

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

FRIDAY



A17 *A786C4J5* 15/06/2018 #95
COMPANIES HOUSE

For further information, please refer to our guidance at www.gov.uk/companieshouse

1 Company details

Company number 0 9 9 8 1 6 0 3

Company name in full Bilt (Element) Ltd

→ Filling in this form

Please complete in typescript or in bold black capitals.

2 Liquidator's name

Full forename(s) Michael

Surname Chamberlain

3 Liquidator's address

Building name/number Resolution House

Street 12 Mill Hill

Post town Leeds

County/Region

Postcode L S 1 5 D Q

Country

4 Liquidator's name

Full forename(s)

Surname

1 Other liquidator

Use this section to tell us about another liquidator.

5 Liquidator's address

Building name/number

Street

Post town

County/Region

Postcode

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 1	^d 9	^m 0	^m 4	^y 2	^y 0	^y 1	^y 7
To date	^d 1	^d 8	^m 0	^m 4	^y 2	^y 0	^y 1	^y 8

7 Progress report

☒ The progress report is attached

8 Sign and date

Liquidator's signature	Signature							
Signature date	^d 1	^d 2	^m 0	^m 6	^y 2	^y 0	^y 1	^y 8

Statement of Affairs		From 19/04/2017 To 18/04/2018	From 19/04/2017 To 18/04/2018
£		£	£
	COST OF REALISATIONS		
	Specific Bond	40.00	40.00
	Irrecoverable VAT	41.40	41.40
	Statutory Advertising	207.00	207.00
		<u>(288.40)</u>	<u>(288.40)</u>
	PREFERENTIAL CREDITORS		
NIL	Employees - Holiday Pay	NIL	NIL
		NIL	NIL
	UNSECURED CREDITORS		
(151,987.22)	Trade & Expense	NIL	NIL
NIL	Employees - Redundancy	NIL	NIL
(4,969.89)	Associated Creditor	NIL	NIL
		<u>NIL</u>	<u>NIL</u>
	DISTRIBUTIONS		
(1.00)	Ordinary Shareholders	NIL	NIL
		NIL	NIL
		<u>(288.40)</u>	<u>(288.40)</u>
(156,958.11)	REPRESENTED BY		
	Office		(288.40)
			(288.40)

06 June 2018 15:42

Business Recovery Professionals

Business Turnaround, Corporate Finance
Corporate & Personal Insolvency

*Resolution House
12 Mill Hill*

*Leeds LS1 5DQ
telephone 0113 242 0808
facsimile 0113 242 0866
email mail@chamberlain-co.com*

Liquidator's Annual Progress Report to Creditors & Members

**Bilt (Element) Ltd
- In Liquidation**

Period ended: 18 April 2018

Dated: 12 June 2018

BILT (ELEMENT) LTD - IN LIQUIDATION

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APPENDICES

- A** Receipts and Payments Account for the Period from 19 April 2017 to 18 April 2018
- B** Time Analysis for the Period from the 19 April 2017 to 18 April 2018
- C** Additional information in relation to Liquidator's Fees, Expenses & Disbursements.

1 Introduction and Statutory Information

- 1.1 I, Michael Chamberlain of Chamberlain & Co, Resolution House, 12 Mill Hill, Leeds, LS1 5DQ, was appointed as Liquidator of Bilt (Element) Ltd (the **Company**) on 19 April 2017. This progress report covers the period from 19 April 2017 to 18 April 2018 (**the Period**) and should be read in conjunction with any previous progress reports which have been issued.
- 1.2 Information about the way that we will use, and store personal data in relation to insolvency appointments can be found on our website www.chamberlain-co.co.uk and is located in General Data Protection Regulation (GDPR) in the Resources section. If you are unable to download this, please contact my office and a hard copy will be provided to you.
- 1.3 The principal trading address of the Company was Unit 7 Webster Court Carina Park, Westbrook, Warrington, WA5 8WD.
- 1.4 The registered office of the Company was c/o Haines Watts, Pacific Chambers, Liverpool, L2 5QQ and its registered number is 09981603.

2 Receipts and Payments

- 2.1 My Receipts and Payments Account covering the Period of this report is attached at Appendix A.

3 Progress of the Liquidation

- 3.1 This section of the report provides creditors with an update on the progress made in the liquidation during the Period and an explanation of the work done by the Liquidator and his staff.

Administration (including statutory compliance & reporting)

- 3.2 An office holder must comply with certain statutory obligations under the Insolvency Act 1986 and other related legislation. Details about the work I anticipated would need to be done in this area were outlined to creditors in my initial fees estimate/information.
- 3.3 Where the costs of statutory compliance work or reporting to creditors exceeds the initial estimate, it will usually be because the duration of the case has taken longer than anticipated, possibly due to protracted asset realisations, which have in turn placed a further statutory reporting requirement on the Liquidator.
- 3.4 As noted in my initial fees estimate/information, this work will not necessarily bring any financial benefit to creditors, but is required on every case by statute.

Realisation of Assets

- 3.5 According to the director's statement of affairs, the company had no assets.
- 3.6 It is considered that the work the Liquidator and his staff have undertaken to date will bring a financial benefit to creditors.

BILT (ELEMENT) LTD - IN LIQUIDATION

Creditors (claims and distributions)

- 3.7 Further information on the anticipated outcome for creditors in this case can be found at section 4 of this report. A Liquidator is 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.
- 3.8 Claims from preferential creditors typically involve employee claims and payments made on behalf of the Company by the Redundancy Payments Service following dismissal.
- 3.9 The above work will not necessarily bring any financial benefit to creditors generally, however a Liquidator is 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 Liquidator in dealing with those claims.
- 3.10 I consider the following matters worth noting in my report to creditors at this stage:
- There are approximately 22 unsecured creditor claims in this case with a value per the director's statement of affairs of £156,957.11

Investigations

- 3.11 Some of the work the Liquidator is 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 Liquidator can pursue for the benefit of creditors.
- 3.12 I can confirm that I have submitted a report on the conduct of the Directors of the Company to the Department for Business, Energy & Industrial Strategy under the CDDA 1986. As this is a confidential report, I am unable to disclose the contents.
- 3.13 Shortly after appointment, I made an initial assessment of whether there could be any matters that might lead to recoveries for the estate and what further investigations may be appropriate. This assessment took into account any information provided by creditors.
- 3.14 Following a review of this and its associated companies bank statements and electronic records, I have identified a number of high level transactions that have required an explanation from the director of the Company. Due to the nature of the investigation, I am unable to provide any further information regarding these transactions at this time.

Matters still to be dealt with

- 3.15 Investigations into transactions identified within the Company's records is to be finalised.

4 Creditors

Secured Creditors

- 4.1 The Company had no secured creditors.

Preferential Creditors

- 4.2 No preferential creditor claims have been received.

BILT (ELEMENT) LTD - IN LIQUIDATION

Unsecured Creditors

- 4.3 I have received claims totalling £38,442.89 from 5 creditors.
- 4.4 The Company did not grant any floating charges to a secured creditor. Accordingly, there is no requirement to create a fund out of the Company's net floating charge property for unsecured creditors (known as the **Prescribed Part**), which only applies to charges created after 15 September 2003.
- 4.5 I would confirm that at present it is anticipated there will be insufficient funds realised after defraying the expenses of the liquidation to pay a dividend to unsecured creditors.

5 Liquidator's Remuneration

- 5.1 The Creditors approved that the basis of the Liquidator's remuneration be fixed by reference to the time properly spent by him and his staff in managing the Liquidation. My fees estimate/information was originally provided to creditors when the basis of my remuneration was approved and was based on information available to me at that time.
- 5.2 A copy of that estimate is reproduced below:

Category of work	Estimated Number of Hours	Average blended charge out rate £	Estimated cost £
Administration (inc statutory compliance & reporting)	22.00	226.82	4,990.00
Realisation of assets	10.00	250.00	2,500.00
Creditors (claims & distributions)	14.00	196.43	2,750.00
Investigations	11.00	222.27	2,445.00
Total estimated fees			£12,685.00

- 5.3 My time costs for the Period are £9,682. This represents 39 hours at an average rate of £248 per hour. I have attached at Appendix B a Time Analysis which provides details of the activity costs incurred by staff grade during the Period in respect of the costs fixed by reference to time properly spent by me in managing the liquidation. To date, no amounts have been drawn on account.
- 5.4 I now consider that the fee estimate I previously provided for the liquidation is insufficient to complete my duties as a result of:
- The Company's affairs requiring more extensive investigation than previously anticipated. This is due to the ongoing investigation relating to the transactions of concern identified within the accounting records.
- 5.5 As a result, I intend to revise my fees estimate within the next 12 months upon the completion of the investigation which I consider may generate realisations for the benefit creditors
- 5.6 A copy of "A Creditors' Guide to Liquidators' Fees, Version 4" is available on request or can be downloaded from our website www.chamberlain-co.co.uk and is located in Creditors Guides to Fees in the Resources section.
- 5.7 I have attached at Appendix C additional information in relation to the Liquidator's fees, expenses and disbursements, including where relevant, information on the use of subcontractors and professional advisers.

BILT (ELEMENT) LTD - IN LIQUIDATION

6 Creditors' Rights

- 6.1 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 Liquidator provide further information about his remuneration or expenses which have been itemised in this progress report.
- 6.2 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 Liquidator's remuneration is inappropriate and/or the remuneration charged or the expenses incurred by the Liquidator, as set out in this progress report, are excessive.

7 Next Report

- 7.1 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.
- 7.2 If you have any queries in relation to the contents of this report, I can be contacted by telephone on 0113 2420808 or by email at mail@chamberlain-co.com.

Yours faithfully,

A handwritten signature in black ink, appearing to read 'M Chamberlain', with a stylized flourish at the end.

Michael Chamberlain
Liquidator

BILT (ELEMENT) LTD - IN LIQUIDATION

Appendix A

Receipts and Payments Account for the Period from 19 April 2017 to 18 April 2018

Bilt (Element) Ltd
(In Liquidation)

LIQUIDATOR'S RECEIPTS AND PAYMENTS ACCOUNT

	Statement of affairs £	From 19/04/2017 To 18/04/2018 £	From 19/04/2017 To 18/04/2018 £
RECEIPTS			
Employees - Holiday Pay	NIL	0.00	0.00
Employees - Redundancy	NIL	0.00	0.00
		0.00	0.00
PAYMENTS			
Specific Bond		40.00	40.00
Irrecoverable VAT		41.40	41.40
Statutory Advertising		207.00	207.00
Trade & Expense	(151,987.22)	0.00	0.00
Associated Creditor	(4,969.89)	0.00	0.00
Ordinary Shareholders	(1.00)	0.00	0.00
		288.40	288.40
Net Receipts/(Payments)		(288.40)	(288.40)

MADE UP AS FOLLOWS

Office	(288.40)	(288.40)
	(288.40)	(288.40)



Michael Chamberlain
Liquidator

BILT (ELEMENT) LTD - IN LIQUIDATION

Appendix B

Time Analysis for the Period from the 19 April 2017 to 18 April 2018

Chamberlain & Co

TIME & CHARGEOUT SUMMARIES

Bilt (Element) Ltd Bilt

19/04/2017 to 18/04/2018

HOURS

Classification Of work Function	Partner	Manager	Other Senior Professional	Assistants & Support Staff	Total Hours	Time Cost £	Average Hourly Rate £
Administration & Planning	1.70	6.65	0.00	0.65	9.00	2,127.00	236.33
Investigations	2.10	24.60	0.00	0.00	26.70	6,697.50	250.84
Realisation of Assets	0.00	1.30	0.00	0.00	1.30	335.00	257.69
Trading	0.00	0.10	0.00	0.00	0.10	25.50	255.00
Creditors	0.40	1.50	0.00	0.00	1.90	497.00	261.58
Total Time Cost	1,452.00	8,200.50	0.00	29.50		9,682.00	
Total Hours	4.20	34.15	0.00	0.65	39.00		
Average Rate	345.71	240.13	0.00	45.38			

Total Fees Claimed

0.00

Appendix C

Additional Information in Relation to the Liquidator's 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, a Manager, and an Administrator or Assistant. 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 Fee Arrangement
Irwin Mitchell Solicitors (legal advice)	Hourly rate and disbursements

- 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 Liquidator's Expenses & Disbursements

- 3.1 The estimate of expenses (including disbursements) which were anticipated at the outset of the liquidation was provided to creditors when the basis of my fees were approved, a copy of which is set out below:

Expense	Estimated cost £
Statutory advertising	269.00
Specific penalty bond	30.00

Current position of Liquidator's expenses

- 3.2 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 prior period £	Paid in the period covered by this report £	Incurred but not paid to date £	Total anticipated cost £
Solicitors' costs	0.00	0.00	112.00	3,000.00
Statutory advertising	0.00	207.00	0.00	207.00
Specific penalty bond	0.00	40.00	0.00	40.00

- 3.3 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.

BILT (ELEMENT) LTD - IN LIQUIDATION

- 3.4 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 Liquidator's fees were approved by creditors. It is not my firm's current policy to charge category 2 disbursements. However, if this were to change, I would seek approval before they were drawn.

4 Charge-Out Rates

- 4.1 Chamberlain & Co's charge-out rates effective from 1 September 2016 are detailed below. Were rates have changed during the Period, the new charge-out rates are also detailed below. Please note this firm records its time in minimum units of 6 minutes.

	£ per hour 01/09/2016	£ per hour 01/09/2017
Director	295-345	300-350
Manager	205-255	205-295
Administrator	105-185	105-200
Support	30-100	30-100

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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	Steve Armitage
Company name	Chamberlain & Co
Address	Resolution House 12 Mill Hill
Post town	Leeds
County/Region	
Postcode	L S 1 5 D Q
Country	
DX	
Telephone	0113 2420808

**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