

# LIQ03

## Notice of progress report in voluntary winding up



Companies House

THURSDAY



\*A8WAGDE3\*

A21

09/01/2020

#178

COMPANIES HOUSE

### 1 Company details

Company number 0 4 6 4 2 9 2 2

Company name in full SHOTTERY BROOK DEVELOPMENTS LIMITED

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

### 2 Liquidator's name

Full forename(s) DAVID

Surname EXELL

### 3 Liquidator's address

Building name/number THE COWSHED

Street WEST HAY ROAD

WRINGTON

Post town BRISTOL

County/Region

Postcode B S 4 0 5 N P

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

<b>6</b>	<b>Period of progress report</b>																
From date	d	2	d	7	m	0	m	9	y	2	y	0	y	1	y	8	
To date	d	2	d	6	m	0	m	9	y	2	y	0	y	1	y	9	
<b>7</b>	<b>Progress report</b>																
	<input checked="" type="checkbox"/> The progress report is attached																
<b>8</b>	<b>Sign and date</b>																
Liquidator's signature	Signature X  X																
Signature date	d	1	d	2	m	1	m	2	y	2	y	0	y	1	y	9	

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 **DAVID EXELL**

Company name **DAVID EXELL ASSOCIATES**

Address **THE COWSHED**

**WEST HAY ROAD**

**WRINGTON**

Post town **BRISTOL**

County/Region

Postcode **B S 4 0 5 N P**

Country

DX

Telephone **01934 863537**

**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)**

**SHOTTERY BROOK DEVELOPMENTS LIMITED - IN LIQUIDATION**  
**REGISTERED OFFICE: 13 THE COURTYARD, TIMOTHYS BRIDGE ROAD,**  
**STRATFORD-UPON-AVON CV37 9NP**  
**COMPANY NO. 04642922**

**LIQUIDATOR'S PROGRESS REPORT FOR THE PERIOD 27 SEPTEMBER 2018**  
**TO 26 SEPTEMBER 2019**

---

**1. Introduction**

The company is now in Creditors Voluntary Liquidation having been converted from Members Voluntary Liquidation on 16 October 2018.

I was appointed Liquidator of the above company at the deemed consent procedure held on 16 October 2018.

**2. Assets**

In the original Declaration of Solvency there was shown a debt of £200,000 owed by an associated company Color Estates Limited; this debt was going to be paid from the realisation by Color Estates of a development site in the centre of Stratford, which still has not happened, so the debt was never paid and when the company changed to a Creditors Voluntary Liquidation the Statement of Affairs showed a similar debt of £197,000 but this was offset by a creditor of £826,000 owed to Color Estates Limited; this amount has never been substantiated and it is my responsibility to obtain full details of the debt between the two companies.

There is also a potential asset in the Ground rents that were created when the Shottery Brook site was developed as offices, and the accounts relating to the sales are currently being investigated.

**3. Receipts and Payments**

There have been no receipts or payments for the period.

I have incurred disbursements of £203.04 (including vat) for advertising and Bonding of £36 (including vat).

**4. Secured Creditors**

Lloyds TSB Bank remains shown as a charge on the Companies House file but it is understood that this has been satisfied so evidence has been requested.

**5. Creditors Claims and Dividend Prospects**

We have received claims of £964,946 made up of Color Estates £826,000, HMRC of £105,152, the local Council of £10,886, Grenfell James of £16,525 and British Gas of £6,383; dividend prospects depend on the realisations referred to under Assets above.

## 6. Report on Directors Conduct

I have carried out the obligatory money laundering checks on the directors; also in accordance with the requirements of the Company Directors Disqualification Act 1986 I have submitted a report to the Department of Business Innovation and Skills on their conduct. The content of this report is confidential.

## 7. Liquidator's Remuneration

Following my appointment I convened a decision making procedure by correspondence on 28 November 2018 for a creditors committee to be established if sufficient nominations were received; as there was only one nomination it was not established. I will shortly be convening a further decision making procedure to approve my remuneration on a time costs basis in accordance with Rule 18.16(2) Insolvency Rules (England & Wales) 2016.

The total time costs of the Liquidator and his staff as at 26 September 2019 are £3,239 representing 13.40 hours at an average of £241.72 per hour. To date no fees have been drawn. In accordance with best practice I attach a Time Analysis in accordance with the provisions of Statement of Insolvency Practice 9 (SIP9) which provide details of the activity costs incurred by staff grade. Time is charged in six minute units.

Charge-out rates during the course of the liquidation have been:

	<u>Partner</u>	<u>Manager</u>	<u>Senior</u>	<u>Admin</u>	<u>Junior</u>
1 Jan 2018	£400	£275	£220	£150	£80

The R3 Creditor Insolvency Guide can be found on the link below:

<http://www.icaew.com/en/technical/insolvency/creditors-guides>

This guide explains creditors rights under insolvency legislation in the different types of insolvency proceeding, and information on creditors rights to seek further information about and challenge the level of remuneration, disbursements and other expenses. This guide is available on request or via the link above.

## 8. Rights of Creditors

In accordance with Rule 18.34 of The Insolvency Rules (E & W) 2016, a secured creditor or member of the company with at least 10% of the total voting rights of all the members having the right to vote at general meetings of the company, or a member of the company with the permission of the Court, or any unsecured creditor with the concurrence of at least 10% in value of the unsecured creditors (including that creditor), or with the permission of the Court, may apply to Court to complain that the remuneration charged by the Liquidator is in all the circumstances excessive, or the basis fixed for the Liquidator's remuneration under rules 18.16, 18.18, 18.19, 18.20 and 18.21 (as applicable) is inappropriate or the expenses incurred by the liquidator are in all circumstances excessive. Any application under Rule 18.34 must be made no later than 8 weeks after receipt of my progress report.

In accordance with Rule 18.9 of The Insolvency Rules (E & W) 2016, a secured creditor, or any unsecured creditor, with the concurrence of at least 5% in value of the unsecured creditors (including the creditor in question), members of the company with at least 5% of the total voting rights of all the members having the right to vote at general meetings of the company, or any unsecured creditor with the permission of the

Court, or any member of the company with the permission of the Court, may request further information about remuneration or expenses set out in my report. A request or an application to the Court for permission must be made (or filed with the Court (as applicable) within 21 days of receipt of my report.

#### **9. Data Protection**

Data Protection Law requires me to write to you and explain how personal data will be dealt with by me during my administration of the bankruptcy estate. The processing of legislation and regulations and other laws relate to privacy and electronic communications. In order to discharge my responsibilities as Trustee, I am obliged to process personal data, including data relating to such of its creditors who are individuals and its former employees. I am committed to ensuring the protection of the privacy and security of any personal data which I process. How I do this is explained in my general Privacy Statement, a copy of which is available for download on the bottom of the home page of my website at [www.davidexellassociates.co.uk](http://www.davidexellassociates.co.uk) This explains how you can obtain further information from me about how I process personal data or how you can exercise your rights as a personal data subject, if appropriate.

#### **10. Code of Ethics**

David Exell Associates are bound by the Code of Ethics ('The Code') when carrying out all professional work relating to this Liquidation. The Code sets out fundamental principles dealing with requirements for integrity, objectivity, professional competence and due care, confidentiality and professional behaviour. A copy of the Code can be found on the Insolvency website at [www.gov.uk](http://www.gov.uk) – search for 'Insolvency Code of Ethics'.

#### **11. Conclusion and remaining work**

This completes my first progress report; my enquiries continue.

Should you have any queries in relation to this report, or the Liquidation in general, please do not hesitate to contact this office.

If any creditors wish to provide their email addresses to receive future reports please get in touch.



D Exell  
Liquidator  
12 December 2019

David Exell Associates, The Cowshed, West Hay Road, Wrington, Bristol BS40 5NP  
Telephone: 01934 863537

**David Exell Associates****TIME & CHARGEOUT SUMMARIES**

Shottery Brook Development Ltd CVL

From 27/09/2018 to 26/09/2019

HOURS							
Classification Of work Function	Partner	Manager	Other Senior Professional	Assistants & Support Staff	Total Hours	Time Cost £	Average Hourly Rate £
Administration & Planning	2.00	0.00	1.20	0.30	3.50	1,102.00	314.86
Realisation of Assets	2.30	0.00	0.30	0.30	2.90	1,031.00	355.52
Creditors	0.00	0.00	0.00	2.60	2.60	355.00	136.54
General Compliance	0.00	0.00	1.30	3.10	4.40	751.00	170.68
Investigations	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Trading	0.00	0.00	0.00	0.00	0.00	0.00	0.00
<b>Total Fees Claimed £</b>	<b>1,720.00</b>	<b>0.00</b>	<b>616.00</b>	<b>903.00</b>		<b>3,239.00</b>	
<b>Total Hours</b>	<b>4.30</b>	<b>0.00</b>	<b>2.80</b>	<b>6.30</b>	<b>13.40</b>		
<b>Average Rate</b>	<b>400.00</b>	<b>0.00</b>	<b>220.00</b>	<b>143.33</b>			<b>241.72</b>

Time is recorded and maintained on an electronic time recording system.

Staff with the appropriate level of experience and knowledge have been assigned to various tasks with overall supervision by the Appointment taker and Senior Manager.

Standard Activity includes:

Admin & Planning	<ul style="list-style-type: none"> <li>- Case planning</li> <li>- Admin set up</li> <li>- Notification of appointment</li> </ul>
Investigations	<ul style="list-style-type: none"> <li>- SIP 2 review</li> <li>- CDDA reports</li> <li>- Investigating antecedent transactions</li> </ul>
Realisation of assets	<ul style="list-style-type: none"> <li>- Identifying assets</li> <li>- ROT</li> <li>- Debt collection</li> </ul>
Trading	<ul style="list-style-type: none"> <li>- Management of operations</li> <li>- Accounting for trading</li> <li>- Employee issues</li> </ul>
Creditors	<ul style="list-style-type: none"> <li>- Communication with creditors</li> <li>- Creditor claims</li> <li>- Employees and preferential claims</li> </ul>
General compliance	<ul style="list-style-type: none"> <li>- Review and supervision of staff</li> </ul>