

# Liquidator's Progress Report

# S.192

Pursuant to Sections 92A and 104A and 192  
of the Insolvency Act 1986

To the Registrar of Companies

FRIDAY



A23 \*A56XGEI9\* 13/05/2016 #199  
COMPANIES HOUSE

Company Number

05889138

Name of Company

A & A Recycling Limited

I / We

Ian Yerrill, Gateway House, Highpoint Business Village, Henwood, Ashford, Kent TN24 8DH

the liquidator(s) of the company attach a copy of my/our Progress Report  
under section 192 of the Insolvency Act 1986

The Progress Report covers the period from 30/03/2015 to 29/03/2016

Signed

Date

11/05/16

Yerrill Murphy  
Gateway House  
Highpoint Business Village  
Henwood, Ashford  
Kent TN24 8DH

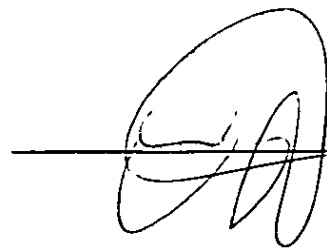
Ref CVL1182A/IDY/HS/AR

**A & A Recycling Limited**  
**(In Liquidation)**  
**Liquidator's Abstract of Receipts & Payments**

Statement of Affairs		From 30/03/2015 To 29/03/2016	From 30/03/2012 To 29/03/2016
90,748 00	SECURED ASSETS Book Debts	<u>NIL</u> NIL	<u>NIL</u> NIL
(75,994 00)	SECURED CREDITORS IGF Invoice Finance	<u>NIL</u> NIL	<u>NIL</u> NIL
Uncertain	ASSET REALISATIONS Rent Deposit	<u>NIL</u> NIL	<u>NIL</u> NIL
(150,978 00)	FLOATING CHARGE CREDITORS HSBC Bank plc	<u>NIL</u> NIL	<u>NIL</u> NIL
(225,100 00)	UNSECURED CREDITORS Trade & Expense Creditors	NIL	NIL
(246,100 00)	Director's Loan	NIL	NIL
(6,702 00)	HM Revenue & Customs - PAYE/NIC	NIL	NIL
(17,238 00)	HM Revenue & Customs - VAT	<u>NIL</u> NIL	<u>NIL</u> NIL
(3 00)	DISTRIBUTIONS Ordinary Shareholders	<u>NIL</u> NIL	<u>NIL</u> NIL
<b>(631,367.00)</b>		<u><b>NIL</b></u>	<u><b>NIL</b></u>

REPRESENTED BY

**NIL**



Ian Yerrill  
Liquidator

**A & A RECYCLING LIMITED**  
**In Creditors' Voluntary Liquidation**

Progress Report for the period 30 March 2015 to 29 March 2016

Progress Report submitted in accordance with rule 4.49C of the Insolvency Rules 1986 (as amended) on 11 May 2016 by the Liquidator, I. D. Yerrill of Yerrill Murphy, Gateway House, Highpoint Business Village, Henwood, Ashford, Kent TN24 8DH

# **A & A RECYCLING LIMITED**

## **Creditors' Voluntary Liquidation**

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- 5 Dividend Prospects and Creditor Claims
- 6 Ongoing Issues

## **1 Statutory Information**

<i>Company name</i>	A & A Recycling Limited
<i>Company's registered office</i>	Gateway House Highpoint Business Village Henwood Ashford Kent TN24 8DH
<i>Company's registration number</i>	05889138

<i>Liquidator's names</i>	Ian Douglas Yerrill
<i>Liquidator's License details</i>	Insolvency Practitioners Association (8924 )
<i>Liquidator's address</i>	Gateway House Highpoint Business Village Henwood Ashford Kent TN24 8DH

## **2. Progress of the Liquidation in the period of the Report**

This report covers the second year of Liquidation, being the period 30 March 2015 to 29 March 2016 and should be read in conjunction with previous progress reports circularised

The Liquidator's progress in dealing with the assets of the Company is detailed in section (3) below

The Liquidator was obliged to investigate the affairs and dealings of the Company and the conduct of its Director and to submit a Report on their findings to the Department for Business Innovation and Skills, in accordance with the requirements of the Company Directors Disqualification Act 1986

This Report has been submitted, however we are not permitted to disclose the contents of the same

The Liquidator has in addition undertaken enquiries in accordance with the best practice directives of Statement of Insolvency Practice 2 "Investigations by Office Holders in Administrations and Insolvent Liquidations" to ascertain whether there are potential areas of recovery or matters of public interest requiring further more detailed investigation

Creditors will recall that the Liquidator was of the opinion that there may have been a potential claim for recovery of the rent deposit. Whilst solicitors were instructed, in light of additional information subsequently provided reducing the claim, the age of the matter and the lack of resources available within the Liquidation to continue any legal action, the commercial decision to abandon any further recovery action was made. It should be noted that even if any recovery action was successful it would be unlikely that such recovery would be sufficient, after taking into account the costs of Liquidation, to have enabled a return to the creditors

Creditor claims received to date have been dealt with as detailed in section (5) below

## **3 Liquidator's Receipts & Payments Account**

### *Asset realisations*

There have been no asset realisations made in the period covered by this report

### *Unrealised assets*

Whilst the rent deposit was shown as a potential asset of the Company, such asset has not proved realisable for the reasons stated above

### *Expenses paid*

Due to the absence of any funds being received into the Estate account the Company has not been able to discharge any costs associated with the Liquidation process. Such costs have therefore been met from the Liquidator's own resources

#### *Expenses accrued*

The costs of Liquidation incurred in the period covered by this report which have been discharged by Yerrill Murphy consist of a specific penalty bond premium for £50, the fee for the redirection of the Company's mail of £27 20, statutory advertising costs of £647 67 plus VAT, and storage costs totalling £165 11 including VAT. Such expenses will be reclaimed if and when funds held in the Estate account permit.

In addition, the Liquidator has undischarged time costs as detailed further in (4) below.

#### *Balance in Hand*

You will note from the attached Receipts and Payments account that there are no funds held.

#### **4 Liquidators' Remuneration**

At the initial meeting of creditors it was resolved that the Liquidator's remuneration be fixed by reference to his time costs with authority for such fees to be drawn as, when and if funds permit. In the period covered by this report, no Liquidator's fees have been drawn.

In the period covered by this report, Liquidators have incurred time costs of £760 consisting of 3 80 hours at an average charge out rate of £200 per hour and aggregate incurred time costs since his appointment of £12,967 50 consisting of 83 70 hours at an average charge out rate of £154 92. A breakdown of the Liquidator's time costs for the period 30 March 2015 to 29 March 2016 is attached for your information.

The Liquidator would draw your attention to the provisions of rule 4 49E of the Rules.

Within 21 days of receipt of this report, any secured creditor, or an unsecured creditor with the concurrence of at least 5% in value of the unsecured creditors (including the creditor in question), or with the permission of the court upon an application made within that period of 21 days, any unsecured creditor, may make a request in writing to the Liquidator for further information about remuneration or expenses detailed in this Report.

The Liquidator should, within 14 days of receipt of the request, provide all of the information asked for. However if the Liquidator considers that the time or cost of preparation of the information would be excessive, or disclosure of the information would be prejudicial to the conduct of the liquidation or might reasonably be expected to lead to violence against any person, or the liquidator is subject to an obligation of confidentiality in respect of the information, he may withhold the information and give reasons for not providing the same.

If the Liquidator fails to provide the information within the 14 days of the initial request, or gives reasons for withholding the information, then a creditor may apply to the court within the ensuing 21 days and the Court may make such Order as it sees fit.

The Liquidator would additionally draw your attention to the provisions of rule 4 131 of the Rules.

Any secured creditor, or any unsecured creditor with either the concurrence of 10% in value of the unsecured creditors (including the creditor in question), or with the permission of the Court, may apply to the Court for one of the following Orders:

- a) An Order reducing the amount of remuneration that the Liquidator is entitled to charge
- b) An Order fixing the basis of remuneration at a reduced rate or amount
- c) An Order changing the basis of remuneration
- d) An Order that some or all of the remuneration or expenses in question be treated as not being expenses of the Liquidation
- e) An Order that the Liquidator or the Liquidator's personal representative pay to the Company the amount of the excess of remuneration or expenses or such part of the excess as the Court may specify.

Alternatively the Court may make any other Order that it thinks just but Orders under 'b' or 'c' above may be made only in respect of periods after the period of this report

The costs of the application should be paid by the applicant unless the Court orders otherwise

Any application must be made within eight weeks of receipt of the first report in which the remuneration and/or expenses in question are detailed, although the Court may extend the period by such further period as the court thinks just

Creditors' attention is drawn to the Guide to Liquidators' Fees as circularised with the Notice convening the initial meeting of creditors, dated 06 March 2012, and to the charge out rates detailed therein. A further copy can be made available on request

## **5 Dividend Prospects and Creditors Claims**

### *Secured Creditors*

As previously advised the Company factored its sales ledger with IGF Invoice Finance and provided security over such agreement by way of a registered debenture incorporating fixed and floating charges over the assets of the Company. Whilst it is understood that IGF Invoice Finance have been left with a shortfall of £6,805.55 they have not to date submitted a formal claim within the Liquidation.

The Company has also provided its Bankers, HSBC Bank with security by way of a registered Debenture which incorporates fixed and floating charges over the assets of the Company. This charge pre-dates the charge of IGF Invoice Finance and therefore will rank ahead of the IGF charge for dividend purposes.

### *Preferential Creditors*

There were no claims of a preferential status anticipated and no such claims have been received to date.

### *Unsecured Creditors*

The Statement of Affairs lodged in the proceedings disclosed 51 potential unsecured creditors totalling £495,139.79. To date we have received 29 claims totalling £505,648.22.

### *Prescribed part*

In accordance with the provisions of Section 176A of the Act where property of a Company is subject to a Floating Charge a prescribed part of the net property available under that charge shall be set aside to enable a distribution to unsecured creditors. The prescribed part equates to 50% of the first £10,000 of the net property available together with 20% of the balance thereafter up to a maximum prescribed part of £600,000.

The provisions do not apply where the net property is less than £10,000 or where the Court orders on an application by the Officer Holder that the costs of making a distribution to unsecured creditors would be disproportionate to the benefits.

### *Dividend prospects*

Due to the lack of realisations in this matter there can be no prospect of a return to any class of creditor in this matter.

## **6 Ongoing Issues**

The Liquidator is of the opinion that for all intents and purposes this winding up can now be finalised. Upon expiry of the statutory time period as stated above in Section (4) it is the Liquidator's intention to issue his final draft report to creditors and convene final meetings.

Should you have any query regarding the contents of this Report please do not hesitate to contact this office



I.D. YERRILL  
Liquidator

*Licensed to act as an Insolvency Practitioner by the Insolvency Practitioners Association*



**A & A Recycling Limited  
(In Liquidation)**

**Liquidator's Abstract Of Receipts And Payments**

RECEIPTS	Statement of Affairs (£)	From 30/03/2012 To 29/03/2015 (£)	From 30/03/2015 To 29/03/2016 (£)	Total (£)
Book Debts	90,748 00	0 00	0 00	0 00
Rent Deposit	Uncertain	0 00	0 00	0 00
		0 00	0 00	0 00
<b>PAYMENTS</b>				
IGF Invoice Finance	(75,994 00)	0 00	0 00	0 00
HSBC Bank plc	(150,978 00)	0 00	0 00	0 00
Trade & Expense Creditors	(225,100 00)	0 00	0 00	0 00
Director's Loan	(246,100 00)	0 00	0 00	0 00
HM Revenue & Customs - PAYE/NIC	(6,702 00)	0 00	0 00	0 00
HM Revenue & Customs - VAT	(17,238 00)	0 00	0 00	0 00
Ordinary Shareholders	(3 00)	0 00	0 00	0 00
		0 00	0 00	0 00
<b>Net Receipts/(Payments)</b>		0 00	0 00	0 00

**MADE UP AS FOLLOWS**

0 00	0 00	0 00
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Ian Yerrill  
Liquidator

# Time Entry - SIP9 Time & Cost Summary

CVL1182A - A & A Recycling Limited  
All Post Appointment Project Codes  
From 30/03/2015 To 29/03/2016

Classification of Work Function	Partner	Manager	Other Senior Professionals	Assistants & Support Staff	Total Hours	Time Cost (£)	Average Hourly Rate (£)
Admin & Planning	0.40	0.00	0.00	0.00	0.40	140.00	350.00
Case Specific Matters	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Cashiering	0.00	0.00	0.10	0.00	0.10	16.00	160.00
Creditors	0.40	0.00	2.50	0.00	2.90	540.00	186.21
General Correspondence	0.00	0.00	0.20	0.00	0.20	32.00	160.00
Investigations	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Realisation of Assets	0.00	0.00	0.20	0.00	0.20	32.00	160.00
Trading	0.00	0.00	0.00	0.00	0.00	0.00	0.00
<b>Total Hours</b>	<b>0.80</b>	<b>0.00</b>	<b>3.00</b>	<b>0.00</b>	<b>3.80</b>	<b>760.00</b>	<b>200.00</b>
<b>Total Fees Claimed</b>						<b>0.00</b>	
<b>Total Disbursements Claimed</b>						<b>0.00</b>	

Classification	Explanation
Administration & Planning	Case Planning, Administrative set-up, Appointment Notification Maintenance of records, Statutory reporting
Case Specific Matters	Matters specific to the case
Cashiering	Self-explanatory
Creditors	Communication with creditors, Creditors claims (including employees' and other preferential creditors')
General Correspondence	Correspondence that does not form part of another category
Investigations	SIP 2 review, CDDA reports, Investigating antecedent transactions
Realisation of Assets	Identifying, securing and insuring assets, Retention of title, Debt Collection, Property, business and asset sales
Trading	N/a in this case