In accordance with Rule 18.7 of the Insolvency (England & Wales) Rules 2016 and Sections 92A, 104A and 192 of the Insolvency Act 1986.

LIQ03 Notice of progress report in voluntary winding up



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Surname	Will	iams								
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LIQ03 Notice of progress report in voluntary winding up

6	Period of progress report		
From date	3 d 7 m 0 2 0 1 8		
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7	Progress report		
	☑ The progress report is attached		
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Liquidator's Annual Progress Report to Creditors & Members

Cromwell Engineering 2000 Limited - In Liquidation

CONTENTS

- 1 Introduction and Statutory Information
- 2 Progress of the Liquidation
- 3 Creditors
- 4 Liquidator's Remuneration
- 5 Creditors' Rights
- 6 Next Report

APPENDICES

- A Receipts and Payments Account for the period from 31 October 2018 to 30 October 2019 and a Cumulative Receipts and Payments Account for the period from 10 May 2011 to 30 October 2019
- B Time Analysis for the period from the 31 October 2018 to 30 October 2019 (B1) and a Cumulative Time Analysis for the period from 10 May 2011 to 30 October 2019 (B2)
- C Additional information in relation to Liquidator's Fees, Expenses & Disbursements

1 Introduction and Statutory Information

- 1.1 I, Jonathan Mark Williams of Bishop Fleming LLP, 16 Queen Square, Bristol, BS1 4NT, was appointed as Liquidator of Cromwell Engineering 2000 Limited (the Company) on 30 October 2012. My appointment was in succession to Samuel Jonathan Talby who had been appointed Liquidator on 10 May 2011.
- 1.2 This Progress Report covers the period from 31 October 2018 to 30 October 2019 and should be read in conjunction with all previous Progress Reports issued.
- 1.3 Information about the way that this firm will use, and store, personal data on insolvency appointments can be found at www.bishopfleminginsolvency.co.uk/privacy-policy. If you are unable to download this, please contact me and a hard copy will be provided to you.
- 1.4 The principal trading address of the Company was Bridge House, 4 Borough High Street, London, SE1 9QR.
- 1.5 The registered office of the Company has been changed to Bishop Fleming, 16 Queen Square, Bristol, BS1 4NT and its registered number is 05318768.

2 Progress of the Liquidation

2.1 This section of the Report provides creditors with an update on the progress made in the Liquidation, as well as an explanation of the work done by me and my staff.

At Appendix A is my Receipts and Payments Account for the period covered by this Report, which includes a Cumulative Receipts and Payments Account for the period since my predecessor's appointment.

Administration

- 2.1 I must comply with certain statutory obligations under the Insolvency Act 1986 and other related legislation. This work includes dealing with the Company's creditors and employees together with administrative tasks associated with the appointment, such as agreeing the strategy for the Liquidation, filing notices of appointment, statutory advertising, opening and maintaining the Estate cash book and bank accounts, and reporting periodically to creditors, HMRC and the Registrar of Companies.
- 2.2 In the period covered by this Report, time has been spent completing statutory tasks, which included preparing and issuing my previous Progress Report and completing Liquidation tax returns.
- 2.3 Creditors should note that this work will not necessarily bring any financial benefit to creditors but is required on every case by statute.

Realisation of Assets

2.4 It is anticipated that the work that me and my staff undertake will bring a financial benefit to the preferential creditors in the form of a dividend payment.

Debtors and Work in Progress & Retentions

- 2.5 As previously reported several retention payments remain unresolved.
- 2.6 Despite accepting an offer of £6,300 in settlement of all claims the matter has stalled. An issue around CIS Tax was raised by the debtor company but having attempted to resolve this with them, communications have broken down.

- 2.7 I continue to work towards a resolution but in the absence of any progress being made the default position on which to revert is to wait for the various payments to fall due for payment. Circa £18k is being pursued across five debts, with the final debt falling due in 2024.
- 2.8 Based on the above, I currently anticipate the total expenses that may be incurred in dealing with the remainder of the Company's asset realisations to be £2,000. This assumes the Liquidation will remain open until 2024.

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. I am 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, I am 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 in dealing with those claims.

Investigations

- 2.12 You may recall from previous Progress Reports that some of the work I am 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. This work may not necessarily bring any financial benefit to creditors, unless these investigations reveal potential asset recoveries that I can pursue for the benefit of creditors.
- 2.13 My predecessor's 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.
- 2.14 No matters have come to light in the period covered by this Report.

Matters still to be dealt with

2.15 The only matter still to be dealt with is the unresolved retention balances and I refer you to paragraphs 2.5 to 2.7 for further information on these.

3 Creditors

Secured Creditors

3.1 HSBC Bank plc were granted an unlimited debenture by the Company, incorporating fixed and floating charges dated 3 November 2005. At the date of Liquidation the indebtedness was estimated to be £250,279.10. To date no indebtedness has been agreed and no amount has been paid on account.

Preferential Creditors

3.2 A summary of preferential claims is detailed below.

Employee claims (Total number of claims = 39)	10,790	10,790	n/a
Department for Business, Energy & Industrial Strategy (BEIS)	35,097	32,547	n/a

I regret that, based on present information, it is unlikely that there will be sufficient funds to enable a dividend to be paid to the preferential creditors. However, this outcome is not yet fully determined.

Unsecured Creditors

- 3.3 I have received claims totalling £1,537,362.74 from 109 creditors. I have yet to receive claims from 46 creditors whose debts total £345,681.60 as per the Director's Statement of Affairs.
- 3.4 The Company granted a floating charge to HSBC Bank plc on 3 November 2005. Accordingly, I am required to create a fund out of the Company's net floating charge property for the unsecured creditors (known as the Prescribed Part).
- 3.5 Based on present information, I estimate the value of the Company's net floating charge property to be nil. Arising from this, the value of the unsecured creditors' fund is presently estimated to be nil. Please note that this is an estimate and the outcome can only be determined once all asset realisations have been made.
- 3.6 I regret that based on present information there will be insufficient funds available to enable a distribution to be made to the unsecured creditors

4 Liquidator's Remuneration

- 4.1 The creditors approved that the basis of my predecessor's remuneration be fixed by reference to the time properly spent by him and his staff in managing the Liquidation. The basis of my remuneration is covered under this same approval.
- 4.2 My time costs for the period covered by this Report are £4,037.75. This represents 18.15 hours at an average rate of £222.47 per hour. Attached as Appendix B1 is a Time Analysis which provides details of the activity costs incurred by staff grade during this period in respect of the costs fixed by reference to the time properly spent by me and my staff in managing the Liquidation.
- 4.3 Also attached, as Appendix B2, is a Cumulative Time Analysis for the period from 10 May 2011 to 30 October 2019, which provides details of the total time costs since my predecessor's appointment. The cumulative time costs incurred to date are £72,261.55. This represents 486.03 hours at an average rate of £148.68 per hour.
- 4.4 No further fees or disbursements were drawn in the period covered by this Report. In total, £57,397.67, plus disbursements of £1,152.11, has been drawn on account.
- 4.5 In considering the remaining work to be done in this Liquidation, I currently anticipate that my time costs to complete the Liquidation will be in the region of £10k. This includes the asset realisation expenses stated above and the assumption that the Liquidation will not be closed until 2024. I will update creditors on this in my next Progress Report.

- 4.6 A copy of 'A Creditors' Guide to Liquidators' Fees' is available on request or can be downloaded from www.r3.org.uk/what-we-do/publications/professional/fees, selecting the guide applicable to the insolvency commencement date in this case - 10 May 2011.
- 4.7 Attached as Appendix C 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.

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 I provide further information about my remuneration or expenses which have been itemised in this progress Report.
- Any secured creditor, or an unsecured creditor (with the concurrence of at least 10% in value of the unsecured creditors) may within eight weeks of receipt of this Progress Report make an application to court on the grounds that, in all the circumstances, the basis fixed for my remuneration is inappropriate and/or the remuneration charged or the expenses incurred by me, as set out in this Progress Report, are excessive.

6 Next Report

6.1 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.

Yours faithfully

J M Williams

Liquidator

Appendix A

Cromwell Engineering 2000 Limited (In Liquidation) Liquidator's Summary of Receipts & Payments

Statement of Affairs		From 31/10/2018 To 30/10/2019	From 10/05/2011 To 30/10/2019
£		£	£
	ASSET REALISATIONS		
	Bank Interest Gross	6.70	183.66
	Banking Refund	299.30	299.30
100,000.00	Debtors and Work in Progress	NIL	13,408.88
Uncertain	Plant & Machinery	NIL	7,916.67
	Rates Refund	NIL	25,790.56
50,000.00	Retentions	NIL	39,794.39
Uncertain	Stock	NIL	NIL
	Telephone Refund	NIL	140.20
		306.00	87,533.66
	COST OF REALISATIONS		. , ,
	Agents fees & disbursements	NIL	9,030.84
	Agents/Valuers Fees (2)	NIL	6,009.06
	CIS (Not recoverable)	NIL	1,239.55
	Corporation Tax	1.34	36.74
	Courier	NIL	141.19
	DTI Audit Fees	100.00	840.00
		NIL	46.60
	DTI Cheque Fees IPS	NIL	15.00
		NIL	610.00
	Legal Fees		
	Liquidator's Disbursements	NIL	46.62
	Liquidator's Fees	NIL	57,397.67
	Mileage	NIL	426.60
	Office Fee	NIL	100.00
	Petitioning Solicitors Costs	NIL	2,270.00
	Photocopying	NIL	19.50
	Preparation of S. of A.	NIL	6,500.00
	Professional fees	NIL	1,000.00
	Room Hire	NIL	175.00
	Search Fees	NIL	10.00
	Search Fees	NIL	16.16
	Specific Bond	NIL	225.00
	Stationery & Postage	NIL	140.20
	Statutory Advertising	NIL	228.60
	Storage Costs	NIL	46.84
	Telephone Telex & Fax	NIL	26.00
		(101.34)	(86,597.17)
	PREFERENTIAL CREDITORS		
(43,337.00)	Employee Arrears/Hol Pay	NIL	NIL
		NIL	NIL
	FLOATING CHARGE CREDITORS		
250,279.10)	Floating charge creditor	NIL NIL	NIL
		NIL	NIL
	UNSECURED CREDITORS		
(14,000.00)	Directors	NIL	NIL
301,229.00)	Employee Notice/Redundancy	NIL	NIL
100,000.00)	HM Revenue & Customs (PAYE/NIC)	NIL	NIL
(40,000.00)	HM Revenue & Customs (VAT)	NIL	NIL
(45,500.00)	Landlord's claim	NIL	NIL
640,011.34)	Trade & Expense Creditors	NIL	NIL
, ,	a Experied Glouitoid	NIL	NIL
	DISTRIBUTIONS	, ,,_	1412

Appendix A

Cromwell Engineering 2000 Limited (In Liquidation) Liquidator's Summary of Receipts & Payments

Statement of Affairs £		From 31/10/2018 To 30/10/2019 £	From 10/05/2011 To 30/10/2019 £
(45,000.00)	Preference Shareholders	NIL NIL	NIL NIL
(1,329,456.44)	REPRESENTED BY	204.66	936.49
	ISA Main Account		936.49
			936.49

Appendix B1

Cromwell Engineering 2000 Limited - In Liquidation Summary of Liquidator's Time Costs for the period from 31 October 2018 to 30 October 2019

Hours

			Hours				
Classification of work function	Partner	Manager	Other Senior Professionals	Assistants & Support Staff	Total Hours	Time Costs £	Average Hourly rate £
Administration & Planning	-	0.50	0.25	-	0.75	177.50	236.67
Investigations	1	-	-	1	•	-	-
Realisation of Assets	•	1.70	-	1	1.70	365.50	215.00
Trading / Monitoring VA	-	-	-		,	-	-
Creditors & Employees	-	0.10	-	•	0.10	21.50	215.00
Tax & VAT	-	0.35	1.00	-	1.35	255.25	189.07
Case Specific Matters	-	-	-	-	•	-	-
Cashiering	-	1.20	•	0.20	1.40	358.25	255.89
Statutory Reporting	0.50	2.00	6.00	-	8.50	1,685.00	198.24
Statutory Duty & Compliance	0.50	3.85	-	-	4.35	1,174.75	270.06
Closure	-	-	-	-		•	-
Total hours and time cost	18.15	4,037.75	222.47				

Appendix B2

Cromwell Engineering 2000 Limited - In Liquidation Summary of Liquidator's Time Costs cumulatively from 10 May 2011 to 30 October 2019

			Hours				
Classification of work function	Partner	Manager	Other Senior Professionals	Assistants & Support Staff	Total Hours	Time Costs £	Average Hourly rate £
Administration & Planning	13.20	18.10	10.65	15.51	57.46	9,232.45	160.68
Investigations	5.10	3.20	14.55	-	22.85	3,896.75	170.54
Realisation of Assets	6.70	38.30	44.45	14.35	103.80	16,927.00	163.07
Trading / Monitoring VA	-	-	-	-	-	<u>-</u>	-
Creditors & Employees	0.50	6.05	56.05	22.05	84.65	10,638.00	125.67
Tax & VAT	1.60	3.75	15.32	17.05	37.72	4,870.00	129.11
Case Specific Matters	-	0.75	-	-	0.75	146.25	195.00
Cashiering	-	9.75	46.15	10.50	66.40	9,410.35	141.72
Statutory Reporting	2.70	17.90	13.10	4.70	38.40	6,697.00	174.40
Statutory Duty & Compliance	1.80	21.70	8.80	41.70	74.00	10,443.75	141.13
Closure	-	<u>-</u>	-	-	i	_	<u>-</u>
Total hours and time cost	s from 10 May	2011 to 30 Oc	t 2019, and aver	age rate.	486.03	72,261.55	148.68

Appendix C

Additional Information in Relation to the Liquidator's Fees, Expenses & Disbursements

7 Staff Allocation and the Use of Sub-Contractors

- 7.1 The general approach to resourcing our assignments is to allocate staff with the skills and experience to meet the specific requirements of the case.
- 7.2 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.
- 7.3 We are not proposing to utilise the services of any sub-contractors in this case.

8 Professional Advisors

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

DAC Beachcroft LLP (legal advice)	Hourly rate and disbursements
J Lea & Co (professional advice)	Hourly rate and disbursements
J. P. Fletcher & Co (legal advice)	Hourly rate and disbursements
Leslie Keats (debt collection)	Commission

8.2 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.

9 Liquidator's Expenses & Disbursements

9.1 An analysis of the expenses and disbursements paid to the date of this Report, together with those incurred but not paid at the date of this Report is provided below:

W				
Courier	167.81	-	-	167.81
Other expenses	20.00	-	-	20.00
Search fees	15.16	-	-	15.16
Specific bond	225.00	-	12.00	237.00
Storage	46.84	-	27.56	74.40
Category 2 disbursements				
IPS software fee	15.00		_	15.00
Mileage at HMRC approved rates	201.60	-	=	201.60
Photocopying	19.50	-	•	19.50
Room hire	175.00	-		175.00
Registered office fee	100.00	-	<u>-</u>	100.00
Stationery & postage	140.20	_	-	140.20
Telephone	26.00	-	•	26.00

- 9.2 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.
- 9.3 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 Liquidator's fees were approved by creditors. Any Category 2 disbursements incurred are specifically highlighted in the tables of expenses above.

10 Charge-Out Rates

10.1 A schedule of Bishop Fleming LLP's charge-out rates was issued to creditors at the time the basis of the Liquidator's remuneration was approved. There have been no material increases in charge-out rates since that date, although rates have been reviewed annually on 1 July each year. A schedule of our current rates is attached, together with a summary of our charge out rates in the past 5 years.

Bishop Fleming LLP Business Recovery & Insolvency Information to Creditors

Charge out rates and policy regarding the recharge of Disbursements

Charge out Rates (£ per hour)	Business Recovery & Insolvency Staff	Other Staff
Insolvency Practitioner / Partner	£370	£270 - £280
Senior Manager	£280	£150 - £220
Manager	£180 - £230	£120 - £155
Other Senior Professionals	£190	£70 - £120
Support Staff	£100	£50 - £70

Most of the work on the assignment will be undertaken by specialist staff in the Business Recovery & Insolvency department, but some tasks will be performed by other staff in the General Practice, Corporate Finance, Taxation, Payroll and Administration departments where appropriate, which will be charged out at their normal rates.

Time is usually charged in units of 0.1 hour (i.e. 6 minutes) but the minimum unit of time that may be recorded is 0.017 of an hour (1 minute).

Disbursements

In accordance with Statement of Insolvency Practice 9 (SIP9) disbursements are categorised as either Category 1 or Category 2.

Category 1 Disbursements

These are costs where there is specific expenditure directly referable both to the appointment in question and a payment to an independent third party. These may include, for example, advertising, room hire, storage, postage, telephone charges, travel expenses, and equivalent costs reimbursed to the office holder or his or her staff.

Category 1 disbursements can be drawn without prior approval, although an office holder should be prepared to disclose information about them in the same way as any other expenses.

Category 2 Disbursements

These are costs that are directly referable to the appointment in question but not to a payment to an independent third party. They may include shared or allocated costs that can be allocated to the appointment on a proper and reasonable basis, for example, business mileage.

Category 2 disbursements may be drawn if they have been approved in the same manner as an office holder's remuneration. When seeking approval, an office holder should explain, for each category of expense, the basis on which the charge is being made.

Bishop Fleming LLP proposes to recover category 2 disbursements as follows:

Insolvency Practitioner and staff mileage re-imbursement at HMRC approved 'AMAP' rates
 – currently 45p / mile plus 5p / mile for each additional Bishop Fleming LLP passenger

All costs are subject to VAT, where applicable.

Bishop Fleming LLP Business Recovery & Insolvency Information to Creditors
Summary of Charge Out Rates in the past 5 years

Charge Out Rates (£ per hour)	6 July 2015	11 July 2016	3 July 2017	13 August 2018	15 August 2019
Business Recovery & Insolvency Staff					
Insolvency Practitioner / Partner Senior Manager Manager	£295 £235 £105	£325 £240 £185 - £200	£340 £255 £105 _ £210	£350 £265	£370 £280 £480 £320
Other Senior Professionals Support Staff	£130 £120 - £135	£120 - £140	£150 - £155	£213 £180 £155	£100 - £230 £190 £100
Other Staff					
Partner Senior Manager Manager	£180 - £300 £110 - £225 £85 - £170	£220 - £245 £135 - £225 £85 - £130	£240 - £290 £140 - £235 £110 - £135	£230 - £290 £105 - £235 £85 - £135	£270 - £315 £150 - £240 £120 - £155
Other Senior Professionals Support Staff	£45 - £150 £20 - £110	£90 - £130 £40 - £95	£95 - £135 £35 - £90	£35 - £110 £35 - £60	£70 - £120 £50 - £70

Charge out rates are reviewed annually in early July. The new charge out rates were effective from the dates shown

LIQ03

Notice of progress report in voluntary winding up

Presenter information You do not have to give any conta

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	Jonathan Mark Williams
Company name	Bishop Fleming LLP
Address	16 Queen Square
	Bristol
Post town	BS1 4NT
County/Region	
Postcode	
Country	
DX	
Telephone	

✓ 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.

Turther 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