquidation in general, please contact Ian Jones on 0161 438 8555

RECEIPTS AND PAYMENTS

A copy of the Liquidators' receipts and payments account for the period of liquidation is enclosed at Appendix A

ASSETS

Financed Motor Vehicles

The financed motor vehicles were returned to the finance company prior to liquidation

Plant, Machinery and Equipment

The plant, machinery and equipment was sold for £3,500 plus VAT, compared to £5,000 as estimated in the statement of affairs

Unencumbered Motor Vehicles

Realisations from unencumbered motor vehicles totalled £3,500 as estimated in the statement of affairs

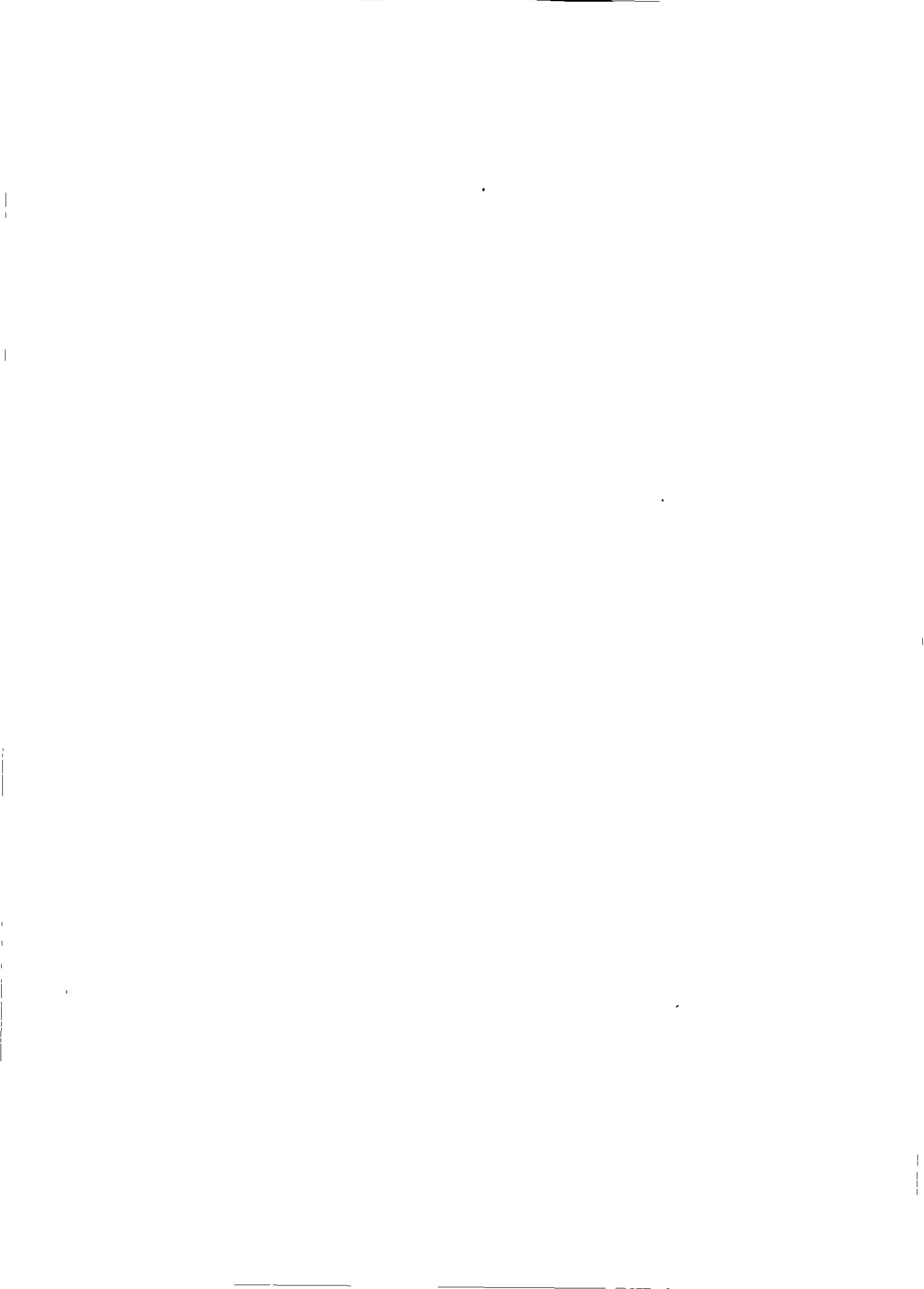
Book debts

Book debts realised £18,815 92 compared to £18,270 16 as shown in the statement of affairs. No further realisations are anticipated from this source

Refunds

A rates refund of £30 84 and a pension refund of £69 34 (both not shown in the statement of affairs) were received





LIABILITIES

Secured Liabilities

An examination of the company's mortgage register held by the Registrar of Companies, showed that the company had granted National Westminster Bank plc a fixed and floating charge over all assets dated 24 October 2003

In July 2013 we requested a copy of the debenture in order that it could be verified and a distribution made under the floating charge. After numerous requests on a regular basis the bank finally admitted recently that they had lost the debenture

The Liquidator is seeking legal advice on how this should be dealt with. As a result of the additional work required chasing the bank, the need for an annual meeting (as it took the bank so long to admit losing the debenture) and the additional legal fees that will be incurred, the amount to be distributed to the bank will be less than the £5,000 originally anticipated

Preferential creditors

The statement of affairs showed anticipated preferential claims of £2,616.40. Claims totalling £3,389.48 have been received and paid in full

Crown Creditors

The statement of affairs included £62,176.50 owed to HMRC. HMRC have submitted claims totalling £68,632.63

Unsecured Creditors

The statement of affairs included) unsecured creditors with an estimated total liability of £176,962.77 including HMRC and unsecured non-preferential employee claims. As there was no prospect of a dividend in this case the Liquidator has not agreed the claims of creditors

PRESCRIBED PART

There are provisions of the insolvency legislation that require a liquidator/an administrator to set aside a percentage of a company's assets for the benefit of the unsecured creditors in cases where the company gave a "qualifying floating charge" over its assets to a lender on or after 15 September 2003. This is known as the "prescribed part of the net property". A company's net property is that left after paying the preferential creditors, but before paying the lender who holds a floating charge. A liquidator must set aside

- 50% of the first £10,000 of the net property, and
- 20% of the remaining net property up to a maximum of £600,000

The amount of the Prescribed Part of the assets available to unsecured creditors under Section 176A of the Insolvency Act 1986 has not been calculated, as it is anticipated that the company's net property will be less than the prescribed minimum of £10,000



DISTRIBUTIONS / DIVIDEND PROSPECTS

No dividend has or will be declared to unsecured creditors in this case as the funds realised have already been distributed or used or allocated for defraying the expenses of the liquidation

INVESTIGATION INTO THE AFFAIRS OF THE COMPANY

Within six months of my appointment as Liquidator, I am required to submit a confidential report to the Secretary of State to include any matters which have come to my attention during the course of my work which may indicate the conduct of any past or present director which would make them unfit to be concerned with the management of a company I can confirm that my report has been submitted

Following my initial investigation into the Company's affairs, further investigations or action were not deemed appropriate

PRE-APPOINTMENT REMUNERATION

The members and creditors previously authorised the payment of a fee of £6,000 plus VAT for assistance with preparing the statement of affairs and calling the meetings of members and creditors Of this sum, £1,000 plus VAT was paid to HML Accountants (the Company's former accountant) for their assistance in preparing the statement of affairs These fees were paid from first realisations on appointment and are shown on the enclosed receipts and payments account

LIQUIDATOR'S REMUNERATION

Liquidators fees of £9,075 plus VAT have been drawn in accordance with the following resolution passed at the first meeting of creditors held on 28 February 2013

"That the liquidators' fees be fixed by reference to the time properly given by the liquidator and her staff in attending to matters arising in the winding up, including time given by them to such matters before the liquidation commenced These fees are to be paid as and when funds become available at the following charge-out rates for the various grades of staff who may be involved in this liquidation Time is charged in 6 minute units

<u>Grade of staff</u>	<u>Hourly rate £'s (excluding VAT)</u>
Partner	200
Senior Manager	150
Manager	125
Executive	75
Analyst	50
Secretarial/other support staff	50

and that Jones Lowndes Dwyer LLP reserve the right to amend these rates from time to time during the course of the liquidation - any material amendments to these rates to be advised to creditors and or the Liquidation Committee in the next statutory report

That, in accordance with the revised Statement of Insolvency Practice 9, the liquidators be authorised to draw disbursements for services provided by their own firm in respect of photocopying at 10p per sheet copied (only charged for circulars to creditors or for exceptional amounts of copying) and of mileage, at a maximum of 50p per mile (up to 2,000 cc) or 70p per mile (over 2,000cc) All other disbursements to be reimbursed at cost "

An explanatory note entitled "**A Creditors' Guide to Liquidators' Fees**" is available on request, or may be downloaded from the following address www.r3.org.uk. Appendix B gives details of the time spent on various tasks comprising this assignment. A total of 73.75 hours have been spent at an average rate of £134.75, totalling £9,937.50. In common with all professional firms, our scale rates increase from time to time over the period of administration of each insolvency case. Full details, including any increases relating to this case, are available on application. No disbursements have yet been drawn.

A description of the routine work undertaken in the liquidation is as follows

Administration and Planning

- Preparing the documentation and dealing with the formalities of appointment
- Statutory notifications and advertising
- Preparing documentation required
- Dealing with routine correspondence
- Maintaining physical case files and electronic case details on IPS
- Review and storage
- Case bordereau
- Case planning and administration
- Preparing reports to members and creditors
- Convening and holding meetings of creditors
- Cashiering (maintaining cashbook and corporation tax and VAT returns)

Investigations

- Review and storage of books and records
- Prepare report pursuant to the Company Directors Disqualification Act
- Conduct investigations into suspicious transactions
- Review books and records to identify any transactions or actions a liquidator may take against a third party in order to recover funds for the benefit of creditors

Realisation of Assets

- Corresponding with debtors and attempting to collect outstanding book debts
- Liaising with the company's bank regarding the closure of the account

Trading

- I have not traded the business

Creditors

- Dealing with creditor correspondence and telephone conversations
- Preparing reports to creditors
- Maintaining creditor information on IPS
- Reviewing and adjudicating on proofs of debt received from creditors

In addition to the routine work above, I have spent additional time chasing the floating charge holder for a copy of the debenture

A copy of 'A Creditors Guide to Liquidators' Fees' and 'A Statement of Insolvency Practice 9' are available at www.jldllp.co.uk A hard copy can be obtained on request

LIQUIDATOR'S EXPENSES

My expenses to date total £293 43 plus VAT

Agents have been employed on a time cost basis

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. The fees charged have been reviewed and I 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 themselves) 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 themselves), apply to court to challenge the amount and/or basis of the Liquidator's fees and the amount of any proposed or incurred expenses, within 8 weeks of receipt of this report. Any secured creditor may make a similar application to court within the same time limit

SUMMARY

The liquidation will remain open until the floating charge issue has been resolved, this is expected to occur within the next six months. Once this issue has been dealt with the liquidation will be finalised and my files will be closed

Should you have any regarding this matter please contact Ian Jones on 0161 438 8555

Yours faithfully



C L Dwyer
Liquidator

Appendix A

Merseyseal Construction Services Limited – In Liquidation Receipts and Payments Account for the period 28 February 2013 to 27 February 2014

	Per Statement of Affairs £	Actual Receipts/ Payments £
Receipts		
Plant, machinery and equipment	5,000	3,500
Motor vehicles	3,500	3,500
Book debts	18,270	18,816
Rates refund		31
Pension refund		69
	<u>26,770</u>	<u>25,916</u>
Payments		
Statement of Affairs fee		(1,000)
S98 meeting fee		(5,000)
Liquidators fees		(9,075)
Agents fees		(1,250)
Statutory Advertising		(297)
		<u>(16,622)</u>
Preferential creditors		<u>(3,930)</u>
		<u>(20,552)</u>
Balance		<u>5,364</u>

Appendix B

Merseyseal Construction Services Limited – In Liquidation Time Cost Summary for the period 28 February 2013 to 27 February 2014

Classification of work function	Partner (hrs)	Manager (hrs)	Other Senior Professionals (hrs)	Assistants & Support Staff (hrs)	Total Hours	Time Cost (£)	Average hourly rate (£)
Administration and Planning	4 50	0 10	7 40	7 50	19 50	1,842 50	94 49
Investigations	0 00	3 00	0 00	0 00	3 00	375 00	125 00
Realisation of Assets	23 55	1 70	0 00	7 00	32 25	5,272 50	163 49
Trading	0 00	0 00	0 00	0 00	0 00	0 00	0 00
Creditors	5 90	7 70	1 40	4 00	19 00	2,447 50	128 82
Total	33.95	12.50	8.80	18.50	73.75	9,937.50	134.75

Appendix C**Merseyseal Construction Services Limited - In Liquidation****Statutory Information**

Company name	Merseyseal Construction Services Limited
Registered Office	Jones Lowndes Dwyer LLP 4 The Stables Wilmslow Road Didsbury Manchester M20 5PG
Company Number	2786436
Liquidator's Name	Claire Louise Dwyer
Liquidator's Address	4 The Stables Wilmslow Road Didsbury Manchester M20 5PG
Date of Appointment	28 February 2013

PROOF OF DEBT - GENERAL FORM

Merseyseal Construction Services Limited		
Date of Winding-Up Order / Resolution for voluntary winding up 28 February 2013		
1	Name of Creditor (If a company please also give company registration number)	
2	Address of Creditor for correspondence	
3	Total amount of claim, including any Value Added Tax and outstanding uncapitalised interest as at the date the company went into liquidation (see note)	
4	Details of any documents by reference to which the debt can be substantiated [Note there is no need to attach them now but the liquidator may call for any document or evidence to substantiate the claim at his discretion as may the chairman or convenor of any meeting]	
5	If amount in 3 above includes outstanding uncapitalised interest please state amount	£
6	Particulars of how and when debt incurred (If you need more space append a continuation sheet to this form)	
7	Particulars of any security held, the value of the security, and the date it was given	
8	Particulars of any reservation of title claimed in respect of goods supplied to which the claim relates	
9	Signature of creditor or person authorised to act on his behalf	
	Name in BLOCK LETTERS	
	Position with or in relation to creditor	
	Address of person signing (if different from 2 above)	
Admitted to vote for		Admitted for dividend for
£		£
Date		Date
Liquidator		Liquidator