

In accordance with  
Rule 18.7 of the  
Insolvency (England &  
Wales) Rules 2016 and  
Sections 92A, 104A and  
192 of the Insolvency  
Act 1986.

# LIQ03

## Notice of progress report in voluntary winding up



Companies House

TUESDAY



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19/05/2020

#274

COMPANIES HOUSE

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### 1 Company details

Company number 00702727

Company name in full T A Flavell & Son Limited

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

### 2 Liquidator's name

Full forename(s) Ian James

Surname Royle

### 3 Liquidator's address

Building name/number Redheugh House

Street Thornaby Place

Post town Thornaby

County/Region Stockton-on-Tees

Postcode TS17 6SG

Country

### 4 Liquidator's name

Full forename(s) David Adam

Surname Broadbent

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

### 5 Liquidator's address

Building name/number Redheugh House

Street Thornaby Place

Post town Thornaby

County/Region Stockton-on-Tees


Postcode TS17 6SG

Country

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

LIQ03

Notice of progress report in voluntary winding up

<b>6</b>	<b>Period of progress report</b>											
From date	<sup>d</sup> 0	<sup>d</sup> 3	<sup>m</sup> 0	<sup>m</sup> 4	<sup>y</sup> 2	<sup>y</sup> 0	<sup>y</sup> 1	<sup>y</sup> 9				
To date	<sup>d</sup> 0	<sup>d</sup> 2	<sup>m</sup> 0	<sup>m</sup> 4	<sup>y</sup> 2	<sup>y</sup> 0	<sup>y</sup> 2	<sup>y</sup> 0				
<b>7</b>	<b>Progress report</b>											
<input checked="" type="checkbox"/> The progress report is attached												
<b>8</b>	<b>Sign and date</b>											
Liquidator's signature	Signature X  X											
Signature date	<sup>d</sup> 1	<sup>d</sup> 3	<sup>m</sup> 0	<sup>m</sup> 5	<sup>y</sup> 2	<sup>y</sup> 0	<sup>y</sup> 2	<sup>y</sup> 0				

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 **Ian James Royle**

Company name **Begbies Traynor (Central) LLP**

Address **11 Clifton Moor Business Village  
James Nicolson Link**

Post town **Clifton Moor**

County/Region **York**

Postcode 

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Country

DX **york@btguk.com**

Telephone **01904 479801**

**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](http://www.gov.uk/companieshouse) or email [enquiries@companieshouse.gov.uk](mailto: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](http://www.gov.uk/companieshouse)**

**T A Flavell & Son Limited**  
**(In Liquidation)**  
**Joint Liquidators' Summary of Receipts & Payments**

Declaration of Solvency £		From 03/04/2019 To 02/04/2020 £	From 03/04/2018 To 02/04/2020 £
	<b>ASSET REALISATIONS</b>		
	Bank Interest Gross	9.62	10.68
199,512.00	Cash at Bank	NIL	199,420.70
3,603.00	Corporation Tax Refund	3,717.43	3,717.43
1,500.00	VAT Refund	236.40	236.40
		<u>3,963.45</u>	<u>203,385.21</u>
	<b>COST OF REALISATIONS</b>		
	Accountants Fees	NIL	1,182.00
	Bank Charges	2.26	2.26
	Liquidators' Disbursements	105.00	105.00
	Liquidators' Remuneration	NIL	1,500.00
	Statutory Advertising	NIL	253.80
		<u>(107.26)</u>	<u>(3,043.06)</u>
	<b>DISTRIBUTIONS</b>		
	Ordinary Shareholders	5,315.89	200,315.89
	Unsecured Creditors	NIL	5.26
		<u>(5,315.89)</u>	<u>(200,321.15)</u>
<u>204,615.00</u>		<u>(1,459.70)</u>	<u>21.00</u>
	<b>REPRESENTED BY</b>		
	Vat Receivable		21.00
			<u>21.00</u>

  
 Ian James Royle  
 Joint Liquidator

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**T A Flavell & Son Limited**  
**(in Members Voluntary Liquidation)**

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**Progress Report**

**Period: 3 April 2019 to 2 April 2020**

### **Important Notice**

This Progress Report has been produced solely to comply with our statutory duty to report to members pursuant to Section 92A of the Insolvency Act 1986

This report is private and confidential and may not be relied upon, referred to, reproduced or quoted from, in whole or in part, by members for any purpose other than this report to them, or by any other person for any purpose whatsoever.

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## **Contents**

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This report has been produced during the Covid-19 HM Government restrictions. As a result, our access to information within our physical case files has been limited as our firm has implemented remote working wherever possible in line with HM Government guidance in order to protect its employees and to limit the spread of the virus. Consequently this report has been prepared from information we are able to access remotely. We have taken every reasonable step to ensure that the information is accurate, but if anything is incorrect or incomplete, we will provide an explanation and corrected information in our next progress report.

## 1. INTERPRETATION

<b><u>Expression</u></b>	<b><u>Meaning</u></b>
"the Company"	T A Flavell & Son Limited (in Members Voluntary Liquidation)
"the Liquidators", "we", "our" and "us"	Ian James Royle and David Adam Broadbent of Begbies Traynor (Central) LLP, Redheugh House, Teesdale South, Thornaby Place, Stockton-on-Tees, TS17 6SG
"the Act"	The Insolvency Act 1986 (as amended)
"the Rules"	The Insolvency (England and Wales) Rules 2016 (as amended)
"secured creditor" and "unsecured creditor"	Secured creditor, in relation to a company, means a creditor of the company who holds in respect of his debt a security over property of the company, and "unsecured creditor" is to be read accordingly (Section 248(1)(a) of the Act)
"security"	(i) In relation to England and Wales, any mortgage, charge, lien or other security (Section 248(1)(b)(i) of the Act); and (ii) In relation to Scotland, any security (whether heritable or moveable), any floating charge and any right of lien or preference and any right of retention (other than a right of compensation or set off) (Section 248(1)(b)(ii) of the Act)
preferential creditors	Any creditor of the Company whose claim is preferential within Sections 386, 387 and Schedule 6 to the Act

## 2. COMPANY INFORMATION

Trading name(s):	<i>As above</i>
Company registered number:	0070 2727
Company registered office:	Redheugh House, Teesdale South, Thornaby Place, Stockton on Tees, TS17 6SG
Former trading address:	Frederick Street, Thornaby, Stockton-on-Tees, TS17 6AW

## 3. DETAILS OF APPOINTMENT OF LIQUIDATORS

Date winding up commenced:	3 April 2018
Date of Liquidators' appointment:	3 April 2018
Changes in Liquidator (if any):	None

## 4. PROGRESS DURING THE PERIOD

### **Receipts and Payments**

Attached at Appendix 1 is our abstract of receipts and payments for the period from 3 April 2018 to 2 April 2019.

**What work has been done in the period of this report, why was that work necessary and what has been the financial benefit (if any) to members?**

Details of the types of work that generally fall into the headings mentioned below are available on our firm's website – <http://www.begbies-traynorgroup.com/work-details>

Under the following headings we have explained the specific work that has been undertaken on this case – not every piece of work has been described, but we have sought to give a proportionate overview that provides sufficient detail to allow members to understand what has been done, why it was necessary and what financial benefit (if any) the work has provided to members.

The costs incurred in relation to each heading are set out in the attached Time Costs Analysis.

Please note that the details below only relate to the work undertaken in the period of the report – our previous Progress Reports contain details of the work undertaken since our appointment.

### General case administration and planning

This category of work includes cashiering, performing compliance / statutory reviews and case progression.

Insolvency Practitioners are also required to maintain records to demonstrate how the case was administered, and to document the reasons for any decisions that materially affect the case.

Whilst this carries little financial merit to the members, it has still enabled the clear and concise administering of this case.

### Compliance with the Insolvency Act, Rules and best practice

The Insolvency Act and Rules require Liquidators to produce a Progress Report within two months after each anniversary of their appointment, which is filed at Companies House and made available to members.

They are also required to ensure that the case is adequately bonded (an insurance to protect the interests of members in the potential asset realisations on a case)

This category also includes cashiering duties, such as banking funds, maintaining accounting records and invoicing in respect of remuneration and disbursements, which is undertaken by our support staff throughout the duration of the case.

Whilst these categories of work carry no financial benefit to the members, it has enabled the case to be administered in a statutory compliant manner, which has enabled the swift distribution of reserves to them.



Dealing with all creditors' claims (including employees), correspondence and distributions

Time has been posted to this section in relation to dealing with the distribution to the shareholder, and in obtaining clearance from H M Revenue & Customs (to allow this matter to be concluded)

This work has financially benefitted members, as it has allowed for the balance of funds to be distributed to them.

Other matters which includes meetings, tax, litigation, pensions and travel

Time posted to this category relates to time spent dealing with post-appointment tax matters.

Whilst this work has not financially benefitted members, it has still been necessary in order to comply with our statutory requirements in respect of reporting to H M Revenue & Customs.

## 5. CREDITORS

In a Members Voluntary Liquidation, creditors are required to prove their claims – the Liquidators must then examine the proofs and the particulars of the claims, and admit them (in whole or in part) or reject them – the Liquidators must then settle the priorities of the creditors (as between secured / preferential / unsecured) before paying them in full with statutory interest.

The statement of assets and liabilities embodied within the Declaration of Solvency sworn by the director indicated that there were no outstanding creditors.

We have received Corporation Tax, VAT and PAYE clearance (from H M Revenue and Customs) therefore we are able to conclude this matter (once a final distribution has been made).

## 6. DISTRIBUTIONS TO MEMBERS

A distribution of £65,000 was issued to the shareholders on 5 April 2018 (equivalent to a £65 per £65 share distribution).

A second distribution of £130,000 has also been distributed to shareholders on 1 May 2018 (equivalent to a £130 per £1 share distribution).

A third and final distribution (of the remaining funds in hand) will be made to members prior to conclusion of this matter.

## 7. REMUNERATION & DISBURSEMENTS

### Liquidators' Remuneration

Our remuneration has been fixed by reference to the time properly given by us (as Liquidators) and the various grades of our staff calculated at the prevailing hourly charge out rates of Begbies Traynor (Central) LLP, in attending to matters arising in the Liquidation – this was subject to us having agreed that our remuneration shall not exceed the sum of £1,500 (plus VAT & disbursements) in circumstances where the value of time exceeds this sum.

The time costs incurred during the reporting period (i.e. from 3 April 2019 to 2 April 2020) amounts to £6,876 which represents 27.9 hours at an average rate of £246.45 per hour.

Our total time costs incurred for in the period of our appointment (i.e. from 3 April 2018 to 2 April 2020) amount to £10,448 against which the sum of £1,500 plus VAT has been drawn, as agreed with members.

#### **Liquidators' Disbursements**

We are authorised to draw disbursements, including disbursements for services provided by our firm (defined as "Category Two" disbursements in Statement of Insolvency Practice 9) presented to the general meeting at which various resolutions, including the special resolution that the Company be wound up voluntarily, were passed.

"Category One" disbursements in the sum of £358.80 plus VAT have been incurred and drawn in full.

#### **Time Costs Analysis**

The following further information in relation to our time costs and disbursements is set out in the attached (at Appendix 2):

- ☐ Time Costs Analysis for the reporting period (i.e. from 3 April 2019 to 2 April 2020); and
- ☐ Time Cost Analysis for the period of appointment (i.e. from 3 April 2018 to 2 April 2020)
- ☐ Begbies Traynor (Central) LLP's charging policy & charge-out rates.

The attached Time Costs Analysis shows the time spent by each grade of staff on the different types of work involved in the case, and gives the total costs and average hourly rate charged for each work type.

Please note that the analysis only provides details of the work undertaken by the Liquidators and their staff following their appointment.

A copy of 'A Creditors' Guide to Liquidators Fees (E&W) 2015' which provides guidance on creditors' rights on how to approve and monitor a Liquidator's remuneration and on how the remuneration is set can be obtained online at [www.begbies-traynor.com/creditorsguides](http://www.begbies-traynor.com/creditorsguides)

Alternatively, if you require a hard copy of the Guide, please contact our office.

## **8. LIQUIDATORS' EXPENSES**

A statement of the expenses incurred during the period of this Progress Report is attached (at Appendix 3)

## **9. ASSETS THAT REMAIN TO BE REALISED AND WORK THAT REMAINS TO BE DONE**

#### **General case administration and planning**

Until this matter is concluded, we will continue to perform periodic reviews, in order to ensure that the statutory requirements of the relevant legislation are complied with.

Continuing records will also be made to demonstrate how the case is being administered, and to document the reasons for any decisions that materially affect the case.

Whilst this work will not financially benefit members, it is still a necessary part of the general control of the case.

*Compliance with the Insolvency Act, Rules and best practice*

Pursuant to The Insolvency Act 1986 and the Insolvency Rules 1986, together with subsequent amendments, over the remaining course of the administration of this estate we will ensure that the case is adequately bonded (an insurance to protect the interests of members in the potential asset realisations on a case)

We will also produce a Progress Report within two months after the anniversary of the date of when the Company entered Liquidation, which is issued / made available to members and filed with the Registrar of Companies.

As this matter is now ready for conclusion, we will produce a Final Report to be issued to members, and subsequently filed with the Registrar of Companies.

In the meantime, the cashiering duties (bank reconciliations and maintaining accounting records) will continue to be undertaken by our support staff.

Whilst this work will not financially benefit members, it is still necessary to comply with our statutory duties.

*Dealing with all creditors' claims (including employees), correspondence and distributions*

As outlined earlier in this report, we have received the relevant clearance from H M Revenue & Customs for PAYE and VAT and Corporation Tax clearance allowing this matter to be concluded.

This work will not financially benefit members, but is still required to be undertaken as part of our statutory duties.

*Other matters which includes meetings, tax, litigation, pensions and travel*

Until this matter is concluded, we will continue to prepare / submit tax returns for the periods after our appointment as Joint Liquidators.

Whilst this work will not financially benefit members, it is still necessary to comply with statutory requirements in respect of reporting to H M Revenue & Customs.

**How much will this further work cost, and what additional expenses are anticipated?**

We estimate that the cost of further work to conclude this matter will be in the region of £1,500 to £2,000

Irrespective of the additional time to be incurred, however, our fee is limited to £1,500 plus VAT (which has already been drawn)

No additional material expenses are also anticipated to be incurred.

## 10. MEMBERS' RIGHTS

### Use of personal information

Please note that in the course of discharging our statutory duties as Liquidators, we may need to access and use personal data, being information from which a living person can be identified – where this is necessary, we are required to comply with data protection legislation.

If you would like further information about your rights in relation to our use of your personal data, you can access the same at <https://www.begbies-traynorgroup.com/privacy-notice>

Should you require a hard copy of the information, however, please do not hesitate to contact our office.

### Right to request further information

Pursuant to Rule 18.9 of the Rules, within 21 days of the receipt of this report a member or members of the Company with at least 5% of the voting total rights of all the members having the right to vote at general meetings of the Company (or any member or members with less than 5% of the total voting rights, but with the permission of the Court) may request in writing that we provide further information about our remuneration or expenses which have been incurred during the period of this Progress Report.

### Right to make an Application to Court

Pursuant to Rule 18.34 of the Rules, within eight weeks of receipt of this Progress Report any member or 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 any member, or members with less than 10% of the total voting rights, but with the permission of the Court) may make an Application to Court on the grounds that the remuneration charged or the expenses incurred during the period of this Progress Report are excessive or, the basis fixed for our remuneration is inappropriate.

## 11. CONCLUSION

We will report again in approximately twelve months time or at the conclusion of the Liquidation, whichever is the sooner.



**Ian Royle**  
Joint Liquidator

Dated: 13 May 2020

## ACCOUNT OF RECEIPTS AND PAYMENTS

Period: 3 April 2019 to 2 April 2020

**T A Flavell & Son Limited**  
**(In Liquidation)**  
**Joint Liquidators' Summary of Receipts & Payments**

Declaration of Solvency £	From 03/04/2019 To 02/04/2020 £	From 03/04/2018 To 02/04/2020 £
	<b>ASSET REALISATIONS</b>	
	Bank Interest Gross	9.62
	Cash at Bank	NIL
199,512.00	Corporation Tax Refund	3,717.43
3,603.00	VAT Refund	236.40
1,500.00		236.40
		203,385.21
	<b>COST OF REALISATIONS</b>	
	Accountants Fees	NIL
	Bank Charges	2.26
	Liquidators' Disbursements	105.00
	Liquidators' Remuneration	NIL
	Statutory Advertising	NIL
		253.80
		(107.26)
	<b>DISTRIBUTIONS</b>	
	Ordinary Shareholders	5,315.89
	Unsecured Creditors	NIL
		5.26
		(200,321.15)
		21.00
<b>204,615.00</b>		<b>21.00</b>
	<b>REPRESENTED BY</b>	
	Vat Receivable	21.00
		<b>21.00</b>

Ian James Royle  
Joint Liquidator

## TIME COSTS AND DISBURSEMENTS

- a. Begbies Traynor (Central) LLP's charging policy for re-charging expenses / disbursements & charge-out rates
- b. Time Costs Analysis for the reporting period (i.e. from 3 April 2019 to 2 April 2020)
- c. Time Costs Analysis for the period of our appointment (i.e. from 3 April 2018 to 2 April 2020)

## **BEGBIES TRAYNOR CHARGING POLICY**

### **INTRODUCTION**

This note applies where a licensed insolvency practitioner in the firm is acting as an office holder of an insolvent estate and seeks creditor approval to draw remuneration on the basis of the time properly spent in dealing with the case. It also applies where further information is to be provided to creditors regarding the office holder's fees following the passing of a resolution for the office holder to be remunerated on a time cost basis. Best practice guidance<sup>1</sup> requires that such information should be disclosed to those who are responsible for approving remuneration.

In addition, this note applies where creditor approval is sought to make a separate charge by way of expenses or disbursements to recover the cost of facilities provided by the firm. It also applies where payments are to be made to parties other than the firm, but in relation to which the office holder, the firm or any associate has an interest. Best practice guidance<sup>2</sup> indicates that such charges should be disclosed to those who are responsible for approving the office holder's remuneration, together with an explanation of how those charges are calculated.

### **OFFICE HOLDER'S FEES IN RESPECT OF THE ADMINISTRATION OF SOLVENT ESTATES**

The office holder has overall responsibility for the administration of the estate. He/she will delegate tasks to members of staff. Such delegation assists the office holder as it allows him/her to deal with the more complex aspects of the case and ensures that work is being carried out at the appropriate level. There are various levels of staff that are employed by the office holder and these appear below.

The firm operates a time recording system which allows staff working on the case along with the office holder to allocate their time to the case. The time is recorded at the individual's hourly rate in force at that time which is detailed below.

### **EXPENSES INCURRED BY OFFICE HOLDERS IN RESPECT OF THE ADMINISTRATION OF SOLVENT ESTATES**

Best practice guidance classifies expenses into two broad categories:

- *Category 1 disbursements (approval not required)* - specific expenditure that is directly related to the case and referable to an independent external supplier's invoice. All such items are charged to the case as they are incurred.
- *Category 2 disbursements (approval required)* - items of expenditure that are directly related to the case which include an element of shared or allocated cost and are based on a reasonable method of calculation, but which are not payable to an independent third party.

(A) The following items of expenditure are charged to the case (subject to approval):

- Car mileage is charged at the rate of 45 pence per mile;

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<sup>1</sup> Statement of Insolvency Practice 9 (SIP 9) – Remuneration of insolvency office holders in England & Wales (Effective 1 April 2007)

<sup>2</sup> Ibid 1



*Expenses which should be treated as Category 2 disbursements (approval required)* – in addition to the two categories referred to above, best practice guidance indicates that where payments are to be made to outside parties in which the office holder or his firm or any associate has an interest, these should be treated as Category 2 disbursements.

***Services provided by an entity within the Begbies Traynor group***

The following items of expenditure which relate to services provided by entities within the Begbies Traynor group, of which the office holder's firm is a member, are also to be charged to the case (subject to approval):

- Asset Recovery, Appraisal and Valuation, Disposal and Consultancy services are provided by Eddisons which is part of Begbies Traynor Group plc.

Due to the varied nature of the work carried out, Asset Recovery, Appraisal and Disposal costs are charged on one or more of the following basis.

These costs are paid from asset realisations of the company:

Time costs of £ 250 per hour – Director  
Time costs of £ 175 per hour – Associate Director  
Time costs of £ 150 per hour – Manager  
Time costs of £ 100 per hour – Graduate/Administrator  
Time Costs of £ 35 per hour – Porter

10% of realisations in respect of asset sales and auction sales

15% Buyers Premium in respect of auction sales

A fixed charge fee by agreement within the rates above

Any necessary additional services which might be provided would be within these rates.

- Eddisons Insurance Services Limited is also part of Begbies Traynor Group plc and provides insurance services on a fixed premium basis.

(B) The following items of expenditure will normally be treated as general office overheads and will not be charged to the case although a charge may be made where the precise cost to the case can be determined because the item satisfies the test of a *Category 1 disbursement*:

- Telephone and facsimile
- Printing and photocopying
- Stationery

#### **BEGBIES TRAYNOR CHARGE-OUT RATES**

Begbies Traynor is a national firm. The rates charged by the various grades of staff that may work on a case are set nationally, but vary to suit local market conditions. The rates applying to the York/Teesside office as at the date of this report are as follows:

<b>Grade of staff</b>	<b>Charge-out Rate (£ per hour)</b>
Partner	495
Director	445
Senior Manager	395
Manager	345
Assistant Manager	250
Senior Administrator	225
Administrator	175
Junior Administrator	140
Support	140

Time spent by support staff such as secretarial, administrative and cashiering staff is charged directly to cases. It is not carried as an overhead.

Time is recorded in 6 minute units.

[illegible]



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## STATEMENT OF LIQUIDATORS' EXPENSES

Type of expense	Name of party with whom expense incurred	Amount incurred £	Amount discharged £	Balance owing £
Statutory Advertising	Courts Advertising Limited	253.80	253.80	<i>Nil</i>
Specific Bond	Marsh Limited	105.00	105.00	<i>Nil</i>