

LIQ03

Notice of progress report in voluntary winding up



Companies House

TUESDAY



A22 *A7J48RFE* #28
20/11/2018
COMPANIES HOUSE

1 Company details

Company number 0 4 1 8 5 4 5 3

Company name in full Southgate Construction Limited

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

2 Liquidator's name

Full forename(s) Alexander

Surname Kinninmonth

3 Liquidator's address

Building name/number Highfield Court

Street Tollgate
Chandlers Ford

Post town Eastleigh

County/Region

Postcode S O 5 3 3 T Y

Country

4 Liquidator's name ①

Full forename(s) Richard

Surname Brewer

① Other liquidator
Use this section to tell us about
another liquidator.

5 Liquidator's address ②

Building name/number Highfield Court

Street Tollgate
Chandlers Ford

Post town Eastleigh

County/Region

Postcode S O 5 3 3 T Y

Country

② Other liquidator
Use this section to tell us about
another liquidator.

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6

Period of progress report

From date	d 1	d 9	m 1	m 0	y 2	y 0	y 1	y 7
To date	d 1	d 8	m 1	m 0	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 *Alfred, Brown* X

Signature date

d 1	d 6	m 1	m 1	y 2	y 0	y 1	y 8
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In the matter of

**Southgate Construction Limited In Liquidation
(‘the Company’)**

Joint Liquidators’ progress report

**Alexander Kinninmonth and Richard Brewer
Joint Liquidators**

**RSM Restructuring Advisory LLP
Highfield Court
Tollgate
Chandlers Ford
Eastleigh SO53 3TY**

Sections

1. Progress of the liquidation
2. Details of what remains to be done and matters preventing closure
3. Creditors' claims and dividend prospects
4. Receipts and payments summary
5. Joint Liquidators' remuneration and expenses
6. Notice of Qualifying Decision Procedure
7. Creditors' right to information and ability to challenge remuneration and expenses

Appendices

- A. Statutory information
- B. Dividend prospects
- C. Summary of receipts and payments
- D. RSM Restructuring Advisory LLP current charging, expenses and disbursements policy statement
- E. RSM Restructuring Advisory LLP Southampton current charge out and category 2 disbursement rates
- F. Statement of expenses incurred in the period from 19 October 2017 to 18 October 2018
- G. Joint Liquidators' time cost analysis for the period from 19 October 2017 to 18 October 2018
- H. Estimate of the Joint Liquidators' Fees
- I. Estimate of the Joint Liquidators' expenses likely to be incurred
- J. Notice of a Qualifying Decision Procedure
- K. Voting paper
- L. Invitation to form a committee & Committee consent to act
- M. Proof of debt form

This report has been prepared in accordance with relevant legislation to provide creditors, members and the registrar of companies with information relating to the progress of the liquidation in the period from 19 October 2017 to 18 October 2018.

This report has been prepared solely to comply with the statutory requirements the relevant legislation. It has not been prepared for use in respect of any other purpose, or to inform any investment decision in relation to any debt or financial interest in the Company. Any estimated outcomes for creditors are illustrative and may be subject to significant change.

Neither the Joint Liquidators nor RSM Restructuring Advisory LLP accept any liability whatsoever arising from any decision or action taken or refrained from because of information contained in this report.

1 Progress of the liquidation

1.1 Realisation of assets

The Joint Liquidators are obliged to realise and get in the Company's property and maximise realisations. In some cases this does not result in sufficient realisations to enable a financial return to creditors, after taking into account the costs and expenses of realisation and dealing with the legislative requirements of administering the case. Details of the realisations made are set out below, with information relating to dividends, if any, contained within Appendix B.

1.1.1 Bank Interest

The sum of £2 has been received in the period.

1.1.2 Cash at Bank

The sum of £3,500 has been realised.

1.1.3 Motor Vehicles and Tools

A sale of the Company's motor vehicle and tools took place on 19 October 2017 to the company's director, Brian Southgate. The consideration of the sale of the assets totalled £4,000 plus VAT and were paid immediately.

There will be no further realisations in respect of these assets.

1.1.4 Other Current Assets

The sum of £744 was due to the Company in respect of an outstanding debt. Due to a lack of paperwork, it is not commercially viable for the Joint Liquidators to pursue as there is no benefit to creditors.

1.1.5 Claim for compensation for mis-selling of interest rate hedging product

The Joint Liquidators have now completed their investigations and confirmed that the Company was not sold an IRHP, there is no evidence of mis-selling and therefore no redress due to the Company.

1.2 Connected party transactions

A sale of the Company's assets took place on 19 October 2017 to Brian Southgate, a connected party by virtue of being the Company's director. The assets included in the sale consisted of tools and a motor vehicle. The consideration of the sale of the assets totalled £4,000 plus VAT and were paid immediately. Proudley Associates Limited were instructed to value the motor vehicles and tools. The assets were valued at £5,400 in-situ and £3,300 ex-situ.

I would advise you that the transaction took place on the date of but prior to my appointment as Joint Liquidator, and the Company took advice in connection with the transaction from an independent advisor. I understand that both the purchaser and the vendor took independent advice prior to the transaction being affected. Whilst the Joint Liquidators were not party to the transaction they were aware of it and approved the sale.

1.3 Investigations

In accordance with our statutory obligations, we have filed the appropriate documentation in relation to the conduct of the directors.

We can advise you that, following our initial assessment, no further investigations were deemed necessary.

1.4 Change in Joint Liquidators

As a result of David Smithson leaving RSM Restructuring Advisory LLP, by Court Order dated 21 February 2018 he was removed as Joint Liquidator and Richard Brewer (IP No 9038) of RSM Restructuring Advisory LLP was appointed in his place. A Notice to this effect was advertised in the London Gazette on 8 March 2018, and in accordance with the terms of the Order, the prior appointee

was released from office on 21 March 2018, being 21 days after the publication of the notice in the London Gazette.

The costs of the application were met by RSM Restructuring Advisory LLP. The Order also provided that each creditor of the estate was at liberty to apply to vary or discharge the Order within 21 days of publication in the Gazette.

1.5 Administration and planning

Certain aspects of the work that the Joint Liquidators undertake are derived from the underlying legal and regulatory framework for cases of this nature. This work, which does not usually result in any direct financial return to creditors, is a necessary aspect of ensuring that the Joint Liquidators are complying with both their legislative and best practice responsibilities, and ensuring that the case is managed efficiently and effectively. It includes matters such as:

- Periodic case reviews, ongoing case planning and strategy
- Maintaining and updating computerised case management records
- Dealing with routine correspondence not attributable to other categories of work
- Ongoing consideration of ethical and anti-money laundering regulations
- General taxation matters
- Preparation of receipts and payments accounts, maintenance of cashing records

2 Details of what remains to be done and matters preventing closure

2.1 Assets remaining to be realised

There are no assets remaining to be realised.

2.2 Other outstanding matters

The Joint Liquidators are seeking approval for their pre-appointment fees and expenses and post-appointment remuneration.

3 Creditors' claims and dividend prospects

Dividend prospects and projected returns to creditors are attached, including any amount due to under the prescribed part, if any.

The Joint Liquidators are obliged to deal with a number of matters in relation to creditors to comply with both the legislative and best practice requirements and to ensure creditors are kept informed. Creditors will only derive an indirect financial return from this work on cases where a dividend has been paid. These matters include:

- Preparation and issue of progress reports and associated documentation
- Maintenance of schedules of preferential and unsecured creditors' claims
- Dealing with correspondence and telephone calls

3.1 Prescribed part

The 'Prescribed Part' is a statutory amount, calculated as a percentage of net floating charge realisations, which entitles unsecured creditors to a share of realisations. This is calculated on a sliding scale up to maximum of £600,000 before costs.

Whilst there are creditors secured by fixed and qualifying floating charges over the assets and undertaking of the Company, those creditors will receive no recovery under their floating charges. There is therefore no requirement to estimate the amount of the Prescribed Part of the assets under Section 176A of the Insolvency Act 1986.

4 Receipts and payments summary

We attach a summary of our receipts and payments for the period from 19 October 2017 to 18 October 2018.

VAT basis

Receipts and payments are shown net of VAT with any amount due to or from HM Revenue and Customs shown separately.

5 Joint Liquidators' remuneration and expenses

5.1 Pre-appointment fees and expenses

The Joint Liquidators are seeking approval for their reasonable and necessary expenses for assisting the directors with the preparation of the statement of affairs and in seeking the creditors' nomination of Joint Liquidators through the deemed consent procedure. These have been incurred on a fixed fee basis, in accordance with the terms of our engagement. If approved, these fees will be paid from the assets realised in the Liquidation.

- Statement of Affairs' fee £5,000 plus disbursements plus VAT

5.2 Authority for remuneration, disbursements and expenses

The Joint Liquidators are seeking approval for their post-appointment remuneration of £2,500 plus VAT to be drawn on a fixed fee basis in accordance with the attached resolution. The fixed fee has been requested because there are limited funds available. The Joint Liquidators' costs are significantly higher (see 5.2.1 below).

The fixed fee has been based on the assumptions set out in the attached appendix. Should these prove to be inaccurate, or the circumstances change, the Joint Liquidators may need to seek approval to increase their fees.

The Joint Liquidators cannot draw more than £2,500 plus VAT without obtaining the further approval of the general body of creditors.

5.2.1 Remuneration and expenses incurred in the period from 19 October 2017 to 18 October 2018

No sums have been drawn since appointment as detailed in the attached receipts and payments account.

The Joint Liquidators are required to report remuneration 'charged' in the period. This reflects the time charged to the case for any category of work where remuneration has been approved on a time cost basis. The Joint Liquidators are seeking approval from creditors to draw remuneration on a time costs basis in accordance with the enclosed fee estimate.

The Joint Liquidators have incurred time costs of £11,329 in the current period. An analysis of time incurred in the period is attached.

5.3 Expenses and disbursements

Attached are the Joint Liquidators' charging, expenses and disbursement policy statement, together with the current rates. Details of the expenses (including category 1 and category 2 disbursements) that the Joint Liquidators have incurred in the period of the report are attached.

Creditors are requested to approve the attached resolution in respect of category 2 disbursements.

5.3.1 Other professional costs

Whilst professional costs are not subject to approval by the relevant approving body, all professional costs are subject to review before being paid.

Proudley Associates Limited were retained as agents to value and dispose of the Company's tangible assets. We have agreed that they be remunerated based on their standard commission rates, plus disbursements and VAT. They have submitted invoices totalling £500 which have been paid.

6 Notice of Qualifying Decision Procedure

The Joint Liquidators are requesting creditors agree the basis upon which they are to be remunerated and may draw disbursements in accordance with the notice attached at Appendix J.

If so approved, the maximum amount that the Joint Liquidators will be able to draw in relation to their post-appointment fees will be £2,500 plus VAT unless they obtain further approval.

Accordingly, you are requested to complete and return the enclosed Voting Paper together with a completed Proof of Debt form to RSM Restructuring Advisory LLP, Highfield Court, Tollgate, Chandlers Ford, Eastleigh SO53 3TY by no later than the decision date stated in the notice attached. Documents sent by fax are acceptable. If you have previously submitted a proof of debt form in these proceedings, there is no requirement to submit a further form unless your claim has changed.

7 Creditors' right to information and ability to challenge remuneration and expenses

In accordance with the relevant legislation creditors have a right to request further information about remuneration or expenses and to challenge such remuneration or expenses.

If you wish to make a request for further information, then it must be made within 21 days of receipt of this report in writing by either by (i) any secured creditor or (ii) an unsecured creditor with the concurrence of at least 5% in value of the unsecured creditors.

Any secured creditor, or any unsecured creditor with either the concurrence of at least 10% in value of the unsecured creditors (including that creditor) or the permission of the court, may apply to court on the grounds that the remuneration charged, the basis fixed or expenses incurred by the liquidator are in all the circumstances excessive.

Any such challenge must be made no later than eight weeks after receipt of the report which first discloses the charging of remuneration or incurring of the expenses in question.

A Creditors' Guide to Liquidators' Fees, which provides information for creditors in relation to the remuneration of a Liquidator, can be accessed at <http://rsm.insolvencypoint.com> under 'general information for creditors'. A hard copy can be requested from my office by telephone, email or in writing.

Should you have any further queries please do not hesitate to contact my office.



Alexander Kinninmonth
RSM Restructuring Advisory LLP
Joint Liquidator

Alexander Kinninmonth is licensed to act as an Insolvency Practitioner in the UK by the Institute of Chartered Accountants in England and Wales

Richard Brewer is licensed to act as an Insolvency Practitioner in the UK by the Institute of Chartered Accountants in England and Wales
Insolvency Practitioners are bound by the Insolvency Code of Ethics when carrying out all professional work relating to an insolvency appointment

Appendix A

Statutory information

Company information	
Company name:	Southgate Construction Limited
Company number:	04185453
Date of incorporation:	22 March 2001
Trading name:	Southgate Construction Limited
Trading address:	Home Lea, Ropers Lane, Poole, Dorset BH16 5HR
Principal activity:	Construction
Registered office:	RSM Restructuring Advisory LLP, Highfield Court, Tollgate, Chandlers Ford, Eastleigh SO53 3TY
Previous registered office:	Home Lea, Ropers Lane, Poole, Dorset BH16 5HR

Liquidation information		
Joint Liquidators:	Alexander Kinninmonth and Richard Brewer As a result of David Smithson leaving RSM Restructuring Advisory LLP, by Court Order dated 21 February 2018 he was removed as Joint Liquidator and Richard Brewer (IP No 9038) of RSM Restructuring Advisory LLP was appointed in his place. A Notice to this effect was advertised in the London Gazette on 8 March 2018, and in accordance with the terms of the Order, the prior appointee was released from office on 21 March 2018, being 21 days after the publication of the notice in the London Gazette.	
Date of appointment:	19 October 2017	
Correspondence address & contact details of case manager:	Matthew Vanderman 023 8064 6420 RSM Restructuring Advisory LLP, Highfield Court, Tollgate, Chandlers Ford, Eastleigh SO53 3TY	
Name, address & contact details of Joint Liquidators:	Primary Office Holder Alexander Kinninmonth RSM Restructuring Advisory LLP Highfield Court Tollgate Chandlers Ford Eastleigh SO53 3TY IP Number: 9019	Joint Office Holder: Richard Brewer RSM Restructuring Advisory LLP Highfield Court Tollgate Chandlers Ford Eastleigh SO53 3TY IP Number: 9038

Appendix B

Dividend prospects

	Owed	Paid to date	Estimated future prospects
Secured creditor: Brian Southgate	Uncertain	NIL	NIL
Preferential creditors	£2,764	NIL	NIL
Unsecured creditors	£169,326	NIL	NIL
Estimated net property	N/A		
Estimated prescribed part available for unsecured creditors	N/A		

Any estimated outcome for creditors is illustrative and may be subject to change.

Southgate Construction Limited
(In Liquidation)
Joint Liquidators' Summary of Receipts & Payments
To 18/10/2018

S of A £		£	£
	ASSET REALISATIONS		
2,000.00	Plant & Machinery	2,000.00	
2,000.00	Stock/Inventory on Hand	2,000.00	
	Cash at Bank	3,500.00	
	Bank Interest Gross	2.43	
744.00	Other Current Assets	NIL	
			7,502.43
	COST OF REALISATIONS		
	Agents / Valuers Fees	500.00	
			(500.00)
	UNSECURED CREDITORS		
(55,571.67)	Trade & Expense Creditors	NIL	
			NIL
	DISTRIBUTIONS		
(100.00)	Ordinary Shareholders	NIL	
			NIL
(50,927.67)			7,002.43
	REPRESENTED BY		
	Lloyds		7,002.43
			7,002.43

Appendix D

RSM Restructuring Advisory LLP current charging, expenses and disbursements policy statement

Charging policy

- Partners, directors, managers, administrators, cashiers, secretarial and support staff are allocated an hourly charge out rate which is reviewed from time to time.
- Work undertaken by cashiers, secretarial and support staff will be or has been charged for separately and such work will not or has not also been charged for as part of the hourly rates charged by partners, directors, managers and administrators.
- Time spent by partners and all staff in relation to the insolvency estate is charged to the estate.
- Time is recorded in 6-minute units at the rates prevailing at the time the work is done.
- The current charge rates for RSM Restructuring Advisory LLP Southampton are attached.
- Time billed is subject to Value Added Tax at the applicable rate, where appropriate.
- It is the office holder's policy to ensure that work undertaken is carried out by the appropriate grade of staff required for each task, having regard to its complexity and the skill and experience actually required to perform it.
- RSM Restructuring Advisory LLP's charge out rates are reviewed periodically.

Expenses and disbursements policy

- Only expenses and disbursements properly incurred in relation to an insolvency estate are re-charged to the insolvency estate.
- Expenses and disbursements which comprise external supplies of incidental services specifically identifiable to the insolvency estate require disclosure to the relevant approving party, but do not require approval of the relevant approving party prior to being drawn from the insolvency estate. These are known as 'category 1' disbursements.
- Expenses and disbursements which are not capable of precise identification and calculation (for example any which include an element of shared or allocated costs) or payments to outside parties that the firm or any associate has an interest, require the approval of the relevant approving party prior to being drawn from the insolvency estate. These are known as 'category 2' disbursements.
- A decision regarding the approval of category 2 disbursements at the rates prevailing at the time the cost is incurred to RSM Restructuring Advisory LLP Southampton will be sought from the relevant approving party in accordance with the legislative requirements.
- General office overheads are not re-charged to the insolvency estate as a disbursement.
- Any payments to outside parties in which the office holder or his firm or any associate has an interest will only be made with the approval of the relevant approving party.
- Expenses and disbursements re-charged to or incurred directly by an insolvency estate are subject to VAT at the applicable rate, where appropriate.

Appendix E

RSM Restructuring Advisory LLP Southampton current charge out and category 2 disbursement rates

Hourly charge out rates	
	Current rates £
Partner	450 to 655
Directors / Associate Directors	415 to 575
Manager / Assistant Managers	265 to 310
Senior Administrators / Administrators	175 to 225
Support staff	135

Category 2 disbursement rates	
Internal room hire	£100 per hour
Subsistence	£25 per night (from 3 rd September 2013)
Travel (car)	42.5p per mile (from 1 April 2011)
'Tracker' searches	£10 per case

Appendix F

Statement of expenses incurred in the period from 19 October 2017 to 18 October 2018

Expenses (excluding category 2 disbursements) Type and purpose	Incurred in period	
	Paid £	Unpaid £
Bond	NIL	93.00
Website fee	NIL	8.00
Sub Total	NIL	101.00
Category 2 disbursements		
Recipient, type and purpose		
None		
Sub Total	NIL	NIL
Total	NIL	101.00

NOTE: This appendix may include estimated amounts where actual invoices have not been received. The amounts paid in the period are shown in the attached receipts and payments account. Invoices may have been paid in a period after that in which they were incurred.

SIP9 Time Report - Level 2

Southgate Construction Limited
1096678.700 Post Appointment CVL
for the period 19/10/2017 to 18/10/2018

Period	Hours Spent	Partners	Directors / Associate Directors	Managers	Assistant Managers	Administrators	Assistants & Support Staff	Total Hours	Total Time Costs	Average Rates
From Jan 2003										
Administration and Planning										
Appointment	0.2	0.0	0.0	0.0	0.0	1.3	0.0	1.5	£ 320.50	213.67
Background information	0.0	0.0	0.0	0.0	0.0	0.2	0.0	0.2	£ 33.00	165.00
Case Management	0.1	0.8	0.4	0.4	2.0	9.8	0.0	13.1	£ 2,791.00	213.05
Director(s)/debtor/bankrupt	0.0	0.5	0.0	0.0	0.1	1.8	0.0	2.4	£ 492.00	205.00
Post-appointment - general	0.1	0.0	0.0	0.0	0.0	5.4	0.0	5.5	£ 944.00	171.64
Pre-appointment matters	0.0	0.2	0.0	0.0	0.0	0.0	0.0	0.2	£ 83.00	415.00
Receipts and Payments	0.0	0.0	0.0	0.0	0.0	2.7	0.0	2.7	£ 571.50	211.67
Tax Matters	0.0	0.3	0.0	0.0	0.0	2.0	0.0	2.3	£ 451.50	196.30
Total	0.4	1.8	0.4	0.4	2.1	23.2	0.0	27.9	£ 5,686.50	203.82
Investigations										
DTI/Official Receiver	0.0	0.8	0.0	0.0	0.0	0.0	0.0	0.8	£ 272.00	340.00
Investigations/CDDA	0.1	0.3	0.0	0.0	0.2	2.7	0.0	3.3	£ 650.50	197.12
Total	0.1	1.1	0.0	0.0	0.2	2.7	0.0	4.1	£ 922.50	225.00
Realisation of Assets										
Assets - general/other	0.0	0.0	0.0	0.0	0.0	1.2	0.0	1.2	£ 198.00	165.00
Stock and WIP	0.0	0.0	0.0	0.0	0.0	0.5	0.0	0.5	£ 82.50	165.00
Total	0.0	0.0	0.0	0.0	0.0	1.7	0.0	1.7	£ 280.50	165.00
Creditors										
1st creditors/shareholders meetings and reports	0.0	0.4	0.0	0.0	0.0	0.0	0.0	0.4	£ 136.00	340.00
Employees	0.1	1.4	1.0	1.0	0.0	2.5	0.0	5.0	£ 1,136.50	227.30
Other Creditor Meetings and Reports	0.0	0.0	0.0	0.0	4.2	3.3	0.0	7.5	£ 1,834.50	244.60
Unsecured Creditors	0.0	1.2	0.0	0.0	0.0	5.3	0.0	6.5	£ 1,282.50	197.31
Total	0.1	3.0	1.0	1.0	4.2	11.1	0.0	19.4	£ 4,389.50	226.26
Case Specific Matters - Shareholders										
Shareholders / Members	0.0	0.0	0.0	0.0	0.0	0.3	0.0	0.3	£ 49.50	165.00
Total	0.0	0.0	0.0	0.0	0.0	0.3	0.0	0.3	£ 49.50	165.00
Total Hours (From Jan 2003)	0.6	5.9	1.4	1.4	6.5	39.0	0.0	53.4	£ 11,328.50	212.14
Total Time Cost (From Jan 2003)	£ 318.00	£ 2,141.00	£ 353.00	£ 353.00	£ 1,985.00	£ 6,531.50	£ 0.00	£ 11,328.50		
Total Hours	0.6	5.9	1.4	1.4	6.5	39.0	0.0	53.4	£ 11,328.50	212.14
Total Time Cost	£ 318.00	£ 2,141.00	£ 353.00	£ 353.00	£ 1,985.00	£ 6,531.50	£ 0.00	£ 11,328.50		
Average Rates	530.00	362.88	252.14	252.14	305.38	167.47	0.00	212.14		

Appendix H

Joint Liquidators' fee scope and assumptions

Activity	Scope and assumptions
Administration and planning	<p>Work that must be carried out in order to comply with statutory requirements imposed by the insolvency legislation.</p> <p>This includes filing and advertising of appointment documents, filing of Statement of Affairs, handling of receipts and payments, submission of VAT and income tax issues, pension queries, undertaking file reviews, case planning and strategy, dealing with redirected mail, convening any non-statutory meetings, liaising with the directors, case closure formalities. It is expected the case will be completed within 18 months from appointment.</p>
Realisation of assets	<p>All aspects of the realisation of assets including identifying, securing and insuring assets such as cash at bank and motor vehicles and equipment with no contentious matters.</p> <p>The fixed fee includes no use of legal action being required to realise the assets. The Joint Liquidators have received full co-operation of the directors and no contentious matters have arisen.</p>
Creditors	<p>Includes dealing with creditor queries and preparation of statutory formal reports to creditors.</p>
Investigations	<p>Collection and review of the Company's records in order to identify any potential or actual asset recoveries, antecedent transactions, transactions at under value or voidable dispositions.</p> <p>Reporting to the Department for Business, Energy and Industrial Strategy on the conduct of the directors.</p> <p>The fixed fee provides that the Joint Liquidators' investigations have uncovered no material antecedent transactions which required legal advice or recovery action being undertaken.</p>
Trading	N/A - no trading

Appendix I

Estimate of the Joint Liquidators' expenses likely to be incurred

Expenses (excluding category 2 disbursements)		£
Type and purpose		
Bond		93.00
Statutory advertising		169.00
Website fee		8.00
Agents fees		500.00
	Sub Total	770.00
Category 2 disbursements		£
Recipient, type and purpose		
None		NIL
	Sub Total	NIL
	Total	770.00

Appendix J

Notice of Qualifying Decision Procedure

Southgate Construction Limited In Liquidation

Company No: 04185453

Alexander Kinninmonth was appointed as Liquidator to the above company on 19 October 2017.

Richard Brewer was appointed as Liquidator on 21 February 2018

Notice delivered to the creditors on: 20 November 2018

Decision date: 21 December 2018

Notice Seeking Decision by a Qualifying Decision Procedure Pursuant to Section 246ZE of the Insolvency Act 1986 and

Rule 18.20 of the Insolvency (England and Wales) Rules 2016 where the Liquidators request the creditors determine the Liquidators' remuneration basis

and Rule 6.7 of the Insolvency (England and Wales) Rules 2016 where the Liquidators request the creditors' approval of payment of the Liquidators' unpaid pre-appointment costs and expenses.

Notice is hereby given to the creditors of the above named company seeking their decision on the following matters:

1. That in accordance with the fees proposal provided to creditors on 16 November 2018 the Joint Liquidators shall be authorised to draw remuneration at the fixed amount of £2,500 (plus VAT).
2. That the Joint Liquidators shall be authorised to draw 'category 2' disbursements out of the assets as an expense of the liquidation, at the rates prevailing at the time the cost is incurred, current details of which have been advised.
3. That, RSM Restructuring Advisory LLP shall be paid the sum of £5,000 plus disbursements plus VAT incurred in assisting the directors with the preparation of the statement of affairs and in seeking the creditors' nomination of liquidator through the deemed consent procedure out of the company's assets as an expense of the liquidation in accordance with insolvency legislation.
4. To appoint a Liquidation Committee to assist the Liquidators **(Note: If you vote in favour of this resolution please ensure you nominate a representative).**

The decision is being sought by correspondence.

A voting form is attached, detailing the matters which require your decision, which should be completed and returned to me on or before the decision date.

Please note that to be able to vote you must have submitted a proof of debt form on or before the decision date, and that proof must have been admitted for the purposes of entitlement to vote.

CREDITORS who have OPTED OUT from receiving notices may nevertheless vote if the creditor provides a proof and voting form in accordance with the above provisions.

CREDITORS whose debts are treated as a SMALL DEBT in accordance with Rule 14.31(1) of the Insolvency (England and Wales) Rules 2016 must still deliver a proof if they wish to vote. Rule 14.31(1) states that Office Holders may treat a debt, which is a small debt according to the accounting records or the statement of affairs of the company, as if it were proved for the purposes of paying a dividend. Small debts are defined in Rule 14.1(3) as a debt (being the total amount owed to a creditor) which does not exceed £1,000).

The decisions on the matters above will be deemed to have been made at 23.59 hours on the decision date unless the threshold for requisitioning a physical meeting is met or exceeded within the requisite time scale.

A creditor who disagrees with the manner in which they are treated in relation to the above decision procedure may appeal to the Court within 21 days of the decision date.

Request for Physical Meeting

Creditors may request that a physical meeting of creditors should be held to consider the proposed decisions by providing written notice of their request (together with a completed proof of debt) on or before 27 November 2018 to:

Matthew Vanderman
RSM Restructuring Advisory LLP, Highfield Court, Tollgate, Chandlers Ford, Eastleigh SO53 3TY
Tel: 023 8064 6420
Email: matthew.vanderman@rsmuk.com

A physical meeting will be held if requisitioned by either 10% in value of the company's creditors, or 10% in number of the company's creditors or 10 of the company's creditors (collectively 'the requisition threshold'). If the threshold is met or exceeded, the proposed decision procedure will be terminated (and the proposed decisions will not be deemed to have been made) and a physical meeting of creditors will then be held.

Establishment of committee

Unsecured creditors have the right to decide whether a liquidation committee should be established, if sufficient creditors are willing to be members of a committee. Specific nominations for committee membership will be sought by correspondence. Any queries should be communicated to this office by telephone, email or in writing. Guidance on acting as a committee member can be found at the R3 website, www.R3.org.uk. A hard copy can be requested by telephone, email or in writing to this office.

You may also wish to note that R3 have also produced guidance on the different insolvency processes, which can again be located at their website.

Name, address & contact details of Joint Liquidators

Primary Office Holder

Alexander Kinninmonth
RSM Restructuring Advisory LLP
Highfield Court
Tollgate
Chandlers Ford
Eastleigh SO53 3TY
IP Number: 9019

Joint Office Holder:

Richard Brewer
RSM Restructuring Advisory LLP
Highfield Court
Tollgate
Chandlers Ford
Eastleigh SO53 3TY
IP Number: 9038

Dated: 16 November 2018



Alexander Kinninmonth
RSM Restructuring Advisory LLP
Joint Liquidator

NOTE: Please complete the enclosed proof of debt form and return it together with a detailed statement of your account, and voting form, and any other relevant documentation to Matthew Vanderman, RSM Restructuring Advisory LLP, Highfield Court, Tollgate, Chandlers Ford, Eastleigh SO53 3TY.

Appendix K

Voting paper

Southgate Construction Limited In Liquidation

Company No: 04185453

Alexander Kinninmonth was appointed as Liquidator to the above company on 19 October 2017.
Richard Brewer was appointed as Liquidator on 21 February 2018

Notice delivered to the creditors on: 20 November 2018

Decision date: 21 December 2018

Voting Paper – Qualifying Decision Procedure pursuant to

Rule 18.20 of the Insolvency (England and Wales) Rules 2016 where the Liquidators request the creditors determine the Liquidators' remuneration basis

and Rule 6.7 of the Insolvency (England and Wales) Rules 2016 where the Liquidators request the creditors approval of payment of the Liquidators' unpaid pre-appointment costs and expenses.

If you wish your vote to be counted please ensure you return this form, duly completed together with a proof of debt form (if one has not already been submitted) and a detailed statement of your claim **on or before the decision date stated above.**

Voting instructions for decisions

* delete as applicable

1. That in accordance with the fees proposal provided to creditors on 16 November 2018 the Joint Liquidators shall be authorised to draw remuneration at a fixed amount of £2,500 (plus VAT).	For / Against*
2. That the Liquidators shall be authorised to draw 'category 2' disbursements out of the assets as an expense of the liquidation, at the rates prevailing at the time the cost is incurred current details of which have been advised.	For / Against*
3. That, RSM Restructuring Advisory LLP shall be paid the sum of £5,000 plus disbursements plus VAT incurred in assisting the directors with the preparation of the statement of affairs and in seeking the creditors' nomination of liquidator through the deemed consent procedure out of the company's assets as an expense of the liquidation in accordance with insolvency legislation.	For / Against*

4. To appoint a Liquidation Committee to assist the Liquidators (Note: If you vote in favour of this resolution please ensure you nominate a representative below)

For / Against*

Name, address and contact details of nominated creditors (up to 5) for whom you wish to vote for appointment to the creditors' liquidation committee of Southgate Construction Limited. Note: each creditor must complete a consent to act form (see attached)

1.

2.

3.

4.

5.

*I/We confirm that *I am, am not / *we are, are not a connected party or associate of the company as defined by Sections 249 and 435 of the Insolvency Act 1986.

Name of creditor

Address of creditor

Signed:

Date:

Name in BLOCK LETTERS

Position of signatory in relation to creditor, if not the creditor

Rules: 3.39; 4.15; 6.19; 7.55 and 10.76 of the Insolvency (England and Wales) Rules 2016

**Southgate Construction Limited In Liquidation
Company No: 04185453**

**Alexander Kinninmonth was appointed as Liquidator to the above company on 19 October 2017.
Richard Brewer was appointed as Liquidator on 21 February 2018**

Notice delivered to the creditors on: 20 November 2018

Notice to creditors and contributories inviting establishment of committee

Notice is hereby given that creditors are invited to decide whether a liquidation committee ('committee') should be established, provided that there are no fewer than three and no more than five creditors wishing to be represented on the committee. Nominations are invited for membership of any committee so established, such nominations to be received at Highfield Court, Tollgate, Chandlers Ford, Eastleigh SO53 3TY no later than 27 November 2018. Nominations will only be accepted from creditors who have submitted a proof of debt which is not fully secured and has neither been disallowed for voting purposes nor wholly rejected for dividend purposes.

Please note that, in order for a creditors' committee to be formed, there must be at least three creditors wishing to be represented on the committee. There can be no more than five committee members.

Guidance on acting as a committee member can be found at the R3 website, www.R3.org.uk. A hard copy can be requested by telephone, email or in writing to this office.

You may also wish to note that R3 have also produced guidance on the different insolvency processes, which can again be located at their website.

Enclosed with this notice are a proof of debt form and a consent to act, both of which should be completed and returned to the above address by the date given above in order for your nomination to the committee to be considered further. If you have already submitted a proof of debt form you do not need to do so again.

Name, address & contact details of Joint Liquidators

Primary Office Holder

Alexander Kinninmonth
RSM Restructuring Advisory LLP
Highfield Court
Tollgate
Chandlers Ford
Eastleigh SO53 3TY
IP Number: 9019

Joint Office Holder:

Richard Brewer
RSM Restructuring Advisory LLP
Highfield Court
Tollgate
Chandlers Ford
Eastleigh SO53 3TY
IP Number: 9038

Dated: 16 November 2018



**Alexander Kinninmonth
RSM Restructuring Advisory LLP
Joint Liquidator**

NOTE: Please complete the enclosed proof of debt form and consent to act form and return them, to Matthew Vanderman, RSM Restructuring Advisory LLP Highfield Court, Tollgate, Chandlers Ford, Eastleigh SO53 3TY.

Rule 17.5 of the Insolvency (England and Wales) Rules 2016

Southgate Construction Limited In Liquidation
Company No: 04185453

Alexander Kinninmonth was appointed as Liquidator to the above company on 19 October 2017.

Richard Brewer was appointed as Liquidator on 21 February 2018

Liquidation committee consent to act

If you personally are a creditor, please complete only Part A of this form

If you represent a creditor (eg your employer), please complete only Part B

Part A

I hereby consent to act as a member of the Liquidation committee in respect of the Creditors Voluntary Liquidation of the above-named.

Your name: _____

Your address: _____

Telephone: _____

E-mail: _____

Please sign here: _____

Dated: _____

Part B

I am duly authorised by proxy to act as a representative of the below named company as its representative on the Liquidation committee in respect of the Creditors Voluntary Liquidation of the above-named, and hereby consent to do so.

Representative's name: _____

Creditor represented: _____

Representative's position
in relation to the creditor: _____

Representative's address: _____

Telephone: _____

E-mail: _____

Please sign here: _____

Dated: _____

Rule 14.4 Insolvency (England and Wales) Rules 2016**Proof of Debt****Southgate Construction Limited In Liquidation****Company No: 04185453****Alexander Kinninmonth and Richard Brewer appointed as Liquidators to the above company**

Relevant date for creditors' claims: 19 October 2017

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 relevant date. Less any payments made after that date in relation to the claim, any deduction in respect of discounts and any adjustment by way of mutual dealings and set off in accordance with relevant legislation	£
4	Details of any documents by reference to which the debt can be substantiated. There is no need to attach them now, but you should retain them safely as the Joint Liquidator may ask you at a future date to produce any document or other evidence which is considered necessary to substantiate the whole or any part of the claim, as may the chairman or convenor of any qualifying decision procedure.	
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.	£ Date
8	Particulars of any reservation of title claimed in respect of goods supplied to which the claim relates.	
	Signature of creditor or person authorised to act on his behalf	
	Name in BLOCK LETTERS	
	Date	
	Position with or in relation to creditor	
	Address of person signing (if different from 2 above)	

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 Alexander Kinninmonth

Company name RSM Restructuring Advisory LLP

Address Highfield Court
Tollgate
Chandlers Ford

Post town Eastleigh

County/Region

Postcode S O 5 3 3 T Y

Country

DX

Telephone 02380 646 464



Checklist

We may return forms completed incorrectly or with information missing.

Please make sure you have remembered the following:

- ☐ The company name and number match the information held on the public Register.
- ☐ You have attached the required documents.
- ☐ 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