

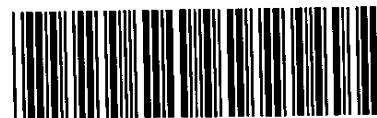
# LIQ03

## Notice of progress report in voluntary winding up



Companies House

WEDNESDAY



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A27

16/10/2019

#115

COMPANIES HOUSE

### 1 Company details

Company number 05558844

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 2 Sovereign Quay

Street Havannah Street

Post town Cardiff

County/Region

Postcode CF105SF

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 2 Sovereign Quay

Street Havannah Street

Post town Cardiff

County/Region

Postcode CF105SF

Country

② Other liquidator  
Use this section to tell us about  
another liquidator.

LIQ03

Notice of progress report in voluntary winding up

**6** Period of progress report

From date	<sup>d</sup> 0	<sup>d</sup> 1	<sup>m</sup> 1	<sup>m</sup> 0	<sup>y</sup> 2	<sup>y</sup> 0	<sup>y</sup> 1	<sup>y</sup> 8
To date	<sup>d</sup> 3	<sup>d</sup> 0	<sup>m</sup> 0	<sup>m</sup> 9	<sup>y</sup> 2	<sup>y</sup> 0	<sup>y</sup> 1	<sup>y</sup> 9

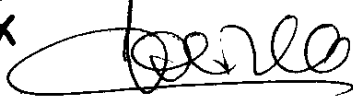
**7** Progress report

☒ The progress report is attached

**8** Sign and date

Liquidator's signature

Signature

X 

X

Signature date	<sup>d</sup> 0	<sup>d</sup> 4	<sup>m</sup> 1	<sup>m</sup> 0	<sup>y</sup> 2	<sup>y</sup> 0	<sup>y</sup> 1	<sup>y</sup> 9
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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 **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 **029 2049 5444****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)**

**Towmasters Metals Limited**  
**(In Liquidation)**  
**Joint Liquidators' Summary of Receipts & Payments**

Statement of Affairs £	From 01/10/2018 To 30/09/2019 £	From 01/10/2013 To 30/09/2019 £
	<b>ASSET REALISATIONS</b>	
	Bank Charge Refund	150.85
	Bank Interest Gross	19.16
NIL	Book Debts	NIL
Uncertain	Book Debts - Police Seizures	NIL
525 45	Cash at Bank	525.20
	Cash held by Police	85,605.00
NIL	Motor Vehicles	7,000.00
NIL	VAT Bond	NIL
	170.01	93,369 81
	<b>COST OF REALISATIONS</b>	
	Agents Fees - Collection of Records	NIL
	Agents Fees - Realisation of Assets	NIL
	Legal Fees	NIL
	Liquidators Fees	10,669.14
	Search Fees	36.00
	Specific Bond	NIL
	Statutory Advertising	80.10
	Storage Costs	363.20
	(11,148.44)	(81,484.14)
	<b>UNSECURED CREDITORS</b>	
(32,038.90)	HM Revenue and Customs - PAYE &	335 69
(650,000.00)	HM Revenue and Customs - VAT	11,235.70
(1,196,404.48)	Trade & Expense Creditors	28 61
	(11,600.00)	(11,600.00)
	<b>DISTRIBUTIONS</b>	
(1.00)	Ordinary Shareholders	NIL
	NIL	NIL
<b>(1,877,918.93)</b>	<b>(22,578.43)</b>	<b>285.67</b>
	<b>REPRESENTED BY</b>	
	Barclays Bank - NIB	285.67
		<b>285.67</b>

**Note:**

All items detailed on the receipts and payments account are shown net of VAT as the Company was VAT registered and VAT has therefore been recovered for the benefit of the liquidation estate.

**TOWMASTERS METALS LIMITED- IN CREDITORS' VOLUNTARY LIQUIDATION**

**JOINT LIQUIDATORS' PROGRESS REPORT PURSUANT TO SECTION 104A OF THE INSOLVENCY ACT  
1986 AND RULE 18.2 OF THE INSOLVENCY (ENGLAND & WALES) RULES 2016**

**FOR THE PERIOD 1 OCTOBER 2018 TO 30 SEPTEMBER 2019**

**DATED 14 OCTOBER 2019**

## **TOWMASTERS METALS LIMITED - IN CREDITORS' VOLUNTARY LIQUIDATION - ("THE COMPANY")**

### **ANNUAL PROGRESS REPORT**

#### **CONTENTS**

1. Introduction and executive summary
2. Asset realisations
3. Investigations
4. Pre-appointment fees
5. Joint Liquidators' remuneration
6. Joint Liquidators' expenses and disbursements
7. Creditors' claims and outcome for creditors
8. Creditors' rights to further information and to challenge liquidators' remuneration and expenses
9. Data Protection Notice
10. Concluding remarks

#### **APPENDICES**

1. Statutory information
2. Joint Liquidators' receipts and payments account
3. Joint Liquidators' analysis of time costs
- 3a. Joint Liquidators' narrative to time costs incurred
4. Menzies LLP Disbursements recovery policy

## **1 INTRODUCTION AND EXECUTIVE SUMMARY**

I was appointed Joint Liquidator of the Company on 1 October 2013. I now present my progress report for the sixth year of the liquidation, pursuant to Section 104A of the Insolvency Act 1986 ("the Act") and Rule 18.2 of the Insolvency (England & Wales) Rules 2016 ("the Rules").

The Company's statutory information is attached at Appendix 1 of this report.

### *Executive summary*

At the date of my appointment the company had ceased trading and accordingly I took steps to realise the remaining assets with a view to distributing the funds to creditors, after costs, in the prescribed order of priority. As Liquidator, I was also obliged to investigate the company's affairs. At the outset it was uncertain whether I would be in a position to declare a dividend to any class of creditor, however, a distribution was declared to the unsecured creditors on 1 February 2019 of .23p in the £.

The only remaining matter is an outstanding VAT reclaim. This was received on 27 September 2019 due to delays in processing by HM Revenue and Customs. Subsequent to the period of this report, the final payment has cleared the estate account and I am in a position to complete my closure process. Accordingly my final account will be issued imminently.

I attach at Appendix 2 a receipts and payments account for the period ended 30 September 2019. Details of progress during the period are set out in sections 2 and 3 below.

## **2 ASSET REALISATIONS**

A bank charge refund was received during the period of this report of £150.85. The only other asset realisation has been bank interest accruing on the account of £19.16. There are no further assets to be realised.

## **3 INVESTIGATIONS**

The only investigation matter completed was a review and strategy meeting to clarify the closing position.

## **4 PRE-APPOINTMENT FEES**

The creditors previously authorised the payment of a fee of £5,000 plus VAT and disbursements to CBA Insolvency Practitioners for assistance with preparing the statement of affairs and arranging the meetings of members and creditors. The sum of £1,000 gross, was charged by OWG plc for assistance provided in the preparation of tax calculations for the purposes of the statement of affairs. The relationship of this firm to the Company was as accountants.

These fees were paid by Mr John Cooper, a director of the Company.

## **5 JOINT LIQUIDATORS' REMUNERATION**

At a meeting of creditors held on 1 October 2013, it was resolved that my remuneration be fixed by reference to time properly spent by myself and my staff in attending to matters arising in the liquidation.

I attach at Appendix 3 a breakdown of time costs by work category and staff grade for the period 1 October 2018 to 30 September 2019, which includes details of our charge out rates. My time costs during this reporting period are £12,520.00, which represents 80.10 hours at an average charge out rate of £156.30 per hour. My total time costs incurred for the period to 30 September 2019 amount to £83,785.96 representing 400.25 hours at an average rate of £209.33 per hour.

I have drawn remuneration of £76,769.14 plus VAT to 30 September 2019 of which £10,669.14 plus VAT was drawn during this period, as shown in the Receipts and Payment account at Appendix 2.

Given the size and technical nature of the liquidation, much of the work described in the sections above was undertaken by me, a manager and a senior administrator. Additional assistance was provided by cashiers dealing with banking and statutory duties, and administrators offering various support services. All time spent on administering various duties was charged directly to the case in 6 minute units.

A narrative explanation of work done during the period since my last progress report is set out at Appendix 3a.

An explanatory note "A Creditors' Guide to Liquidators' Fees" can be found on the following link - <https://www.menzies.co.uk/helping-you/business-recovery/fees-guide/>. Alternatively, it is available free of charge by contacting Menzies LLP. Please note that there are different versions and you should refer to the version for appointments from November 2011 to September 2015.

## 6 JOINT LIQUIDATORS' EXPENSES

Expenses are amounts payable by the officeholder from the Estate, which are not the officeholder's remuneration or a distribution to creditors. These include disbursements, which are met by and recharged to an officeholder in connection with an appointment.

Please see the receipts and payments account detailed at Appendix 2, which shows the payments made from the estate during the liquidation and for the period since the last progress report.

I have incurred total expenses of £360.10 during this period, as detailed in the table below.

I have paid £479.30 during this period, as detailed below and outlined in the attached receipts and payments account.

The total expenses incurred to 30 September 2019 is therefore £4,715.00, which has been paid in full.

Type of expense	Incurred in the period (£)	Total incurred (£)	Paid in Period (£)	Total Paid (£)	Remains outstanding (£)
Agents Fees	Nil	1,447.50	Nil	1,447.50	Nil
Legal Fees	Nil	2,400.00	Nil	2,400.00	Nil
<b>Joint Liquidators' disbursements</b>					
Statutory advertising	Nil	258.30	80.10	258.30	Nil
Specific penalty bond	Nil	210.00	Nil	210.00	Nil
Storage costs	280.00	363.20	363.20	363.20	Nil
Search Fees	Nil	36.00	36.00	36.00	Nil
<b>Total</b>	<b>280.00</b>	<b>4,715.00</b>	<b>479.30</b>	<b>4,715.00</b>	<b>Nil</b>

Storage costs incurred during the period included an amount for a final invoice for storage, including destruction.



## **7 CREDITORS' CLAIMS AND OUTCOME FOR CREDITORS**

### *Secured creditor*

The legislation requires that if the Company has created a floating charge on or after 15 September 2003, a prescribed part of the Company's net property (i.e. the money that would otherwise be available to the charge holder) should be ring-fenced for distribution to unsecured creditors. In this case there was a relevant floating charge at the outset, but it has since been confirmed that the charge was satisfied and this has been removed and therefore the prescribed part provisions do not apply.

### *Preferential creditors*

The statement of affairs anticipated no preferential creditors and no claims have been received.

### *Unsecured (ie non-preferential) creditors*

The statement of affairs included six unsecured creditors with an estimated total liability of £1,878,443.38. I have received claims from six creditors at a total of £6,203,872.34. I have not received claims from eleven creditors with original estimated claims in the statement of affairs of £240. Claims totalling £4,969,804.86 have been admitted for dividend purposes.

The unsecured creditors have received a dividend of 0.23 pence in the pound.

## **8 CREDITORS' RIGHTS TO FURTHER INFORMATION AND TO CHALLENGE LIQUIDATORS' REMUNERATION AND EXPENSES**

Further information about creditors' rights can be obtained by visiting the creditors' information micro-site published by the Association of Business Recovery Professionals (R3) at <http://www.creditorinsolvencyguide.co.uk/>. A copy of 'A Creditors Guide to Liquidators' Fees' also published by R3, is available at the link <http://www.menzies.co.uk/helping-you/business-recovery/fees-guide/>. Please refer to the version for appointments from November 2011 to September 2015.

### *Creditors' right to request information*

Any secured creditor, or an unsecured creditor with the support of at least 5% in value of unsecured creditors or with the leave of court, may (in writing) request me to provide additional information regarding remuneration or expenses already supplied within this report. In accordance with rule 18.9(2) of the Rules, such a request or application for leave must be made within 21 days of receipt of this report.

### *Creditors' right to challenge remuneration and/or expenses*

Any secured creditor, or an unsecured creditor with the support of at least 10% in value of the unsecured creditors or with permission of the court, may apply to court for one or more orders under Rule 18.36(4) or 18.37(4) of the Rules. In accordance with rule 18.34(3) such applications must be made within eight weeks of receipt of this report.

## **9 DATA PROTECTION NOTICE**

The Joint Liquidators are data controllers of personal data as defined by the relevant provisions of the applicable data protection legislation. Menzies LLP will act as a data processor on their instructions. Personal data will be kept secure and processed only for matters relating to the insolvency

appointment. Full details of our privacy notice is at the following link:  
<https://www.menzies.co.uk/legal/>.

## **10 CONCLUDING REMARKS**

The process to close my files has been started and I anticipate closing my files imminently.

I will report again on the progress of the liquidation after the next anniversary of the Liquidation or in the final account, whichever is earlier.

Should you require further information, or if you want hard copies of any of the documents made available on-line, please contact my colleague Rhiannon Warner-Jones by email at [RWarner-Jones@menzies.co.uk](mailto:RWarner-Jones@menzies.co.uk), or by phone on +44 (0)29 2067 4991.

A handwritten signature in black ink, appearing to read 'John Dean Cullen', written over a horizontal line.

John Dean Cullen  
Joint Liquidator

## **Appendix 1**

### **Statutory information**

Company name:	Towmasters Metals Limited
Company number:	05558844
Registered office:	2 Sovereign Quay, Havannah Street, Cardiff, CF10 5SF
Former registered office:	Axholme House, North Street, Crowle, Scunthorpe, North Lincolnshire, DN17 4NB
Former trading address:	North Drive Park, Northfield Industrial Estate, Greasborough Road, Rotherham, South Yorkshire, S60 1QF
Principal trading activity:	Treatment and disposal of non-hazardous waste
Joint Liquidators' names	John Dean Cullen and Bethan Louise Evans
Joint Liquidators' address	2 Sovereign Quay, Havannah Street, Cardiff, CF10 5SF
Date of appointment	1 October 2013
Contact details of Joint Liquidators	Rhiannon Warner-Jones on +44 (0)29 2067 4991 or at RWarner-Jones@menzies.co.uk
Details of any changes of Liquidator	<p>There have been no changes of Liquidator during the winding up.</p> <p>Please note that on 1 July 2015, Harris Lipman LLP merged with Menzies LLP to create a practice operating under the Menzies LLP name.</p>

**Appendix 2**  
**Towmasters Metals Limited**  
**(In Liquidation)**  
**Joint Liquidators' Abstract of Receipts & Payments**

Statement of Affairs		From 01/10/2018 To 30/09/2019	From 01/10/2013 To 30/09/2019
<b>ASSET REALISATIONS</b>			
NIL	Motor Vehicles	NIL	7,000.00
NIL	Book Debts	NIL	NIL
Uncertain	Book Debts - Police Seizures	NIL	NIL
	Bank Charge Refund	150.85	150.85
NIL	VAT Bond	NIL	NIL
525.45	Cash at Bank	NIL	525.20
	Cash held by Police	NIL	85,605.00
	Bank Interest Gross	19.16	88.76
		<u>170.01</u>	<u>93,369.81</u>
<b>COST OF REALISATIONS</b>			
	Specific Bond	NIL	210.00
	Liquidators Fees	10,669.14	76,769.14
	Agents Fees - Collection of Records	NIL	320.00
	Agents Fees - Realisation of Assets	NIL	1,127.50
	Legal Fees	NIL	2,400.00
	Storage Costs	363.20	363.20
	Statutory Advertising	80.10	258.30
	Search Fees	36.00	36.00
		<u>(11,148.44)</u>	<u>(81,484.14)</u>
<b>UNSECURED CREDITORS</b>			
(1,196,404.48)	Trade & Expense Creditors	28.61	28.61
(32,038.90)	HM Revenue and Customs - PAYE &	335.69	335.69
(650,000.00)	HM Revenue and Customs - VAT	11,235.70	11,235.70
		<u>(11,600.00)</u>	<u>(11,600.00)</u>
<b>DISTRIBUTIONS</b>			
(1.00)	Ordinary Shareholders	NIL	NIL
		<u>NIL</u>	<u>NIL</u>
<b>(1,877,918.93)</b>		<b><u>(22,578.43)</u></b>	<b><u>285.67</u></b>
<b>REPRESENTED BY</b>			
	Barclays Bank - NIB		285.67
			<b><u>285.67</u></b>

**Note**

All items detailed on the receipts and payments account are shown net of VAT as the Company was VAT registered and VAT has therefore been recovered for the benefit of the liquidation estate.

**TOWNMASTERS METALS LIMITED - IN LIQUIDATION**

**APPENDIX 3**

**TIME CHARGE OUT SUMMARY FOR THE PERIOD FROM 1 OCTOBER 2018 TO 30 SEPTEMBER 2019**

Classification of work function	HOURS					Total Hours	Time Costs £	Average Hourly Rate £
	Partner/Director	Manager	Senior	Administrator	Support			
Administration and Planning	3.10	2.20	0.30	30.20	5.60	41.40	6,684.00	161.45
Investigations: reviewing & scheduling records	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Investigations: police communications	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Investigations: general & statutory obligations	0.30	0.00	0.00	0.40	0.00	0.70	164.50	235.00
Realisation of Assets	0.10	0.00	0.00	0.20	0.00	0.30	70.50	235.00
Creditors	1.10	2.70	0.10	33.80	0.00	37.70	5,601.00	148.57
Support	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Total Hours	4.60	4.90	0.40	64.60	5.60	80.10	12,520.00	
Total Costs	1,893.00	1,274.00	89.50	8,731.50	532.00			

**CHARGE OUT RATES OF INSOLVENCY TEAM MEMBERS**

	From 1 October 2018	10 May 2018 - 30 Sept 2018	1 Oct 2017 - 9 May 2018
	£ per hour	£ per hour	£ per hour
Partner/Director	375-505	365-505	365-505
Manager	250-345	225-295	225-295
Senior	215	210	195
Administrator	80-200	75-195	75-195
Support Staff	95-100	80-95	80-95

**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 £445 & £445 per hour, and the administrator is £130 per hour

**Appendix 3a**  
**Towmasters Metals Limited (In Creditors' Voluntary Liquidation) ("the Company")**  
**Narrative of work undertaken in the period from 1 October 2018 to 30 September 2019**

A description of the work undertaken since my last progress report is as follows:

**1 Administration and planning**

There are certain aspects of the case that are required by statute and for the efficient running of the case. They are not expected to provide a direct quantifiable benefit to creditors; however, without them, other aspects of the case which do provide a quantifiable benefit to creditors would be less efficient. They include the maintenance of physical case files and electronic case management information, periodic review of files, strategic case planning and the routine administration of the case.

Time has also been spent in the preparation of documentation and reports and dealing with correspondence. Time has been spent by cashiers maintaining the estate account, and preparing and delivering VAT returns. They have also assisted with the payment of the unsecured dividend and, given the delays to payment regarding the VAT returns, had numerous occasions of correspondence with HM Revenue and Customs to settle the VAT position.

Time spent by the cashiers has also included lodging receipts, making payments and reconciling the bank accounts of the estate.

Time has also been spent in preparing the Liquidation for closure, this has included sending correspondence to banks, HM Revenue and Customs and a full case review. Further time has been spent preparing closure documents.

**2 Asset realisations**

Net asset realisations provide the financial benefit to creditors and their quantum directly contributes to any dividend ultimately available to creditors. Time has been spent on corresponding with the bank to enable a bank charge refund to be paid into the estate.

**3 Investigations**

Complying with statutory requirements will not necessarily produce a financial benefit to creditors but may identify potential avenues which could lead to a recovery for the benefit of creditors. Time has been spent in a strategy meeting with my staff to confirm the investigation position and to clarify the closing process.

**4 Creditors (claims and distribution)**

Time spent in this category included adjudicating creditor claims and ensuring that they had adequately proven their claims in the estate. Work undertaken in this respect was necessary to ensure that only those entitled to receive a dividend did so and that any claim was validly and adequately evidenced. Time has also been spent dealing with routine correspondence and queries and taking telephone calls from creditors.

Time was spent arranging a process for a held over dividend as well as rejecting a dividend in full. This required further correspondence with these creditors and also a decision process to be considered. Time has also been spent maintaining creditor information on the electronic case management files as well as the physical case files and requesting further documentation from creditors where appropriate prior to advertising the dividend, issuing notice of intended dividend and making the distribution.

Following the anniversary of the Liquidation a progress report was required to be prepared and distributed to the creditors to advise on the progress made over the last year.

**Appendix 4**  
**MENZIES LLP**  
**DISBURSEMENTS RECOVERY POLICY**

**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.

All such disbursements that have been paid from the estate are shown on the enclosed summary of our receipts and payments account.