

LIQ03

Notice of progress report in voluntary winding up



Companies House

MONDAY



AA2RDMVB

A09

19/04/2021

#49

COMPANIES HOUSE

1 Company details

Company number 0 4 2 1 3 3 8 7

Company name in full A&M Minerals Limited

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

2 Liquidator's name

Full forename(s) Lane

Surname Bednash

3 Liquidator's address

Building name/number Craftwork Studios

Street 1-3 Dufferin Street

Post town London

County/Region

Postcode E C 1 Y 8 N A

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

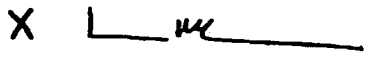

Postcode

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 1	^d 4	^m 0	^m 4	^y 2	^y 0	^y 2	^y 0				
To date	^d 1	^d 3	^m 0	^m 4	^y 2	^y 0	^y 2	^y 1				
7	Progress report											
<input checked="" type="checkbox"/> The progress report is attached												
8	Sign and date											
Liquidator's signature	Signature 											
Signature date	^d 1	^d 6	^m 0	^m 4	^y 2	^y 0	^y 2	^y 1				

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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 **Lane Bednash**

Company name **CMB Partners UK Limited**

Address **Craftwork Studios**

1-3 Dufferin Street

Post town **London**

County/Region

Postcode **E C 1 Y 8 N A**

Country

DX

Telephone **020 7377 4370**



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

Liquidator's Annual Progress Report to Creditors & Members

A&M Minerals Limited
- In Liquidation

16 April 2021



CMB | PARTNERS

Head Office:
Craftwork Studios
1-3 Dufferin Street
London
EC1Y 8NA

Telephone:
+44 (0) 20 7377 4370
Fax:
+44 (0) 20 7377 4371

Email:
info@cmbukltd.co.uk
Ask For:
Vedeena Haulkhory

A & M MINERALS LIMITED- IN LIQUIDATION

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APPENDICES

- A Receipts and Payments Account for the Period from 14 April 2020 to 13 April 2021
- B Additional information in relation to Liquidator's Fees, Expenses & Disbursements

1 Introduction and Statutory Information

- 1.1 Lane Bednash of CMB Partners UK Limited, Craftwork Studios, 1-3 Dufferin Street, London, EC1Y 8NA, was appointed Liquidator of A&M Minerals Limited ("the Company") on 14 April 2020. This progress report covers the period from 14 April 2020 to 13 April 2021 ("the Period") and should be read in conjunction with any previous progress reports which have been issued.
- 1.2 Information about the way that we will use, and store personal data on insolvency appointments can be found at www.cmbukltd.co.uk/gdpr-privacy-notice . If you are unable to download this, please contact us and a hard copy will be provided to you.
- 1.3 The principal trading address of the Company was Apex Yard, 29-35 Long Lane, London, SE1 4PL.
- 1.4 The registered office of the Company has been changed to Craftwork Studios, 1-3 Dufferin Street, London, EC1Y 8NA and its registered number is 04213387.

2 Receipts and Payments

- 2.1 At Appendix A is my Receipts and Payments Account covering the Period of this report.
- 2.2 In Section 3 below, you will find an update on the progress made during the Period in realising the Company's assets and dealing with its affairs.

3 Progress of the Liquidation

- 3.1 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. Whilst these tasks are required by statute or regulatory guidance, or are necessary for the orderly conduct of the proceedings, they do not necessarily produce any direct financial benefit for creditors, but nonetheless still have to be carried out.

This work includes:

- Notifying creditors of the Liquidator's appointment and other associated formalities including statutory advertising and filing relevant statutory notices at Companies House;
- Set up of manual and electronic case files;
- Complying with statutory duties in respect of the Liquidator's specific penalty bond;
- Securing the Company's books and records;
- Completion and filing of the notice of the Company's insolvency to HMRC;
- Corresponding with directors and obtaining completed Directors' Questionnaires;
- Reporting to creditors on appointment;
- Initial assessment required by Statement of Insolvency Practice 2 and the Company Directors Disqualification Act 1986 (CDDA) including the review of the Company's books and records and the identification of potential further asset realisations which may be pursued in the Liquidation;
- Submitting a statutory report to the Insolvency Service under the CDDA;
- Periodic case progression reviews (typically at the end of Month 1 and every 6 months thereafter);
- Dealing with all post-appointment VAT and corporation tax compliance;
- Corresponding with the Company's Bank;
- Corresponding with the Company's Accountant and;
- Corresponding with the Company's directors.

Administration (including statutory compliance & reporting)

- 3.2 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.

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- 3.3 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.

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

- 3.4 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.

Book Debts

- 3.5 At the start of the Liquidation, the Company was owed £37,460 by an entity, Wolfram Ber in respect of goods delivered. I can confirm that to date £34,292 has been received (the reduction only arising due to a change in exchange rates between the point of our appointment and settlement of the debtor). No further realisation is expected from this source.

Cash at Bank

- 3.6 The Company had limited residual funds in various bank accounts. Following Liquidation, the funds were requested and £2,461.70 has been received. No further realisation is expected from this source.

Funds held in Client account

- 3.7 The Company had transferred £24,000 to a client account controlled by CMB Partners UK Limited, in the name of the Company. These funds were transferred into the Liquidation bank account, following the appointment of the Liquidator.

Stock

- 3.8 The Company held stock in a warehouse in China with an estimated value of \$120,000. According to the Director's Statement of Affairs, the estimated to realise value was uncertain. The Liquidator has been unable to secure the release of the stock and arrange for its disposal due to logistical reasons and debts claimed by local creditors over the stock itself. Due to the COVID-19 pandemic since last year, the Liquidator has been unable to make any progress to realise this asset. It has therefore been determined that this stock is very unlikely to be realised and will therefore be written off.

Remaining asset to be realised

- 3.9 The only remaining asset to realise is a potential Corporation Tax refund in the region of £90k which HM Revenue & Customs is due to pay in the Liquidation (which was not on the Directors' statement of affairs due to the potential claim arising, post liquidation). The Company's accountant, D Lee & Co was instructed to arrange for the preparation and submission of the relevant accounts and returns to HM Revenue & Customs and were remunerated on the basis of a fixed fee for this work.

Creditors (claims and distributions)

- 3.10 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.
- 3.11 Claims from preferential creditors typically involve employee claims and payments made on behalf of the Company by the Redundancy Payments Service following dismissal.

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- 3.12 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.

- 3.13 I consider the following matters worth noting in my report to creditors at this stage:

- There are approximately 18 unsecured creditors' claims in this case with a value per the Directors' Statement of Affairs of £6,903,628.

Investigations

- 3.14 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.

- 3.15 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.

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.

IT contractor, Solview Limited, was instructed to secure and transfer the Company's significant electronic records to a searchable online platform. A fixed fee of £4,000 was agreed and paid in respect of these costs; which included an apportionment for future hosting fees.

Matters still to be dealt with

- 3.16 A potential claim has been identified against two separate parties, which may in due course give rise to formal claims being brought. I have instructed solicitors, Boyes Turner LLP, to review this claim, with their assessment of the potential claims continuing. At this stage I am unable to comment further on any potential claims to avoid prejudicing any future causes of action.

4 Creditors

Secured Creditors

- 4.2 According to the records held at Companies House, there are no secured creditors. I confirm that no secured claim has been received in the Liquidation.

Preferential Creditors

- 4.3 There are no preferential creditors in the Liquidation and no preferential claims have been received to date.

Unsecured Creditors

- 4.4 The Director's Statement of Affairs included thirteen unsecured creditors with an estimated total liability of £6,903,628.

- 4.5 To date, I have received claims totalling £3,663,699.43 from six creditors. I have yet to receive claims from eight creditors whose debts total £5,395,130.00 as per the Company's statement of affairs. Claims received are likely to be higher than those recorded on the Director's Statement of Affairs, in particular I have received a claim from an associated party of £1,423,050 which was not anticipated at the outset.

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4.6 The Company granted a floating charge to Bank of London and the Middle East PLC on 11 July 2013 and this was satisfied on 7 February 2014.

4.7 Based on current information and the realisations made to date, it is uncertain whether a dividend will be paid to the unsecured creditors. The payment of any dividend to unsecured creditors is entirely reliant on the realisation of the corporation tax refund and, if issued, the causes of action referenced earlier in this report. Any percentage return to creditors is unlikely to be significant given the quantum of creditor claims against the Company.

5 Liquidator's Remuneration

5.1 A fixed fee of £20,000 plus VAT in respect of the unpaid pre-appointment costs to CMB Partners UK Ltd was agreed by creditors on 14 April 2020 and has this has been paid as an expense of the Liquidation

5.2 The Creditors approved that the basis of the Liquidator's remuneration be a set amount of £30,000 plus VAT. My fees 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.

5.3 To date, I have not billed any fees in respect of the Liquidator's remuneration.

5.4 A copy of 'A Creditors' Guide to Liquidators' Fees' is available on request or can be downloaded from www.cmbukltd.co.uk.

5.5 Attached at Appendix B 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.

6 Creditors' Rights

6.1 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.

6.2 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.

7 Next Report


7.1 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.

7.2 The matters preventing the closure of the Liquidation is the potential claim identified which I, as the Liquidator is currently considering. I am also expecting to receive the Corporation Tax refund from HMRC. Once the above has been resolved, I shall take steps to declare a dividend to the unsecured creditors, depending on the level of realisations made.

7.3 If you have any queries in relation to the contents of this report, I can be contacted by telephone on 020 7377 4370 or by email at vh@cmbukltd.co.uk.

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Yours faithfully

A handwritten signature in black ink, appearing to be 'Lane Bednash', written over a horizontal line.

Lane Bednash
Liquidator

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Appendix A

Receipts and Payments Account for the Period from 14 April 2020 to 13 April 2021

A&M Minerals Limited
(In Liquidation)
Liquidator's Summary of Receipts & Payments

Statement of Affairs £		From 14/04/2020 To 13/04/2021 £	From 14/04/2020 To 13/04/2021 £
	ASSET REALISATIONS		
Uncertain	Stock	NIL	NIL
37,460.00	Book Debts	34,292.00	34,292.00
NIL	Intercompany loan	NIL	NIL
Uncertain	VAT Refund	NIL	NIL
24,000.00	Funds held in client account	24,000.00	24,000.00
2,606.45	Cash at bank	2,461.70	2,461.70
	Bank Interest Gross	1.82	1.82
		<u>60,755.52</u>	<u>60,755.52</u>
	COST OF REALISATIONS		
	Preparation of S. of A.	20,000.00	20,000.00
	IT contractor - fees	4,000.00	4,000.00
	Legal Fees (1)	1,970.00	1,970.00
	Accountants fees	6,000.00	6,000.00
	VAT	1,833.00	1,833.00
	Other Property Expenses	250.00	250.00
		<u>(34,053.00)</u>	<u>(34,053.00)</u>
	UNSECURED CREDITORS		
(2,375,522.00)	Trade & Expense Creditors	NIL	NIL
(689,509.00)	Directors	NIL	NIL
(870,208.00)	Banks/Institutions	NIL	NIL
(2,887,389.00)	Intercompany balances	NIL	NIL
(81,000.00)	Associated party loan	NIL	NIL
		<u>NIL</u>	<u>NIL</u>
	DISTRIBUTIONS		
(100.00)	Ordinary Shareholders	NIL	NIL
		<u>NIL</u>	<u>NIL</u>
(6,839,661.55)		<u>26,702.52</u>	<u>26,702.52</u>
	REPRESENTED BY		
	Vat Receivable		4,561.00
	Bank 1 Current		22,141.52
			<u>26,702.52</u>

Note:



Lane Bednash
Liquidator

Appendix B

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 I am not proposing to utilise the services of any sub-contractors in this case.

2 Professional Advisors

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

Name of Professional Advisor	Basis of Fee Arrangement
Boyes Turner LLP (Law firm)	Hourly rate and disbursements
D Lee & Co (Accountant)	Fixed fees
Solvview Limited (IT Contractor)	Fixed Fees

- 2.2 My choice 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.

3 Liquidator's Expenses & Disbursements

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 £
Statutory advertising	0.00	81.75
Specific Penalty Bond	0.00	336.00
Legal Fees	1,970.00	-
Accountancy Fees	6,000.00	-
IT Contractor Fees	4,000.00	-
Property Expenses	250.00	-

- 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

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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.