

AM10

Notice of administrator's progress report



Companies House

SATURDAY



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03/10/2020

#54

COMPANIES HOUSE

1 Company details

Company number 01202760

Company name in full A. & J. Fabtech Limited

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

2 Administrator's name

Full forename(s) Philip Edward

Surname Pierce

3 Administrator's address

Building name/number Minerva

Street 29 East Parade

Post town Leeds

County/Region Yorkshire

Postcode LS15PS

Country

4 Administrator's name ①

Full forename(s) Paul

Surname Whitwam

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

5 Administrator's address ②

Building name/number Minerva

Street 29 East Parade

Post town Leeds

County/Region Yorkshire

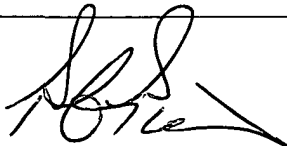
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6		Period of progress report															
From date	d	0	d	7	m	0	m	3	y	2	y	0	y	2	y	0	
To date	d	0	d	6	m	0	m	9	y	2	y	0	y	2	y	0	
7		Progress report															
		<input checked="" type="checkbox"/> I attach a copy of the progress report															
8		Sign and date															
Administrator's signature	Signature																
	X																X
Signature date	d	0	d	1	m	1	m	0	y	2	y	0	y	2	y	0	

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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 **Richard Marchinton**

Company name **FRP Advisory Trading Limited**

Address **Minerva**

29 East Parade

Post town **Leeds**

County/Region **Yorkshire**

Postcode **L S 1 5 P S**

Country

DX **cp.leeds@frpadvisory.com**

Telephone **0113 831 3555**



Checklist

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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.



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Where to send

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DX 33050 Cardiff.



Further information

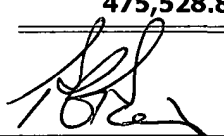
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A. & J. Fabtech Limited
(In Administration)
Joint Administrators' Summary of Receipts & Payments

Statement of Affairs £	From 07/03/2020 To 06/09/2020 £	From 07/03/2019 To 06/09/2020 £
SECURED ASSETS		
Freehold Land & Property	NIL	1,720,000.00
	NIL	1,720,000.00
COSTS OF REALISATION		
Heat & Light	NIL	5,834.02
Legal Fees	NIL	10,189.00
Agents/Valuers Fees	NIL	32,700.00
Agents Disbursements	NIL	2,406.00
IPT payable on Property Insurance	NIL	756.00
Site Security	NIL	10,320.50
Property Insurance	NIL	6,300.00
	NIL	(68,505.52)
SECURED CREDITORS		
Barclays Bank PLC	NIL	1,257,923.02
	NIL	(1,257,923.02)
ASSET REALISATIONS		
Bank Interest Gross	6.89	1,917.52
Book Debts	NIL	182,573.83
Corporation Tax Refund	NIL	36,531.50
Furniture & Equipment	NIL	75.00
Occupation Fee	NIL	7,500.00
Plant & Machinery	NIL	152,127.00
Scrap Material	NIL	3,221.40
Stock/WIP	NIL	3,000.00
Sundry Refund	NIL	366.79
	6.89	387,313.04
COST OF REALISATIONS		
Administrators' Disbursements	NIL	2,261.69
Administrators' pre-appointment expe	NIL	39,063.00
Administrators' Remuneration	NIL	150,000.00
Agents Disbursements	NIL	11,102.70
Agents/Valuers Fees (1)	NIL	11,875.00
Bank Charges - Floating	1.60	6.80
Close Brothers Asset Finance	NIL	2,000.00
Corporation Tax	362.90	362.90
Debt Collection Fees	NIL	7,355.51
Insurance Broker Fees	NIL	2,000.00
Insurance of Floating Charge Assets	NIL	2,650.43
IPT on Insurance Paid	NIL	333.38
Legal Disbursements	NIL	260.50
Legal Fees - Post Administration	6,196.50	18,629.75
Legal Fees - Pre-Administration	NIL	4,946.00
Quantity Surveyor Costs	NIL	3,950.00
Storage Costs	NIL	93.40
	(6,561.00)	(256,891.06)
PREFERENTIAL CREDITORS		
Preferential Creditors	48,464.58	48,464.58
	(48,464.58)	(48,464.58)
	(55,018.69)	475,528.86
REPRESENTED BY		
IB Current Floating		446,374.93

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(In Administration)
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REPRESENTED BY CONTINUED		
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Vat Recoverable - Floating		60,515.33
		475,528.86
		
		Philip Edward Pierce Joint Administrator

FRP

A. & J. FABTECH LIMITED (IN ADMINISTRATION) ("THE COMPANY")

The Business and Property Courts in Leeds NO. 251 OF 2019

The Administrator's Progress Report for the period 07/03/2020 to 06/09/2020
pursuant to Rule 18.3 of the Insolvency (England and Wales) Rules 2016

1 October 2020

Contents and abbreviations

FRP

Section	Content
1.	Progress of the Administration in the period
2.	Estimated Outcome for the creditors
3.	Administrators' remuneration, disbursements, expenses and pre-appointment costs
Appendix	Content
A.	Statutory information regarding the Company and the appointment of the Administrators.
B.	Form AM10 - formal notice of the progress report.
C.	A schedule of work.
D.	Details of the Administrators' time costs and disbursements for the Period and cumulatively.
E.	Receipts and payments account for the period and cumulative.
F.	Statement of expenses incurred in the Period.
G.	Administrators' revised fee estimate.
H.	Notice of Decision by Correspondence and Voting Form.

The following abbreviations may be used in this report:

FRP	FRP Advisory Trading Limited
The Company	A. & J. Fabtech Limited (In Administration)
The Administrators	Philip Edward Pierce and Paul Andrew Whitwam of FRP Advisory Trading Limited
The Period	The reporting period 07/03/2020 to 06/09/2020
CVL	Creditors' Voluntary Liquidation
SIP	Statement of Insolvency Practice
QFCH	Qualifying floating charge holder
HMRC	HM Revenue & Customs
the Failed Product Claim	the potential claim for recovery of damages/losses relating to the Oldham Waste Water Treatment Works contract
the Agents	Sanderson Weatherall LLP, suitably qualified (RICS) and experienced property and chattel asset agents and valuers based in Leeds.
the Solicitors	Womble Bond Dickinson (UK) LLP, solicitors based in Leeds.

1. Progress of the Administration

Work undertaken during the period

I attach at **Appendix C** a schedule of work undertaken during the period together with a summary of work still to be completed.

The Administrators' work undertaken during the period has primarily focused on:

- Agreeing and paying preferential creditor claims;
- Investigating the merits of pursuing the Failed Product Claim.

Further details regarding the preferential creditor dividend are set out later in this report.

Our investigations into the Failed Product Claim have involved:

- Review of Company records
- Collation of relevant documents and correspondence
- Review of technical reports
- Meetings and discussions with Management
- Liaison with insurance brokers and associated solicitors
- Consultation with industry specialists relating to the causes of the failure
- Corresponding with the relevant customer and their solicitors
- Instructing and working with our solicitors to assess the claim
- Instructing Counsel to provide opinion on specific legal issues

This work has been necessary to establish the basis of the relationships between the parties involved and the responsibilities of the respective parties so we can consider the potential courses of action available to the Administrators in respect of recovery actions. We have been advised by our Solicitors throughout this process who recommended that we obtain Counsel's opinion on several specific legal issues relating to the potential actions being considered. This has highlighted additional information that needs to be collated which the Administrators are progressing. Furthermore, it has clarified the range of options capable of being pursued. Once the Administrators have reviewed the additional information requirements, we will consult with our legal advisors to propose an appropriate course of action.

A. & J. Fabtech Limited (In Administration)
The Administrators' Progress Report

Attached at **Appendix E** is a receipts and payments account detailing both transactions for the period of this report and cumulatively since my appointment as Administrator.

Investigations

Part of my duties include carrying out proportionate investigations into what assets the Company has, including any potential claims against directors or other parties, and what recoveries could be made. I have reviewed the Company's books and records and accounting information, requested further information from the directors, and invited creditors to provide information on any concerns they have regarding the way in which the Company's business has been conducted. Further details of the conduct of my investigations are set out in the schedule of work attached. I can confirm that save for the investigations ongoing regarding the Failed Product Claim, no further investigations or actions are considered to be required.

Extension to the initial period of appointment

As reported previously, the Administration period has been extended until 6 March 2021 by agreement of the Company's creditors. A further extension is not currently anticipated, however if it becomes necessary, it will be sought by the Court in accordance with current legislation.

Anticipated exit strategy

The Administrators intend in due course to take steps to move the Company from Administration into Creditors Voluntary Liquidation to pursue the Failed Product Claim (if it is concluded appropriate to do so) and to facilitate the payment of a dividend distribution to unsecured creditors, in accordance with the Proposals approved by creditors previously.

2. Estimated Outcome for the creditors

FRP

The estimated outcome to creditors was originally set out in the Administrators' proposals, with a further update as required provided in each subsequent progress report.

Outcome for the secured creditors

The Company's known secured creditors have been repaid in full.

Outcome for the preferential creditors

Preferential creditor claims totalling £48,464.58 have been received by the Joint Administrators in respect of employee arrears of pay and outstanding holiday pay.

On 16 July 2020, the Joint Administrators declared and paid a first and final dividend of 100 p in the £ to those preferential creditors who had submitted their claims.

The Administrators anticipate that a further small preferential claim may be submitted shortly by the Company's pension scheme provider, in respect of pension contribution arrears.

This is currently being investigated and will be paid in full by the declaration of an equalising preferential dividend of 100 p in the £ if appropriate.

Outcome for the unsecured creditors

The Administrators are aware of potential unsecured creditor claims totalling £6,345,668. These claims have not been adjudicated by the Administrators.

There are sufficient funds available to make a distribution to unsecured creditors. However, any distribution to unsecured creditors will be made by a subsequently appointed Liquidator, as is required by current legislation, who will also take responsibility for adjudicating the claims received.

The costs of the liquidation cannot at this stage be estimated and therefore it is not possible to estimate the level of distribution that may be made. Any distribution is subject to how the Failed Product Claim is progressed with the associated costs incurred and potential recoveries made. Further information is required before these aspects can be estimated.

Prescribed Part

The prescribed part is a carve out of funds available to the holder of a floating charge which is set aside for the unsecured creditors in accordance with section 176A of the Insolvency Act 1986. The prescribed part only applies where the floating charge was created after 15 September 2003 and the net property available to the floating charge holder exceeds £10,000.

The prescribed part does not apply because the secured creditor has been repaid in full following the sale of the Property under the terms of their fixed charge security.

Accordingly, there is no longer a valid floating charge secured the Company's assets.

3. Administrators' remuneration, disbursements, expenses and pre-appointment costs

FRP

Administrators' remuneration

Following circulation of the Proposals the creditors passed a resolution that the Administrators' remuneration should be calculated on a time cost basis limited to the fee estimate provided with the proposals without further approval by creditors. This estimate was provided on the assumption that the Administration would be complete within 12 months, which has proven not to be the case.

Details of remuneration charged during the period of the report are set out in the statement of expenses attached at **Appendix F**. To date fees of £150,000 excluding VAT have been drawn from the funds available as detailed in the receipts and payments account at **Appendix E**.

A breakdown of our time costs incurred during the period of this report and to date is attached at **Appendix D**.

The Administrators reported in the last progress report (12 month anniversary) that the original fee estimate had been exceeded and provided details of time incurred to that date. Furthermore, it was stated that a revised estimate would be provided in due course for approval.

The original time cost estimate has been exceeded for a variety of reasons including:

- additional administrative and case control matters resulting from the Administration extending beyond one year;
- extended negotiations relating to the sale of the Property;
- the extent of site attendance required to deal with clearance;
- complications in investigating and pursuing the Failed Product Claim.

The Administrators are unable to draw fees based on time costs exceeding the total amount set out in the fees estimate without further approval of the creditors which is now being sought by way of the revised fee estimate.

Attached at **Appendix G** is a copy of the Administrators' revised fee estimate, and at **Appendix H** is a notice of decision procedure and voting form for creditors to vote on the revised fee estimate.

Administrators' disbursements

The Administrators' disbursements are a recharge of actual costs incurred by the Administrators on behalf of the Company. Mileage payments made for expenses relating to the use of private vehicles for business travel, which is directly attributable to the insolvency estate, are paid by FRP at the HMRC approved mileage rate prevailing at the time the mileage was incurred. Details of disbursements incurred during the period of this report are set out in **Appendix D**.

Administrators' expenses

An estimate of the Administrators' expenses was set out in the Administrators' proposals. I attach at **Appendix F** a statement of expenses that have been incurred during the period covered by this report. It is currently expected that the expenses incurred or anticipated to be incurred in relation to the areas noted below are likely to exceed the details previously provided.

Time Costs

The Administrators' time costs incurred during the Period amount to £23,851.50 and relate to dealing with the preferential creditor dividend, ongoing statutory and compliance matters as well as the ongoing investigations into the potential Failed Product Claim.

The Administrators estimate further time costs to be incurred until the Company is moved into CVL could be in the region of £25,000 depending on the extent of the additional work undertaken relating to the Failed Product Claim. In addition, time will be spent finalising the administration and moving the case to CVL, as well as complying with all statutory/regulatory matters associated with the move.

3. Administrators' remuneration, disbursements, expenses and pre-appointment costs

FRP

Legal Fees – Post Administration

As reported previously, the Administrators have appointed the Solicitors to assist them in pursuing the Failed Product Claim. The Solicitors have been paid £6,197 to date. They also have unbilled time costs of £8,680 and continue to accrue time on this matter.

In addition, the costs of obtaining Counsel's opinion referred to earlier in the report amounts to £10,000 which will be paid in due course.

It is not currently possible to provide a complete estimate of future legal costs as it is wholly dependent upon what action is taken in relation to the Failed Product Claim. However, it is estimated that legal costs (Solicitors and Counsel) of between £10,000 and £20,000 may be incurred to proceed to issuing Letters of Claim.

Bank Charges

Bank charges of £2 have been incurred and paid during the Period. Bank charges are applied to the estate account when electronic payments are made by the Administrators, accruing at a rate of £0.40 per transaction.

Corporation Tax

The Company's annual Corporation Tax liability of £362.90, arising due to bank interest received into the estate account, has been paid during the Period.

Miscellaneous

When instructing third parties to provide specialist advice and services, or having the specialist services provided by the firm, the Joint Administrator is obligated to ensure that such advice or work is warranted and that the advice or work contracted reflects the best value and service for the work being undertaken. This is reviewed by the Joint Administrator periodically throughout the duration of the assignment. The specialists chosen may regularly be used by the Joint Administrator and usually have knowledge specific to the insolvency industry and, where relevant, to matters specific to this insolvency appointment.

Creditors have a right to request further information from the Administrators and further have a right to challenge the Administrators' remuneration and other expenses, which are first disclosed in this report, under the Insolvency (England and Wales) Rules. (For ease of reference these are the expenses incurred in the reporting period as set out in **Appendix F** only). Further details of these rights can be found in the Creditors' Guide to Fees which you can access using the following link <https://creditors.frpadvisor.com/info.aspx> and select the one for administrations. Alternatively, a hard copy of the relevant guide will be sent to you on request. Please note there is a time limit for requesting information being 21 days following the receipt of this progress report. There is a time limit of 8 weeks following the receipt of this report for a Court application that the remuneration or expenses are excessive.

Appendix A

Statutory Information

FRP

A. & J. FABTECH LIMITED (IN ADMINISTRATION)

COMPANY INFORMATION:

Other trading names: N/A

Company number: 01202760

Registered office: c/o FRP
Minerva
29 East Parade
Leeds
LS1 5PS

Previous registered office: 700 Bretton Way
Bretton Park Industrial Estate
Dewsbury
West Yorkshire
WF12 9BS

Business address: 700 Bretton Way
Bretton Park Industrial Estate
Dewsbury
West Yorkshire
WF12 9BS

ADMINISTRATION DETAILS:

Administrator(s): Philip Edward Pierce & Paul Andrew Whitwam

Address of Administrator(s): FRP Advisory Trading Limited
Minerva
29 East Parade
Leeds
LS1 5PS

Date of appointment of Administrator(s): 07/03/2019

Court in which administration proceedings were brought: The Business and Property Courts in Leeds

Court reference number: 251 of 2019

Appointor details: The Directors

Previous office holders, if any: N/A

Extensions to the initial period of appointment: 12 months until 6 March 2021

Date of approval of Administrators' proposals: 17 May 2019

Appendix B

CH Form AM10 Formal Notice of the Progress Report

FRP

AM10

Notice of administrator's progress report



Companies House

For further information, please
refer to our guidance at
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6 Period of progress report

From date	^d 0	^d 7	^m 0	^m 3	^y 2	^y 0	^y 2	^y 0
To date	^d 0	^d 6	^m 0	^m 9	^y 2	^y 0	^y 2	^y 0

7 Progress report

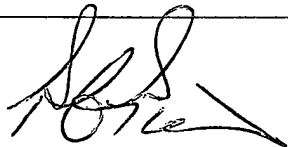
☒ I attach a copy of the progress report

8 Sign and date

Administrator's
signature

Signature

X



X

Signature date

^d 0	^d 1	^m 1	^m 0	^y 2	^y 0	^y 2	^y 0
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(In Administration)
Joint Administrators' Summary of Receipts & Payments**

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REPRESENTED BY CONTINUED

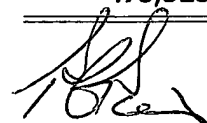
Vat Payable - Floating

(31,361.40)

Vat Recoverable - Floating

60,515.33

475,528.86



Philip Edward Pierce
Joint Administrator

Appendix C

A schedule of work

FRP

A. & J. Fabtech Limited (IN ADMINISTRATION)**Schedule of Work**

The table below sets out a detailed summary of the work undertaken by the office holder(s) during the reporting period together with an outline of work still to complete. Where work undertaken results in the realisation of funds there may be a financial benefit to creditors should there be sufficient funds available to make a distribution to one or more class of creditor. In this case some work undertaken will include the scrutiny and agreement of creditor claims, however, most of the work agreeing unsecured claims will be undertaken once the Company is in Liquidation.

A proportion of the work undertaken by an Insolvency Practitioner is required by statute, including ensuring the appointment is valid, notifications of the appointment to third parties, regular reporting on the progress, notifying statutory bodies where required in relation to the conduct of the directors, complying with relevant legislation and regulatory matters. This may not have a direct financial benefit to creditors but is substantially there to protect creditors and other stakeholders and ensuring they are kept informed of developments.

Note	Category		
1	ADMINISTRATION AND PLANNING Work undertaken during the reporting period		ADMINISTRATION AND PLANNING Future work to be undertaken
	Continued review and monitoring of case files. Maintain working files, and filing, as appropriate. Management of the estate bank account, regular reconciliations and transaction monitoring. General case accounting in respect of receipts and payments. The Company's annual corporation tax liability of £362.90, arising on the bank interest received into the estate, has been paid during the Period.		Continued case file monitoring and filing as required. Closure of case files and reconciliation of bank accounts at the point of converting the Administration to Liquidation.

A. & J. Fabtech Limited (IN ADMINISTRATION)**Schedule of Work**

2	ASSET REALISATION Work undertaken during the reporting period	ASSET REALISATION Future work to be undertaken
	<p>The Administrators have continued to investigate the available options to recover value for the estate relating to the Failed Product Claim. All the time recorded in relation to this work during the period of this report has been recorded within Section 4 Investigations (see below).</p> <p>Bank interest of £6.89 has been received during the period.</p>	<p>Investigations will continue into the Failed Product Claim to confirm the most appropriate course of action available to maximise recoveries.</p> <p>Creditors will be updated further on this matter in due course.</p>
3	CREDITORS Work undertaken during the reporting period	CREDITORS Future work to be undertaken
	<p>Agreement of Preferential creditor claims, culminating in the payment of a first and final distribution of 100 p in the £ to Preferential creditors on 16 July 2020.</p> <p>Cancellation/re-issuing of dividend cheques in respect of those Preferential creditors who had moved home without notifying the Administrators of their new address.</p> <p>Dealing with creditor queries as they arise.</p> <p>Recording unsecured creditor claims.</p>	<p>Finalise pension scheme position and, if required, agree their claim and pay an equalising preferential dividend.</p> <p>Write to creditors arising from the Failed Product Claim to obtain further information relating to their claims.</p> <p>Deal with future creditor queries.</p> <p>Report to creditors the outcome of the decision procedure convened to consider the revised fee estimate.</p>

A. & J. Fabtech Limited (IN ADMINISTRATION)**Schedule of Work**

4	INVESTIGATIONS Work undertaken during the reporting period	INVESTIGATIONS Future work to be undertaken
	<p>The investigations work recorded during the period relates to the Failed Product Claim. These investigations have, during this and previous periods, covered the following areas:</p> <ul style="list-style-type: none"> • Review of Company records • Collation of relevant documents and correspondence • Review of technical reports • Meetings and discussions with Management • Liaison with insurance brokers and associated solicitors • Consultation with industry specialists relating to the causes of the failure • Corresponding with the relevant customer and their solicitors • Instructing and working with our solicitors to assess the claim • Instructing Counsel to provide opinion on specific legal issues <p>This work has been necessary to establish the basis of the relationships between the parties involved and the responsibilities of the respective parties so we can consider the potential courses of action available to the Administrators in respect of recovery actions.</p> <p>The amount of work required to investigate these matters has significantly exceeded initial estimates made at the start of the Administration.</p> <p>During the Period, the Solicitors have been paid a fee of £6,196.50 on account of their accrued time costs totalling £14,876.50. Their current unbilled WIP stands at £8,680.</p> <p>Counsel's fees were fixed at £10,000 for the initial advice provided. These fees have not yet been paid.</p>	<p>Counsel's opinion on the specific legal issues relating to the potential actions being considered has highlighted additional information that needs to be collated which we will continue to progress. This is likely to involve further discussions with Management, reviewing Company records and obtaining expert technical advice.</p> <p>Furthermore, Counsel's opinion has clarified the range of options capable of being pursued. Therefore, once we have reviewed the additional information requirements, we will consult with our legal advisors to propose an appropriate course of action.</p>

A. & J. Fabtech Limited (IN ADMINISTRATION)

Schedule of Work

5	STATUTORY COMPLIANCE AND REPORTING Work undertaken during the reporting period	STATUTORY COMPLIANCE AND REPORTING Future work to be undertaken
	Submission of statutory reports and returns as and when they fall due. Submission of previous Administrators' progress report.	Prepare and submit future progress and closure reports (as applicable) as they fall due, together with appropriate notices etc. Completion of HMRC returns as and when they fall due. Take necessary steps to conclude the Administration and transition the Company from Administration to Creditors Voluntary Liquidation ("CVL") to facilitate the continued pursuance of the Failed Product Claim and, ultimately, payment of a dividend to unsecured creditors. Compliance with all statutory duties and internal matters in ensuring the correct closure of the Administration case and opening of the CVL case.
6	TRADING (where applicable) Work undertaken during the reporting period	TRADING (where applicable) Future work to be undertaken
	Not applicable.	Not applicable.
7	LEGAL AND LITIGATION Work undertaken during the reporting period	LEGAL AND LITIGATION Future work to be undertaken
	All time spent during the period of this report relating to the Failed Product Claim has been recorded within Section 4 Investigations (see above).	The further work relating to the Failed Product Claim is noted within Section 4 Investigations (see above).

Appendix D

Details of the Administrators' time costs and disbursements for the period and cumulative

FRP

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A. & J. Fabtech Limited (In Administration)

Time charged for the period 07 March 2020 to 06 September 2020

	Total Hours	Total Cost £	Average Hrlly Rate £
Administration and Planning	9.25	2,432.50	262.97
Creditors	22.55	5,706.50	253.06
Investigation	31.60	13,492.00	426.96
Statutory Compliance	7.45	2,220.50	298.05
Grand Total	70.85	23,851.50	336.65

Time charged from the start of the case to 06 September 2020

	Total Hours	Total Cost £	Average Hrlly Rate £
Administration and Planning	159.20	50,476.00	317.06
Asset Realisation	190.60	73,641.50	386.37
Creditors	139.95	37,695.75	269.35
Investigation	140.70	48,241.50	342.87
Statutory Compliance	40.45	13,986.00	345.76
Grand Total	670.90	224,040.75	333.94

Disbursements for the period

07 March 2020 to 06 September 2020

	Value £
Category 1	
Computer Consumables	403.28
Electronic Storage Costs	201.64
Grand Total	604.92

Mileage is charged at the HMRC rate
prevailing at the time the cost was incurred

FRP Charge out rates

From

Grade	1st May 2016	1st May 2019
Appointment taker / Partner	370-450	370-495
Managers / Directors	280-370	280-370
Other Professional	165-230	165-230
Junior Professional & Support	80-110	80-110

Appendix E


Receipts and payments account for the period and cumulative

FRP

A. & J. Fabtech Limited
(In Administration)
Joint Administrators' Summary of Receipts & Payments

Statement of Affairs £	From 07/03/2020 To 06/09/2020 £	From 07/03/2019 To 06/09/2020 £
SECURED ASSETS		
Freehold Land & Property	NIL	1,720,000.00
	NIL	1,720,000.00
COSTS OF REALISATION		
Heat & Light	NIL	5,834.02
Legal Fees	NIL	10,189.00
Agents/Valuers Fees	NIL	32,700.00
Agents Disbursements	NIL	2,406.00
IPT payable on Property Insurance	NIL	756.00
Site Security	NIL	10,320.50
Property Insurance	NIL	6,300.00
	NIL	(68,505.52)
SECURED CREDITORS		
Barclays Bank PLC	NIL	1,257,923.02
	NIL	(1,257,923.02)
ASSET REALISATIONS		
Bank Interest Gross	6.89	1,917.52
Book Debts	NIL	182,573.83
Corporation Tax Refund	NIL	36,531.50
Furniture & Equipment	NIL	75.00
Occupation Fee	NIL	7,500.00
Plant & Machinery	NIL	152,127.00
Scrap Material	NIL	3,221.40
Stock/WIP	NIL	3,000.00
Sundry Refund	NIL	366.79
	6.89	387,313.04
COST OF REALISATIONS		
Administrators' Disbursements	NIL	2,261.69
Administrators' pre-appointment expe	NIL	39,063.00
Administrators' Remuneration	NIL	150,000.00
Agents Disbursements	NIL	11,102.70
Agents/Valuers Fees (1)	NIL	11,875.00
Bank Charges - Floating	1.60	6.80
Close Brothers Asset Finance	NIL	2,000.00
Corporation Tax	362.90	362.90
Debt Collection Fees	NIL	7,355.51
Insurance Broker Fees	NIL	2,000.00
Insurance of Floating Charge Assets	NIL	2,650.43
IPT on Insurance Paid	NIL	333.38
Legal Disbursements	NIL	260.50
Legal Fees - Post Administration	6,196.50	18,629.75
Legal Fees - Pre-Administration	NIL	4,946.00
Quantity Surveyor Costs	NIL	3,950.00
Storage Costs	NIL	93.40
	(6,561.00)	(256,891.06)
PREFERENTIAL CREDITORS		
Preferential Creditors	48,464.58	48,464.58
	(48,464.58)	(48,464.58)
	(55,018.69)	475,528.86
REPRESENTED BY		
IB Current Floating		446,374.93

A. & J. Fabtech Limited
(In Administration)
Joint Administrators' Summary of Receipts & Payments

Statement of Affairs £	From 07/03/2020 To 06/09/2020 £	From 07/03/2019 To 06/09/2020 £
REPRESENTED BY CONTINUED		
Vat Payable - Floating		(31,361.40)
Vat Recoverable - Floating		60,515.33
		475,528.86
		
		Philip Edward Pierce Joint Administrator

Appendix F

Statement of expenses incurred in the Period

FRP

A & J Fabtech Limited - in Administration		
Statement of expenses for the period ended		
6 September 2020		
Expenses	Period to 6 September 2020 £	Cumulative period to 6 September 2020 £
Office Holders' remuneration (Time costs)	23,852	224,041
Office Holders' disbursements	605	2,867
(Fixed) Heat & Light	520	5,834
(Fixed) Legal Fees	-	10,189
(Fixed) Agents Disbursements	-	2,406
(Fixed) Agents Fees	-	32,700
(Fixed) Insurance & IPT	-	7,056
(Fixed) Site Security Costs	-	10,321
(Fixed) Settlement of Barclays Bank PLC	-	1,257,923
Administrators' Pre-Appointment Fees	-	39,063
Agents Disbursements	-	11,103
Agents Fees	-	11,875
Legal Fees - Post Administration (General)	6,197	18,630
Legal Fees - Pre-Administration	-	4,946
Legal Disbursements	-	261
Quantity Surveyor Costs	-	3,950
Close Brothers Asset Finance (Settlement)	-	2,000
Storage Costs	-	93
Debt Collection Fees	-	7,356
Bank Charges	2	7
Insurance & IPT	-	2,984
Insurance Broker Fees	-	2,000
Corporation Tax	363	363
Total	30,499	1,657,965

Note: A correction is issued in respect of a minus £520 posting against fixed charge Heat & Lighting costs, which was mistakenly counted twice in the last progress report.

Appendix G

Administrators' revised fee estimate

FRP

A & J Fabtech Limited
Joint Administrator's Fee Estimate as at 1 October 2020

Activity	Initial fee estimate		Increase requested		Revised fee estimate		Average hourly rate
	Hours	Cost (£)	Hours	Cost (£)	Hours	Cost (£)	
ADMINISTRATION	81.0	28,270	90.0	31,620	171.0	59,890	350
ASSET REALISATION	160.0	48,320	40.0	15,520	200.0	63,840	319
STATUTORY COMPLIANCE AND REPORTING	77.0	21,230	-	-	77.0	21,230	276
TRADING	0.0	0	-	-	0.0	0	290
INVESTIGATION	57.0	17,430	114.0	44,620	171.0	62,050	363
CREDITORS	121.0	30,410	30.0	10,800	151.0	41,210	273
LEGAL AND LITIGATION	20.0	7,100	20.0	7,100	-	-	#DIV/0!
TOTAL	516.0	152,760	254.0	95,460	770.0	248,220	

Hourly Charge out rates:

	£
Appt taker/partner	370-495
Managers/directors	280-370
Other professional	165-230
Junior Professional/support	80-110

The above fees estimate is based on the assumptions contained in the accompanying schedule of work

Time costs are maintained on computerised records of all time spent on the administration of each case. Matters dealt with during the assignment are dealt with by different members of staff depending on the level of complexity and experience required. Time is charged to the case in maximum of six minute units. Charge-out rates are based on individual expertise, qualification and grade. The costs of the firm's support staff are not directly charged to the estate unless dealing with directly identifiable case specific matters. Charge out rates are reviewed at least annually, details of FRP charge out rates applicable to this assignment are set out above.

Further information can be found in the Creditors' Guide to Fees which you can access using the following link <http://www.frapadvisory.com/fees-guide.html>. Alternatively, a hard copy of the relevant guide will be sent to you on request.

On occasions it may be necessary to change the rates applicable to the work undertaken and if this occurs during the period of the assignment this will be notified to creditors as part of the normal reporting procedures.

The office holder anticipates that it will be necessary to seek further approval. The reasons it may be necessary to seek further approval are set out in the documentation accompanying this estimate.

Appendix H

Notice of Decision by Correspondence and Voting Form

FRP

**IN THE MATTER OF THE INSOLVENCY ACT 1986
RULE 15.8 AND RULE 17.4 INSOLVENCY (ENGLAND AND WALES) RULES 2016.**

**A. & J. FABTECH LIMITED (IN ADMINISTRATION)
COMPANY NO: 01202760
IN THE BUSINESS AND PROPERTY COURTS IN LEEDS NO. 251 OF 2019**

NOTICE OF DECISION PROCEDURE BY CORRESPONDENCE AND VOTING FORM

	<p>1. That a creditors'/liquidation committee is not established or if creditors wish to form a committee, nominations to act are provided;</p> <p>2. That the Joint Administrators be authorised to draw additional fees up to the limit set out in the schedule included with the Administrators' progress report on 1 October 2020 without further approval from creditors.</p>
Description of the decision procedure and arrangements to vote on the decision	<p>The decision procedure to be used in this instance is "correspondence" in accordance with the Insolvency Rules.</p> <p>In order for a creditor's vote to be counted, the voting form should be completed and delivered, together with a proof of their claim (unless already submitted), to the convenor on or before the Decision Date detailed below.</p> <p>Any nominations for prospective members of the creditors' committee must be received by the decision date and can only be accepted if the office holder is satisfied as to the creditors' eligibility to be a member of the committee in accordance with the Insolvency Rules.</p> <p>A creditor whose debt is treated as a small debt in accordance with the Insolvency Rules must still deliver a proof if they wish to vote.</p> <p>Any creditor who has opted out from receiving notices may nevertheless vote if the creditor provides a proof by the decision date.</p> <p>Where a committee is established, the creditors' votes on the decisions above may be disregarded and the committee will be asked to vote on the decisions under separate cover.</p>
Decision date	22 October 2020
Creditors right to request a physical meeting	<p>Creditors may make a written request to the office holder that the above decision(s) be made by a physical creditors' meeting. The threshold required to enable a physical meeting to be convened is any of the following:</p> <ul style="list-style-type: none">• 10% in value of the creditors or contributories; or• 10% in number of the creditors or contributories; or• 10 creditors or contributories. <p>Such request must be made by the above within five business days from the date of delivery of this notice.</p>
Appeals against decisions	A creditor may appeal a decision of the convenor or chair by application to Court within 21 days after the decision date

**IN THE MATTER OF THE INSOLVENCY ACT 1986
RULE 15.8 AND RULE 17.4 INSOLVENCY (ENGLAND AND WALES) RULES 2016**

**A. & J. FABTECH LIMITED (IN ADMINISTRATION)
COMPANY NO: 01202760
IN THE BUSINESS AND PROPERTY COURTS IN LEEDS NO. 251 OF 2019**

NOTICE OF DECISION PROCEDURE BY CORRESPONDENCE AND VOTING FORM

VOTING FORM

In accordance with the Insolvency Rules, please complete and return this form to FRP Advisory Trading Limited, Minerva, 29 East Parade, Leeds, Yorkshire, LS1 5PS, by 22 October 2020, the decision date, together with a proof of debt form if not already submitted in order for your vote to be counted on the following decisions.

1.	<p>That a creditors' committee is not established</p> <p>Where you are in favour of the establishment of a committee you must provide the details of the person who you wish and is willing to act as your representative on any committee that may be subsequently formed for your vote to be valid</p> <p>Proposed Committee Representative (if applicable):</p> <p>Name: _____</p> <p>E mail: _____</p> <p>Tel no: _____</p>	*Agree/Disagree
2.	<p>That the Joint Administrators be authorised to draw additional fees up to the limit set out in the schedule included with the Administrators' progress report on 1 October 2020 without further approval from creditors.</p>	*Agree/Disagree

*Delete as appropriate

Please ensure this form is completed and signed.

Signature	
Name in capital letters	
For and on behalf of	
Relationship or authority to sign (eg director/accountant/member)	
If signing on behalf of a body corporate please indicate if you are the sole member	*YES/NO
A proof of claim <i>Please ensure this form is signed and a proof of debt form (if not already submitted) has been submitted in order for your vote to be counted</i>	*IS ATTACHED *HAS BEEN SUBMITTED PREVIOUSLY
Date	

*Delete as appropriate