

LIQ03

Notice of progress report in voluntary winding up



Companies House

TUESDAY



A23 *A6K5DM28*
28/11/2017 #71
COMPANIES HOUSE

1 Company details

Company number 0 5 5 5 8 8 4 4

Company name in full Towmasters Metals Limited

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

2 Liquidator's name

Full forename(s) John Dean

Surname Cullen

3 Liquidator's address

Building name/number Menzies LLP

Street 2 Sovereign Quay

Havannah Street

Post town Cardiff

County/Region

Postcode C F 1 0 5 S F

Country

4 Liquidator's name ①

Full forename(s) Bethan Louise

Surname Evans

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

5 Liquidator's address ②

Building name/number Menzies LLP

Street 2 Sovereign Quay

Havannah Street

Post town Cardiff

County/Region

Postcode C F 1 0 5 S F

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 0	^d 1	^m 1	^m 0	^y 2	^y 0	^y 1	^y 6
To date	^d 3	^d 0	^m 0	^m 9	^y 2	^y 0	^y 1	^y 7

7 Progress report

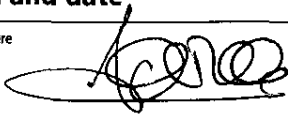
☒ The progress report is attached

8 Sign and date

Liquidator's signature

Signature

X



X

Signature date

^d 2	^d 4	^m 1	^m 1	^y 2	^y 0	^y 1	^y 7
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**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 Rhiannon Warner-Jones

Company name Menzies LLP

Address 2 Sovereign Quay

Havannah Street

Post town Cardiff

County/Region

Postcode C F 1 0 5 S F

Country

DX ✓

Telephone 02920 674 991

**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

JDC/BLE/RWJ/T3456

24 November 2017

TO ALL MEMBERS AND CREDITORS

Dear Sirs

TOWMASTERS METALS LIMITED - IN LIQUIDATION

This is the Joint Liquidators' fourth annual progress report ("the report") for the year ended 30 September 2017.

This report should be read in conjunction with my previous reports.

1. Statutory information

The company's registered name is Towmasters Metals Limited and it traded in the treatment and disposal of non-hazardous waste.

The company was incorporated on 9 September 2005 under company number 05558844.

The registered office of the company was formerly Axholme House, North Street, Crowle, Scunthorpe, North Lincolnshire, DN17 4NB and was changed on 17 October 2013 to 2 Sovereign Quay, Havannah Street, Cardiff, CF10 5SF for the purposes of the Liquidation.

Bethan Louise Evans FCCA MABRP MIPA and myself, of Menzies LLP, 2 Sovereign Quay, Havannah Street, Cardiff, CF10 5SF were appointed Joint Liquidators of the above-named company at a meeting of creditors on 1 October 2013.

There have been no changes of Liquidator in the period to which this report relates.

2. Joint Liquidators' progress during the period of this report

Administrative matters and Asset realisations

There have been no assets realised in the period to which this report relates.

Book debts

I have reviewed the company's books and records held in my possession to ascertain the correct identity of the main debtor, but this has proved unsuccessful. I have carried out further investigations into other companies with similar names and my investigations are continuing.

Please advise us as soon as possible if you are aware of any other assets of the company that have not been referred to above or previously.

Investigative matters

I undertook an initial investigation into the company's affairs to establish whether there were any potential asset recoveries or conduct matters that justified further investigation.

The books and records which were available to me have been recovered, listed and analysed. My investigations remain open and I am sure you will appreciate that I am unable to provide any specific information with regard to these matters, as to do so may prejudice a successful outcome.

In accordance with my statutory duties, a conduct report on the director has been submitted to the Insolvency Service pursuant to the Company Directors Disqualification Act 1986.

If you are aware of any matters which you believe require our investigation, please advise me accordingly, in writing, providing as much detail as possible with regard to those matters. Any such contact will, of course, be kept confidential.

General matters

In addition to the work undertaken to result in the asset realisations referred to above, throughout the period of my administration I have responded to the queries of creditors and noted creditor claims.

Specific tasks such as the agreement of creditor claims, VAT and tax issues, cashiering, statutory returns and insurance, have been allocated to team members who have specialist knowledge in the relevant areas.

Additionally, I have complied with obligations imposed by statute and my regulatory body which include, but are not limited to, the submission of returns to Companies House, HM Revenue and Customs, insuring assets and specific penalty bonding.

3. Abstract of the Joint Liquidators' receipts and payments

I attach at Appendix 3 an abstract of my receipts and payments for the period of this report.

Please note that all items detailed on the receipts and payments account are shown net of VAT as the company was registered for VAT and the VAT can therefore be recovered for the benefit of the insolvent estate.

4. Assets which remain to be realised

My investigations remain ongoing and until they are completed my files will remain open.

5. Joint Liquidators' remuneration

My remuneration was fixed by reference to the time properly spent by myself and my staff in attending to matters arising in the Liquidation at a meeting of creditors on 1 October 2013.

For creditor's information, the charge out value of time costs incurred during the period to which this report relates amounts to £8,453.79 made up of 46.25 hours at an average charge out rate of £182.78 per hour.

This cost has primarily been incurred in the administration of the Liquidation, including case management reviews, cashiering duties, and strategy meetings.

Time has also been incurred in the liquidation in respect of the preparation and distribution of reports as well as updating and maintaining my records in regard to creditor information.

Time spent in asset realisations includes communications with the police in regard to the money seized and attempts to recover the same as well as reviews of the book debt position and communications with a view to identifying debtors.

The time allocated to investigation matters relates to retrieving the remaining books and records, further communications with the police regarding the outcome of their investigations and queries directed to and from the insolvency service related to my statutory obligations. Please see section 2 above.

I attach at Appendix 1 a breakdown of the time costs between the grades of staff allocated to the case, which includes details of the current charge out rates of myself and my team who have been and will be dealing with the Liquidation.

The charge out value of time costs incurred during the liquidation to the end of the period to which this report relates amounts to £65,315.04 made up of 284.75 hours at an average charge out rate of £229.38.

You will note from the attached breakdown of time costs that I have recovered £11,500 plus VAT in respect of my time in the period to which this report relates and a total of £60,100 plus VAT throughout the liquidation to the end of the period to which this report relates.

A copy of "A Creditors' Guide to Liquidator's Fees", issued by the Association of Business Recovery Professionals, which sets out the basis of fixing the Liquidator's Remuneration, is available on my website at:

<https://www.menzies.co.uk/helping-you/business-recovery/fees-guide/>

You should then choose the appropriate creditor guide for the type of appointment made between November 2011 and September 2015.

Please let me know if you do not have access to the internet and would prefer a hard-copy of this guide.

6. Joint Liquidators' expenses

There have been no payments made from the liquidation estate in the period to which this report relates.

A statement with regard to my disbursements recovery policy is attached at Appendix 2.

7. Return to creditors pursuant to Section 176A

The provisions of Section 176A of the Act require a calculation to be made of the prescribed part of the company's net property for distribution to unsecured creditors. The prescribed part must be calculated and provided for where debentures of the company have been created after 15 September 2003.

In dealing with realisations under the prescribed part, I am entitled to take into account the claims of the preferential creditors and the costs and expenses associated in dealing with the prescribed part.

The company's net property comprises floating charge realisations less preferential claims and the costs of dealing with the prescribed part.

Following my last report, the floating charge in favour of HSBC Bank Plc has been satisfied therefore as there are no relevant floating charges and the provisions of Section 176A do not apply in this matter.

8. Outcome for creditors

I have received claims in respect of PAYE, NI, Corporation Tax and VAT totalling £4,957,550.26.

Trade and Expense creditors' claims shown on the company's statement of affairs were £1,196,404.48. I have received claims of £8,016 in respect of Trade and Expense creditors, therefore there are approximately creditors of £1,188,388.40 left to submit their claim.

The amount and timing of any dividend will ultimately depend on the outcome of my investigation into the affairs of the company and any further realisations that can be made. As such I am unable at present to provide an estimate of any dividend the unsecured creditors may receive.

9. Creditors' right to information

A creditor may make a request for further information regarding my remuneration and expenses. Any such request must be in writing and should be made within 21 days of receipt of this report. Where the request is made by an unsecured creditor, it must be supported by at least 5% in value of the unsecured creditors, or with the permission of the Court.

If the information requested is either prejudicial to my conduct of this case, might lead to violence against any person, may be confidential or the costs of preparing the requested information would be excessive, I may not be obliged to provide it.

Any unsecured creditor may make an application to the Court in respect of any information provided following such a request, or my failure to provide same, after 14 days of my receipt of that request.

Additionally, creditors may make an application to Court to challenge the amount or basis of my remuneration and expenses, which must be supported by at least 10% in value of the creditors, including

the applicant's claim. The application must be made within 8 weeks of receipt of this report. The costs of the application must also be paid by the creditors making the application.

Further details with regard to these provisions form part of the guidance notes relating to fees referred to previously.

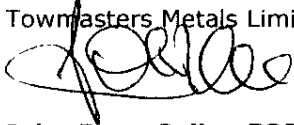
10. Next report

I am required to provide a further progress report within two months of the end of the next anniversary of the Liquidation.

I regret that, in the present circumstances, I am unable to provide an indication as to when I expect to conclude the administration of this liquidation. I hope to be able to give a better indication in my next report.

Should you have any further queries in relation to the contents of this report, or with regard to other matters arising, please do not hesitate to contact me.

Yours faithfully
For and on behalf of
Townmasters Metals Limited



John Dean Cullen FCCA FABRP MIPA
Joint Liquidator

Towmasters Metals Limited - In Liquidation

APPENDIX I

TIME CHARGE OUT SUMMARY FOR PERIOD FROM 1 OCTOBER 2016 TO 30 SEPTEMBER 2017

HOURS

Classification of work function	Partner/ Director	Manager	Senior	Administrator	Support	£			Average Hourly Rate £
						Total Hours	Time Costs		
Admin and Planning	2.40	4.00	0.00	26.80	1.65	34.85	6,088.29		174.70
Investigations	0.00	0.90	0.00	1.80	0.00	2.70	634.50		235.00
Realisation of Assets	0.00	0.60	0.00	2.50	0.00	3.10	657.00		211.94
Creditors	0.00	0.40	0.00	5.20	0.00	5.60	1,074.00		191.79
Support	0.00	0.00	0.00	0.00	0.00	0.00	0.00		0.00
Total Hours	2.40	5.90	0.00	36.30	1.65	46.25			
Total Costs	948.00	1,890.50	0.00	5,522.50	92.79		8,453.79		

CHARGE OUT RATES OF INSOLVENCY TEAM MEMBERS

	From 1 Oct 2016	1 Oct 2015 to 30 Sept 2016
	£ per hour	£ per hour
Partner/Director	315-505	350-560
Manager	225-345	210-400
Senior	185-230	175-230
Administrator	85-180	100-170
Support Staff	105	54-80

Note 1

There may have been a number of promotions through the various grades during the period of the administration.

Note 2

It is the policy of this firm to account for secretarial staff as an overhead cost. Overhead costs are reflected in the charge out rates detailed.

Note 3

The charge-out rate of the Insolvency Practitioners for this assignment are currently £375 & £465 per hour, and the administrator is £105 per hour

Note 4

Time is recorded in minimum units of 6 minutes.

APPENDIX 2

DISBURSEMENTS RECOVERY POLICY

Professional advisors have been selected on the basis that they have the appropriate experience and qualifications to effectively deal with the issues arising in a case of this nature.

All disbursements are shown as net of VAT. As the company was registered for VAT purposes VAT can be recovered for the benefit of the insolvent estate.

Category 1 Disbursements

Specific expenditure relating to the administration of the insolvent estate and payable to an independent third party is recoverable without creditor approval. Such expenditure is made if funds are available from the insolvent estate. If funds are not available then payment is made from this firm's office account and reimbursed from the estate should funds become available.

Category 1 disbursements will generally comprise external supplies of incidental services specifically identifiable to the case. Typical items include legal fees, agents' fees, statutory advertising, insurance of assets, search fees, specific penalty bonding, telephone calls, postage, invoiced travel and properly reimbursed expenses incurred by personnel in connection with the case.

Appendix 3
Towmasters Metals Limited
(In Liquidation)
Joint Liquidators' Abstract of Receipts & Payments

Statement of Affairs		From 01/10/2016 To 30/09/2017	From 01/10/2013 To 30/09/2017
	ASSET REALISATIONS		
NIL	Motor Vehicles	NIL	7,000.00
NIL	Book Debts	NIL	NIL
Uncertain	Book Debts - Police Seizures	NIL	NIL
NIL	VAT Bond	NIL	NIL
525.45	Cash at Bank	NIL	525.20
	Cash held by Police	NIL	85,605.00
	Bank Interest Gross	NIL	25.67
		NIL	93,155.87
	COST OF REALISATIONS		
	Specific Bond	NIL	210.00
	Liquidators Fees	11,500.00	60,100.00
	Agents Fees - Collection of Records	NIL	320.00
	Agents Fees - Realisation of Assets	NIL	1,127.50
	Legal Fees	NIL	2,400.00
	Statutory Advertising	NIL	178.20
		(11,500.00)	(64,335.70)
	UNSECURED CREDITORS		
(1,196,404.48)	Trade & Expense Creditors	NIL	NIL
(32,038.90)	HM Revenue and Customs - PAYE &	NIL	NIL
(650,000.00)	HM Revenue and Customs - VAT	NIL	NIL
		NIL	NIL
	DISTRIBUTIONS		
(1.00)	Ordinary Shareholders	NIL	NIL
		NIL	NIL
(1,877,918.93)		(11,500.00)	28,820.17
	REPRESENTED BY		
	VAT Receivable		200.00
	Barclays Bank - IB		28,620.17
			28,820.17