

LIQ03

Notice of progress report in voluntary winding up



Companies House

TUESDAY



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17/03/2020

#256

COMPANIES HOUSE

1 Company details

Company number 0 8 1 5 1 4 8 2

Company name in full The Original Decking Company Limited

→ Filling in this form
Please complete in typescript or in
bold black capitals.

2 Liquidator's name

Full forename(s) Timothy Frank

Surname Corfield

3 Liquidator's address

Building name/number 26/28 Goodall Street

Street Walsall

Post town West Midlands

County/Region

Postcode W S 1 1 Q L

Country

4 Liquidator's name ①

Full forename(s)

Surname

① Other liquidator
Use this section to tell us about
another liquidator.

5 Liquidator's address ①

Building name/number

Street

Post town

County/Region

Postcode

Country

① 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 2	^d 6	^m 0	^m 2	^y 2	^y 0	^y 1	^y 9
To date	^d 2	^d 5	^m 0	^m 2	^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

^d 1	^d 6	^m 0	^m 3	^y 2	^y 0	^y 2	^y 0
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The Original Decking Company Limited
(In Liquidation)
Liquidator's Summary of Receipts & Payments

Statement of Affairs £		From 26/02/2019 To 25/02/2020 £	From 26/02/2019 To 25/02/2020 £
	ASSET REALISATIONS		
	Bank Interest Gross	NIL	NIL
1,000.00	Plant & Machinery	NIL	NIL
		NIL	NIL
	PREFERENTIAL CREDITORS		
(1.00)	Pension Schemes	NIL	NIL
		NIL	NIL
	UNSECURED CREDITORS		
(1,279.66)	Banks/Institutions	NIL	NIL
(8,408.00)	Directors' Loan Accounts	NIL	NIL
(2.00)	HM Revenue & Customs - PAYE & CT	NIL	NIL
(1.00)	HM Revenue & Customs - VAT	NIL	NIL
(135,232.00)	T Balderson - Former Director	NIL	NIL
(12,647.05)	Trade & Expense Creditors	NIL	NIL
		NIL	NIL
	DISTRIBUTIONS		
(100.00)	Ordinary Shareholders	NIL	NIL
		NIL	NIL
(156,670.71)		NIL	NIL
	REPRESENTED BY		
			NIL



Timothy Frank Corfield
Liquidator

The Original Decking Company Limited
In Creditors Voluntary Liquidation

Liquidator's Progress Report under Section 104A of the Insolvency Act 1986
and in accordance with Rule 18.3 of the Insolvency (England & Wales) Rules 2016

Prescribed Period for Report

The prescribed period for which the Liquidator must produce a progress report is the period of 12 months commencing on date on which the Liquidator was appointed, and every subsequent period of 12 months. In this case the Liquidator's report covers the year from appointment on 26 February 2019 to 25 February 2020.

This progress report is sent to creditors (other than opted-out creditors) and to members.

Statutory Information

Company Name	The Original Decking Company Limited
Former Company Name(s)	N/A
Trading Name(s)	None
Company Number	08151482
Date of Incorporation	20/07/2012
Former Registered Office	71 Moss Road, Astbury, Congleton, Cheshire, CW12 3BP
Former Trading Address	71 Moss Road, Astbury, Congleton, Cheshire, CW12 3BP
Current Registered Office	26/28 Goodall Street, Walsall, West Midlands WS1 1QL
Name of Liquidator	Timothy Frank Corfield
Address of Liquidator	Griffin & King, 26/28 Goodall Street, Walsall, West Midlands WS1 1QL
IP Number	8202
Date of Appointment of Liquidator	26 February 2019
Change(s) in Liquidator	None

Liquidator's Receipts & Payments Account from 26 February 2019 to 25 February 2020

An abstract showing receipts and payments during the period of this report is attached at Appendix A.

Progress during the Period Covered by this Report

a) Asset realisations

1) Plant & Machinery – Estimated to Realise £1,000 as per Directors' Statement of Affairs

As at the date of the latest set of published accounts, for the period ending 31 July 2017, the Plant & Machinery owned by the company had a book value of £3,409. The directors believed that the items had an estimated current value of £1,000. This was reviewed by the Liquidator upon appointment on 28 February 2019 as the Director, Craig Cotterill, submitted an offer to acquire these items, which the Liquidator duly accepted on that date. The Director is currently receiving payments from Mr Cotterill in respect of the Statement of Affairs Fee, with payment for the assets to follow for the sum of £1,000.

There are no other known assets that remain to be realised.

b) Investigations

1) Statutory Reporting

The Liquidator has a statutory obligation to consider the Director's conduct. The Liquidator has submitted his report to the Director Conduct Reporting Service of the Insolvency Service, an Executive Agency of the Department for Business Energy and Industrial Strategy.

2) Antecedent Transactions

The Liquidator's investigations have revealed no undisclosed assets or antecedent transactions from which any recoveries could be made.

c) Other Areas of Work

a) Leasehold Premises

The company operated from residential property and therefore there were no premises to deal with.

Prescribed Part for Unsecured Debts

With effect from 15th September 2003, where a floating charge has been created after this date, an element of the company's net property is available for the satisfaction of unsecured debts ("the prescribed part") under section 176A of the Insolvency Act 1986 (as introduced by the Enterprise Act 2002). In this case there is no floating charge and therefore section 176A of the Insolvency Act 1986 does not apply.

Dividend Prospects to Creditors

Creditors should be aware that the Liquidator is obliged to deal with a number of matters in relation to creditors to comply with both the legislative and best practice requirements, and to ensure creditors are kept informed (unless they have opted-out). Creditors will only derive a financial benefit from this work on cases where a dividend has been or will be paid. A summary of the company liabilities is detailed below:-

	Statement of Affairs	Claims Received to Date
	£	£
Preferential Creditors	-	-
Non-Preferential Unsecured Creditors	157,570.71	155,666.48

In order to minimise the costs associated with an insolvency procedure, it is our policy to only agree the claims of creditors in the event that a distribution is declared, or it is anticipated that one will be declared.

In accordance with rule 14.37 the Liquidator provided notice to creditors that no dividend will be declared in this winding-up and that no funds have been realised.

Accordingly, the Liquidator confirms that creditor claims have not been verified or agreed.

Professional Advisers

The Liquidator has not used professional advisers in this matter.

Payments made to the Liquidator other than out of the assets of the liquidation

Mr Corfield received instructions from the Directors to proceed with the liquidation of the Company on 21 January 2019. The agreed fee for these instructions (pre-appointment work) is £3,000 plus VAT (£3,600). Total payments of £2,300 have been received from the director of the company by way of a contribution to costs leaving £1,300 outstanding.

Creditors Liquidation Committee

Creditors will be aware that the Liquidator has sought a decision by correspondence in respect of pre-appointment expenses and Liquidators remuneration and that relevant information in this regard was provided to creditors at that time. A creditors committee was not formed.

Expenses of Statement of Affairs

It is disclosed to creditors that in respect of the expenses of the production of the Statement of Affairs and of the Deemed Consent procedure the sum of £1,000 plus VAT was paid to Griffin & King on account on behalf of the company by Craig Cotterill, the Director, upon the company giving instructions to Griffin & King to proceed with the winding-up. A further £916.67 plus VAT has been paid subsequently.

Basis of Remuneration and Quantum

Due to the paucity of funds no resolution has been passed regarding remuneration.

A decision will be sought from creditors to fix the basis of the Liquidator's remuneration separately should the position change.

A Guide to Liquidator's fees is available at: -

<https://www.r3.org.uk/media/documents/publications/professional/Liquidations%20Creditor%20Fee%20Guide%20April%202017.pdf>. If you do not have access to online services, a copy can be provided upon request.

Work Done During This Reporting Period

As outlined in the asset section of this report, the Liquidator has realised all known assets of the company. Work in relation to investigations and statutory reporting is also complete.

Certain aspects of the work that the Liquidator must undertake is derived from the underlying legal and regulatory framework for insolvency appointments of this nature. This work does not usually result in any direct financial benefit to creditors however, it is a necessary aspect of work in relation case management & control, best practice and compliance with other related legal obligations. It includes matters such as:-

- Preparation & filing of statutory documentation following appointment
- Preparation and issue of progress reports and associated documentation
- Periodic written internal case reviews
- On-going case planning and strategy with staff
- Maintaining & updating the case information on the practice insolvency software
- Maintenance of cashing records, preparation of receipts & payments account
- On-going taxation returns & obligations
- On-going consideration of ethical matters and anti-money laundering regulations
- General administrative matters and routine correspondence
- Compliance with other associated legislation.

In accordance with Insolvency Practitioners (Amendment) Regulations 2015 sufficient records are maintained to show and explain the administration of the case and the decisions materially affecting the liquidation, including time records.

Attached at Appendix C is a specific summary explanation of the work that has been undertaken in this reporting period (by category) by the Liquidator.

Work Still to Be Done

The work remaining to be done consists of final tax clearances, including any final VAT reclaim/payment and work to finalise the winding-up including preparation & circulation of the

final account to creditors. The majority of this work is necessary by statute and no financial benefit is derived for creditors.

Collection of the money due in respect of the assets is the only other significant matter to compete.

Statement of Expenses

1) Category 1 Disbursements & Expenses

Creditors' approval is not required for necessary external disbursements or expenses (category 1). The following category 1 disbursements have been incurred, and still to be incurred in the liquidation:

<u>To Whom Paid / Payable</u>	<u>Nature of Disbursement / Expense</u>	<u>Incurred in this Period 26.2.19 to 25.2.20</u>	<u>Estimated Still to be Incurred / Paid</u>
		£	£
Courts Advertising Ltd.	Statutory and other advertising required under insolvency legislation	154.20	-
Marsh Limited	Premium for Insolvency Practitioners Specific Bond required under insolvency regulations	70.00	-
The Royal Bank of Scotland Plc	Account service charges for 12 months	24.00	24.00
Total (plus VAT where appropriate)		248.20	24.00

As there are currently no company assets with which to discharge these disbursements & expenses, they have been met by the Liquidator's practice and not recovered from the company.

2) Category 2 Disbursements & Expenses

Creditors' approval is required for internal disbursements or expenses (category 2) where the cost (or an allocation of cost) is in respect of services provided by the Liquidator or his firm. An explanatory schedule detailing the basis of calculation for costs is attached at Appendix B.

The following category 2 disbursements have been incurred, and still to be incurred in the Liquidation:

<u>To Whom Paid / Payable</u>	<u>Nature of Disbursement / Expense</u>	<u>Incurred in this Period 26.2.19 to 25.2.20</u>	<u>Estimated Still to be Incurred</u>
		£	£
Griffin & King	Photocopying: (charged per Appendix B)	14.08	15.00
Griffin & King	Postage: (charged per Appendix B)	36.49	40.00
Griffin & King	Letterheads: (charged per Appendix B)	1.25	2.00
Griffin & King	A4 window envelopes: (charged per Appendix B)	2.97	3.00
Total (plus VAT where appropriate)		54.79	60.00

As no resolution has been passed by creditors these disbursements and expenses have been met by the Liquidator's practice and not recovered from the company.


Creditors' Right to Request Further Information About the Liquidator's Remuneration and Expenses and to Challenge the Liquidator's Remuneration and Expenses

Under Rule 18.9 creditors have a right to request further information about the Liquidator's remuneration and expenses. Under Rule 18.34 creditors have the right to challenge said remuneration and expenses on the grounds that it is or are, in all the circumstances, excessive or inappropriate.

The relevant conditions and time limits are laid out within the Rules which are attached at Appendix D.

Other Relevant Information

If any creditor requires further explanation on any aspect of the Progress Report they should telephone Tony Bufton who will be able to deal with such enquiries.

Signed 
Timothy F Corfield - Liquidator

Dated: 13 March 2020

The Original Decking Company Limited
(In Liquidation)
LIQUIDATOR'S RECEIPTS AND PAYMENTS ACCOUNT

Appendix A

	Statement of affairs £	From 26/02/2019 To 25/02/2020 £	From 26/02/2019 To 25/02/2020 £
RECEIPTS			
Plant & Machinery	1,000.00	0.00	0.00
		<u>0.00</u>	<u>0.00</u>
PAYMENTS			
Pension Schemes	(1.00)	0.00	0.00
Trade & Expense Creditors	(12,647.05)	0.00	0.00
Directors' Loan Accounts	(8,408.00)	0.00	0.00
Banks/Institutions	(1,279.66)	0.00	0.00
HM Revenue & Customs - PAYE & CT	(2.00)	0.00	0.00
HM Revenue & Customs - VAT	(1.00)	0.00	0.00
T Balderson - Former Director	(135,232.00)	0.00	0.00
Ordinary Shareholders	(100.00)	0.00	0.00
		<u>0.00</u>	<u>0.00</u>
Net Receipts/(Payments)		<u>0.00</u>	<u>0.00</u>
MADE UP AS FOLLOWS			
		<u>0.00</u>	<u>0.00</u>

CHARGE OUT RATES PER HOUR

Grade	£
Insolvency Practitioner	395
Managers	285 to 345
Senior Case Administrators / Managers	175 to 260
Administrators / Junior Administrators	135 to 160
Junior Staff	85 to 135

Matters of particular complexity requiring responsibility of an exceptional kind will be dealt with by the Appointee personally or his senior staff. Where possible and in order to maximise cost effectiveness of the work performed the routine administration of the case is carried out by administrators and junior staff under the supervision of senior staff and/or the Appointee.

All charge-out rates are subject to periodic review. Any material amendments to charge-out rates shall be disclosed to Creditors at subsequent reporting obligations. Time is charged by individual staff to the category of work undertaken, in time units of 6 minutes (being one tenth of an hour).

Charges in relation to secretarial support are accounted for as an overhead cost of the firm and not charged separately to the case.

EXPENSES AND DISBURSEMENTS

Creditors' approval is not required for necessary external disbursements (Category 1) paid to independent third parties. Such disbursements shall be disclosed to Creditors' at subsequent reporting obligations.

Creditors' approval is required for internal disbursements (Category 2) where the cost (or an allocation of cost) is in respect of services provided by the Appointee or his firm. Additionally, where cost is paid to an outside party in which the Appointee or his firm (or any associate) has an interest disclosure and approval is required.

Detailed below are the disbursements that may be charged to the case from time to time, together with the cost and the basis of calculation to the cost.

<u>Disbursement</u>	<u>Cost</u>	<u>Basis of Calculation of Cost</u>
Photocopying for all circulars and general correspondence.	4.00 pence per copy.	This is the actual cost of a sheet of white copying paper at £0.04 pence and the actual cost per use of the copier at £0.035 pence.
Postage for all circulars and general correspondence.	The cost is dependent on the class, size & weight.	This is the actual cost charged by the Royal Mail (or equivalent postal service) for the postage.
Envelopes for all circulars and general correspondence.	7.25 pence per A4 window envelope.	This is the actual cost an envelope used.
Letterheads for all circulars and general correspondence.	3.05 pence per letterhead.	This is the actual cost of a letterhead used.
Companies House, Land Registry or other search information.	The cost is dependent on the quantity & type of documents required or available.	This is the actual cost of the document download service provided by the agency.
Meeting Room Hire for all formally convened Creditor meetings.	£65 for each meeting.	This is the actual cost of hiring the meeting room facilities or if held at our offices in Walsall, as levied by the managing agents of the building; Goodall Management Ltd (a company of which Mr Corfield is a director & shareholder). The amount charged is in line with the cost of alternative external provision.
Archive storage boxes for all company books & records.	£4.55 per archive record storage box required.	This is the actual cost of each archive storage box.
Storage for all the archive storage boxes of books & records.	£5 per annum per archive box.	This is the actual invoice cost for storage per archive box at 26/28 Goodall Street, Walsall, West Midlands WS1 1QL (or other storage facilities), levied by Goodall Management Ltd (a company of which Mr Corfield is a director & shareholder). The amount charged is in line with the cost of alternative external provision.
Issue - 1 Jan 2019		

Appendix C

A Summary of Work Undertaken or Still to be Undertaken (by category).

Classification (or category) of Work	Type of Activity
Administration, planning & control - Undertaken	Compliance related to Ethical, Money Laundering & Bribery Act legislation. Compliance with statutory & other legislative requirements or functions. Administrative case set-up & maintenance, case strategy review, case reviews, maintenance of records. Statutory responsibilities to Companies House & relevant advertising. Drafting of annual and other reports, reviewing communications sent & received. IP bonding arrangements, dealing with Crown departments & submission of relevant returns, financial control & bank reconciliations.
Administration, planning & control - Still to be Undertaken	Compliance with statutory & other legislative requirements or functions. Administrative case maintenance, case strategy review and maintenance of records. Statutory responsibilities to Companies House and other relevant bodies. Drafting final report, reviewing communications sent & received. IP bonding arrangements, dealing with Crown departments & submission of relevant final returns. Financial control & bank reconciliation. Seeking appropriate Crown clearances, final checklists and vacation of office.
Asset Realisation - Undertaken	Sale of plant & machinery. Disposal of all other assets. Dealings with director, accountant, bank, & other interested parties. Enquiry into all assets & valuations. Dealings with landlord & lease.
Asset Realisation – Still to be Undertaken	None
Creditor Administration - Undertaken	Scheduling & agreement of claims, correspondence with creditors, dealings & reports to the creditors.
Creditor Administration – Still to be Undertaken	Correspondence with creditors, dealing with final enquiries and admin tasks.
Creditor Distribution – Undertaken	None
Creditor Distribution – Still to be Undertaken	None
Employee Administration - Undertaken	Dealing with, and assisting employees, relevant returns, P45s, pension matters, submission of claims to the National Insurance Fund (RPO), review RPO claim & employee residual claims.
Employee Administration – Still to be Undertaken	None
Investigations - Undertaken	Review of directors' conduct, scrutiny of books & records and accounts, reporting obligations to the Insolvency Service, dealings with directors & other reporting parties, identification of antecedent transactions, breaches of the Insolvency Act, Companies Act or other legislative requirements.
Investigations – Still to be Undertaken	None
Trading	None
Specific Case Matters	None

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").

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 **Tony Bufton**Company name **Griffin & King Insolvency**Address **26/28 Goodall Street****Walsall**Post town **West Midlands**

County/Region

Postcode **WS1 1QL**

Country

DX

Telephone **01922 722205****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