

LIQ03

Notice of progress report in voluntary winding up



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

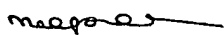
From date	^d 1	^d 1	^m 0	^m 7	^y 2	^y 0	^y 1	^y 9
To date	^d 1	^d 0	^m 0	^m 7	^y 2	^y 0	^y 2	^y 0

7 Progress report☒ The progress report is attached**8** Sign and date

Liquidator's signature

Signature

X



X

Signature date

^d0^d8^m0^m9^y2^y0^y2^y0

LIQ03

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

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 11/07/2019 To 10/07/2020 £	From 17/07/2017 To 10/07/2020 £
ASSET REALISATIONS		
Bank Interest Gross	167.04	315.71
Funds from Administration	NIL	55,479.14
	<u>167.04</u>	<u>55,794.85</u>
COST OF REALISATIONS		
Bank Charges	NIL	1.05
Insurance of Assets	NIL	168.00
Liquidators Disbursements	NIL	169.06
Storage Costs	82.80	165.60
	<u>(82.80)</u>	<u>(503.71)</u>
	<u>84.24</u>	<u>55,291.14</u>
REPRESENTED BY		
Bank 2 Current		55,274.58
Vat Control Account		16.56
		<u>55,291.14</u>



Tel: +44 (0)151 237 4500
Fax: +44 (0)151 237 4545
www.bdo.co.uk

5 Temple Square
Temple Street
Liverpool
L2 5RH

TO ALL KNOWN CREDITORS

08 September 2020

Our Ref 00285116/C3/MHT/VN

Please ask for Nadine Naylor

T: 0151 237 4655

E: BRCMTLondonandSouthEast@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 Rules 18.3 and 18.7 of the Insolvency (England and Wales) Rules 2016 ('the Rules'). This report covers the period from 11 July 2019 to 10 July 2020 ('the Period') and should be read in conjunction with my previous reports.

1. Statutory Information

The Joint Liquidators are Martha Thompson (officeholder No: 8678) and Danny Dartnail (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.

2. Progress of the Liquidation

The funds currently available to creditors are as a result of the recovery of money paid to a connected party by the Company shortly before the administration. The Joint Liquidators, in their then capacity as Joint Administrators, challenged the payment and recovered £145,023 for the benefit of creditors.

The move to liquidation was necessary to enable a distribution to unsecured creditors to be made. The distribution process has been delayed by several matters, most recently by a backlog in the claim processing system of the Redundancy Payments Service ('RPS').

We are pleased to advise that the RPS's claim has been received and the distribution to preferential creditors is proceeding. The preferential claims received to date total £24,408 and they will be paid in full.

The remaining funds, subject to the costs of the liquidation, will be distributed to unsecured creditors.

3. Receipts and Payments

I attach for your information a summary of my Receipts and Payments account, analysed to show activity in the last year compared to the whole of the Liquidation. The account shows a balance in hand of £55,291.

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

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-notice/insolvencies>



The balance in hand is principally made up of the amount transferred from the preceding Administration proceeding. During the Period £167 was received in bank interest and a payment of £83 was made in respect of the cost of archiving the Company's records.

There have been no further receipts or payments in the Period.

4. Assets

There are no further assets to realise.

Distributions in Specie

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 unsold assets to creditors, as mentioned in Rules 18.10/14.13 of the Insolvency (England & Wales) Rules 2016.

5. Future Prospects

Secured Creditors

The Company's only secured creditor was 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 £760,338 and their shortfall will be an unsecured claim against the Company.

Preferential Creditors

To date, preferential claims totalling £24,408 have been notified to us. Based on present information it is anticipated that there will be sufficient funds to enable preferential claims to be settled in full. We anticipate that the preferential dividend will be paid in the next 3 months.

Unsecured Creditors

A total of £2,005,261 unsecured claims has been received to date, which includes the employees' unsecured claims and the shortfall to RBSIF mentioned above.

It is estimated that there will be sufficient funds to enable a small dividend to be made to unsecured creditors. However, this is dependent on the total level of claims received. The quantum and timing of any dividend is currently uncertain.

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 that 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 the 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.

6. 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 the 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 further causes of action to be pursued.



7. Joint Liquidators' Remuneration and Disbursements

Remuneration

By way of a decision process dated 5 March 2018 the creditors agreed that the remuneration for the administration and the liquidation would be fixed at £75,000 plus VAT and disbursements. Accordingly, remuneration up to that amount was drawn at the end of the administration proceedings.

I attach two schedules detailing the time costs incurred to date. The first schedule covers the Period. This records time costs of £9,400 which represents 53 hours spent at an average charge out rate of £117 per hour.

The second schedule covers the whole period of appointment and records time costs of £23,869 which represents 113 hours spent at an average charge out rate of £211 per hour.

No further fees will be drawn in this Liquidation and any further time costs will be written off. For guidance, I enclose a document that outlines the policy of BDO LLP in respect of fees and disbursements.

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 my last report no category 1 disbursements have been incurred.

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 this Period.

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

	Category 1 £	Category 2 £	Total £
Travel and out-of-pocket expenses	96.85		96.85
Liquidators bond	115.00		115.00
Storage	18.92		18.92
	230.77		230.77

To date category 1 disbursements of £169 have been drawn, none of which was paid in the Period. No category 2 disbursements have been drawn to date.

The balance of the unpaid disbursements will be drawn from the liquidation funds before distributions are made.

8. 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.bdo.co.uk/en-gb/insights/advisory/business-restructuring/creditors-guides>.

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 can be found at: <https://www.icaew.com/technical/ethics/icaew-code-of-ethics/icaew-code-of-ethics>.

If you require any further information please contact me or my colleague Nadine Naylor at BRCMTLondonandSouthEast@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', with a horizontal line extending to the right.

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
- SIP 9 Time Cost Report for the Period of Liquidation
- BDO LLP Policy in Respect of Fees and Disbursements
- Statement of Creditors' Rights in respect of Fees and Disbursements

**Anthill Plant Hire Ltd
(In Liquidation)
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	<u>84.24</u>	<u>55,291.14</u>
REPRESENTED BY		
Bank 2 Current		55,274.58
Vat Control Account		16.56
		<u>55,291.14</u>

Name of Assignment Anthill Plant Hire Ltd - CVL 00285116
Summary of Time Charged and Rates Applicable for the Period From 11/07/2019 to 10/07/2020

Description	PARTNER		MANAGER		ASSISTANT MANAGER		SENIOR ADMINISTRATOR		ADMINISTRATOR		OTHER STAFF		GRAND TOTAL		AVR1
	Hours	Total	Hours	Total	Hours	Total	Hours	Total	Hours	Total	Hours	Total	Hours	Total	
		£		£		£		£		£		£		£	£
C. Planning and Strategy			2.25	778.50									2.25	778.50	346.0
D. General Administration			4.50	1,310.40	0.50	65.50	1.05	44.00	18.45	1,493.20	0.10	11.60	24.60	2,914.70	118.8
G. Employee Matters			0.40	98.80									0.40	98.80	247.0
H. Creditor Claims			3.40	938.80					0.40	28.40			3.80	967.20	154.5
I. Reporting			3.50	1,031.40	1.75	229.15	0.05	6.55	4.60	546.60			9.70	1,864.80	193.2
J. Distribution and Closure			7.20	2,075.40	0.25	48.00			4.35	641.55			11.80	2,765.95	234.4
	0.00	0.00	21.05	6,284.30	2.50	342.75	1.10	50.55	27.80	2,710.75	0.10	11.60			

Net Total	51.55	9,399.95
Secretarial Expense		0.00
Other Disbursements		0.00
Billed		0.00
Grand Total		9,399.95

Name of Assignment Anthill Plant Hire Ltd - CVL 00285116
Summary of Time Charged and Rates Applicable for the Period From 11/07/2018 to 10/07/2020

Description	PARTNER		MANAGER		ASSISTANT MANAGER		SENIOR ADMINISTRATOR		ADMINISTRATOR		OTHER STAFF		GRAND TOTAL		AVG
	Hours	Total	Hours	Total	Hours	Total	Hours	Total	Hours	Total	Hours	Total	Hours	Total	
		£		£		£		£		£		£		£	£
B. Steps on Appointment	1.00	760.00			1.00	254.00	0.15	17.85	2.85	196.65			6.00	1,128.50	204.7
C. Planning and Strategy			9.00	3,046.50					0.65	44.85			9.65	5,091.35	320.3
D. General Administration	0.20	106.60	9.85	3,109.90	1.85	411.95	2.65	243.60	31.55	3,041.40	0.45	52.20	46.55	6,965.65	149.6
E. Assets Realisation/Dealing			3.70	1,243.10					3.25	672.75			6.95	1,915.95	275.6
G. Employee Matters			0.40	95.80									0.40	95.80	247.0
H. Creditor Claims			8.35	2,602.00					2.30	366.50			10.65	2,968.50	278.7
I. Reporting			4.10	1,246.40	1.75	229.25	0.05	6.55	4.00	546.60			10.50	2,018.80	193.2
J. Distribution and Closure			12.10	3,895.60	0.25	48.00			9.60	1,818.30			21.95	5,571.90	253.8
	1.20	866.60	47.50	15,041.40	5.85	943.20	2.85	268.00	54.80	6,697.05	0.45	52.20			

Net Total	111.65	13,869.45
Secretarial Expense		0.00
Other Disbursements		0.00
Billed		0.00
Grand Total		13,869.45



Anthill Plant Hire Ltd - In Liquidation

In accordance with best practice I provide below details of policies of BDO LLP in respect of fees and expenses for work in relation to the above insolvency.

The current charge out rates per hour of staff within my firm who may be involved in working on the insolvency, follows:

GRADE	£
Partner	665- 783
Manager	346-604
Assistant Manager	311
Senior Administrator	291
Administrator	170-291
Other Staff	92-114

This in no way implies that staff at all such grades will work on the case. The rates charged by BDO LLP are reviewed in December and July each year 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. Units of time can be as small as 3 minutes. BDO LLP records work in respect of insolvency work under the following categories:-

- Pre Appointment
- Steps upon Appointment
- Planning and Strategy
- General Administration
- Asset Realisation/Management
- Trading Related Matters
- Employee Matters
- Creditor Claims
- Reporting
- Distribution and Closure
- Other Issues.

Under each of the above categories the work is recorded in greater detail in sub categories. Please note that the 11 categories provide greater detail than the six categories recommended by the Recognised Professional Bodies who are responsible for licensing and monitoring insolvency practitioners.

Where an officeholder's remuneration is approved on a time cost basis the time invoiced to the case will be subject to VAT at the prevailing rate.

Where remuneration has been approved on a time costs basis a periodic report will be provided to any committee appointed by the creditors or in the absence of a committee to the creditors. The report will provide a breakdown of the remuneration drawn and will enable the recipients to see the average rates of such costs.

Other Costs

Where expenses are incurred in respect of the insolvent estate they will be recharged. Such expenses can be divided into two categories.

Category 1

This heading covers expenses where BDO LLP has met a specific cost in respect of the insolvent estate where payment has been made to a third party. Such expenses may include items such as advertising, couriers, travel (by public transport), land registry searches, fees in respect of swearing legal documents etc. In each case the recharge will be reimbursement of a specific expense incurred.



Category 2

I propose to recover from the estate the cost of travel where staff use either their own vehicles or company cars in travelling connected with the insolvency. In these cases a charge of 45p per mile is raised which is in line with the HM Revenue & Customs Approved Mileage Rates (median - less than 10,000 miles per annum) which is the amount the firm pays to staff. Where costs are incurred in respect of mileage, approval will be sought in accordance with the Insolvency (England and Wales) Rules 2016 to recover this disbursement.

Where applicable, all disbursements will be subject to VAT at the prevailing rate.

BDO LLP
08 September 2020

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.