

LIQ03

Notice of progress report in voluntary winding up



Companies House

FRIDAY



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12/04/2019

#119

COMPANIES HOUSE

1 Company details

Company number 04914614
Company name in full Haig Colliery Mining Museum

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

2 Liquidator's name

Full forename(s) Andrew
Surname Little

3 Liquidator's address

Building name/number Rowlands House
Street Portobello Road
Post town Birtley
County/Region Chester le Street
Postcode DH3 2RY
Country

4 Liquidator's name ①

Full forename(s) Kerry
Surname Pearson

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

5 Liquidator's address ②

Building name/number Rowlands House
Street Portobello Road
Post town Birtley
County/Region Chester le Street
Postcode DH3 2RY
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 5	^m 0	^m 2	^y 2	^y 0	^y 1	^y 8
To date	^d 1	^d 4	^m 0	^m 2	^y 2	^y 0	^y 1	^y 9

7 Progress report

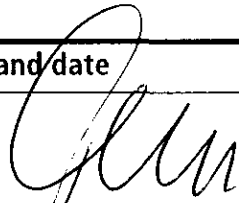
☒ The progress report is attached

8 Sign and date

Liquidator's signature

Signature

X



X

Signature date

^d 1	^d 1	^m 0	^m 4	^y 2	^y 0	^y 1	^y 9
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Joint Liquidators' Annual Progress Report to Creditors & Members

**Haig Colliery Mining Museum
- In Liquidation**

For the Period ending 14 February 2019

Dated: 11 April 2019

HAIG COLLIERY MINING MUSEUM - IN LIQUIDATION

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- B** Time Analysis for the Period from the 15 February 2018 to 14 February 2019 and Cumulative Time Analysis for the Period since the Joint Liquidators' Appointment
- C** Additional information in relation to Joint Liquidators' Fees, Expenses & Disbursements

HAIG COLLIERY MINING MUSEUM - IN LIQUIDATION

1 Introduction and Statutory Information

- 1.1 Andrew Little and Kerry Pearson, of Baldwins Restructuring and Insolvency Limited, Wynyard Park House, Wynyard Avenue, Wynyard TS22 5TB were appointed Joint Liquidators of Haig Colliery Mining Museum (the Company) on 15 February 2016. Baldwins Restructuring and Insolvency Limited now trades from Rowlands House, Portobello Road, Birtley, Chester le Street DH3 2RY. This progress report covers the period from 15 February 2018 to 14 February 2019 (**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 <https://www.baldwinsaccountants.co.uk/privacy-policy>. 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 Solway Road, Kells, Whitehaven, Cumbria CA28 9BG.
- 1.4 The registered office of the Company has been changed to Rowlands House, Portobello Road, Birtley, Chester le Street, DH3 2RY and its registered number is 04914614.

2 Progress of the Liquidation

- 2.1 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 Liquidators and their staff.
- 2.2 At Appendix A is our Receipts and Payments Account for the Period. This also includes a cumulative Receipts and Payments Account for the period from the date of our appointment as Joint Liquidators to the end of the Period.

Administration (including statutory compliance & reporting)

- 2.3 An office holder must comply with certain statutory obligations under the Insolvency Act 1986 and other related legislation. Details about the work we anticipated would need to be done in this area was outlined to creditors in our initial fees estimate/information.
- 2.4 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 Liquidators.
- 2.5 As noted in our 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

Freehold Land and Property

- 2.6 We previously reported that an offer had been made by West Cumbrian Mining Limited ("WCM") for the land and property. The offer was accepted by the Liquidators and the sale is currently proceeding and we expect completion imminently.

Plant and Machinery

- 2.7 The steam engine winders are part of the structure of the protected building and are included within the sale to WCM detailed in paragraph 2.6.
- 2.8 It is considered that the work the Liquidators and their staff have undertaken to date may not bring a financial benefit to creditors.

Creditors (claims and distributions)

- 2.9 Further information on the anticipated outcome for creditors in this case can be found at section 3 of this report. The Liquidators are 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.
- 2.10 Claims from preferential creditors typically involve employee claims and payments made on behalf of the Company by the Redundancy Payments Service following dismissal.
- 2.11 The above work will not necessarily bring any financial benefit to creditors generally, however the Liquidators are 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 Liquidators in dealing with those claims.
- 2.12 We consider the following matters worth noting in our report to creditors at this stage:
- There are approximately 31 unsecured creditor claims in this case with a value per the director(s) statement of affairs of 255,904
 - Dealing with the claims of 8 employees
 - We anticipate claims from preferential creditors totalling £3,768 per the Statement of Affairs

Investigations

- 2.13 You may recall from our first progress report to creditors that some of the work the Liquidators are 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 Liquidators can pursue for the benefit of creditors.
- 2.14 Our report on the conduct of the Directors of the Company to the Department for Business, Energy & Industrial Strategy under the CDDA 1986 was submitted during the first year of the liquidation and is confidential.
- 2.15 Since our last progress report, we would advise that no further asset realisations have come to light that may be pursued by us for the benefit of creditors.

Matters still to be dealt with

- 2.16 We await completion of the sale of the land and property.

3 Creditors

Secured Creditors

- 3.1 An examination of the Company's mortgage register held by Companies House shows that the Company has no current charges over its assets.
- 3.2 Copeland Borough Council had a charge registered at Land Registry but not registered at Companies House. This charge has been released as part of the sale to WCM.

Preferential Creditors

- 3.3 Preferential claims were estimated on the statement of affairs at £3,768. To date we have received a preferential from the Redundancy Payments Office totalling £2,429. Preferential claims will not be agreed as there are insufficient funds to make a distribution.

Unsecured Creditors

- 3.4 We have received claims totalling £2,124,066 from 31 creditors. This includes a claim for £1.6m in connection with a lottery fund grant where the liquidation triggered repayment. We have yet to receive claims from 5 creditors whose debts total £197 as per the Company's statement of affairs
- 3.5 The Company granted no floating charges. Accordingly, there is no requirement to create a fund out of the Company's net floating charge property for unsecured creditors (known as the Prescribed Part), which applies to charges created after 15 September 2003.
- 3.6 We would confirm that it is anticipated there will be insufficient funds realised after defraying the expenses of the liquidation to pay a dividend to unsecured creditors.

4 Joint Liquidators' Remuneration

- 4.1 The Creditors approved that the basis of the Liquidators' remuneration be fixed by reference to the time properly spent by them and their staff in managing the Liquidation. Our fees estimate/information was originally provided to creditors when the basis of our remuneration was approved and was based on information available to us at that time.
- 4.2 A copy of that estimate is reproduced below:

Category of work	Estimated Number of Hours	Average blended charge out rate £	Estimated cost £
Administration (inc statutory compliance & reporting)	76.10	143.98	10,957.00
Realisation of assets	78.30	221.53	17,346.00
Creditors (claims & distributions)	45.55	109.02	5,105.75
Investigations	8.30	152.35	1,264.50
Trading (where applicable)	0		
Case specific matters (where applicable)	0		
Total estimated fees			£34,673.25

- 4.3 Our time costs for the Period are £13,175. This represents 49.1 hours at an average rate of £268.33 per hour. Attached at Appendix B is a Time Analysis which provides details of the activity costs incurred by staff grade during the Period in respect of the costs fixed by reference to time properly spent by us in managing the liquidation. No remuneration has been drawn during the Period.
- 4.4 Also attached at Appendix B is a cumulative Time Analysis for the period from 15 February 2016 to 14 February 2019 which provides details of our time costs since appointment. The cumulative time costs incurred are £43,543.25. This represents 221.15 hours at an average rate of £196.89 per hour. Remuneration of £5,000 plus disbursements of £262.30 have been drawn on account up to 14 February 2019.
- 4.5 We now consider that the fee estimate we previously provided for the liquidation is insufficient to complete our duties as a result of:
- The Company's asset realisations have proved more protracted than was initially anticipated. This is due to the sale to WCM taking significantly longer than anticipated. This has happened

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as they did not wish to complete the transaction whilst there was still uncertainty for them as to whether they would achieve the full planning permission required to run their operations. This has now been granted and the sale is progressing with completion expected in the next few days.

- 4.6 As a result, our revised fees estimate is set out below and we are seeking approval by correspondence from the creditors to increase this estimate. Further details can be found on the letter which accompanies this report.

Joint Liquidators' Revised Fee Estimate

Category of work	Estimated Number of Hours	Average blended charge out rate £	Estimated cost
Administration (inc statutory compliance & reporting)	110.30	163.34	18,016.50
Realisation of assets	93.70	256.70	24,052.50
Creditors (claims & distributions) *	23.75	145.84	3,463.75
Investigations	8.30	152.35	1,264.50
Trading (where applicable)	0	0	0
Case specific matters (where applicable)	0	0	0
Total estimated fees			£46,797.25

- 4.7 A copy of 'A Creditors' Guide to Liquidators' Fees' is available on request or can be downloaded from <http://www.baldwinsaccountants.co.uk/what-we-offer/by-service/download>.

- 4.8 Attached as Appendix C is additional information in relation to the Liquidators' fees, expenses and disbursements, including where relevant, information on the use of subcontractors and professional advisers.

5 Creditors' Rights

- 5.1 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 Liquidators provide further information about their remuneration or expenses which have been itemised in this progress report.
- 5.2 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 Liquidators' remuneration is inappropriate and/or the remuneration charged or the expenses incurred by the Liquidators, as set out in this progress report, are excessive.

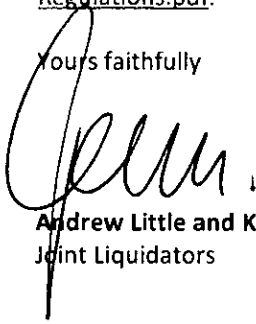
6 Next Report

- 6.1 We are required to provide a further report on the progress of the liquidation within two months of the next anniversary of the liquidation, unless we have concluded matters prior to this, in which case we will write to all creditors with our final account.
- 6.2 If you have any queries in relation to the contents of this report, we can be contacted by telephone on 0191 411 2468 or by email at josephine.humphreys@baldwinsgroup.com.
- 6.3 Finally, to comply with the Provision of Services Regulations, some general information about Baldwins Restructuring & Insolvency, including about our complaints policy and Professional Indemnity Insurance and the Insolvency Code of Ethics, can be found at

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<https://www.baldwinsaccountants.co.uk/wp-content/uploads/2018/01/Provision-of-Services-Regulations.pdf>.

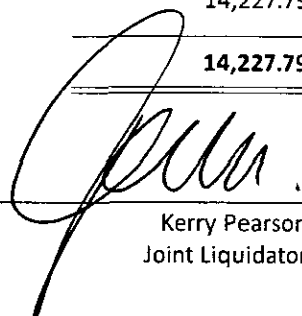
Yours faithfully

A handwritten signature in black ink, appearing to be 'A. Little' and 'K. Pearson' joined together, with a long vertical line extending downwards from the end of the signature.

Andrew Little and Kerry Pearson
Joint Liquidators

**Haig Colliery Mining Museum
(In Liquidation)
Joint Liquidators' Summary of Receipts & Payments**

Statement of Affairs £		From 15/02/2018 To 14/02/2019 £	From 15/02/2016 To 14/02/2019 £
	ASSET REALISATIONS		
	Bank Interest Gross	12.84	24.51
1.00	Freehold Land and Property	NIL	NIL
	Insurance Refund	NIL	703.57
10,205.00	Plant and Machinery	NIL	NIL
	Rent	NIL	40,030.00
	Sundry Floating Assets / Realisations	NIL	200.00
615.00	VAT Refund	NIL	NIL
		12.84	40,958.08
	COST OF REALISATIONS		
	Disbursements - Mileage	NIL	15.30
	Insurance	815.62	3,591.24
	Legal Fees	NIL	7,000.00
	Liquidators Remuneration	NIL	5,000.00
	Other Property Expenses	NIL	876.75
	Preparation of Statement of Affairs	NIL	10,000.00
	Specific Bond	NIL	40.00
	Statutory Advertising	NIL	207.00
		(815.62)	(26,730.29)
	PREFERENTIAL CREDITORS		
(3,767.84)	Wages	NIL	NIL
		NIL	NIL
	UNSECURED CREDITORS		
(253,699.17)	Employees	NIL	NIL
(2,205.00)	HM Revenue and Customs	NIL	NIL
		NIL	NIL
(248,851.01)		(802.78)	14,227.79
	REPRESENTED BY		
	Nat West Estate Account		14,227.79
			14,227.79


Kerry Pearson
Joint Liquidator

Time analysis for the period from 15 February 2018 to 14 February 2019

	Hours Spent					Total Hours	Total Costs
	Director	Senior Manager	Manager	Administrator	Support		
Administration and planning Total	12.30	0.10	-	16.50	0.70	29.60	6,890.00
Creditors Total	-	-	-	1.00	-	1.00	150.00
Investigations Total	-	-	-	-	-	-	-
Realisation of Assets Total	16.80	-	-	1.70	-	18.50	6,135.00
Grand Total	29.10	0.10	-	19.20	0.70	49.10	
Total Charge	10,185.00	26.00		2,880.00	84.00		13,175.00

Time analysis for the period from 15 February 2016 to 14 February 2019

	Hours Spent					Total Hours	Total Costs
	Director	Senior Manager	Manager	Administrator	Support		
Administration and planning Total	21.30	14.60	-	59.75	4.75	100.40	16,412.50
Creditors Total	2.30	7.80	-	12.65		22.75	3,313.75
Investigations Total	0.70	4.10	-	3.50	-	8.30	1,264.50
Realisation of Assets Total	50.90	34.40	-	4.40	-	89.70	22,552.50
Grand Total	75.20	60.90	-	80.30	4.75	221.15	
Total Charge	22,660.00	12,426.00		8,075.50	381.75		43,543.25

Appendix C

Additional Information in Relation to the Joint Liquidators' 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 an Office Holder, 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 On this case we are not proposing to use the services of sub-contractors

2 Professional Advisors

- 2.1 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
Womble Bond Dickinson] (legal advice)	Hourly rate and disbursements

- 2.2 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.

3 Joint Liquidators' Expenses & Disbursements

- 3.1 The estimate of expenses (including disbursements) which were anticipated at the outset of the liquidation was provided to creditors when the basis of our fees was approved, a copy of which is set out below:

Expense	Estimated cost £
Solicitors' costs for drafting lease	7,000
Insurance of assets	4,000
Statutory advertising	207
Specific penalty bond	40
Disbursements – mileage	15
Other property expenses	877
Solicitors' costs in connection with property sale (not yet complete)	10,000
Category 2 disbursements charged by the firm:	
Business mileage	0

Current position of Joint Liquidators' 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:

HAIG COLLIERY MINING MUSEUM - IN LIQUIDATION

	Paid in prior period £	Paid in the period covered by this report £	Incurred but not paid to date £	Total anticipated cost £
Solicitors' costs (lease)	7,000	-	-	7,000
Insurance of assets	3,591.24	815.62	-	4,500
Statutory advertising	207	-	-	207
Specific penalty bond	40	-	-	40
Mileage	15	-	-	15
Other property expenses	877	-	-	877
Solicitors' costs (property sale)	-	-	-	26,887*
Category 2 disbursements	-	-	-	-
Business mileage	-	-	-	-

*Solicitors' outstanding costs in relation to the property sale are shown as at the date of this report and have not yet been agreed.

- 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 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 Liquidators' fees were approved by creditors. Any Category 2 disbursements incurred are specifically highlighted in the tables of expenses above.

4 Charge-Out Rates

- 4.1 Details of our firm's current charge out rates and policy regarding the re-charge of Category 2 disbursements can be found at: <https://www.baldwinsaccountants.co.uk/wp-content/uploads/2018/01/Practice-policy-on-fees-in-insolvency-proceedings.pdf>. Please note that this firm records its time in minimum units of 6 minutes.

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	Josephine Humphreys
Company name	Baldwins Restructuring and Insolvency Limited
Address	Rowlands House Portobello Road
Post town	Birtley
County/Region	Chester le Street
Postcode	D H 3 2 R Y
Country	
DX	
Telephone	0191 411 2468

**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