### **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

06374561

Name of Company

Threesixty Extrusion Technology Limited

I/<del>We</del>

Alan Simon, Langley House, Park Road, London, N2 8EY

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

The Progress Report covers the period from 27/09/2015 to 26/09/2016

Signed

**AABRS Limited** Langley House Park Road London **N2 8EY** 

Ref T0699/AS/JAL/MG/MA/NS



29/11/2016 **COMPANIES HOUSE** 

# Liquidator's Annual Progress Report to Creditors and Members

Threesixty Extrusion Technology Limited - In Liquidation

**24 November 2016** 

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- 4 Outcome for Creditors
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### **APPENDICES**

- A Receipts and Payments Account from 27 September 2015 to 26 September 2016 and cumulative Receipts and Payments Account for Period from 27 September 2013 to 26 September 2016
- B Time Analysis for the period 27 September 2015 to 26 September 2016 and Cumulative Time Analysis for the Period from 27 September 2013 to 26 September 2016
- C Additional Information in relation to Liquidator's Fees, Expenses & Disbursements



### 1 Introduction

- 1.1 I, Alan Simon of AABRS Limited, Langley House, Park Road, London, N2 8EY, was appointed as Liquidator of Threesixty Extrusion Technology Limited (the Company) on 27 September 2013.
- The liquidation commenced in September 2013 with estimated asset values of £30,000 and anticipated liabilities of £803,758.37, which subject to the cost of liquidation expected a return to unsecured creditors of 1.11 pence in the pound. The actual return to preferential creditors was 100 pence in the pound and the return to unsecured creditors was 1.9 pence in the pound
- The trading address of the Company was Arena Business Centre, 9 Nimrod Way, Ferndown Industrial Estate, Ferndown, Dorset, BH21 7UH The Company's principal activity was that of the design and supply of continuous rotary technology for processing aluminium and copper Applications for this technology include the production of wire, cable and other metallurgic items.
- 1.4 The registered office of the Company was changed to Langley House, Park Road, East Finchley, London, N2 8EY and its registered number is 06374561
- I am required to provide a progress report covering the period 27 September 2015 to 26 September 2016.

### 2 Progress of the Liquidation

- 2.1 This section of the report provides creditors with an overview of the progress made in the period, together with information on the overall outcome of the liquidation
- At Appendix A, I have provided an account of my Receipts and Payments for the period 27 September 2015 to 26 September 2016 with a comparison to the Directors' Statement of Affairs values, together with a cumulative account since my appointment, which provides details of the remuneration charged and expenses incurred and paid by the Liquidator.
- 2.3 Below are details of the work I have undertaken during the final reporting period -
  - (i) Preparing and issuing annual progress reports to members and creditors
  - (ii) Lodging periodic returns with the Registrar of Companies for the liquidation
  - (III) Complying with statutory duties in respect of the liquidator's specific penalty bond
  - (iv) Updating case files on my firm's insolvency software
  - (v) Case progression reviews
  - (vi) Maintaining and managing the liquidation estate cashbook and bank account
  - (vii) Liaising with the pension provider regarding the Company's pension scheme



- (VIII) Advertising a Notice of Intended Dividend, adjudicating creditors' claims and payment of a first and final dividend to unsecured creditors
- (IX) Obtaining a VAT refund from HM Revenue and Customs on the expenses incurred during the administration of the liquidation

### Realisation of Assets

No realisations were made in the periods 27 September 2015 to 26 September 2016. The following realisations were made in the periods prior to 26 September 2015.

### 2.5 Sale of Company's Assets

- (i) Following my appointment as Liquidator, I was approached by a number of parties who expressed an interest in purchasing the Company's intellectual property and goodwill. As reflected in the Statement of Affairs, the Company also held computer equipment, plant and machinery with a book value of £3,838 and stock and spares with a book value of £13,000, which were to be included in any sale of the intangible assets as their stand-alone realisable value was negligible.
- (II) I instructed agents, Millbank Consultants Limited, and solicitors, Clarke Willmott LLP, to assist me in valuing the assets, overseeing the tendering process and completing the sale. In November 2013, an offer of £117,500 plus VAT was accepted from Contiform Ltd, an unconnected party, in respect of a combined sale of the Company's intangible and remaining tangible assets. This amount was realised in full

### 2 6 **Debtors**

- (1) The Directors' Statement of Affairs indicated that the Company had debtors with a book value of £50,000 and an uncertain realisable value
- (II) The funds were due from one debtor, for whom the Company had supplied, delivered and commissioned an extrusion line, and represented a balance payable to the Company following completion. At the outset of the Liquidation, it was known that there were some additional costs incurred by the debtor that should be offset against the debt.
- (III) The debtor indicated that the total costs incurred by them exceeded the amount due to the Company On the basis of information supplied by the Director, I disputed this claim
- (iv) The contract between the Company and the debtor stipulates that, in the event of a dispute, arbitration is to take place in Switzerland. I sought advice from my solicitors, Clarke Willmott LLP, who indicated that arbitration would not be appropriate in this instance due to both the costs involved and the fact that the crux of the dispute is not in relation to the terms of the contract but the amount due to be paid.
- (v) As a consequence, I entered into discussions with the debtor in order to reach an acceptable settlement figure. After protracted negotiations, this was agreed at €4,000, which, at the date of receipt, was converted to pounds sterling in the amount of £2,914.71. No further realisations are anticipated.



### 2.7 Insurance Refund

(i) An insurance refund of £966.63 has been received from Alan & Thomas Ltd

### 2.8 Interest on Proceeds of Sale

(i) Interest of £43 16 has been earned on the proceeds of sale of the Company's assets.

### Creditors (claims and distributions)

- 2.9 Further information on the 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, 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 as well as dealing with the general handling of communications with stakeholders, such as customers and suppliers.
- 2 10 Claims from preferential creditors typically involve employee claims and payments made on behalf of the Company by the Redundancy Payments Service following dismissal. I would confirm that in this case I have processed four employee claims through the Redundancy Payments Office. From this, there were preferential claims of £3,689.54 and unsecured claims of £126,257 46 I am unaware of any further claims.
- 2.11 The above work will not necessarily bring any financial benefit to creditors generally and the more creditors there are on an assignment, the higher the resultant cost will usually be, however a Liquidator is required by statute to undertake this work
- 2 12 As a dividend has been paid to preferential creditors and unsecured unsecured, work has been required to agree those claims and process the dividend payment to each relevant class of creditor. This was on the basis of the claims received and the company's records.

### Investigations

- 2.13 You may recall from my first progress report to creditors that 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
- 2.14 My report on the conduct of the Directors of the Company to the Department for Business Innovation & Skills under the CDDA 1986 was submitted during the first year of the liquidation and is confidential
- 2.15 Since my last progress report I would advise that no further asset realisations or potential rights of action have come to light that may be pursued by me for the benefit of creditors



### 3 Unrealisable Assets

3.1 All known assets included within the Directors' Statement of Affairs have been realised and there are no known additional unrealisable assets.

### 4 Outcome for Creditors

### Secured Creditors

4.1 HSBC Bank plc holds a fixed and floating charge over the Company's assets. At the date of the liquidation the indebtedness to the secured creditor was estimated at £20,000 and has now been agreed at £20,549.05. This was discharged in its entirely from the proceeds of the sale of the goodwill and intellectual property under the bank's fixed charge.

### Preferential Creditors

4 2 A summary of preferential claims and the dividend paid out to the preferential creditors (where applicable) is detailed below:

Preferential claim		Statement of Affairs Claim £	
Employee claims (Total number of claims = 4)	1,388 08	Nil	100p in the £1
Department for Business Innovation & Skills (BIS)	2,968 13	Nıl	100p in the £1

4.3 In this year's reporting period, The Redundancy Payments Service also made a payment of £1,789.47 in respect of unpaid pension contributions. Of this amount, £666 67 was considered preferential and an equalising dividend of 100 pence in the pound was declared on 22 November 2016. Therefore the total preferential distribution to The Redundancy Payments Service was £2,968 13

### **Unsecured Creditors**

- 4.4 I received claims totalling £833,790 from thirty five creditors. The return to unsecured creditors was 1.9 pence in the pound.
- 4.5 Unclaimed dividends to unsecured creditors totalling £1,322.27 have been forwarded to the Treasury Solicitor as the beneficiaries have since been dissolved

### Qualifying Floating Charge Holder (QFC)

- 4.6 The Company granted a floating charge to HSBC Bank plc on 25 July 2012. Accordingly, under the provisions of s176A of the Insolvency Act 1986, I was required to create a fund out of the Company's net floating charge property for unsecured creditors (known as the Prescribed Part).
- 4 7 However, the liability to HSBC Bank plc, totalling £20,549 05, was discharged in its entirely from the proceeds of the sale of the goodwill and intellectual property under the bank's fixed charge. Therefore, the provisions of s176A do not apply in this case as there is no amount due to HSBC Bank plc under its floating charge



### 5 Liquidator's Remuneration

- 5 1 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
- 5.2 My time costs for the period 27 September 2015 to 26 September 2016 are £5,484 This represents 25 60 hours at an average rate of £214 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 in respect of the costs fixed by reference to time properly spent by me in managing the liquidation.
- 5.3 I would confirm that £5,100 plus disbursements of £575 have been drawn during the period 27 September 2015 to 26 September 2016 on account of my accrued time costs.
- 5.4 Also attached as Appendix B, is a cumulative Time Analysis for the period from 27 September 2013 to 26 September 2016 which provides details of my time costs since the commencement of the liquidation. I would confirm that £39,750 has been drawn against my total time costs since my appointment.
- 5.5 A narrative explanation of the work undertaken by the Liquidator during the periods can be found at section 2 of this report
- 5.6 With reference to Appendix B, included within the work performed under 'Administration and Planning' are various statutory filing duties and obligations, case planning and strategy, and certain cashiering. Work contained within 'Investigations' include the time spent on CDDA and SIP 2 reporting. Included within the category of 'Realisation of Assets' is work performed in recovering tangible and intangible assets, payment of costs, banking of all realisations, and insurance and bonding. Finally, included within 'Creditors' has been time spent in dealing with creditors, including preparation of progress reports, dealing with creditors' claims, liaising with preferential creditors; secured creditors; landlords and agreeing and payment of dividends
- 5.7 Attached as Appendix C is additional information in relation to the Liquidator's fees and the expenses and disbursements incurred in the liquidation.
- 5.8 A copy of 'A Creditors' Guide to Liquidators' Fees' is available on request or can be downloaded from www aabrs com/resources/creditors-guides.

### 6 Creditors' rights

- 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.
- 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 Conclusion

7 1 This report together with final meetings of members and creditors will conclude my administration. Details of the final meetings and resolutions to be considered have been circulated with this report

Yours faithfully

Alan Simon Liquidator

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# Threesixty Extrusion Technology Limited (In Liquidation) Liquidator's Summary of Receipts & Payments

Appendix A	1
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tement Affairs £		From 27/09/2015 To 26/09/2016 £	From 27/09/2013 To 26/09/2016 £
(	GENERAL FIXED CHARGE		
Ì	Sale of Company's Assets	NIL	117,500 00
(00 00)	HSBC Bank Plc	NIL	(20,549 05)
000 00)	TIOSO Bank Fie	NIL	96,950 95
,	ASSET REALISATIONS		
ncertain	Computer Equipment, Plant & Machine	NIL	NIL
ncertain	Stock & Spares	NIL	NIL
0,000 00	Book Debts	NIL	2,914 71
-	Insurance Refund	NIL	966 63
	Interest on Proceeds of Sale	NIL	43 16
	Bank Interest Gross	58 28	315 71
		58 28	4,240 21
(	COST OF REALISATIONS		
	Specific Bond	NiL	330 00
	Statement of Affairs Fee	NIL	3,345 83
	Liquidators Fees	5,100 00	39,750 00
	Agents/Valuers Fees	NIL	12,500 00
	Legal Fees	NIL	23,451 00
	Transfer Fee	NIL	30 00
	Corporation Tax	26 88	60 10
	Storage Costs	500 00	750 00
	Statutory Advertising	75 00	225 00
	PAYE & NI	NIL	NIL
	.,,,	(5,701 88)	(80,441 93)
f	PREFERENTIAL CREDITORS		
-	Dept of Employment	NIL	2,301 46
	Employees Wage Arrears	NIL	1,471 67
		NIL	(3,773 13)
Į	UNSECURED CREDITORS		
,960 61)	Trade & Expense Creditors	10,242 33	10,242 33
.,	Employees	1,336 79	1,336 79
	Dept of Employment	394 10	394 10
(00 00)	Directors	269 85	269 85
668 80)	HM Revenue & Customs (PAYE)	196 69	196 69
128 96)	HM Revenue & Customs (VAT)	2,019 74	2,019 74
,,	HM Revenue & Customs - Employee T	540 50	540 50
		(15,000 00)	(15,000 00)
[	DISTRIBUTIONS		
(100 00)	Ordinary Shares	NIL	NIL
		NIL NIL	NIL
,858 37)		(20,643 60)	1,976.10
F	REPRESENTED BY		4 070 40
	Bank 1 Deposit ** do not draw		1,976 10 
			1,976.10

# Time Entry - Cumulative Detailed SIP9 Time & Cost Summary

Appendix B

T0699 - Threesixty Extrusion Technology Limited From 27/09/2015 To 26/09/2016 Project Code POST

Classification of Work Function	Partner	Manager	Other Senior Professionals	Assistants & Support Staff	Total Hours	Time Cost (£)Average Hourly Rate (£)	age Hourly Rate (£)	Hours Cum (POST Only)	Time Costs Cum (POST Only)	
** 100 Administration & Planning	900	000	000	000	000	000	000	010	19 00	
101 Casa planning/review/strategy and checklists 20	thecklists 20	000	0 40	090	1 20	212 00	176 67	16 40	4 120 50	
	control of Gors	020	000	090	110	174 00	158 18	4 80	764 00	
	0.70	000	0.20	0 40	- 33	405 00	31.54	9 9	1 695 00	
*	800	8	000	80	000	80	80	0.70	45 00	
	000	800	000	000	000	000	000	0.30	127 50	
Administration & Planning	06.0	0.50	09 0	160	3 60	791 00	219 72	27 80	6,771 00	######################################
501 Correspondence/Preparation of Reports/Medititus	vorts/MeBtilibs	80	1 80	80	2 50	621 00	248 40	19 10	3 791 50	
	0.20	000	090	000	080	192 00	240 00	330	00 969	
		000	000	000	000	000	800	80	382 50	
** 504 Preferential	80	80	000	000	80	80	000	030	127 50	
505 ERA scheme admin	060	000	000	000	060	405 00	450 00	9 30	181500	
	vidends0 70	0 40	10 80	0.40	12 30	2 279 00	185 28	19 40	3 641 00	
Craditors	2 50	0.40	13.20	0 40	16.50	3,497 00	211.94	52 30	10,453 50	
			!	!						
** 201 SIP 2 review & CCDA reporting ** 203 Directors Disqualification	00 00	000	00 0	00 00 0	98 0	00 0 00 0	00 00	8 40 0 30	1,257 00 87 50	
Investigations	000	90 0	00 0	00 0	000	00 0	00 0	8 70	1,324.50	
					;	;	;	;		
** 300 Realisation of assets	80	000	000	000	000	000	000	8	1 750 50	
301 Ident, securing, insuring & bonding	8	8	80	090	090	8	140 00	500	560 00	
- 303 Intangible assets	8	8	80	000	8	8	000	84	1 780 00	
** 304 Tangible assets	000	80	000	000	000	000	000	35 00	8,226 00	
	000	80	80	80	80	80	800	21 70	5,141 00	
** 306 Cash & Bank balances/VA contribs & review@IPO	is & review@IPO	800	900	000	80	000	80	<del>-</del>	637 50	
	090	80	140	000	200	508 00	254 00	9	1 695 00	
	paymenDd83ts	000	0 40	1 90	2 90	604 00	208 28	10 50	2,313 00	
Realisations of Assets	1 20	00 0	180	2 50	2 50	1,196 00	217 45	87 60	21,803 00	
Total Hours	9 7	06.0	15 60	4 50	25 60	5,484 00	214 22	176 40	40,352 00	
Total Fees Claimed						39,750 00				

<sup>\*\* .</sup> Denotes codes included in cumulative data that are not present in the period

# Time Entry - SIP9 Time & Cost Summary Category 2 Disbursments

T0699 - Threesixty Extrusion Technology Limited Project Code POST From 27/09/2015 To 26/09/2016

Other amounts paid or payable to the office holders firm or to party in which the office holder or his firm or any associate has an Interest

Transaction Date Type e 25/07/2016 Storage	Amount  Amount  Storage Costs Disbursements/Storage Costs5 boxes @ £50 per box for the period 27 09 15 = £2505 boxes @ £50 per box for the period 27 09 15 = £260 50 00 500 00	Amount 500 00
Total	00 005	500 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	
Millbank Consultants Limited	Percentage of realisations	
(valuation and disposal advice)		
Clarke Wilmott LLP (legal advice)	Hourly rate & disbursements	
20/20 Trustees (advice re pension scheme)	Fixed fee & Disbursements	

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 Details of the expenses paid by the Liquidator during the Period and total expenses paid during the liquidation can be found in the Receipts and Payments account at Appendices A, B and C.
- 3.2 Below are details of any remaining expenses or disbursements which are unpaid at the date of this report but will be discharged prior to the final meetings of creditors and members

	Paid in prior period £	Paid in the period 27/09/15 to 26/09/16 £	Incurred but not paid to date £	Total cost £
Specific penalty bond	330.00	0.00	0 00	330.00
Millbank Consultants Limited	12,500.00	0.00	0.00	12,500 00



	Paid in prior period £	Paid in the period 27/09/15 to 26/09/16 £	Incurred but not paid to date £	Total cost £
Clarke Wilmott LLP Legal advice)	23,451.00	0 00	0.00	23,451.00
Clarke Wilmott LLP (transfer fee)	30.00	0.00	0.00	30.00
Statutory advertising	150.00	75 00	0.00	302.00
20/20 Trustees	0.00	0.00	525.00	525.00
Cat 2 disbursements- Storage costs	250.00	500.00	0.00	750.00

- 3.3 The expenses incurred but not paid from the liquidation estate will be borne by the Liquidator's practice.
- 3 4 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
- 3.5 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.

### 4 Charge-Out Rates

- 4 1 AABRS Limited's current charge-out rates effective from 1 April 2016 are detailed below. Please note this firm records its time in minimum units of 6 minutes
- 4.2 There have been material increases in charge-out rates since the commencement of the liquidation
- 4 3 A schedule of charge-out rates are shown below:-

	(Per hour)
	£
Director	450
Manager	190-275
Other Senior Professionals	170-190
Assistants & Support Staff	60-170

