

LIQ03

Notice of progress report in voluntary winding up



Companies House

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

1 Company details

Company number 0 6 7 7 6 2 4 0

Company name in full Crest Global Automotive UK Ltd

→ Filling in this form

Please complete in typescript or in
bold black capitals.

2 Liquidator's name

Full forename(s) Kerry

Surname Pearson

3 Liquidator's address

Building name/number Bede House

Street 3 Belmont Business Park

Post town Durham

County/Region

Postcode D H 1 1 T W

Country

4 Liquidator's name ①

Full forename(s) Margaret

Surname Carter

① Other liquidator

Use this section to tell us about
another liquidator.

5 Liquidator's address ②

Building name/number 6th Floor

Street Bank House

Post town Cherry Street

County/Region Birmingham

Postcode B 2 5 A L

Country

② Other liquidator

Use this section to tell us about
another liquidator.

**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 **Kerry Pearson**

Company name **Azets**

Address **Bede House**

3 Belmont Business Park

Post town

County/Region **Durham**

Postcode **D H 1 1 T W**

Country

DX

Telephone **0191 411 2468**

**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

Crest Global Automotive UK Ltd
(In Liquidation)
Liquidators' Summary of Receipts & Payments

Statement of Affairs £	From 20/10/2020 To 19/10/2021 £	From 20/10/2016 To 19/10/2021 £
ASSET REALISATIONS		
Antecedent Transaction Recoveries	NIL	2,500.00
Bank Interest Gross	0.35	1.16
Cash at Bank	NIL	6,459.68
	0.35	8,960.84
COST OF REALISATIONS		
Accounting Fees	NIL	500.00
Preparation of Statement of Affairs	NIL	5,000.00
	NIL	(5,500.00)
	0.35	3,460.84
REPRESENTED BY		
Estate Current Account		3,433.31
Vat Receivable		27.53
		3,460.84

Joint Liquidators' Annual Progress Report to Creditors & Members

**Crest Global Automotive UK Ltd
- In Liquidation**

For the Period ending 19 October 2021

Dated: 15 December 2021

CREST GLOBAL AUTOMOTIVE UK LTD - IN LIQUIDATION

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APPENDICES

- A** Receipts and Payments Account for the Period from 20 October 2020 to 19 October 2021 incorporating a Cumulative Receipts and Payments Account since the Joint Liquidators' Appointment
- B** Additional information in relation to Joint Liquidators' Fees, Expenses & the use of Subcontractors

1 Introduction and Statutory Information

- 1.1 Peter William Gray and Kerry Pearson of Baldwins Restructuring and Insolvency Limited, Rowlands House, Portobello Road, Birtley, Chester le Street, DH3 2RY, were appointed as Joint Liquidators of Crest Global Automotive UK Ltd (the Company) on 20 October 2016.
- 1.2 Andrew Little of Baldwins Restructuring and Insolvency Limited, Rowlands House, Portobello Road, Birtley, Chester le Street, DH3 2RY replaced Peter William Gray as Joint Liquidator on 23 June 2017, following an order granted in the High Court of Justice, Newcastle Upon Tyne District Registry.
- 1.3 On 7 September 2020 Baldwins Holdings Limited changed its name to Azets Holdings Limited and trades as Azets.
- 1.4 On 5 January 2021 Margaret Carter of Azets, 6th Floor, Bank House, Cherry Street, Birmingham, B2 5AL replaced Andrew Little as Joint Liquidator following an order granted in the High Court of Justice, Business and Property Courts in Newcastle Upon Tyne.
- 1.5 This progress report covers the period from 20 October 2020 to 19 October 2021 (**the Period**) and should be read in conjunction with any previous progress reports which have been issued.
- 1.6 Information about the way that we will use, and store personal data on insolvency appointments can be found at <https://www.azets.co.uk/about-us/privacy-cookie-policy/>. If you are unable to download this, please contact us and a hard copy will be provided to you.
- 1.7 The principal trading address of the Company was Burnside House Ici West Gate, Chiltons Avenue, Billingham, TS23 1JD.
- 1.8 The registered office of the Company has been changed to Bede House, 3 Belmont Business Park, Durham, DH1 1TW and its registered number is 06776240.

2 Receipts and Payments

- 2.1 At Appendix A is our Receipts and Payments Account covering the Period of this report incorporating a cumulative Receipts and Payments Account for the period from the date of our appointment as Liquidator to the end of the Period covered by this report.
- 2.2 In Section 3 below, you will find an update on the progress made during the Period in realising the Company's assets and dealing with its affairs.

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 Liquidators and their staff.
- 3.2 During this Period we have prepared and circulated a progress report to the members and creditors of the Company, a copy of which has been filed at Companies House. We have also prepared and submitted a Corporation Tax return.
- 3.3 We have undertaken file reviews in order to monitor the progress of the case and maintained an up-to-date account of receipts and payments.
- 3.4 We have continued to liaise with Manolete in respect of claim for misfeasance against the former director, further details of which are set out below.

Administration (including statutory compliance & reporting)

- 3.5 An office holder must comply with certain statutory obligations under the Insolvency Act 1986 and other related legislation. Details about the work we anticipated would need to be done in this area was outlined to creditors in our initial fees information which was previously agreed by creditors.
- 3.6 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 Liquidators.
- 3.7 As noted in our initial fees information, this work will not necessarily bring any financial benefit to creditors but is required on every case by statute.

Realisation of Assets

3.8 Bank Interest

- 3.9 We have received the sum of £0.35 by way of bank interest during the period.

3.10 Misfeasance Claim

- 3.11 As noted in our previous report, we have assigned the claims for misfeasance against the former director to Manolete, a specialist litigation and claims acquisition company.
- 3.12 Manolete have continued to take steps to progress the actions with the continued assistance of Ward Hadaway Law Firm who were engaged by the Liquidators at the outset.
- 3.13 During the period Ward Hadaway Law Firm have made attempts to arrange a virtual mediation appointment with the other side, however this has proved somewhat difficult and counsel have been instructed to prepare court proceedings with a view to progressing the claim.

Creditors (claims and distributions)

- 3.14 The Liquidators are 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.
- 3.15 Work undertaken by the Liquidators in dealing with a company's creditors may only therefore bring a financial benefit to certain classes of creditor such as a secured creditor or the preferential creditors, however the Liquidators are 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 Liquidators in dealing with those claims.
- 3.16 More information on the anticipated outcome for all classes of creditor in this case can be found in Section 4 below.
- 3.17 At this stage, we consider the following matters worth bringing to the attention of creditors:
- There are approximately 2 unsecured creditor claims in this case with a value per the directors' statement of affairs of £225,000.
 - There are no secured charges registered at Companies House.
 - There have been no preferential claims received in this matter.

Investigations

- 3.18 You may recall from our first progress report to creditors that some of the work Liquidators are 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 Liquidators can pursue for the benefit of creditors.
- 3.19 Our report on the conduct of the Directors of the Company to the Department for Business, Energy & Industrial Strategy under the CDDA 1986 was submitted during the first year of the liquidation and is confidential.
- 3.20 Since our last progress report we would advise that no further asset realisations have come to light that may be pursued by us for the benefit of creditors.

Matters still to be dealt with

- 3.21 As detailed above, the only matter which remains outstanding is the claim for misfeasance against the former director.

4 Creditors

Secured Creditors

- 4.1 There were no secured creditors in this matter.

Preferential Creditors

- 4.2 There were no preferential claims in this matter.

Unsecured Creditors

- 4.3 The Company's statement of affairs indicated there were 2 creditors whose debts totalled £225,000. To date, we have received claims totalling £231,773.01 from 1 creditor.
- 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 Further updates on the anticipated outcome to creditors will be provided in subsequent reports, however you will note that it is currently anticipated, due to ongoing matters, that there will be insufficient funds realised after defraying the expenses of the liquidation to pay a dividend to unsecured creditors.

5 Joint Liquidators' Remuneration

- 5.1 We issued correspondence to creditors to fix the basis of remuneration on 22 February 2018. We proposed fees as a percentage of realisations calculated at 30% of realisations made. Unfortunately, we were unable to obtain creditor approval to fix our fees.
- 5.2 Ward Hadaway Law Firm were engaged to make an application to court and an order was granted on 4 June 2018 approving our fees at 30% of realisations.

- 5.3 The Joint Liquidators have made the following realisations upon which the creditors have approved a percentage be taken as remuneration. Details of the realisations to date and associated remuneration drawn on account of those realisations is are set out below:

Asset category	Value of assets realised in period	Total value of assets realised since appointment	Remuneration % agreed	Total fees invoiced to date	Fees not yet drawn
Cash at Bank	0	6,459	30%	0	1,937
Antecedent transaction recoveries	0	2,500	30%	0	750

- 5.4 At the date of this report, we would confirm that our fees estimate for the liquidation remains unchanged. This is because we consider our estimate to be sufficient.
- 5.5 A copy of 'A Creditors' Guide to Liquidators' Fees' is available on request or can be downloaded from <https://www.azets.co.uk/media/ewidq5ab/guide-to-liquidators-fees-afteroct2015.pdf>.
- 5.6 Attached as Appendix B is additional information in relation to the Liquidators' fees and expenses, including where relevant, information on the use of subcontractors and professional advisers.

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 Liquidators provide further information about their 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 Liquidators' remuneration is inappropriate and/or the remuneration charged or the expenses incurred by the Liquidators, as set out in this progress report, are excessive.

7 Next Report

- 7.1 We are required to provide a further report on the progress of the liquidation within two months of the next anniversary of the liquidation, unless we have concluded matters prior to this, in which case we will write to all creditors with our final account.
- 7.2 If you have any queries in relation to the contents of this report, we can be contacted by telephone on 0191 411 2468 or by email at Michelle.Fegan@azets.co.uk.
- 7.3 Finally, to comply with the Provision of Services Regulations, some general information about Azets including about our Professional Indemnity Insurance and the Insolvency Code of Ethics, can be found at <https://www.azets.co.uk/about-us/legal-regulatory-information/>.

Yours faithfully



Kerry Pearson
Joint Liquidator

Receipts and Payments Account for the Period from 20 October 2020 to 19 October 2021 incorporating a Cumulative Receipts and Payments Account since the Joint Liquidators' Appointment

**Crest Global Automotive UK Ltd
(In Liquidation)
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Additional Information in Relation to the Joint Liquidators' Fees, Expenses & the use of Subcontractors**Staff Allocation and the use of Subcontractors**

The general approach to resourcing our assignments is to allocate staff with the skills and experience to meet the specific requirements of the case.

The constitution of the case team will usually consist of a Partner, a Senior Manager, a Manager, a Senior and Support Staff. 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.

We have not utilised the services of any subcontractors on this case.

Professional Advisors

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
Ward Hadaway Law Firm (legal advice)	Hourly rate and disbursements
Chipchase Nelson Chartered Accountant	Hourly rate and 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.

Joint Liquidators' Expenses

The estimate of expenses which were anticipated at the outset of the liquidation was provided to creditors when the basis of our fees was approved. The table below compares the anticipated costs against those incurred to date.

Category 1 expenses

These expenses do not require prior approval by creditors. The type of expenses that may be charged to a case as a Category 1 expense generally comprise of external supplies of incidental services specifically identifiable to the case, such as postage, case advertising, invoiced travel and external printing, external room hire and external storage costs. Also chargeable, will be any properly reimbursed expenses incurred by personnel in connection with the case. These expenses may include disbursements which are payments first met by an office holder and then reimbursed from the estate.

Expense	Estimated overall cost £	Paid in Prior Period £	Paid in the period covered by this report £	Incurred but not paid to date £
Accountants fee for assistance provided with statement of affairs	500	500	-	-
Legal fees & expenses	5,000	-	-	3,136
Statutory advertising	140	-	-	210
Specific Penalty Bond	34	-	-	34
Counsels fee for fee approval	-	-	-	600

Category 2 expenses

These expenses 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 therefore include payments to associates of the office holder or shared or allocated costs that can be allocated to the appointment on a proper and reasonable basis. Details of Category 2 expenses charged by this firm (where appropriate) were provided at the time the Liquidators' fees were approved by creditors.

We would confirm that no category 2 expenses have been incurred to date.