

# LIQ14

## Notice of final account prior to dissolution in CVL



Companies House

For further information please

THURSDAY



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10/05/2018

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COMPANIES HOUSE

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

### 1 Company details

Company number 0 4 3 9 4 6 9 7  
Company name in full Conform Construction Limited - In Liquidation

### 2 Liquidator's name

Full forename(s) Dave  
Surname Clark

### 3 Liquidator's address

Building name/number Clark Business Recovery Limited  
Street 26 York Place  
Post town Leeds  
County/Region West Yorkshire  
Postcode L S 1 2 E Y  
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 ①

Building name/number  
Street  
Post town  
County/Region  
Postcode  
Country

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

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6

### Liquidator's release

☐ Tick if one or more creditors objected to liquidator's release.

:

7

### Final account

☒ I attach a copy of the final account.

8

### Sign and date

Liquidator's signature

Signature

X



X

Signature date

d

0

d

9

m

0

m

5

y

2

y

0

y

1

y

8

# LIQ14

## Notice of final account prior to dissolution in CVL



### 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 Phil Clark

Company name Clark Business Recovery Limited

Address 26 York Place

Post town Leeds

County/Region West Yorkshire

Postcode L S 1 2 E Y

Country

DX

Telephone 0113 243 8617



### 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](http://www.gov.uk/companieshouse) or email [enquiries@companieshouse.gov.uk](mailto: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](http://www.gov.uk/companieshouse)

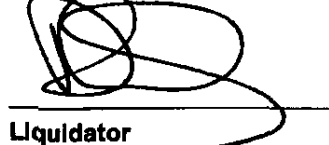
**CONFORM CONSTRUCTION LIMITED - IN LIQUIDATION ("THE COMPANY")**  
**COMPANY NUMBER - 04394697**  
**THE INSOLVENCY ACT 1986**

**Notice of Final Account under R6.28 of the Insolvency (England and Wales) Rules 2016**

NOTICE IS HEREBY GIVEN to the Company's creditors that:

- 1 The Company's affairs are fully wound up.
- 2 Within 21 days of the receipt of this final account, a secured creditor or an unsecured creditor (with the concurrence of at least 5% in value of the unsecured creditors or any unsecured creditor with the permission of the court) may request in writing that the Liquidator provide further information about his remuneration or expenses included within the final account.
- 3 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 final account, 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 the final account, are excessive.
- 4 A creditor may object to the release of the Liquidator by giving notice in writing to the Liquidator by the end of the period of 8 weeks from the delivery of this notice. However, if any request for information or any application to court is made, the period will run until that request or application is finally determined.
- 5 The Liquidator will vacate office under s171 of the Insolvency Act 1986 on delivering the final account to the Registrar of Companies at the end of the above period. The notice delivered will state whether any creditor has objected to the Liquidator's release.
- 6 The Liquidator will be released under s173 of the Insolvency Act 1986 at the same time as vacating office unless any of the creditors have objected to this, in which case the Liquidator will apply to the Secretary of State for his release in the alternative.

Date: 6 March 2018



**Liquidator**

Dave Clark the Liquidator whose address is 26 York Place, Leeds, LS1 2EY may be contacted at this address or by telephone on 0113 2438617 or via email at [info@clarkbr.co.uk](mailto:info@clarkbr.co.uk).

**CONFORM CONSTRUCTION**  
**LIMITED - IN LIQUIDATION**

**LIQUIDATOR'S FINAL ACCOUNT TO MEMBERS AND**  
**CREDITORS**

**PURSUANT TO THE INSOLVENCY ACT 1986 AND**  
**THE INSOLVENCY (ENGLAND AND WALES) RULES 2016**

**DATE OF REPORT: 6 MARCH 2018**

## **Conform Construction Limited - In Liquidation ("the Company")**

**Company No: 04394697**

**Registered Office: Clark Business Recovery Limited, 26 York Place, Leeds, LS1 2EY**

### **1 Introduction**

Dave Clark of Clark Business Recovery Limited was appointed Liquidator of the Company by shareholders and creditors on 19 June 2013.

The liquidation is now complete and I am required to provide a report of the acts and dealings and of the conduct of the liquidation. This report sets out an account for the period from 19 June 2017 to 6 March 2018, and on the overall outcome of the liquidation. It should be read in conjunction with any prior reports on this case.

Prior to liquidation the Company operated as a joinery and construction contractor and traded from Pepper Road, Leeds, West Yorkshire, LS10 2RU. Prior to my appointment the Company's registered office was situated at European House, 93 Wellington Road, Leeds, West Yorkshire, LS12 1DZ.

### **2 Receipts and payments account**

Attached at **Appendix A** is my receipts and payments account for the period 19 June 2017 to 6 March 2018 together with my cumulative receipts and payments account for the period 19 June 2013 to 6 March 2018.

Where possible all funds have been held on interest bearing accounts in order to maximise the level of realisations.

The bank account has been reconciled and balances to nil.

### **3 Asset realisations**

Realisations during the course of the liquidation can be compared to the Statement of Affairs as shown in the attached receipts and payments account.

#### **Motor vehicles**

As previously reported, the sum of £2,245 has been realised in respect of motor vehicles. These funds were in respect of the surplus funds due to the Company in accordance with the HP agreement with Lombard North Central Plc. No further realisations are anticipated from this source.

#### **Directors' Contributions to Costs**

The sum of £7,500 has been realised in respect of the Directors' contributions to costs.

No further funds are due in this respect.

#### Plant & Machinery and Office Equipment

My previous report to creditors confirmed that the Company's landlord made an offer in the sum of £1,000 plus VAT for the Company's plant & machinery and office equipment.

Michael Steel & Co (Plant & Machinery) Limited, professional asset valuers (my "Agent") provided a valuation of these assets and the estimated to realise value was £1,820. My Agent advised that after taking into consideration the costs of uplifting these assets, this offer should be accepted.

Accordingly, this offer was accepted, and the full consideration was received on 3 September 2013.

#### Rates refund

As previously reported, the sum of £83 has been realised in respect of a rates refund.

#### Work In Progress / Retentions

As explained in my previous reports to creditors, the only outstanding issue was the recovery of retentions from Carillion PLC ("Carillion") which Contract Recovery Solutions ("CRS") and Stripes Solicitors ("Stripes") were pursuing on behalf of the Liquidator.

Since my last report to creditors, it has been confirmed that Carillion have been wound up by the court and as a result, there is no prospect of a recovery from this source.

There is no prospect of any further realisations in this case.

### **4 Investigation**

An investigation has been conducted into the Company in accordance with the requirements of the Company Directors Disqualification Act 1986 and a report has been submitted to the Department for Business Energy and Industrial Strategy as required. The contents of that report are confidential and cannot be disclosed or discussed with creditors.

The detailed investigation matters as set out in Statement of Insolvency Practice 2 has been completed. There were no matters arising from this investigation that required any further action that would have provided any additional funds for the benefit of creditors.

### **5 Liabilities**

#### Secured creditors

Information available from Companies House shows a debenture in favour of Bank of Scotland Plc creating a fixed and floating charge over the Company's assets, registered on 28 May 2010. As there are no fixed charge assets, any distribution to the secured creditor would be under their floating charge if sufficient realisations were made.

I can confirm that following the compulsory liquidation of Carillion, there is no prospect of a dividend to the secured creditor.

#### Preferential creditors

According to the Statement of Affairs and information provided by the directors, there are no preferential creditors of the Company.

Despite this, a claim form was received from a former employee and this was submitted to the Redundancy Payments Service ('RPS') on 12 August 2013. To date, I have not received a proof of debt from the RPS and there is no prospect of a dividend to preferential creditors.

#### Prescribed part

In accordance with Section 176A of the Insolvency Act 1986, the Liquidator is required to set aside a prescribed amount of the Company's 'net property' towards the satisfaction of unsecured debts. Net property is the amount of property that would otherwise be available for satisfaction of holders of debentures, secured by, or holders of, any floating charge created by the Company after 15 September 2003.

As the charge in favour of Bank of Scotland Plc was created on 25 May 2010, these provisions would have been applied in the event that a distribution was made to Bank of Scotland under their floating charge.

As there is no prospect of a dividend in this case, these provisions are not applicable.

#### Unsecured creditors

I have received 54 unsecured creditor claims totalling the sum of £1,221,901.51. The Statement of Affairs estimated unsecured creditors to be the sum of £1,479,927.

#### Notice of no dividend

The Insolvency Act 1986 provides that the Liquidator should give creditors formal notice that there will be no dividend to creditors. A notice of no dividend was circulated to all known unsecured creditors on 12 August 2014.

### **6 Liquidation fees**

At the meeting of creditors held on 19 June 2013 creditors voted in favour of a resolution that the Liquidator's remuneration be fixed by reference to time properly given by the Liquidator and his staff in attending to matters arising in the liquidation to be drawn from time to time.



Statement of Insolvency Practice 9 ("SIP9") outlines the information to be provided to creditors by the office holder when dealing with the matter of his remuneration, this includes a creditors guide to these costs. This is available upon request or can be viewed in the Creditor Reports section at [www.clarkbr.co.uk](http://www.clarkbr.co.uk).

In the period since my last report the time spent on the liquidation up to 1 January 2018 was 8.8 hours, at an average rate of £300.68 per hour, giving time costs for the reporting period of £2,646. A breakdown in accordance with SIP9 is not attached as time costs do not exceed £10,000.

The total time spent on the liquidation was 177.8 hours, at an average rate of £244.77 per hour, giving total time costs of £43,520. I have received the sum of £817 plus VAT on account of these costs, and the balance has been written off. In the event that there are any further realisations unanticipated at this time, these will be utilised against the Liquidator's outstanding costs.

A breakdown of these costs in accordance with SIP9 is attached at **Appendix B**.

Clark Business Recovery Limited's hourly charge out rates change periodically with effect from 1 April. The rates that are applicable in this case are as follows:

Grade of Staff	2013 (£)	2015 (£)	2016 (£)
Director	370	390	410
Senior Manager	310	330	350
Case Manager / Cashier	210	230	250
Support staff / Case Administrator	120 - 190	120-190	150-210

Please note that time is charged in 6 minute units rounded up to the nearest unit.

This does not include time spent in the preparation of the Statement of Affairs for which the sum of £5,000 plus VAT was approved and paid.

## **7 Liquidation expenses and disbursements**

The following payments were made as an expense of the liquidation:

- The sum of £2,500 plus VAT has been paid to Urquhart Warner Myers Limited for their work carried out assisting with the preparation of the Statement of Affairs and report to creditors.
- The sum of £500 plus VAT has been paid to Michael Steel & Co (Plant & Machinery) Limited for their work carried out providing a valuation of the Company's assets and arranging for their subsequent sale.

The choice of professionals was based on perception of their experience and ability to perform this type of work, the complexity and nature of the assignment and the basis of the Liquidator's fee arrangement with them.

The following disbursements have been incurred:

**Category 1** disbursements comprise of specific expenditure which relates to the administration of the liquidation and which are paid to an independent third party.

Expense	Current period		Cumulative period		To be paid (£)
	Incurred (£)	Paid (£)	Incurred (£)	Paid (£)	
Bordereau	180.00	180.00	180.00	180.00	Nil
Statutory Advertising	210.00	210.00	210.00	210.00	Nil
<b>Total</b>	<b>390.00</b>	<b>390.00</b>	<b>390.00</b>	<b>390.00</b>	<b>Nil</b>

**Category 2** disbursements include elements of shared or allocated costs.

Expense	Current period		Cumulative period		To be paid
	Incurred (£)	Paid (£)	Incurred (£)	Paid (£)	
Stationery & postage	1,635.00	1,635.00	1,635.00	1,635.00	Nil
<b>Total</b>	<b>1,635.00</b>	<b>1,635.00</b>	<b>1,635.00</b>	<b>1,635.00</b>	<b>Nil</b>

A copy of the firm's disbursements policy has previously been provided to creditors detailing how these costs are recharged. However, a further copy is available upon request.

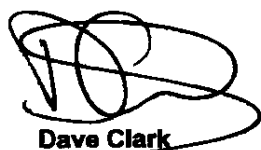
## 8. Ethics

The Liquidator is bound by the Insolvency Code of Ethics and considered his professional bodies guide to conduct and ethics in relation to accepting an instruction from the Board of this Company. He is satisfied that there is no evidence to suggest that there is any matter that would affect his independence or objectivity in dealing with this matter, and that no threat has arisen to his compliance with the fundamental principles and safeguards applied by the code during the period of this report.

## 9. Conclusion

Notice of my final account is attached with this report which details creditors rights in relation to the liquidation and costs.

If you require any further information or clarification on any matter, please do not hesitate to contact Phil Clark.



**Dave Clark**

Liquidator

Date: 6 March 2018

**Conform Construction Limited  
(In Liquidation)  
Liquidator's Summary of Receipts & Payments**

**APPENDIX A**

Statement of Affairs £		From 19/06/2017 To 06/03/2018 £	From 19/06/2013 To 06/03/2018 £
	<b>ASSET REALISATIONS</b>		
1,500.00	Plant & Machinery	NIL	1,000.00
320.00	Office Equipment	NIL	NIL
	Motor Vehicles	NIL	2,244.75
9,000.00	Stock	NIL	NIL
NIL	WIP	NIL	NIL
50,082.00	Retentions	NIL	NIL
	Directors Contributions to Costs	NIL	7,500.00
	Bank Interest Gross	NIL	13.64
	Rates Refund	NIL	83.19
		NIL	10,841.58
	<b>COST OF REALISATIONS</b>		
	Bordereau	NIL	180.00
	Preparation of S. of A.	NIL	7,500.00
	Liquidators remuneration	NIL	816.58
	Agents/Valuers Fees (1)	NIL	500.00
	Stationery & Postage	NIL	1,635.00
	Statutory Advertising	NIL	210.00
		NIL	(10,841.58)
	<b>FLOATING CHARGE CREDITORS</b>		
(92,414.00)	Bank of Scotland	NIL	NIL
		NIL	NIL
	<b>UNSECURED CREDITORS</b>		
(1,353,026.00)	Trade & Expense Creditors	NIL	NIL
(5,250.00)	Landlord	NIL	NIL
(121,851.00)	H.M. Revenue & Customs	NIL	NIL
		NIL	NIL
	<b>DISTRIBUTIONS</b>		
(120.00)	Ordinary Shareholders	NIL	NIL
		NIL	NIL
<b>(1,511,559.00)</b>		<b>NIL</b>	<b>NIL</b>

REPRESENTED BY



Dave Clark  
Liquidator

## Appendix B

### Conform Construction Limited - In Liquidation Time Cost Analysis In Hours for the period 19 June 2013 to 1 February 2018

	<u>Director/ Associate</u>	<u>Senior Manager</u>	<u>Case Manager / Cashier</u>	<u>Case Administrator / Support Staff</u>	<u>Total</u>	<u>Time Costs (£)</u>	<u>Average hourly rate (£)</u>
Administration, Planning & Statutory Compliance	8.70	7.60	27.60	22.00	65.90	15,609.00	236.86
Creditors & Distribution	8.40	11.50	13.00	17.10	50.00	12,540.00	250.80
Cashiering	4.60	0.70	13.90	6.20	25.40	6,144.00	241.89
Investigations	0.70	2.10	0.60	0.60	4.00	1,095.00	273.75
Realisation of Assets	1.00	10.50	16.30	4.70	32.50	8,132.00	250.22
<b>Total Hours by grade of staff</b>	<b>23.40</b>	<b>32.40</b>	<b>71.40</b>	<b>50.60</b>	<b>177.80</b>	<b>43,520.00</b>	<b>244.77</b>