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





06/09/2018 COMPANIES HOUSE

1	Company details	· · · · · · · · · · · · · · · · · · ·
Company number	0 5 8 4 8 1 4 4	→ Filling in this form Please complete in typescript or in
Company name in full	Kaye Engineering Limited	bold black capitals.
2	Liquidator's name	
Full forename(s)	Brian	
Surname	Johnson	
3	Liquidator's address	
Building name/number	Acre House	
Street	11-15 William Road	
Post town	London	
County/Region		
Postcode	N W 1 3 E R	
Country		
4	Liquidator's name •	
Full forename(s)	David	Other liquidator Use this section to tell us about
Surname	Birne	another liquidator
5	Liquidator's address o	
Building name/number	Acre House	Other liquidator Use this section to tell us about
Street	11-15 William Road	another liquidator.
Post town	London	
County/Region		
Postcode	N W 1 3 E R	
Country		

LIQ03 Notice of progress report in voluntary winding up

6	Period of progress report
From date	$\begin{bmatrix} d & 1 & 0 & 0 & 0 \\ 1 & 2 & 0 & 7 & 7 \end{bmatrix} \begin{bmatrix} m & 7 & 7 & 7 \\ 2 & 0 & 7 & 7 \end{bmatrix}$
To date	d d d 7 7 2 70 71 8
7	Progress report
	☑ The progress report is attached
8	Sign and date
Liquidator's signature	X X
Signature date	0 5 0 9 2 0 1 8

Joint Liquidators' Annual Progress Report to Creditors & Members

Kaye Engineering Limited - In Liquidation

11 July 2018

CONTENTS

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

APPENDICES

- A Receipts and Payments Account for the period 12 July 2017 to 11 July 2018 and cumulative from 12 July 2011 to 11 July 2018
- B Time Analysis for the period 12 July 2017 to 11 July 2018
- C Cumulative Time Analysis for the period 12 July 2011 to 11 July 2018
- D Additional information in relation to Joint Liquidators' Fees, Expenses & Disbursements

1 Introduction and Statutory Information

- 1.1 I, Brian Johnson, together with David Birne, of Fisher Partners, Acre House, 11-15 William Road, London NW1 3ER, was appointed as Joint Liquidator of Kaye Engineering Limited ("the Company") on 12 July 2011. This progress report covers the period 12 July 2017 to 11 July 2018 and should be read in conjunction with any previous progress reports which have been issued.
- 1.2 Creditors will recall that the Company had previously entered administration on 12 January 2010 and that David Birne and I were appointed as Joint Administrators.
- 1.3 Information about the way that we will use, and store personal data on insolvency appointments, can be found at https://www.hwfisher.co.uk/privacy-statement.
- 1.4 The principal trading address of the Company was Harper Street, Presteigne, Powys LD8 2AL. The business traded under the name Kaye Presteigne.
- 1.5 The registered office of the Company has been changed to Acre House, 11-15 William Road, London NW1 3ER and its registered number is 05848144.

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 12 July 2017 to 11 July 2018.
- Attached, at Appendix A, is my Receipts and Payments Account for the period 12 July 2017 to 11 July 2018 and cumulative from 12 July 2011 to 11 July 2018.
- 2.3 Attached, at Appendix B, is a time analysis, for the period 12 July 2017 to 11 July 2018, outlining the time spent by the Joint Liquidators and their staff during the period of this report, together with a cumulative time analysis covering the period since my appointment as Joint Liquidator, at Appendix C.

Administration

2.4 The Joint Liquidators 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 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.

2.5 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

2.6 There have been no realisations during the period 12 July 2017 to 11 July 2018.

Creditors (claims and distributions)

- 2.7 Further information on the anticipated outcome for creditors in this case can be found at section 3 of this report. The Joint 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.
- 2.8 Claims from preferential creditors typically involve employee claims and payments made on behalf of the Company by the Redundancy Payments Service following dismissal.
- 2.9 The above work will not necessarily bring any financial benefit to creditors generally, however the Joint 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 Joint Liquidators in dealing with those claims.

Investigations

- 2.10 You may recall from my first progress report to creditors that some of the work the Joint 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 Joint Liquidators can pursue for the benefit of creditors.
- 2.11 My 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.

2.12 Since my last progress report I would advise that no further asset realisations have come to light that may be pursued by me for the benefit of creditors.

Matters still to be dealt with

Inter Company Debt

- As previously reported, as at the date of the Company's administration, there was an inter-Company debt due from Pressurecast Products Limited ("Pressurecast"). Pressurecast entered into a debenture with the Company dated 18 May 2015 to repay the sum of £100,000 and to pay the sum of £95,748 due and owing to the Company, which had arisen during the period from and including 12 January 2010, being the date of administration. Whilst a repayment schedule, over an 11 month period, was agreed, no payments were forthcoming and a petition to wind up the Company was issued.
- 2.14 Pressurecast entered administration on 25 February 2011, following an appointment by Factor 21, the qualifying floating charge holder, who had recently taken over the role of invoice discounter. The Administrators' Proposals proposed an exit route from administration to dissolution once all matters had been dealt with. With the support of Delphi Electronics Overseas Company Limited, one of the Company's major customers and also a creditor of Pressurecast, this proposal was rejected.
- 2.15 The revised proposals provided for Pressurecast to move into liquidation. Pressurecast entered compulsory liquidation on 21 November 2011 and Richard Toone and Kevin Murphy of Chantrey Vellacott DFK were appointed Joint Liquidators of the Company. I confirm that I continue to assist the Joint Liquidators with investigations into Pressurecast's affairs.
- 2.16 The Joint Liquidators of Pressurecast received a dividend from the liquidation of Kaye Presteigne Limited in the sum of £25,495.15, representing a distribution of 4.48p in the £.
- 2.17 On 20 September 2016, the Joint Liquidators of Pressurecast paid a dividend of £25,495.15 to the Company.
- 2.18 I am continuing to liaise with the Joint Liquidators of Pressurecast to monitor dividend prospects in relation to the Company's claim.

Amounts due from Raycott Limited under the sale and purchase agreement

2.19 As previously advised, the Joint Liquidators of Raycott Limited had issued proceedings against certain parties in respect of various claims.

- 2.20 I was required to attend court as a witness in the proceedings. I can confirm that an order was made against the defendants amounting to £886,356.83 on 21 July 2015.
- 2.21 Whilst payments totalling £105,000 were made by the defendants, they failed to repay the amounts due pursuant to the order.
- 2.22 The Joint Liquidators of Raycott Limited petitioned for the bankruptcy of one of the directors and Peter Neagle was made bankrupt on 20 March 2017.
- 2.23 I am continuing to liaise with the Joint Liquidators of Raycott Limited to monitor dividend prospects in relation to the Company's claim.

3 Creditors

Secured Creditors

- 3.2 The Company granted a debenture incorporating fixed and floating charges to Arbuthnot Commercial Finance Limited on 2 August 2006 (which was subsequently taken over by Bibby Financial Services Limited ("Bibby"). Following collection of the Company book debts, Bibby confirmed that they are no longer a creditor of the Company.
- 3.3 The Compnay granted a debenture incorporating fixed and floating charges to State Securities Plc ("State") on 12 September 2006, together with two supplemental chattel mortgages, the first created on 12 September 2006 and the second created on 30 September 2008.
- 3.4 The Company had guaranteed liabilities to State Securities Plc ("State") due under two agreements between themselves and KPL, however on 29 September 2011, I was informed the State that KPL had settled both agreements.
- 3.5 Consequently there are no unsettled secured creditors of the Company.

Preferential Creditors

3.6 The Insolvency Service has submitted a preferential claim in the sum of £5,597.51 in relation to payments they made to employees of the Company in relation to holiday pay and pension arrears.

Unsecured Creditors

3.7 I have received claims totalling £1,621,416.16 from 69 creditors.

4 Joint Liquidators' Remuneration

- 4.1 Creditors approved that the basis of the Joint Liquidators' remuneration be fixed by reference to the time properly spent by them and their staff in managing the liquidation.
- 4.2 My time costs for the period 12 July 2017 to 11 July 2018 are £3,325.70. This represents 15.82 hours at an average rate of £210.22 per hour. Attached, as Appendix B, is a Time Analysis, which provides details of the activity costs incurred by staff grade during the period 12 July 2017 to 11 July 2018 in respect of the costs fixed by reference to time properly spent by me in managing the liquidation.
- 4.3 Also attached, as Appendix C, is a cumulative Time Analysis for the period 12 July 2011 to 11 July 2018, which provides details of my time costs since my appointment. The cumulative time costs incurred to date are £188,456.30. This represents 827.28 hours at an average rate of £227.80 per hour.
- In addition to the undrawn costs detailed above, I would like to advise creditors that I have outstanding costs relating to the Administration of the Company totalling £155,656.81, which will have first charge over any assets realised. £197,781.15 has been drawn on account of costs incurred in the administration. A further breakdown of my costs is detailed below:

Accounting and bookkeeping

4.5 Time spent under this category includes the general administration of the liquidation bank account, completion of VAT returns, VAT journals, bookkeeping postings to Insolvency Practitioner Software, completing payment requests, completing cash received forms, logging cheques received, the completion of corporation tax returns and bank reconciliations.

Asset realisation

4.6 Time spent under this category relates to time spent in relation to the recovery of amounts due from Raycott, amounts due from KPL, amounts due from Pressurecast, amounts due in relation to overpayments made in the trading period of the Administration, amounts due from HMRC in relation to the refund and corresponding with my solicitors in relation to amounts owed from the Joint Liquidators of RSM Tenon.

Case administration

4.7 Time spent under this category relates to the day to day duties required to administer the liquidation. This includes, circulating creditors with notification of my appointment, ensuring appropriate bonding is in place, corresponding with creditors, maintaining the Company ledgers on Insolvency Practitioner Software, reconciling supplier payments during the

Administration period, liaising with the insurers of the Company, liaising with the Official Receiver, corresponding with suppliers to recover refunds due, corresponding with HMRC regarding a P35 return, completing bank reconciliations, corresponding with an employee concerning their pension, completing VAT returns, corresponding with State, corresponding with the Administrators of Pressurecast, reconciling payments to lease creditors of the Company during the Administration period, completing corporation tax returns, corresponding with the Directors of the Company, completion of checklists, meetings to strategise asset recovery, scanning documents, photo copying documents, finalising retention of title claims, liaising with pension specialists and corresponding with Insolvency Risk Services concerning the insurance of the Company.

Employees

4.8 Time spent under this category relates to time spent corresponding with a former Director of the Company concerning his pension, corresponding with pension advisors, completing appropriate notices for the Pension Protection Fund and pension regulator, corresponding with HMRC in relation to the completion of a P35 return, corresponding with Pension Providers, and corresponding with the employment tribunal concerning an incorrect claim against the Company.

Investigations

4.9 In accordance with the Company Directors Disqualification Act 1986, I have submitted a report on the conduct of the Directors of the Company to the Insolvency Service. As this is a confidential report, I am not able to disclose the contents. I am also unable to disclose other details of time spent under this category as it could jeopardise asset recoveries for the benefit of the creditors of the Company.

Landlord/creditor correspondence

4.10 Time spent under this category relates to time spent corresponding with creditors of the company by email, telephone and post.

Reports & Meetings

4.11 The time spent under reports and meetings relates to the completion of the Joint Liquidators statutory reporting duties, including the completion of annual progress reports to creditors.

Review

4.12 Time spent under this category relates to time spent completing six monthly reviews of the case in line with best practice, completing bonding reviews, reviewing the cash flow completed during the trading period of the Administration and ensuring it is correctly reconciled, reviewing correspondence and reviewing progress on the Liquidation. Time under this category also includes time spent reviewing file notes in relation to ROT claims, review meetings between the office holder, manager and case administrator regarding the trading issues and reconciliation of the trading accounts, the cash flow reconciliation and potential asset realisations, the review of pension issues and the review of the claim against Raycott. The majority of review time has been spent at Partner/Senior Consultant/Principal level. This includes the general review of the administration of the liquidation, as well as the Joint Liquidators being activity involved in the decision making process of the liquidation and ensuring the strategy of the liquidation is followed.

Trading

- 4.13 Time spent under this category relates to time spent reconciling the final cash flow and trading position of the Company whilst in Administration, ensuring refunds were received in relation to underpayments by funders and ensuring payments were made in relation to overpayments by funders.
- 4.14 A copy of 'A Creditors' Guide to Liquidators' Fees' is available on request or can be downloaded from http://www.icaew.com/en/technical/insolvency/creditors-guides.
- 4.15 Attached, as Appendix D, 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.

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 Joint 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 Joint

Liquidators' remuneration is inappropriate and/or the remuneration charged or the expenses incurred by the Joint Liquidators, 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

Brian Johnson Joint Liquidator

Enc

Appendix A

Receipts and Payments Account for the period 12 July 2017 to 11 July 2018 and cumulative from 12 July 2011 to 11 July 2018

Kaye Engineering Limited (In Liquidation) Joint Liquidators' Summary of Receipts & Payments

tatement of Affairs	From 12/07/2017 To 11/07/2018	From 12/07/2011 To 11/07/2018
£	£	£
ASSET REALISATIONS		
Dividend from Pressurecast Products	NIL	25,495.15
Funds held in Solicitors Client Account	NIL	60.00
Funds received from Administration	NIL	144,079,93
Refunds	NIL	2,534.12
Tenon Receipt re Charge Settlement	NIL	45,000.00
Funding re Admin Trading	NIL	114,444,74
HMRC Refund re SSP, SMP and SPP	NIL	5,314 04
Bank Interest Gross	NIL	734 23
	NIL	337,662 21
COST OF REALISATIONS	· ··-	
Joint Administrators Fees	NIL	197,781 15
Joint Administrators Expenses	NIL	14.00
Legal Fees (1)	NIL	10,000.00
Legal Disbursements	NIL	479 35
Corporation Tax	NIL	149.00
Consumables - Administration Period	NIL	542.00
Funding repayment	NIL	128,548.02
Insurance Administration Period	NIL	83.33
,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,	NIL	(337,596.85)
		65.36
REPRESENTED BY		
Non-Interest Bearing Current Account		65.36
		65.36

Appendix B

Time Analysis for the period 12 July 2017 to 11 July 2018

Kaye Engineering Limited - In Liquidation

Joint Liquidators' Time Costs for the period 12 July 2017 to 11 July 2018

Appendix B

Total Cost	597.10	425.75	281.75	291.80	1,004.80	724.50		3,325.70	210.22
Total Hours	3.08	1.10	1.15	3.07	4.47	2.95	15.82		
Support Staff	1.38	1	1	2.97	0.97	0.85	6.17 -	578.20	93.71
Administrator	ı	ı	ı		•	1	1	-	J
Manager / Principal Administrator Support Staff	1.60	0.45	1.15	0.10	3.50	1.65	8.45	2,177.50	257.69
Partner / Senior Consultant	0.10	0.65	ı	1	1	0.45	1.20	570.00	475.00
Service	Acct/bookkeeping	Asset realisation - non-charged assets	Case Admin	Landlord/Creditor Correspondence	Reports & Meetings	Review	Total Time:	Total Cost (\mathfrak{k}) :	Average rate per hour(\mathfrak{E})

Appendix C

Cumulative Time Analysis for the period 12 July 2011 to 11 July 2018

Kaye Engineering Limited - In Liquidation

.

Joint Liquidators' Time Costs for the period 12 July 2011 to 11 July 2018

Appendix C

4		Manager / Principal	Administrator Support Staff	Support Staff	Total Hours	Total Cost
Ö	0.87	13.10	19.27	66.14	99.38	15,570.95
		0.45	1	•	0.45	119.25
	2.82	6.75	0.30	,	6.87	3,020.25
	85.78	17.45	49.95		153.18	52,989.25
	0.20	14.95	123.07	76.98	215.20	39,084.65
	0.53	3.90	23.90	0.90	29.23	6,482.85
	ı	•	ı	0.20	0.20	25.00
	1.30	33.20	64.75	5.40	104.65	23,463.25
	0.20	2.10	20.50	3.85	26.65	5,354.05
	•	0.50	2.15	1	2.65	594.75
	2.98	12.30	28.65	21.41	65.34	12,677.80
	6.72	18.25	69.15	2.84	96'96	22,897.05
	19.0	22.85	ı	ı	23.52	6,177.20
	102.07	145.80	401.69	177.72 -	827.28	
44	44,492.35	37,935.75	85,903.00	20,125.20		188,456.30
	435.90	260.19	213.85	113.24		227.80

Appendix D

Additional Information in Relation to 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 a Partner/Senior Consultant, Principal/Senior Manager, Senior Administrator, Administrator and Support Staff. 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 We are not proposing to utilise the services of any sub-contractors in this case.

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 Res Arrangement
Charles Russell LLP (legal advice)	CFA
Insolvency Risk Services (insurance)	Fixed Fee

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 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:

		Paid in the		
		, gorini		
		en Gedeby Paintagnosis		
Companies House Searches	Nil	Nil	51.00	51.00
Land Registry searches	Nil	Nil	66.00	66.00
Charles Russell LLP – Legal fees	10,479.35	Nil	28,829.20	39,308.55
Statutory advertising	Nil	Nil	76.50	76.50
Statutory bonding and insurance	Nil	Nil	662.67	662.67
Sundry	Nil	Nil	9.00	9.00
Quick Credit Reports – Credit Report	Nil	Nil	96.00	96.00
Loop Up – Conference call costs	Nil	Nil	81.03	81.03
Category 2 disbursements				
Photocopying	Nil	Nil	193.65	250.00
Postage	Nil	Nil	629.88	850.00
Room Hire	Nil	Nil	125.00	125.00

- 3.2 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.
- 3.3 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 Joint Liquidators' fees were approved by creditors. Any Category 2 disbursements incurred are specifically highlighted in the tables of expenses above.

4 Charge-out rates

In accordance with the provisions of the Statement of Insolvency Practice 9 ("SIP9"), the firms' charge out rates applicable to this appointment, exclusive of VAT, are as follows:

	From 1 January 2018 Per hour
Partner / Senior Consultant	£485
Principal	£330
Senior Manager	£295
Manager / Assistant Manager	£250-£260
Senior Administrator	£205
Junior Administrator	£150
Support Staff	£90-£150

Charge out rates are normally reviewed annually on 1 January, when rates are adjusted to reflect such matters as inflation; increase in direct wage costs; and changes to indirect costs such as Professional Indemnity Insurance. It is the firm's policy for the cashier's time spent on an assignment to be charged to the case. However, secretarial and office admin support time is charged only in respect of identifiable blocks of time devoted to the case where we consider it to be viable to do so. Please note that this firm records its time per minute.

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 **ADAMS Mark** Fisher Partners Address Acre House 11-15 William Road Post town London County/Region Postcode Ν W ER Country ĐΧ Telephone 020 7388 7000 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