

LIQ03

Notice of progress report in voluntary winding up



Companies House

SATURDAY



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13/07/2019

#358

COMPANIES HOUSE

1 Company details

Company number 01145085

Company name in full L H Sleightholme Limited

→ Filling in this form

Please complete in typescript or in
bold black capitals.

2 Liquidator's name

Full forename(s) John William

Surname Butler

3 Liquidator's address

Building name/number The Chapel

Street Bridge Street

Post town Driffield

County/Region East Yorkshire

Postcode YO256DA

Country United Kingdom

4 Liquidator's name ①

Full forename(s) Andrew James

Surname Nichols

① Other liquidator

Use this section to tell us about
another liquidator.

5 Liquidator's address ②

Building name/number The Chapel

Street Bridge Street

Post town Driffield

County/Region East Yorkshire

Postcode YO256DA

Country United Kingdom

② Other liquidator

Use this section to tell us about
another liquidator.

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6 Period of progress report

From date	d 2 d 6	m 0 m 5	y 2 y 0 y 1 y 8
To date	d 2 d 5	m 0 m 5	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 9	m 0 m 7	y 2 y 0 y 1 y 9
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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

Company name

Address

Post town

County/Region

Postcode

Country

DX

Telephone



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

L.H. SLEIGHTHOLME LIMITED – IN LIQUIDATION

Annual Progress Report

L.H. Sleightholme Limited – in liquidation (“the Company”)

Joint Liquidators’ Annual Progress Report for the period 26 May 2018 to 25 May 2019

Statutory information

Company number: **01145085**
Name of company: **L.H. Sleightholme Limited**
Previous name(s) of company (if any): **N/A**
Trading name / style under which

- Company carried on business and
- Any debt owed to a creditor was incurred

Type of Liquidation: **Members Voluntary Liquidation**
Address of Registered office: **The Chapel, Bridge Street, Driffield, YO25 6DA**
Principal trading address: **Westfield Works, Helperthorpe, Malton, YO17 8TQ**
Liquidator(s) name(s), address(es) and contact number: **J W Butler and A J Nichols of Redman Nichols Butler, The Chapel, Bridge Street, Driffield, YO25 6DA. T: 01377 257788**
Office holder number(s): **9591 & 8367**
Date of appointment: **26 May 2015**
Is there a liquidation committee? **No**

Administration (including statutory reporting)

The work undertaken which is classified as Administration for the period of this report is summarised below;

Case Management

- case set-up, record-keeping, completion of checklists, periodic case reviews

Statutory and Compliance

- case bonding; Companies House filings and returns; advertising of notices
- preparation and delivery of periodic reports to members and other stakeholders
- completion and submission of post appointment HMRC tax returns
- corresponding with HMRC regarding tax clearance.
- reporting to members including the preparation of the final account.

Cashiering

- arrange banking facilities; monthly account reconciliations; general cashiering preparation and maintenance of cashbook and receipts and payments account

This work does not produce any direct financial benefit for members but is required by statute and best practice guidelines.

Asset realisations

The work undertaken which is classified as Asset realisations is summarized below;

Asset	Estimated to realise per Declaration of Solvency (£)	Actual realisations to date (£)	Comments
Freehold Property – 25 Eastgate South, Driffield	50,000	50,000	The property at 24 Eastgate South, Driffield, was sold in November 2016 for its full market value of £50,000. The liquidation received £46,562 after making provision for the associated conveyancing and legal fees
Trade Debtors	17,431	13,939	At liquidation, the company had trade debtors' totaling £17,431. Solicitors were engaged to recover the balance of an aged book debt and as a consequence, the liquidator has successfully recovered £13,939.40 after making provision for associated legal fees.
Directors' Loan Account	Uncertain	Nil	At liquidation, the balance of the directors' loan account was uncertain. The liquidator instructed the company accountants to prepare accounts to liquidation and as a consequence, established that the directors had no outstanding loans.
Cash at Bank	259,321	252,951	At liquidation, the company had a balance of £252,951.43 in its current account.
Rental Income	Nil	5,275	Prior to its sale in November 2016, rental income of £5,275 was collected from the tenants of 24 Eastgate South, Driffield
Bank Interest	Nil	4,246	Bank interest of £4,246.68 has been received on the funds held.

This work is required by statute and best practice guidelines but due to investigations detailed later in this report, it is uncertain at this stage if the work will result in a financial benefit for the members.

Statement of Insolvency Practice 13 – Transactions with connected parties

Statement of Insolvency Practice 13 provides that I am required to disclose to creditors and members at the first available opportunity after my appointment any transactions with connected parties.

There have been no transactions with any connected parties.

Creditors (claims and distributions)

The work undertaken for the period of this report to determine if the Company has any creditors is summarised below:

- reviewing company records
- Issuing notice to creditors
- Advertising liquidation in London Gazette and inviting creditors to submit details of their claim.
- Corresponding with the Health & Safety Executive regarding the ongoing Health & safety investigation.
- Corresponding with solicitors and insurers regarding ex-employee claims relating to alleged personal injuries.

This work does produce financial benefit and is required by statute and best practice guidelines.

Costs and expenses of the liquidation

Remuneration of office holders

A creditors' guide to Insolvency Practitioner's fees is available at www.creditorinsolvencyguide.co.uk or www.insolvency-practitioners.org.uk/regulation-and-guidance/guides-to-fees. A copy of the creditors' guide to Redman Nichols Butler fees and expenses is attached to this report which details my firm's current charge out rates.

Basis of amount of remuneration, who agreed that basis and when

At the meeting of members held on 26 May 2015, the members resolved that the joint liquidators' remuneration be fixed by reference to the time properly given by them and their staff in attending to matters arising in the winding up, including those falling outside their statutory duties undertaken at the request of members and that they be at liberty to draw fees in accordance with the foregoing resolution without further reference to members

My firm's time costs in administering this case

My firm's time costs to date in dealing with the proper administration of this liquidation total £53,464.14 and for the period of this report total £3,308.46. An estimated analysis by reference to the types of work carried out on this liquidation is attached to this report.

The narrative above provides a brief description of the type of work involved in each category.

Funds drawn to date on account of remuneration

I advise that, to date, I have drawn £Nil plus VAT in respect of my firm's remuneration.

Convening costs

My firm's time costs for assisting the directors with the preparation of the declaration of solvency and the necessary documents needed to place the Company into members' voluntary liquidation are shown as follows:

Grade of staff	Hours / Minutes	Rate (£)	Value (£)
Partner	0:00	305.00	0:00
Total/Average	0:00		0:00

My firm has not received anything in respect of these costs.

Redman Nichols Butler expenses

Attached to this report is a breakdown of the expenses incurred and recovered from the liquidation estate. I have incurred £1,356.74 plus VAT for disbursements. I advise that to date, I have recovered £nil plus VAT in respect of these disbursements.

Professionals engaged to assist the liquidator to carry out his duties

The following professionals have been engaged to assist me in carrying out my duties in this case: -

Firm	Estimated costs (£)	Costs incurred to date (£)	Costs paid to date (£)	Basis of those fees	Brief description of work carried out & reasons for costs exceeding estimate	Basis of review of reasonableness of fees
Ashby Berry Coulson	250	250	250	Time Costs	Accountancy fees and preparation of the company's pre liquidation Corporation Tax and VAT returns.	Invoice
SV Armstrong	Uncertain	10,290	10,290	Time Costs	Solicitor's fees in respect of attending meetings, liaising and corresponding with Health & Safety Inspectorate.	Invoice
Hamers Solicitors	250	250	250	Time Costs	Solicitor's fees in respect of time spent reviewing rental lease and advice regarding recoverable rents.	Invoice
Hamers Solicitors	1,006	1,006	1,006	Time Costs	Solicitor's fee in assisting with the sale of 24 Eastgate South, Driffeld.	Invoice
Simon Daly Solicitors	297	297	297	Time Costs	Solicitor's fees in respect of their assistance in preparing the Company's Declaration of Solvency	Invoice
Ulllyotts	1,860	1,860	1,860	Time Costs	Estate agent fees for assisting with the conveyancing and sale of 24 Eastgate South, Driffeld.	Invoice
Hetherton Solicitors	455	455	455	Time Costs	Solicitor's fees in respect of actions taken to recover aged book debts including court fees and correspondence.	Invoice
Hetherton Solicitors	1,208	1,208	1,208	Time Costs	Solicitor's fees in respect of meetings and correspondence with insurers and lawyers in relation to the Health & safety Investigation.	Invoice
Hetherton Solicitors	100	100	100	Time Costs	Solicitor's fees in respect of meetings and correspondence with insurers in relation to an ex employee's personal injury claim. On 9 November 2018, Hetherton's were successful in the company's representations and the employee's lawyers confirmed that they did not intend to take any further action against the company regarding this matter.	Invoice

Members' request for further information

Within 21 days of receipt of this report: -

- i) Members of the company with the concurrence of at least 5% of the total voting rights of all members having the right to vote at general meetings of the company;

With the permission of the court upon an application made within the 21 days by any member may make a request in writing to the liquidator for further information about remuneration or expenses set out in the draft report.

The liquidator must, within 14 days of receipt of the request, respond accordingly.

Right of challenge

If a member believes that the office holders' remuneration is, in all the circumstances excessive, the basis inappropriate, or the expenses incurred by the office holder are, in all the circumstances, excessive he may, provided certain conditions are met, apply to the court.

The application to court may be made by:

- 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 or the permission of the court.

The application must, subject to any order of the court, be made no later than 8 weeks after receipt by the applicant of the progress report, or the draft final report which first reports the charging of the remuneration or the incurring of the expenses in question.

Liquidation committee

At the meeting held on 26 May 2015, the members resolved not to appoint a liquidation committee.

Outcome for creditors

The prescribed part

The Company has not granted a floating charge to any creditor after 15 September 2003 and consequently there will be no prescribed part in this Liquidation.

Secured creditor

There are no secured creditors in this case.

Preferential creditors

There are no preferential unsecured creditors in this case.

Dividend prospects for non-preferential unsecured creditors

To date, no claims have been received in respect of any non-preferential unsecured creditors.

However, the liquidator is aware of a potential creditor claim in respect of an ongoing Health & Safety Investigation.

HM Revenue & Customs have issued pre liquidation tax clearance in respect of the company's Corporation Tax, VAT & PAYE accounts.

Potential claims arising from an ex-employee personal injury claim and a Health & Safety investigation

An ex-employee had instructed solicitors to bring a personal injury claim for alleged loss of hearing resulting from his employment with the company during 1985 to 2000. The liquidator instructed solicitors to continue to correspond with the claimant's representatives to establish if a claim was to be submitted. On the 9th November 2018, the claimant's solicitor confirmed that their client did not intend to take any further action against the company.

Health & Safety Investigation

On 25 June 2015, the liquidator received notice from the East Riding of Yorkshire County Council Health & Safety Inspectorate that they were undertaking a criminal fatal accident investigation surrounding the partial collapse of a building and the subsequent death of a member of the public. The company had been one of several parties involved in works carried out on the building. The Health & Safety Inspectorate had commenced an investigation of the circumstances surrounding the works carried out and in accordance with Section 20 of the Health & Safety at Work Act 1974, required the liquidator to assist with the investigation, providing information and full access to the company records.

The liquidator has instructed solicitors to assist him.

As a consequence of the liquidator's ongoing involvement in the investigations, substantial time has been spent in dealing with this investigation. The time includes;

- securing and listing over 150 boxes of company records
- reviewing the company records
- arranging and overseeing numerous visits by the Health & Safety Inspectorate to the company documents
- liaising with solicitors & insurance providers
- meetings with the Health & Safety Inspectorate.

The additional time and costs are evidence in the enclosed summary of costs incurred to date. To date, the liquidator has not received any payment in respect of any of the work carried out

There are five other companies who have been asked to provide information to assist with the Health & Safety Inspectorate's investigations.

The liquidator and his solicitors are continuing to liaise with the Health & Safety Inspectorate in order to resolve this matter. Once the Health & Safety Inspectorate has concluded his investigations then this matter will be referred back to the Police and to the Coroner who will then decide what course of action to take.

The Coroner has prepared an initial Disclosure Bundle and solicitors are working with the Coroner's Office to determine if the documents presented in the bundle ought to be reviewed further to determine its relevance.

The Inquest continues to be monitored by the liquidator's solicitor and to date, no decision has yet been reached regarding any potential corporate liability or responsibility.

Dividends to members

To date, and as a consequence of the contingent liabilities relating to the Health & Safety investigation, the liquidator has not made any distributions to members.

Summary of outstanding issues

The following outstanding matters that are preventing this case from being closed:

- The completion of the Health & Safety investigation and the subsequent determination of any liability vesting in the company.
- Agreement of all creditor's final claims.
- HM Revenue & Customs final exit tax clearance.

Closure

Due to the ongoing Health & Safety investigation, it is difficult to estimate the timing of the closure of the liquidation.

As liquidator, we have instructed solicitors to assist with the investigation and to ensure momentum is maintained. However, we have no influence with regard to the time taken to conclude the Inquest.

This concludes my annual progress report on the conduct of this liquidation. Should you require any further information please contact Ann Banks.



John Butler
Joint Liquidator
09 July 2019

Assets:	Notes	Declaration of Solvency	26 May 2015 to 25 May 2016	26 May 2016 to 25 May 2017	26 May 2017 to 25 May 2018	26 May 2018 to 25 May 2019	26 May 2019 to date	Estimated future	Total
		£	£	£	£	£	£	£	£
Freehold property - 25 Eastgate South		50,000.00	0.00	50,000.00	0.00	0.00	0.00	0.00	50,000.00
Trade debtors		17,431.00	8,000.00	0.00	0.00	5,939.40	0.00	0.00	13,939.40
Directors loan account		Uncertain	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Cash at bank		259,321.00	252,951.43	0.00	0.00	0.00	0.00	0.00	252,951.43
Rental Income		0.00	3,275.00	2,000.00	0.00	0.00	0.00	0.00	5,275.00
PAYE refund		0.00	0.00	0.00	0.00	15.17	0.00	0.00	15.17
Bank Interest		0.00	995.35	1,354.57	1,236.14	660.62	0.00	Uncertain	4,246.68
		<u>326,752.00</u>	<u>265,221.78</u>	<u>53,354.57</u>	<u>1,236.14</u>	<u>6,615.19</u>	<u>0.00</u>	<u>0.00</u>	<u>326,427.68</u>
Estimated costs of liquidation and other expenses									
Liquidators' Fees		(3,000.00)	0.00	0.00	0.00	0.00	0.00	Uncertain	Uncertain
Liquidators' Disbursements		0.00	0.00	0.00	0.00	0.00	0.00	Uncertain	Uncertain
Legal fees		(500.00)	(4,466.53)	(2,473.00)	(2,481.50)	(1,292.00)	(1,333.40)	Uncertain	(12,046.43)
Legal Fees - sale of 25 Eastgate South			0.00	(1,006.00)	0.00	0.00	0.00	0.00	(1,006.00)
Estate Agent Fee - sale of 25 Eastgate South			0.00	(1,860.00)	0.00	0.00	0.00	0.00	(1,860.00)
Accountancy fees		(500.00)	(250.00)	0.00	0.00	0.00	0.00	Uncertain	(250.00)
Legal Fees - Trade Debtor recovery			0.00	0.00	(455.00)	0.00	0.00	0.00	(455.00)
Solicitors Fee - Employee claim			0.00	0.00	0.00	(100.00)	0.00	0.00	(100.00)
Bank charges			0.00	0.00	0.00	0.00	0.00	0.00	0.00
Corporation tax			0.00	(199.07)	(1,323.87)	(234.86)	(125.51)	Uncertain	(1,883.31)
VAT			0.00	0.00	0.00	0.00	0.00	0.00	0.00
Insurance Premium			(1,621.80)	(1,594.32)	0.00	0.00	0.00	0.00	(3,216.12)
Irrecoverable VAT			0.00	0.00	0.00	0.00	0.00	(545.08)	(545.08)
		<u>(4,000.00)</u>	<u>(6,338.33)</u>	<u>(7,132.39)</u>	<u>(4,260.37)</u>	<u>(1,626.86)</u>	<u>(1,458.91)</u>	<u>(545.08)</u>	<u>(21,361.94)</u>
Balance available for creditors		322,752.00	258,883.45	46,222.18	(3,024.23)	4,988.33	(1,458.91)	(545.08)	305,065.74
Unsecured creditors									
H M Revenue and Customs - Corporation Tax APE 31.12.2014	Estimated £6,195.40	(6,922.00)	0.00	0.00	0.00	0.00	0.00	0.00	0.00
H M Revenue and Customs - PAYE / NI			0.00	0.00	0.00	0.00	0.00	0.00	0.00
H M Revenue and Customs - VAT	Estimated £3,424.00		0.00	0.00	0.00	0.00	0.00	0.00	0.00
Director's loan account			0.00	0.00	0.00	0.00	0.00	0.00	0.00
HSE investigation			Uncertain	0.00	0.00	0.00	0.00	Uncertain	Uncertain
Employee Claims			0.00	0.00	0.00	0.00	0.00	0.00	0.00
Statutory Interest			0.00	0.00	0.00	0.00	0.00	0.00	0.00
Contingency			0.00	0.00	0.00	0.00	0.00	0.00	0.00
Accountancy fees	Estimated £1,170.00		Uncertain	0.00	0.00	0.00	0.00	Uncertain	Uncertain
		<u>(6,922.00)</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>
Balance available for shareholders		315,830.00	258,883.45	46,222.18	(3,024.23)	4,988.33	(1,458.91)	(545.08)	305,065.74
Distributions to shareholders									
Distribution 1	Uncertain		0.00	0.00	0.00	0.00	0.00	0.00	0.00
Distribution 2	Uncertain		0.00	0.00	0.00	0.00	0.00	0.00	0.00
		<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>
Balance		315,830.00	258,883.45	46,222.18	(3,024.23)	4,988.33	(

HOURS							
Classification Of work Function	Partner	Manager	Other Senior Professional	Assistants & Support Staff	Total Hours	Time Cost £	Average Hourly Rate £
Administration & Planning	4.25	4.75	0.00	5.20	14.20	3,308.46	232.99
Investigations	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Realisation of Assets	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Trading	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Creditors	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Total Fees Claimed £	1,296.25	1,206.50	0.00	805.71		3,308.46	
Total Hours	4.25	4.75	0.00	5.20	14.20		
Average Rate	305.00	254.00	0.00	154.94			

HOURS

Classification Of work Function	Partner	Manager	Other Senior Professional	Assistants & Support Staff	Total Hours	Time Cost £	Average Hourly Rate £
Administration & Planning	26.10	132.33	9.00	58.75	226.18	47,811.88	211.39
Realisation of Assets	2.98	5.25	0.50	0.00	8.73	2,209.43	252.99
Creditors	10.30	0.25	1.08	0.00	11.63	3,442.83	295.95
Investigations	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Trading	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Total Fees Claimed £	12,011.93	31,297.33	2,391.83	7,763.05		53,464.14	
Total Hours	39.38	137.83	10.58	58.75	246.55		
Average Rate	305.00	227.07	226.00	146.63			

CATEGORY 1 + 2 DISBURSEMENTS

Type & Purpose	Amount £
06/07/2015 Category 2 - Printing & Photocopying Copies taken by H&S Executive	61.50
08/06/2015 Category 1 - Bordereau	281.24
08/06/2015 Category 1 - Company Search	3.00
22/06/2015 Category 2 - Archive Boxes Archive boxes	790.00
23/06/2015 Category 1 - Advertising Appointment of liquidator	201.00
22/04/2016 Category 2 - Archive Boxes Archive boxes	15.00
03/06/2019 Category 2 - Archive Boxes 1 archive box	5.00
	1,356.74

A creditor's guide to the fees and disbursements charged by Redman Nichols Butler

Insolvency Practitioner's Fees

Where it has been agreed by a resolution of creditors or the creditors' committee that the office holders' remuneration will be calculated by reference to the time properly given by the office holder and his staff in attending to matters arising in the administration of the insolvency estate, at the following hourly charge out rates:-

Grade	Rate (£) to 30 April 2014	Rate (£) from 1 May 2014
Partner	280	305
Senior Manager	250	278
Manager	230	254
Assistant Manager	205	226
Administrator	155	166
Support staff	90	97

These rates are our current hourly charge out rates and are exclusive of value added tax. Our charge-out rates are reviewed periodically and creditors will be advised of any alteration thereto. Time is recorded in one minute units.

Disbursements of Redman Nichols Butler

From time to time, we will incur disbursements on behalf of insolvent estates. The reimbursement of these disbursements will be a charge against the insolvent estate to which they relate. These disbursements can be split into two categories, Category 1 and Category 2.

Category 1 disbursements are disbursements which are directly referable to the insolvent estate and relate to a payment to an independent third party. We seek to recover these types of disbursement. Approval is not required to recover these disbursements and these include insolvency bonds, advertising, company searches and post redirection orders.

Category 2 disbursements are directly referable to the insolvent estate in question but the payment is not to an independent third party. They may include shared or allocated costs that can be allocated to the insolvent estate on a proper and reasonable basis, for example, business mileage. These disbursements are recoverable in full from the estate, subject to the basis of the disbursement charge being approved by creditors in advance.

Category 2 disbursements are recharged at the following rates:

Mileage	45 pence per mile
Printing & Photocopying	10 pence per sheet
Postage	Prevailing rates
Archive boxes	£5 per box

The charges above are subject to annual increments and creditors will be advised of these in future circulars.

From time to time we instruct a firm of agents, Ulllyotts, to act for the insolvent estate. Ulllyotts are an associated business. Where Ulllyotts are instructed, their fees will either be charged by reference to time costs properly incurred, calculated in one minute units at an hourly rate of between £150 – £225, plus their disbursements, or on a percentage basis. These costs are typical of agents in this geographical area.

A guidance note and further information in relation to office holders' fees is available at www.R3.org.uk or www.insolvency-practitioners.org.uk/regulation-and-guidance/guides-to-fees.