

# LIQ03

## Notice of progress report in voluntary winding up



Companies House

SATURDAY



\*A7KE97JL\*  
A24 08/12/2018 #23  
COMPANIES HOUSE

<b>1</b>	<b>Company details</b>		→ Filing in this form Please complete in typescript or in bold black capitals.
Company number	0 3 7 8 1 1 4 5		
Company name in full	FWT (UK) Limited		
<b>2</b>	<b>Liquidator's name</b>		
Full forename(s)	Paul		
Surname	Ellison		
<b>3</b>	<b>Liquidator's address</b>		
Building name/number	c/o KRE Corporate Recovery LLP1st Floor		
Street	Hedrich House		
Post town	14-16 Cross Street		
County/Region	Reading		
Postcode	R G 1 1 S N		
Country			
<b>4</b>	<b>Liquidator's name ①</b>		
Full forename(s)	Gareth		① Other liquidator Use this section to tell us about another liquidator.
Surname	Roberts		
<b>5</b>	<b>Liquidator's address ②</b>		
Building name/number	c/o KRE Corporate Recovery LLP1st Floor		② Other liquidator Use this section to tell us about another liquidator.
Street	Hedrich House		
Post town	14-16 Cross Street		
County/Region	Reading		
Postcode	R G 1 1 S N		
Country			

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**6** Period of progress report

From date	<sup>d</sup> 2	<sup>d</sup> 6	<sup>m</sup> 1	<sup>m</sup> 1	<sup>y</sup> 2	<sup>y</sup> 0	<sup>y</sup> 1	<sup>y</sup> 7
To date	<sup>d</sup> 2	<sup>d</sup> 5	<sup>m</sup> 1	<sup>m</sup> 1	<sup>y</sup> 2	<sup>y</sup> 0	<sup>y</sup> 1	<sup>y</sup> 8

**7** Progress report

☒ The progress report is attached

**8** Sign and date

Liquidator's signature

Signature

X *Peter*

X

Signature date

<sup>d</sup> 0	<sup>d</sup> 5	<sup>m</sup> 1	<sup>m</sup> 2	<sup>y</sup> 2	<sup>y</sup> 0	<sup>y</sup> 1	<sup>y</sup> 8
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**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	Chris Errington
Company name	KRE Corporate Recovery LLP
Address	1st Floor
	Hedrich House
Post town	14-16 Cross Street
County/Region	Reading
Postcode	R G 1 1 S N
Country	
DX	
Telephone	01189 479090



**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)**

**FWT (UK) Limited**  
**(In Liquidation)**  
**Joint Liquidators' Summary of Receipts & Payments**

Declaration of Solvency £		From 26/11/2017 To 25/11/2018 £	From 26/11/2012 To 25/11/2018 £
	<b>ASSET REALISATIONS</b>		
80,000.00	Cash at Bank	NIL	77,966.61
190,000.00	Directors' Loan Accounts	NIL	NIL
	Bank Interest Gross	4.41	6.93
	Bank Interest Net of Tax	27.34	195.16
	Rates Refund	NIL	1,049.33
		<u>31.75</u>	<u>79,218.03</u>
	<b>COST OF REALISATIONS</b>		
	Specific Bond	NIL	640.00
	Pre Appointment Liquidators Fees	NIL	2,000.00
	Office Holders Fees	NIL	13,000.00
	Companies House Search Fees	NIL	6.00
	Professional Fees	NIL	4,503.75
	Agents/Valuers Fees (1)	NIL	262.33
	Corporation Tax	NIL	24.98
	Accountancy Fees	NIL	13,715.00
	Utilities	NIL	1,606.00
	Statutory Advertising	NIL	229.50
	Bank Charges	NIL	5.40
		<u>NIL</u>	<u>(35,992.96)</u>
	<b>UNSECURED CREDITORS</b>		
(2.00)	Trade & Expense Creditors	NIL	NIL
	HM Revenue & Customs	NIL	200.00
		<u>NIL</u>	<u>(200.00)</u>
<b>269,998.00</b>		<b>31.75</b>	<b>43,025.07</b>
	<b>REPRESENTED BY</b>		
	Vat Receivable		200.00
	Bank 2 Current		42,825.07
			<u><b>43,025.07</b></u>

*Pece*

Paul Ellison  
Joint Liquidator

**FWT (UK) Limited  
(In Members' Voluntary Liquidation)**

**Annual Progress Report to 25 November 2018**

**Paul Ellison  
Gareth Roberts**

**KRE Corporate Recovery LLP  
1st Floor, Hedrich House, 14-16 Cross Street, Reading, RG1 1SN**

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2. Introduction
3. Administration and Planning (including statutory reporting)
4. Asset Realisations
5. Creditors
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7. Costs and Expenses
8. Further Information
9. Conclusion

## **APPENDICES**

1. Statutory Information
2. Receipts and Payments Account
3. Analysis of Time Costs, Charge-out Rates and Category 2 Disbursements
4. Detailed Narrative of Work Undertaken

## 1. EXECUTIVE SUMMARY

This Progress Report summarises the progress of the liquidation for the period from 26 November 2017 to 25 November 2018 ("the Review Period").

A summary of key information in this report is detailed below.

### Realisations

Asset	Estimated to realise per Declaration of Solvency	Realisations to date	Estimated future realisations	Estimated total realisations
Cash at Bank	80,000	77,966	-	77,966
Directors Loan Account	190,000	-	Uncertain	-
Bank Interest	-	203	Uncertain	203
Rates Refund	-	1,049	-	1,049

### Expenses

Expense	Expense paid to date	Estimated further expense to closure	Estimated total expense
Joint Liquidators' fees	13,000	Uncertain	13,000
Professional fees	4,503	-	4,503
Agents' fees	262	-	262
Accountancy fees	13,715	Uncertain	13,715
Utilities	1,606	-	1,606
Other Expenses	905	200	1,105

### Distributions

Class	Distribution paid to date	Estimated total distribution, based upon the above
Preferential creditors	N/A	N/A
Unsecured creditors	0p in the £	Uncertain
Ordinary shareholders	0p per share	Uncertain

## 2. INTRODUCTION

The purpose of this report is to detail my acts and dealing as Joint Liquidator of FWT (UK) Limited (In Liquidation) ("the Company") for the year ended 25 November 2018 and it should be read in conjunction with my previous correspondence to members.

Attached at Appendix 1 is a summary of statutory information regarding the Company and the Liquidation.

### **3. ADMINISTRATION AND PLANNING (INCLUDING STATUTORY REPORTING)**

As Joint Liquidators, we are required to meet a considerable number of statutory and regulatory obligations. Whilst many of these tasks do not have a direct benefit, they assist in the efficient and compliant progressing of the liquidation, which ensures that I and my staff carry out our work to high professional standards. The narrative detail in respect of these tasks may be found in Appendix 4.

### **4. ASSET REALISATIONS**

My Receipts and Payment Account for the period ending 25 November 2018, is attached at Appendix 2.

I have detailed below key information about asset realisation, however more detailed narrative about the work undertaken may be found at Appendix 4.

According to the Declaration of Solvency lodged in these proceedings, the assets of the Company had an estimated value of £270,000 which comprised principally of cash at bank and directors loan accounts.

### **5. CREDITORS**

I have had to carry out key tasks which are detailed at Appendix 4.

#### **Unsecured creditors**

To date trade and expense creditor claims totalling £12,468 have been received.

A claim of £245,651 has also been received from HM Revenue & Customs in respect of enquiry into an undisclosed tax avoidance scheme, relating to payments made to an Employee Financed Retirement Benefit Scheme.

Details of the enquiry have been passed to the Company's tax advisors, who have entered into negotiations with HMRC in respect of their claim. The tax advisors have also been instructed by the directors to undertake a full review of the position in order to try and find a resolution to the situation. These negotiations are continuing and therefore HMRC's claim has yet to be agreed.

### **6. DISTRIBUTIONS TO SHAREHOLDERS**

No distributions have been paid to the shareholders to date. It is currently unknown if funds will be available to distribute to the members as it is dependent on the level of HMRC's claim.

### **7. COSTS AND EXPENSES**

The payments shown on the Receipts and Payments Account at Appendix 2 are in the main self-explanatory.



**Pre-Appointment Costs**

The members authorised the fee of £2,000 for assisting the directors in placing the Company into Liquidation and with preparing the Declaration of Solvency on 26 November 2012.

**Joint Liquidators' Remuneration**

The Joint Liquidators' remuneration has been authorised by members by the following resolution passed on 26 November 2012:

"That the Joint Liquidators are authorised to draw their remuneration on the basis of time properly spent by them and their staff, such time costs to be drawn on account from time to time as funds permit."

**Summary of Costs**

The Joint Liquidators' time costs for the period from 26 November 2017 to 25 November 2018 total £1,836 representing 6.80 hours at an average hourly rate of £270.00. No fees have been drawn in the period. The time costs are detailed at Appendix 3. The total time costs during the period of appointment amount to £15,286.50 representing 66.50 hours at an average hourly rate of £229.87. The work undertaken in respect of these fees is detailed at Appendix 4 as well as within the body of the report.

**Joint Liquidators' Disbursements**

The Joint Liquidators' category 1 disbursements paid are detailed at Appendix 2 and represent the simple reimbursement of actual out of pocket payments made on behalf of the assignment.

The Joint Liquidators' category 2 disbursements for the period 26 November 2017 to 25 November 2018 total nil and these have been drawn in accordance with the resolution passed by the members on 26 November 2012. The basis of calculation of this category of disbursement was disclosed to members prior to the resolution being passed and is also detailed at Appendix 3.

A copy of 'A Members' Guide to Liquidators' Fees' may be found at [www.krecre.co.uk/creditors](http://www.krecre.co.uk/creditors). A hard copy of the Members' Guide may be obtained on request.

**8. FURTHER INFORMATION**

Members of the Company 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 any member with the permission of the court, may request further details of the Joint Liquidators' remuneration and expenses, within 21 days of receipt of this report.

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 court to challenge the amount and/or basis of the Joint Liquidators' fees and the amount of any proposed expenses or expenses already incurred on the grounds that they are excessive or inappropriate, within 8 weeks of receipt of this report.

9. **CONCLUSION**

The administration of the liquidation will continue whilst HMRC's claim is reviewed and agreed and at this time I am unable to comment on how long this is likely to take to finalise.

If you require any further information please contact Chris Errington on 01189 47 90 90.

A handwritten signature in black ink, appearing to read 'P. Ellison', with a stylized, cursive script.

**Paul Ellison**  
**Joint Liquidator**

**STATUTORY INFORMATION**

**FWT (UK) Limited (In Liquidation)**

Registered office:	c/o KRE Corporate Recovery LLP, 1st Floor, Hedrich House, 14-16 Cross Street, Reading, RG1 1SN
Former Registered Office:	Unit 16 Sefton Lane Ind Estate, Sefton Lane Maghill, Liverpool, Merseyside, L31 8BX
Registered Number:	03781145
Other trading names:	Not Applicable
Name of Liquidators:	Paul Ellison Gareth Roberts
Address of Liquidators:	KRE Corporate Recovery LLP c/o KRE Corporate Recovery LLP, 1st Floor, Hedrich House, 14-16 Cross Street, Reading, RG1 1SN
IP Numbers	007254 008826
Date of Appointment of Liquidators:	26 November 2012
Appointed By:	The members
Contact Name:	Chris Errington
Email Address:	chris.errington@kreocr.co.uk
Telephone Number:	01189 977357

The Company's principal activity was Wholesale provider of garden furniture.

# Time Entry - SIP9 Time & Cost Summary

FWTUK - FWT (UK) Limited  
All Post Appointment Project Codes  
From: 26/11/2017 To: 25/11/2018

Classification of Work Function	Partner	Manager	Other Senior Professionals	Assistants & Support Staff	Total Hours	Time Cost (£)	Average Hourly Rate (£)
Admin & Planning	0.00	4.80	0.00	0.00	4.80	1,296.00	270.00
Case Specific Matters	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Creditors	0.00	2.00	0.00	0.00	2.00	540.00	270.00
Investigations	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Marketing	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Non Chargeable	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Realisation of Assets	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Trading	0.00	0.00	0.00	0.00	0.00	0.00	0.00
<b>Total Hours</b>	<b>0.00</b>	<b>6.80</b>	<b>0.00</b>	<b>0.00</b>	<b>6.80</b>	<b>1,836.00</b>	<b>270.00</b>
<b>Total Fees Claimed</b>						<b>13,000.00</b>	
<b>Total Disbursements Claimed</b>						<b>229.50</b>	

# Time Entry - SIP9 Time & Cost Summary

FWTUK - FWT (UK) Limited  
All Post Appointment Project Codes  
From: 26/11/2012 To: 25/11/2018

Classification of Work Function	Partner	Manager	Other Senior Professionals	Assistants & Support Staff	Total Hours	Time Cost (£)	Average Hourly Rate (£)
Admin & Planning	4.00	4.80	34.30	0.00	43.10	9,805.00	229.81
Case Specific Matters	1.00	0.00	0.00	0.00	1.00	350.00	350.00
Creditors	2.10	2.00	16.80	0.00	20.90	4,656.50	222.80
Investigations	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Marketing	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Non Chargeable	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Realisation of Assets	0.50	0.00	1.00	0.00	1.50	375.00	250.00
Trading	0.00	0.00	0.00	0.00	0.00	0.00	0.00
<b>Total Hours</b>	<b>7.60</b>	<b>6.80</b>	<b>52.10</b>	<b>0.00</b>	<b>66.50</b>	<b>15,286.50</b>	<b>229.87</b>
<b>Total Fees Claimed</b>						<b>13,000.00</b>	
<b>Total Disbursements Claimed</b>						<b>229.50</b>	

## **PRACTICE FEE RECOVERY POLICY FOR KRE CORPORATE RECOVERY LLP**

### **Introduction**

The insolvency legislation was changed in April 2010 for insolvency appointments commenced from that time in order to allow more flexibility on how an office holder's fees are charged to a case. This sheet explains how we may apply the alternative fee bases. The new legislation allows different fee bases to be used for different tasks within the same appointment. The basis or combination of bases set for a particular appointment are subject to approval, generally by a committee if one is appointed by the creditors, failing which the creditors in general meeting, or the court. Further detail about how an office holder's fees are approved for each case type are available in a series of guides issued with Statement of Insolvency Practice 9 (SIP 9) and can be accessed at <http://kreocr.co.uk/creditors/>. Alternatively a hard copy may be requested from KRE Corporate Recovery LLP, 1<sup>st</sup> Floor, Hedrich House, 14-16 Cross Street, Reading, Berkshire, RG1 1SN.

Once the basis of the office holder's remuneration has been approved, a periodic report will be provided to any committee and also to each creditor. The report will provide a breakdown of the remuneration drawn and time costs incurred and will also enable the recipients to see the average rates of such costs. Under the new legislation, any such report must disclose how creditors can seek further information and challenge the basis on which the fees are calculated and the level of fees drawn in the period of the report. Once the time to challenge the office holder's remuneration for the period reported on has elapsed, then that remuneration cannot subsequently be challenged.

Under the old legislation, which still applies for insolvency appointments commenced before 6 April 2010, there is no equivalent mechanism for fees to be challenged.

### **Time cost basis**

This is the basis that we use in the majority of cases and we use charge out rates appropriate to the skills and experience of a member of staff and the work that they perform. This is combined with the amount of time that they work on each case, recorded in 6 minute units with supporting narrative to explain the work undertaken.

### **Chargeout Rates**

<b>Grade of staff</b>	<b>Current charge-out rate per hour, effective from 1 April 2017 £</b>	<b>Current charge-out rate per hour, effective from 1 April 2015 £</b>
Partner – appointment taker	390	380
Senior Manager	290	280
Manager	270	260
Case Administrator and Assistant Manager	240	240
Support Staff	80	80

These charge-out rates charged are reviewed annually and are adjusted to take account of inflation and the firm's overheads.

Time spent on casework is recorded directly to the relevant case using a computerised time recording system and the nature of the work undertaken is recorded at that time. Each unit of time is 6 minutes. The work is recorded under the following categories:

- - Administration and Planning.
  - Investigations.
  - Realisation of Assets.
  - Employee matters.
  - Creditors.
  - Trading.

### **Percentage basis**

The new legislation allows fees to be charged on a percentage of the value of the property with which the office holder has to deal. Different percentages can be used for different assets or types of assets. Where we would like to realise any asset or type of assets on a percentage basis we will provide further information explaining why we think that this basis is appropriate and ask creditors to approve the basis.

### **Fixed fee**

The new legislation allows fees to be charged at a set amount. Different set amounts can be used for different tasks. Where we would like to charge a set amount for a task or different set amounts for different tasks we will provide further information explaining why we think that this basis is appropriate and ask creditors to approve the basis.

### **All bases**

The officeholder's remuneration invoiced to the insolvent estate will be subject to VAT at the prevailing rate.

### **Agent's Costs**

Charged at cost based upon the charge made by the Agent instructed, the term Agent includes:

- Solicitors/Legal Advisors
- Auctioneers/Valuers
- Accountants
- Quantity Surveyors
- Estate Agents
- Other Specialist Advisors

### **Disbursements**

In accordance with Statement of Insolvency Practice 9 (SIP9) the basis of disbursement allocation in respect of disbursements incurred by the Office Holder in connection with the administration of the estate must be fully disclosed to creditors. Disbursements are categorised as either Category 1 or Category 2.

Category 1 expenses are directly referable to an invoice from a third party, which is either in the name of the estate or KRE Corporate Recovery LLP in the case of the latter, the invoice makes reference to, and therefore can be directly attributed to, the estate. These disbursements are recoverable in full from the estate without the prior approval of creditors either by a direct payment from the estate or, where the firm has made payment on behalf of the estate, by a recharge of the amount invoiced by the third party. Examples of category 1 disbursements are statutory advertising, external meeting room hire, external storage, specific bond insurance and company search fees.

- Category 2 expenses are incurred by the firm and recharged to the estate; they are not attributed to the estate by a third party invoice and/or they may include a profit element. These disbursements are recoverable in full from the estate, subject to the basis of the disbursement charge being approved by creditors in advance. Examples of category 2 disbursements are photocopying, internal room hire, internal storage and mileage.

It is proposed that the following Category 2 disbursements are recovered:

Mileage	45p per mile
Storage	£50 per box for the life of the case
Photocopying	5p per sheet
Postage	50p per small envelope
Postage	70p per large envelope



## Appendix 4

### Narrative detail of work undertaken for FWT (UK) Limited (in Members' Voluntary Liquidation)

General Description	Includes
<b>Administration and Planning</b>	
Statutory/advertising	Filing of documents to meet statutory requirements
Document maintenance/file review/checklist	Filing of documents Periodic file reviews Periodic reviews of the application of ethical, anti-money laundering and anti-bribery safeguards Maintenance of statutory and case progression task lists/diaries Updating checklists
Bank account administration	Bank account reconciliations Maintenance of the estate cash book Banking remittances and issuing cheques/BACS payments
Planning / Review	Discussions regarding strategies to be pursued Meetings with team members and independent advisers to consider practical, technical and legal aspects of the case
Creditor reports	Issuing annual progress report to creditors
Member reports	Preparing and issuing annual progress report to members Responding to members' queries
<b>Creditors</b>	
Creditor Communication	Receive and follow up creditor enquiries via telephone Review and prepare correspondence to creditors and their representatives via facsimile, email and post Liaising with tax advisor regarding HMRC's enquiry