

Liquidator's Progress Report

S.192

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

To the Registrar of Companies

Company Number

06409516

Name of Company

Shanks Environmental Engineering Limited

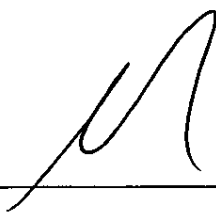
I / We

Malcolm Cohen, 55 Baker Street, London, W1U 7EU

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 17/03/2016 to 01/11/2016

Signed



Date

11.16

BDO LLP
55 Baker Street
London
W1U 7EU

Ref 00261311/MAC/SMB/RAF

THURSDAY



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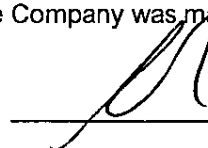
COMPANIES HOUSE

**Shanks Environmental Engineering Limited
(In Liquidation)
Liquidator's Abstract of Receipts & Payments**

Statement of Affairs	From 17/03/2016 To 01/11/2016
REPRESENTED BY	<u>NIL</u>
	<u>NIL</u>

Note

A distribution in specie of the £2 intercompany debtor balance owed to the Company was made on 1 November 2016



Malcolm Cohen
Liquidator



Tel +44 (0)20 7486 5888
Fax: +44 (0)20 7487 3686
DX 9025 West End W1
www.bdo.co.uk

55 Baker Street
London W1U 7EU

TO ALL SHAREHOLDERS

1 November 2016

Our Ref 7/SMB/shanks

Please ask for Sharon Bloomfield
Direct line 020 7893 2905
Email sharon.bloomfield@bdo.co.uk

Dear Sirs

**Tass Environmental Technology Limited
Estech Europe Limited
Shanks Environmental Engineering Limited
Shanks Waste Operations Limited
(together "the Companies") - All in Members' Voluntary Liquidation**

In accordance with the provisions of Section 94 of the Insolvency Act 1986, I present, for your information, my final progress report on the liquidation for the period 17 March 2016 to 1 November 2016.

Statutory Information

I, Malcolm Cohen, of BDO LLP, 55 Baker Street, London, W1U 7EU was appointed as Liquidator of the Companies on 14 December 2015

The Companies' registered numbers and former names are listed in Schedule A.

Prior to liquidation, the Companies' trading address and former registered office was Dunedin House, Auckland Park, Mount Farm, Milton Keynes, Buckinghamshire, MK1 1BU. Their registered office was changed to 55 Baker Street, London, W1U 7EU following my appointment.

The Companies are all wholly owned subsidiaries of Shanks Group PLC ("the Shanks Group").

Receipts and Payments

There have been no receipts or payments in the period

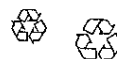
The Companies' sole assets were intercompany debtor balances of £1, or in the case of Estech Europe Limited, a £1 investment in its subsidiary, Tass Environmental Technology Limited. These balances were distributed in specie before the final meetings of members were held.

HM Revenue & Customs ("HMRC")

I am required to obtain clearances that there are no outstanding matters, and no objections to the final meetings of members being convened from both the Corporation Tax office, and HMRC's Enforcement & Insolvency Service ("EIS") which provides VAT and PAYE clearances, and also issues HMRC's overall claim in respect of all taxes.

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Details of the authorising bodies of the insolvency appointment takers of BDO LLP are available at www.bdo.co.uk/services/business_restructuring/authorising_bodies_of_insolvency_appointment_takers



The Companies were all dormant for corporation tax purposes. The Group's tax manager obtained agreement from the Corporation Tax Inspector that no final returns were required and clearances were sought. I have now received these in respect of Corporation Tax.

All of the Companies with the exception of Tass Environmental Technology Limited were part of the Shanks VAT Group. They have been removed from the Group and I have now also received clearances from EIS. I am therefore in a position to convene the final meetings of members to close the liquidations.

Other Matters

As a matter of course I am required to send a s 120 notice to the Pension Protection Fund once appointed as Liquidator of a company. The results of the PPF's searches on the Companies' names showed that Shanks Environmental Engineering Limited had a scheme associated with its name.

My further enquiries of the Shanks Group confirmed that this scheme had been transferred into the Group scheme some years previously, and hence no further action was required.

Distributions

As detailed above, distributions in specie of the intercompany debtor balances owed to the Companies were made prior to the conclusion of the liquidations.

Liquidator's Remuneration

Pursuant to the Insolvency Rules 1986, the Liquidator is obliged to fix his remuneration in accordance with Rule 4.148A(2) of the Insolvency Rules 1986. This permits remuneration to be fixed either

- (1) as a percentage of the assets realised and distributed, and/or
- (2) by reference to the time the Liquidator and the staff have spent attending to matters in the liquidation; and/or
- (3) as a set amount, and/or
- (4) as a combination of the above.

My staff and I have spent time on matters arising in the normal course of the liquidation. The main areas dealt with include

- liaising with the Companies and the Shanks Group in relation to matters prior to the Liquidator's appointment,
- statutory reporting requirements to members,
- statutory reporting requirements to the Registrar of Companies;
- dealing with statutory advertising requirements,
- correspondence with HMRC in order to obtain the necessary clearances to close the liquidation,
- dealing with the pension enquiries,
- distributions in specie, and

- convening of the final meeting of members

My remuneration was approved on a time costs basis on the date of my appointment. Time costs to date for all four liquidations total £8,483.60 represented by 18 hours of work carried out by myself and my staff at an average hourly rate of £471.31

As agreed with Shanks Group, the costs of the liquidation (including disbursements as outlined below) will be paid by an appropriate associated company as the Companies have no cash assets. I have raised an invoice for the sum of £8,000 plus VAT and disbursements (as detailed below). No further invoices will be raised.

Disbursements

Where disbursements are recovered in respect of precise sums expended to third parties there is no necessity for these costs to be authorised. These are known as category 1 disbursements.

The sum of £1,344.86 has been incurred in respect of category 1 disbursements for statutory advertising costs and the costs of the indemnity bonding.

Members' rights

I provide at the end of this report an extract from the Insolvency Rules 1986 setting out the rights of members to request further information and/or challenge the remuneration or expenses within the liquidations.

Liquidation Closure

The following resolutions were considered and approved by the members:

- 1 That the Liquidator's reports and accounts to 1 November 2016 be and are hereby approved
- 2 That the Liquidator is authorised to dispose of the Companies' books and records one year after the dissolution of the Company
- 3 The Liquidator is released.

Further Information

If you have a complaint you should address it in the first instance to the Senior Partner, BDO LLP, 55 Baker Street, London W1U 7EU. If you are still dissatisfied, complaints to the office holder's regulatory body should be made via the Insolvency Service Complaints Gateway.

Complaints to the single Complaints Gateway may be made either by:

- calling the Insolvency Service Enquiry Line on 0845 602 9848 (Monday to Friday 8am to 5pm), or
- completing and emailing the online complaints form on the Insolvency Service website <http://www.insolvencydirect.bis.gov.uk/contactus/ipcomplaint/complaintform.htm>, or
- completing the online complaints form and posting it to: IP Complaints, Insolvency Service, 3rd Floor, 1 City Walk, Leeds, LS11 9DA



TO ALL SHAREHOLDERS
1 November 2016

For more details, please visit <https://www.gov.uk/complain-about-insolvency-practitioner>

If you have any queries please contact Sharon Bloomfield as detailed above

Yours faithfully
For and on behalf of
The Companies

A handwritten signature in black ink, appearing to read 'Malcolm Cohen', written over the typed name.

Malcolm Cohen
Liquidator
Enc

SCHEDULE A

Company Name	Company Number	Former names
Tass Environmental Technology Limited	04458880	Tass Environmental Technologies Limited - 18/7/2002
Estech Europe Limited	04237146	Waste Cleansing Reduction & Recycling Limited - 4/3/2003
Shanks Environmental Engineering Limited	06409516	Babcock Environmental Engineering Limited - 7/2/2013 VT Environmental Engineering Limited - 9/7/2010 VT Environmental & Waste Management Limited - 14/11/2007
Shanks Waste Operations Limited	06585068	United Utilities Waste Operations Limited - 7/2/2011

Statement from the Insolvency Rules 1986 (as amended) regarding the rights of members in respect of the Liquidators' fees and expenses:**Rule 4.49E Creditors' and members' request for further information****(1) If**

- (a) within the period mentioned in paragraph (2)–
 - (i) a secured creditor, or
 - (ii) an unsecured creditor with the concurrence of at least 5% in value of the unsecured creditors (including the creditor in question), or
 - (iii) members of the company in a members' voluntary winding up with at least 5% of the total voting rights of all the members having the right to vote at general meetings of the company, or
- (b) with the permission of the court upon an application made within the period mentioned in paragraph (2)–
 - (i) any unsecured creditor, or
 - (ii) any member of the company in a members' voluntary winding up,

makes a request in writing to the liquidator for further information about remuneration or expenses set out in a progress report in accordance with Rule 4 49B(1)(e) or (f) (including by virtue of Rule 4 49C(5)) or in a draft report under Rule 4 49D, the liquidator must, within 14 days of receipt of the request, comply with paragraph (3) except to the extent that the request is in respect of matter[s] in a draft report under Rule 4 49D or a progress report required by Rule 4 108 which (in either case) was previously included in a progress report not required by Rule 4 108

(2) The period referred to in paragraph (1)(a) and (b) is–

- (a) 7 business days of receipt (by the last of them in the case of an application by more than one member) of the progress report where it is required by Rule 4 108, and
- (b) 21 days of receipt (by the last of them in the case of an application by more than one member) of the report or draft report in any other case

(3) The liquidator complies with this paragraph by either–

- (a) providing all of the information asked for, or
- (b) so far as the liquidator considers that–
 - (i) the time or cost of preparation of the information would be excessive, or
 - (ii) 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
 - (iii) the liquidator is subject to an obligation of confidentiality in respect of the information, giving reasons for not providing all of the information

Rule 4.148C Members' claim that remuneration is excessive

- (1) Members of the company with at least 10% of the total voting rights of all the members having the right to vote at general meetings of the company, or any member with the permission of the court, may apply to the court for one or more of the orders in paragraph (6) on the grounds that–
 - (a) the remuneration charged by the liquidator,
 - (b) the basis fixed for the liquidator's remuneration under Rule 4 148A, or

- (c) expenses incurred by the liquidator,
- is or are, in all the circumstances, excessive or, in the case of an application under sub-paragraph (b), inappropriate
- (2) Application must, subject to any order of the court under Rule 4 49E(5), be made no later than 8 weeks (or 4 weeks when the liquidator has resigned in accordance with Rule 4 142) after receipt by the applicant of the report or account which first reports the charging of the remuneration or the incurring of the expenses in question ("the relevant report")
- (3) The court may, if it thinks that no sufficient cause is shown for a reduction, dismiss the application, but it must not do so unless the applicant has had the opportunity to attend the court for a hearing of which the applicant has been given at least 5 business days' notice but which is without notice to any other party
- (4) If the application is not dismissed under paragraph (3), the court must fix a venue for it to be heard and give notice to the applicant accordingly
- (5) The applicant must at least 14 days before the hearing send to the liquidator a notice stating the venue and accompanied by a copy of the application and of any evidence which the applicant intends to adduce in support of it
- (6) If the court considers the application to be well-founded, it must make one or more of the following orders—
- (a) an order reducing the amount of remuneration which the liquidator was 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,
- and may make any other order that it thinks just, but an order under sub-paragraph (b) or (c) may be made only in respect of periods after the period covered by the relevant report
- (7) Unless the court orders otherwise, the costs of the application must be paid by the applicant and are not payable as an expense of the liquidation