

LIQ03

Notice of progress report in voluntary winding up



Companies House

TUESDAY



A8D00ZZK

A24

10/09/2019

#271

COMPANIES HOUSE

1 Company details

Company number 0 8 0 4 5 0 4 8

Company name in full Anthill Plant Hire Ltd

→ Filling in this form

Please complete in typescript or in
bold black capitals.

2 Liquidator's name

Full forename(s) Martha

Surname Thompson

3 Liquidator's address

Building name/number 55 Baker Street

Street

Post town London

County/Region

Postcode W 1 U 7 E U

Country

4 Liquidator's name ①

Full forename(s) Danny

Surname Dartnaill

① Other liquidator

Use this section to tell us about
another liquidator.

5 Liquidator's address ②

Building name/number 55 Baker Street

Street

Post town London

County/Region

Postcode W 1 U 7 E U

Country

② Other liquidator

Use this section to tell us about
another liquidator.

LIQ03

Notice of progress report in voluntary winding up

6 Period of progress report

| | | | | | | | | | | | | | | | | |
|-----------|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| From date | d | 1 | d | 1 | m | 0 | m | 7 | y | 2 | y | 0 | y | 1 | y | 8 |
| To date | d | 1 | d | 0 | m | 0 | m | 7 | y | 2 | y | 0 | y | 1 | y | 9 |

7 Progress report

☒ The progress report is attached

8 Sign and date

Liquidator's signature

Signature

X  X

Signature date

| | | | | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| d | 0 | d | 2 | m | 0 | m | 2 | y | 2 | y | 0 | y | 1 | y | 9 |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|

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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 **Martha Thompson**

Company name **BDO LLP**

Address **55 Baker Street**

Post town **London**

County/Region

Postcode **W 1 U 7 E U**

Country

DX **BRNOTICE@bdo.co.uk**

Telephone **020 7486 5888**



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

Anthill Plant Hire Ltd
(In Liquidation)
Joint Liquidators' Summary of Receipts & Payments

| Statement of Affairs £ | From 11/07/2018 To 10/07/2019 £ | From 17/07/2017 To 10/07/2019 £ |
|------------------------------|---------------------------------------|---------------------------------------|
| ASSET REALISATIONS | | |
| Bank Interest Gross | 148.67 | 148.67 |
| Funds from Administration | 55,479.14 | 55,479.14 |
| | <u>55,627.81</u> | <u>55,627.81</u> |
| COST OF REALISATIONS | | |
| Bank Charges | 1.05 | 1.05 |
| Insurance of Assets | 168.00 | 168.00 |
| Liquidators Disbursements | 169.06 | 169.06 |
| Storage Costs | 82.80 | 82.80 |
| | <u>(420.91)</u> | <u>(420.91)</u> |
| | <u>55,206.90</u> | <u>55,206.90</u> |
| REPRESENTED BY | | |
| Bank 2 Current | | 55,056.90 |
| Vat Control Account | | 150.00 |
| | | <u>55,206.90</u> |

TO ALL KNOWN CREDITORS

09 September 2019

Our Ref 00285116/C3/MHT/VN

Please ask for Vicki Noonan
0151 237 4422
BRC.MT@bdo.co.uk

Dear Madams/Sirs

Anthill Plant Hire Ltd - In Creditors' Voluntary Liquidation ('the Company')
Registered number: 08045048

I set out below an annual progress report in accordance with Section 104A of the Insolvency Act 1986 and Rule 18.4 of the Insolvency (England and Wales) Rules 2016 ('the Rules'). This report covers the period from 11 July 2018 to 10 July 2019 ('the Period').

Statutory Information

The Joint Liquidators are Martha Thompson (officeholder No: 8678) and Danny Dartnaill (officeholder No: 10110) both of BDO LLP, 55 Baker Street, London, W1U 7EU. The Liquidators were appointed on 11 July 2018 and carry out their functions jointly and severally meaning any action can be done by one Liquidator or by both of them.

Receipts

I attach for your information a summary of my Receipts and Payments account. The account shows a balance in hand of £55,207.

The balance in hand is principally made up of the amount transferred from the preceding administration proceedings. In the Period £149 was received as bank interest.

Payments

The payments made in the Period are largely self-explanatory, although I would comment specifically on:

The Joint Liquidators are Data Controllers as defined by the General Data Protection Regulations. BDO LLP will act as Data Processor on the instruction of the Data Controllers. Personal data will be kept secure and processed only for matters relating to the Liquidation of Anthill Plant Hire Ltd. Please see the privacy statement at <https://www.bdo.co.uk/en-gb/privacy-notices/insolvencies>

BDO LLP, a UK limited liability partnership registered in England and Wales under number OC305127, is a member of BDO International Limited, a UK company limited by guarantee, and forms part of the international BDO network of independent member firms. A list of members' names is open to inspection at our registered office, 55 Baker Street, London W1U 7EU. BDO LLP is authorised and regulated by the Financial Conduct Authority to conduct investment business



Insurance of Assets

Insolvency Risk Services were paid a sum of £168 in respect of the final insurance premiums due.

Storage Costs

A payment of £83 was made to Total Data Management in respect of fees for storage of the Company's books and records.

Progress of the Liquidation

Preparations are being made to distribute funds to the creditors of the Company.

An initial distribution will be made to preferential creditors whose claims total £22,994 and will be paid in full.

The unsecured creditors total £1,980,890 from claims received to date. This number may increase when creditors are invited to submit their claims for dividend purposes.

A Notice of Intended Dividend will be circulated to creditors under separate cover inviting creditors to submit their proof of debt form should they wish to participate in the forthcoming dividend process.

Assets

There are no further assets to realise and I can confirm that there are no assets of a peculiar or special nature which cannot be sold. Consequently there has been no distribution of assets in specie to any creditor.

Future Prospects

Secured Creditors

The secured creditor in the Liquidation is Royal Bank of Scotland Invoice Financing ('RBSIF') which was owed £890k at the date of the Company's Administration. RBSIF have confirmed that they have suffered a shortfall of £788,914 in respect of the invoice factoring account. The shortfall will be an unsecured claim against the Company.

Preferential Creditors

Preferential claims total £22,994 in respect of unpaid wages and holiday pay and will be paid in full from the funds in hand.

Prescribed Part

Under Section 176A of the Insolvency Act 1986 where after 15 September 2003 a company has granted to a floating charge to a secured creditor, a proportion of the net property of said company must be made available purely for the unsecured creditors. The Company did grant a floating charge after this date, therefore, the Prescribed Part would apply in this Liquidation.

However, the funds available for distribution are realisations resulting from a claim under section 238 of the Insolvency Act 1986. Such a claim only arises on insolvency of the Company and as such, the realisations therefrom are not subject to RBSIF's floating charge and fall outside of the scope of the Prescribed Part provisions.

Unsecured Creditors

Unsecured claims totalling £1,980,890 have been received to date, including the shortfall to RBSIF. If received claims remain at the current level then a distribution of in the region of 1-2p in the pound will be payable to unsecured creditors. However, the quantum of the return to creditors may decrease if further claims are received.

Investigations

The Joint Liquidators have a duty to investigate the affairs of the Company and also the conduct of the directors and in respect of the latter, to submit a confidential statutory report to the Secretary of State. I confirm that a report has been submitted.

I have completed my review of the Company's affairs and assets to establish whether there are any actions that can be investigated for the benefit of the creditors and concluded there are no causes of action to be pursued.

I can inform creditors the court has ordered that the Company's director, Adrian Venni, is disqualified from acting as a company director for a period of nine years from 25 December 2018.

Joint Liquidators' Remuneration

Remuneration

Pursuant to the Rules, the Joint Liquidators are obliged to fix their remuneration in accordance with Rule 18.16. 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 Joint Liquidators 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

I attach a schedule detailing the time costs incurred to date. The schedule covers the Period. This records time costs of £14,470 which represents 60 hours spent at an average charge out rate of £241 per hour.

For guidance, I enclose a document that outlines the policy of BDO LLP in respect of fees and disbursements.

As detailed in my previous Administrator's progress report, all fees relating to this Company's insolvency were drawn in the preceding Administration. No further fees will be drawn in this Liquidation. Any further time costs will be written off.

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.

Since the Company entered into Liquidation, category 1 disbursements of £231 have been incurred in respect of staff travel, bonding and storage costs. Some Liquidators recharge expenses, for example printing, photocopying and telephone costs, which cannot economically be recorded in respect of each specific case. Such expenses, which are apportioned to cases, require the approval of the creditors before they can be drawn, and these are known as category 2 disbursements.

The policy of BDO LLP in respect of this appointment is not to charge any category 2 disbursements with the exception of mileage on the basis of the mileage scale approved by HMRC, being 45p per mile unless otherwise disclosed to the creditors. No category 2 disbursements have accrued during the Period.

Total disbursements of £231 have been incurred in this Liquidation as detailed below.

| | Cat 1 (£) | Cat 2 (£) | Total (£) |
|-----------------------------------|---------------|-----------|---------------|
| Travel and out of pocket expenses | 96.85 | - | 96.85 |
| Bonding | 115.00 | - | 115.00 |
| Storage | 18.92 | - | 18.92 |
| | <u>230.77</u> | <u>-</u> | <u>230.77</u> |

To date category 1 disbursements of £169 have been drawn, which was paid in the Period. No category 2 disbursements have been drawn to date.

Creditors' rights

I provide at the end of this report an extract from the Rules setting out the rights of creditors to request further information and/or challenge the remuneration or expenses within the Liquidation. Creditors may access information setting out creditors' rights in respect of the approval of the Joint Liquidators' remuneration at: <https://www.r3.org.uk/what-we-do/publications/professional/fees>.

Other

The Insolvency Service has established a central gateway for considering complaints in respect of Insolvency practitioners. In the event that you make a complaint to me but are not satisfied with the response from me then you should visit: <https://www.gov.uk/complain-about-insolvency-practitioner> where you will find further information on how you may pursue the complaint.



The Joint Liquidators are bound by the Insolvency Code of Ethics when carrying out all professional work relating to this appointment. A copy of the code is at: <http://www.icaew.com/en/members/regulations-standards-and-guidance/ethics/code-of-ethics-d>.

If you require any further information please contact me or my colleague Vicki Noonan at BRCMT@bdo.co.uk.

Yours faithfully
For and on behalf of
Anthill Plant Hire Ltd

A handwritten signature in black ink, appearing to read 'M Thompson'.

M Thompson
Joint Liquidator
Authorised by the Institute of Chartered Accountants in England & Wales in the UK

Enclosures:

Receipts and Payments Account
SIP 9 Time Cost Report for the Period of Report and Liquidation
Statement of Creditors' Rights in respect of Fees and Disbursements

Anthill Plant Hire Ltd
(In Liquidation)
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| REPRESENTED BY | | |
| Bank 2 Current | | 55,056.90 |
| Vat Control Account | | 150.00 |
| | | <u>55,206.90</u> |

Summary of Time Charged and Rates Applicable for the Period From 11/07/2018 to 10/07/2019

| Description | PARTNER | | MANAGER | | ASSISTANT MANAGER | | SENIOR ADMINISTRATOR | | ADMINISTRATOR | | OTHER STAFF | | GRAND TOTAL | | AVRI |
|-------------------------------|---------|------------|---------|------------|-------------------|------------|----------------------|------------|---------------|------------|-------------|------------|-------------|------------|-------|
| | Hours | Total £ | Hours | Total £ | Hours | Total £ | Hours | Total £ | Hours | Total £ | Hours | Total £ | Hours | Total £ | |
| B. Steps on Appointment | 1.00 | 760.00 | | | 2.00 | 254.00 | 0.15 | 17.85 | 2.85 | 196.65 | | | 6.00 | 1,228.50 | 204.7 |
| C. Planning and Strategy | | | 6.75 | 2,268.00 | | | | | 0.65 | 44.85 | | | 7.40 | 2,312.85 | 312.5 |
| D. General Administration | 0.20 | 106.60 | 5.35 | 1,799.50 | 1.35 | 346.45 | 1.60 | 199.60 | 13.10 | 1,548.20 | 0.35 | 40.60 | 21.95 | 4,040.95 | 184.1 |
| E. Assets Realisation/Dealing | | | 3.70 | 1,243.20 | | | | | 3.25 | 672.75 | | | 6.95 | 1,915.95 | 275.6 |
| H. Creditor Claims | | | 4.95 | 1,663.20 | | | | | 1.90 | 338.10 | | | 6.85 | 2,001.30 | 292.1 |
| I. Reporting | | | 0.80 | 164.00 | | | | | | | | | 0.80 | 164.00 | 205.0 |
| J. Distribution and Closure | | | 4.90 | 1,620.20 | | | | | 5.25 | 1,185.75 | | | 10.15 | 2,805.95 | 276.4 |
| | 1.20 | 866.60 | 26.45 | 8,758.10 | 3.35 | 600.45 | 1.75 | 217.45 | 27.00 | 3,986.30 | 0.35 | 40.60 | | | |

| | | |
|---------------------|-------|-----------|
| Net Total | 60.10 | 14,469.50 |
| Secretarial Expense | | 0.00 |
| Other Disbursements | | 0.00 |
| Billed | | 0.00 |
| Grand Total | | 14,469.50 |

Statement from the Insolvency (England and Wales) Rules 2016 regarding the rights of creditors in respect of the Joint Liquidators' fees and expenses:

Creditors' and members' requests for further information in administration, winding up and bankruptcy

18.9.—(1) The following may make a written request to the office-holder for further information about remuneration or expenses (other than pre-administration costs in an administration) set out in a progress report under rule 18.4(1)(b), (c) or (d) or a final report under rule 18.14—

- (a) a secured creditor;
 - (b) an unsecured creditor with the concurrence of at least 5% in value of the unsecured creditors (including the creditor in question);
 - (c) 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;
 - (d) any unsecured creditor with the permission of the court; or
 - (e) any member of the company in a members' voluntary winding up with the permission of the court.
- (2) A request, or an application to the court for permission, by such a person or persons must be made or filed with the court (as applicable) within 21 days of receipt of the report by the person, or by the last of them in the case of an application by more than one member or creditor.
- (3) The office-holder must, within 14 days of receipt of such a request respond to the person or persons who requested the information by—
- (a) providing all of the information requested;
 - (b) providing some of the information requested; or
 - (c) declining to provide the information requested.
- (4) The office-holder may respond by providing only some of the information requested or decline to provide the information if—
- (a) the time or cost of preparation of the information would be excessive; or
 - (b) disclosure of the information would be prejudicial to the conduct of the proceedings;
 - (c) disclosure of the information might reasonably be expected to lead to violence against any person; or
 - (d) the office-holder is subject to an obligation of confidentiality in relation to the information.
- (5) An office-holder who does not provide all the information or declines to provide the information must inform the person or persons who requested the information of the reasons for so doing.
- (6) A creditor, and a member of the company in a members' voluntary winding up, who need not be the same as the creditor or members who requested the information, may apply to the court within 21 days of—
- (a) the office-holder giving reasons for not providing all of the information requested; or
 - (b) the expiry of the 14 days within which an office-holder must respond to a request.
- (7) The court may make such order as it thinks just on an application under paragraph (6).

Remuneration and expenses: application to court by a creditor or member on grounds that remuneration or expenses are excessive

18.34.—(1) This rule applies to an application in an administration, a winding-up or a bankruptcy made by a person mentioned in paragraph (2) on the grounds that—

- (a) the remuneration charged by the office-holder is in all the circumstances excessive;
 - (b) the basis fixed for the office-holder's remuneration under rules 18.16, 18.18, 18.19, 18.20 and 18.21 (as applicable) is inappropriate; or
 - (c) the expenses incurred by the office-holder are in all the circumstances excessive.
- (2) The following may make such an application for one or more of the orders set out in rule 18.36 or 18.37 as applicable—
- (a) a secured creditor,
 - (b) an unsecured creditor with either—
 - (i) the concurrence of at least 10% in value of the unsecured creditors (including that creditor), or
 - (ii) the permission of the court, or
 - (c) in a members' voluntary winding up—
 - (i) 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
 - (ii) a member of the company with the permission of the court.

- (3) The application by a creditor or member must be made no later than eight weeks after receipt by the applicant of the progress report under rule 18.3, or final report or account under rule 18.14 which first reports the charging of the remuneration or the incurring of the expenses in question ('the relevant report').

Applications under rules 18.34 and 18.35 where the court has given permission for the application

18.36.—(1) This rule applies to applications made with permission under rules 18.34 and 18.35.

- (2) Where the court has given permission, it must fix a venue for the application to be heard.
- (3) The applicant must, at least 14 days before the hearing, deliver to the office-holder a notice stating the venue and accompanied by a copy of the application and of any evidence on which the applicant intends to rely.
- (4) 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 office-holder is entitled to charge;
 - (b) an order reducing any fixed 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 is not to be treated as expenses of the administration, winding up or bankruptcy;
 - (e) an order for the payment of the amount of the excess of remuneration or expenses or such part of the excess as the court may specify by —
 - (i) the administrator or Liquidator or the administrator's or Liquidator's personal representative to the company, or
 - (ii) the trustee or the trustee's personal representative to such person as the court may specify as property comprised in the bankrupt's estate;
 - (f) any other order that it thinks just.
- (5) An order under paragraph (4)(b) or (c) may only be made in respect of periods after the period covered by the relevant report.
- (6) 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 administration, winding up or bankruptcy.

Applications under rule 18.34 where the court's permission is not required for the application

18.37.—(1) On receipt of an application under rule 18.34 for which the court's permission is not required, the court may, if it is satisfied that no sufficient cause is shown for the application, dismiss it without giving notice to any party other than the applicant.

- (2) Unless the application is dismissed, the court must fix a venue for it to be heard.
- (3) The applicant must, at least 14 days before any hearing, deliver to the office-holder a notice stating the venue with a copy of the application and of any evidence on which the applicant intends to rely.
- (4) 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 office-holder is entitled to charge;
 - (b) an order reducing any fixed 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 administration or winding up or bankruptcy;
 - (e) an order for the payment of the amount of the excess of remuneration or expenses or such part of the excess as the court may specify by —
 - (i) the administrator or Liquidator or the administrator's or Liquidator's personal representative to the company, or
 - (ii) the trustee or the trustee's personal representative to such person as the court may specify as property comprised in the bankrupt's estate;
 - (f) any other order that it thinks just.
- (5) An order under paragraph (4)(b) or (c) may only be made in respect of periods after the period covered by the relevant report.
- (6) 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 administration or as winding up or bankruptcy.