

# Liquidator's Progress Report

# S.192

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

To the Registrar of Companies

Company Number

04716281

Name of Company

Cartwright Timber Fixings Limited

I / ~~We~~

Alan Brian Coleman, The Copper Room, Deva Centre, Trinity Way, Manchester, M3 7BG

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

The Progress Report covers the period from 20/02/2015 to 19/02/2016

Signed

Date

Royce Peeling Green Limited  
The Copper Room  
Deva Centre  
Trinity Way  
Manchester  
M3 7BG

Ref CA507/ABC/JW/MM/DAB

THURSDAY



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**Liquidator's Annual  
and Draft Final Report  
to Creditors and  
Members**

**Cartwright Timber Fixings  
Limited - In Liquidation**

**25 February 2016**

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## **APPENDICES**

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- C Additional Information in relation to Liquidator's fees pursuant to Statement of Insolvency Practice No 9 (SIP9)

## **1 Introduction**

1.1 I, together with Roderick Michael Withinshaw of Royce Peeling Green Limited, was appointed as Joint Liquidator of the Company on 20 February 2015

1.2 On 15 July 2015 a court order was granted under which Roderick Michael Withinshaw ceased to be the joint liquidator. I remain in office as sole liquidator. As a creditor in this matter you have the right to apply to court to vary or discharge the order within 28 days of receipt of this notice. The court order was made in the Manchester District Registry under the reference 2699 of 2015

1.3 This report provides a summary of the outcome of the liquidation of the Company which has now been completed

1.4 The trading address of the Company was Unit 1A, Captain Clarke Road, Broadway Industrial Estate, Hyde, Cheshire, SK14 4QG

1.5 The registered office of the Company was changed to The Copper Room, Deva Centre, Trinity Way, Manchester, M3 7BG and its registered number is 04716281

1.6 The liquidation commenced in February 2015 with estimated asset values of £26,516 and anticipated liabilities of £173,225. It was reported that the net property of the Company was estimated at £15,974 from which the prescribed part would be £7,744. These figures were before taking account of the costs of liquidation. Based on actual realisations and the costs of liquidation the net property of the Company was nil and there was no return to any class of creditor

## **2 Progress of the Liquidation**

### **Receipts and Payments**

2.1 At Appendix A, I have provided an account of my Receipts and Payments for the period ended 19 February 2016 with a comparison to the Directors' Statement of Affairs values

### **Retention of Title Claims (ROT) and Stock**

2.2 On the director's Statement of Affairs the book value of stock was reported as £17,704 with an estimated to realise value of £1,200. The estimated to realise value was calculated based on the strong likelihood that there would be significant ROT claims

2.3 Six of the Company's creditors claimed ROT in respect of goods supplied to the Company. The stock had to be relocated to our agents' premises as the Landlord had a new tenant waiting to move into the premises. ROT inspections were held at our agents' premises. Not

all stock supplied by ROT creditors was identifiable and as such only two of the ROT creditors were able to identify and collect their stock. The remaining four ROT creditors are now classed as unsecured creditors in the liquidation.

- 2.4 The remaining stock was sold by our agents via internet sales and mail shots to potential interested parties. In May 2015, the sum of £4,910.32 was received as a result of stock sales.

#### **Machinery & Business Assets**

- 2.5 On the director's Statement of Affairs the estimated realisable value of the machinery and business assets was £2,700. The incoming tenant of the Company's former business premises purchased the machinery and business assets for £1,123. A payment on account of £750 was made in February 2015, with the remaining balance being paid in May 2015.

#### **Book Debts**

- 2.6 On the director's Statement of Affairs, book debts were reported at £25,129 with an estimated realisable value of £22,616. Total collections amounted to £13,669.
- 2.7 As at 30 April 2015, realisations were £10,955.50. In April 2015, solicitors were instructed to contact debtors that had failed to respond to our letters. As a result a further £2,560.70 was realised.
- 2.8 In May 2015, court proceedings were issued against 3 debtors with total debts owing of £1,633.49. One of the debtors with a debt of £417.56 paid £152.85 in full and final settlement. The remaining 2 debtors admitted a defence and therefore the court would have referred the matter to mediation. No further action was taken as it was likely that legal fees would have been greater than any realisations.
- 2.5 Of the remaining book debts it was found that £2,317.92 was either paid pre liquidation or was not due because of queries, e.g. wrong items delivered, faulty items.
- 2.4 After discussions with our solicitors it was deemed that no further realisations would be achieved without legal action being taken and this would have been uneconomical. This was discussed with the director, who expressed an interest in pursuing the remaining book debts. Therefore in July 2015, all remaining book debts were assigned to the director.

### **3 Investigations**

- 3 1 In accordance with the Company Directors Disqualification Act 1986 I would confirm that I have submitted a report on the conduct of the Directors of the Company to the Department for Business Innovation & Skills. As this is a confidential report, I am not able to disclose the contents.
- 3 2 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 information provided by creditors either at the initial meeting or as a response to my request to complete an investigation questionnaire. My investigations have not revealed any issues requiring further report.

### **4 Outcome for Creditors**

#### **Secured Creditors**

- 4 1 National Westminster Bank Plc holds a fixed and floating charge over the Company's assets. At the date of the liquidation the indebtedness was estimated at £58,856. No dividend has been paid to the debenture holder under their charge.

#### **Preferential Creditors**

- 4 2 A summary of preferential claims is detailed below.

Preferential claim	Agreed Claim £	Statement of Affairs Claim £	Dividend paid
Department for Business Innovation & Skills (BIS)	2,422.12	5,701.00	Nil

## Unsecured Creditors

- 4.3 I received claims totalling £24,971.01 from 9 creditors
- 4.4 The Company granted a floating charge to National Westminster Bank Plc on 12 December 2005. Accordingly, under the provisions of s176A of the Insolvency Act 1986, I am required to create a fund out of the Company's net floating charge property for unsecured creditors. However as detailed earlier in this report the net property was nil.
- 4.5 I can confirm that the realisations are insufficient to declare a dividend to the unsecured creditors.

## 5 Liquidator's Expenses

- 5.1 The following table outlines the expenses that have been incurred to date since my appointment as Liquidator and during the period of this report.

Supplier / Service Provider	Nature of expense incurred	Total amount incurred to date £	Amount incurred in this period £	Amount paid to date £	Amount Outstanding £
Chadwick & Co	Accountancy Services	2,000.00	2,000.00	2,000.00	Nil
JPS Chartered Accountants	Valuation and sale of Assets	2,592.62	2,592.62	2,592.62	Nil
Stephensons Solicitors	Debt Recovery/Legal Advice	1,510.00	1,510.00	1,510.00	Nil
Post Office	Re-direction of mail	120.00	120.00	120.00	Nil
AUA Insolvency Risk Services Ltd	Specific Bond	54.00	54.00	54.00	Nil
Marsh Limited	Specific Bond	48.00	48.00	48.00	Nil
Courts Advertising Ltd	Statutory Advertising	253.00	253.00	253.00	Nil
RBS	Bank charges	75.00	75.00	75.00	Nil

## 6 Liquidator's Remuneration

- 6.1 The Creditors approved that the basis of the Liquidator's remuneration be fixed by reference to the time properly spent by him and his staff in managing the Liquidation.
- 6.2 My time costs for the period from 20 February 2015 to 19 February 2016 are £11,413.50. This represents 99.00 hours at an average rate of £115.29 per hour. My time costs for the

period from 20 February 2015 to 25 February 2016 are £11,830 70 This represents 101 90 hours at an average rate of £116 10 per hour Attached at Appendix B is a Time Analysis which provides details of the activity costs incurred by staff grade during these periods in respect of the costs fixed by reference to time properly spent by me in managing the Liquidation I would confirm that fees of £6,575 00 plus disbursements of £36 80 have been drawn in the reporting period The balance at bank of £1,181 74 and VAT receivable will be used towards outstanding time costs of £5,255 70 and final statutory advertising costs of £84 60 plus VAT

6 3 A copy of 'A Creditors' Guide to Liquidators' Fees' is available on request or can be downloaded from [www.rpg.co.uk](http://www.rpg.co.uk)

6 4 Attached as Appendix C is additional information in relation to this firm's policy on staffing, the use of subcontractors, disbursements and details of our current charge-out rates by staff grade

## **7 Creditors' rights**

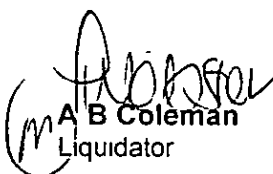
7 1 Within 21 days of the receipt of this report, a secured creditor, or an unsecured creditor (with the concurrence of at least 5% in value of the unsecured creditors) may request in writing that the Liquidator provide further information about his remuneration or expenses which have been itemised in this progress report

7 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

## **8 Conclusion**

8 4 This report together with final meetings of members and creditors will conclude my administration Details of the final meetings and resolutions to be considered have been circulated with this report

Yours faithfully

  
A B Coleman  
Liquidator

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Appendix A

**Cartwright Timber Fixings Limited**  
(In Liquidation)

**Liquidator's Abstract Of Receipts And Payments**

RECEIPTS	Statement of Affairs (£)	From 20/02/2015 To 19/02/2016 (£)	From 20/02/2016 To 25/02/2016 (£)	Total (£)
Stock	1,200 00	4,910 32	0 00	4,910 32
Machinery & Business Assets	2,700 00	1,123 00	0 00	1,123 00
Book Debts	22,616 00	13,669 35	0 00	13,669 35
Interest Received - Book Debts		6 92	0 00	6 92
Bank Interest Gross		1 21	0 00	1 21
		<b>19,710 80</b>	<b>0 00</b>	<b>19,710 80</b>
<b>PAYMENTS</b>				
Specific Bond		102 00	0 00	102 00
Preparation of S of A		5,000 00	0 00	5,000 00
Pre Appointment Disbursements		40 70	0 00	40 70
Liquidator's Fees		6,575 00	0 00	6,575 00
Liquidator's Disbursements		36 80	0 00	36 80
Accountancy Fees		2,000 00	0 00	2,000 00
Agent's Fees		2,592 62	0 00	2,592 62
Legal Fees		1,340 00	0 00	1,340 00
Legal Disbursements		170 00	0 00	170 00
Re-Direction of Mail		120 00	0 00	120 00
Statutory Advertising		253 80	0 00	253 80
Bank Charges		75 00	0 00	75 00
Employee Arrears/Hol Pay - Pref	(2,798 00)	0 00	0 00	0 00
NatWest plc	(58,856 00)	0 00	0 00	0 00
Trade & Expense Creditors	(48,325 00)	0 00	0 00	0 00
Employees	(5,701 00)	0 00	0 00	0 00
Directors' Loan Account	(57,542 00)	0 00	0 00	0 00
HM Revenue & Customs (Tax)	(1 00)	0 00	0 00	0 00
HM Revenue & Customs (PAYE)	(1 00)	0 00	0 00	0 00
HM Revenue & Customs (VAT)	(1 00)	0 00	0 00	0 00
Ordinary Shareholders	(100 00)	0 00	0 00	0 00
		<b>18,305 92</b>	<b>0 00</b>	<b>18,305 92</b>
<b>Net Receipts/(Payments)</b>		<b>1,404 88</b>	<b>0 00</b>	<b>1,404 88</b>

**MADE UP AS FOLLOWS**

Bank 1 Current	1,181 74	0 00	1,181 74
VAT Receivable / (Payable)	223 14	0 00	223 14
	<b>1,404 88</b>	<b>0 00</b>	<b>1,404 88</b>

Alan Brian Coleman  
Liquidator

## Appendix B

## SIP 9 Compliance Fees Worksheet

Time spent by grade from 20 February 2015 to 19 February 2016

	Office Holder	Manager	Administrator	Cashier	Support	Total Hours	Total Cost £	Average Rate £
	£	£	£	£	£		£	£
Highest Charge out Rates	250	170	93 - 102	70	52			
Statutory & Compliance Investigation	2 00	1 20	18 20	0 40	-	21 80	2,424 60	111 22
Realisation of Assets	-	0 50	5 80	-	-	6 30	624 40	99 11
Creditors and Claims	11 70	0 10	39 40	-	-	51 20	6,606 20	129 03
Cashiering	1 50	-	4 60	-	-	6 10	802 80	131 61
	-	-	-	13 60	-	13 60	955 50	70 26
<b>Total hours/Cost</b>	<b>15 20</b>	<b>1 80</b>	<b>68 00</b>	<b>14 00</b>	<b>0 00</b>	<b>99 00</b>	<b>11,413 50</b>	<b>115 29</b>

## SIP 9 Compliance Fees Worksheet

Consolidated time spent by grade from 20 February 2015 to 25 February 2016

	Office Holder	Manager	Administrator	Cashier	Support	Total Hours	Total Cost £	Average Rate £
	£	£	£	£	£		£	£
Highest Charge out Rates	250	170	93 - 102	70	52			
Statutory & Compliance Investigation	2 30	1 20	20 80	0 40	-	24 70	2,764 80	111 94
Realisation of Assets	-	0 50	5 80	-	-	6 30	624 40	99 11
Creditors and Claims	11 70	0 10	38 40	-	-	50 20	6,606 20	131 60
Cashiering	1 50	-	4 60	-	-	6 10	802 80	131 61
	-	-	-	14 60	-	14 60	1,032 50	70 72
<b>Total hours/Cost</b>	<b>15 50</b>	<b>1 80</b>	<b>69 60</b>	<b>15 00</b>	<b>0 00</b>	<b>101 90</b>	<b>11,830 70</b>	<b>116 10</b>

## APPENDIX C

### ADDITIONAL INFORMATION IN RELATION TO LIQUIDATOR'S FEES PURSUANT TO STATEMENT OF INSOLVENCY PRACTICE 9 (SIP9)

#### Policy

Detailed below is Royce Peeling Green Limited's policy in relation to

- Staff allocation and the use of subcontractors
- Professional advisors
- Disbursements

#### *Staff allocation and the use of subcontractors*

The general approach to resourcing our assignments is to allocate staff with the skills and experience to meet the specific requirements of the case

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. The charge out rate schedule below provides details of all grades of staff and their experience level.

We have not utilised the services of any sub-contractors in this case.

#### *Professional advisors*

On this assignment we have used the professional advisors listed below. We have also indicated alongside, the basis of our fee arrangement with them, which is subject to review on a regular basis.

Name of Professional Advisor	Basis of Fee Arrangement
Stephensons Solicitors (legal advice)	Hourly rate and disbursements
AUA Insolvency Risk Services Limited (insurance)	Hourly rate and disbursements
Marsh Limited (insurance)	Hourly rate and disbursements
JPS Chartered Surveyors (valuation and disposal advice)	Hourly rate and disbursements

Our choice was based on our perception of their experience and ability to perform this type of work, the complexity and nature of the assignment and the basis of our fee arrangement with them.

### **Disbursements**

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.

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 basis such as internal room hire, document storage or business mileage.

On this case the following Category 2 disbursements have been incurred since 20 February 2015

Type and purpose	£
Postage	36.80

### **Charge-out Rates**

A schedule of Royce Peeling Green Limited's charge-out rates for this assignment effective from 01 February 2016 is detailed below

Category of Staff	Per hour (£)
Office Holder	250
Manager	170
Administrator	93 - 102
Support Staff / Cashier	55 - 70

Please note that this firm records its time in minimum units of 6 minutes