

Section 106

Return of Final Meeting in a
Creditors' Voluntary Winding UpPursuant to Section 106 of the
Insolvency Act 1986

To the Registrar of Companies

S.106

Company Number

01291224

Name of Company

A & D Barton & Sons (Pelsall) Limited

I / We

Timothy Frank Corfield, 26/28 Goodall Street, Walsall, West Midlands, WS1 1QL

Note The copy account must be
authenticated by the written
signature(s) of the Liquidator(s)

1 give notice that a general meeting of the company was duly held on/summoned for 21 July 2014 pursuant to section 106 of the Insolvency Act 1986, for the purpose of having an account (of which a copy is attached) laid before it showing how the winding up of the company has been conducted, and the property of the company has been disposed of, and that ~~the same was done accordingly~~ / no quorum was present at the meeting,

2 give notice that a meeting of the creditors of the company was duly held on/summoned for 21 July 2014 pursuant to Section 106 of the Insolvency Act 1986, for the purpose of having the said account laid before it showing how the winding up the company has been conducted and the property of the company has been disposed of and that ~~the same was done accordingly/no quorum was present at the meeting~~

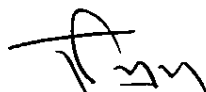
The meeting was held at 26/28 Goodall Street, Walsall, West Midlands WS1 1QL

The winding up covers the period from 11 June 2012 (opening of winding up) to the final meeting (close winding up)

The outcome of any meeting (including any resolutions passed) was as follows

- 1 The account of the Liquidator's acts and dealings and the conduct of the winding up was approved
- 2 The Liquidator was granted his release pursuant to Section 173 of the Insolvency Act 1985

Signed



Date 21 July 2014

Griffin & King Insolvency
26/28 Goodall Street
Walsall
West Midlands
WS1 1QL

Ref ADB501/TFC/SJN

WEDNESDAY



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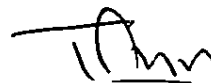
COMPANIES HOUSE

A & D Barton & Sons (Pelsall) Limited
(In Liquidation)
Liquidator's Abstract of Receipts & Payments
From 11 June 2012 to 21 July 2014

S of A £		£	£
	ASSET REALISATIONS		
NIL	Office equipment, plant & machinery	NIL	
	Motor Vehicles	2,900 00	
Uncertain	Book Debts	193 57	
7,939 09	Balance at Bank	7,341 79	
	Sundry Receipt	37 78	
			10,473 14
	COST OF REALISATIONS		
	Statement of Affairs Fee	8,500 00	
	Liquidators Fees	1,973 14	
			(10,473 14)
	PREFERENTIAL CREDITORS		
(12,434 53)	RPO Arrears of pay & holiday pay	NIL	
(2,859 94)	Employees Arrears of pay/holiday pay	NIL	
			NIL
	UNSECURED CREDITORS		
(19,979 29)	Trade & Expense Creditors	NIL	
(123,800 35)	RPO Pay in lieu & redundancy pay	NIL	
(6,487 79)	Employees Pay in lieu balance	NIL	
(26,377 14)	HMRC PAYE & NI	NIL	
(17,864 67)	HMRC Vat	NIL	
(1,560 00)	Barton Property Developments Limited	NIL	
			NIL
(203,424 62)			0.00

REPRESENTED BY

NIL



Timothy Frank Corfield
Liquidator

A & D Barton & Sons (Pelsall) Limited
In Creditors' Voluntary Liquidation

Liquidator's Final Report to the Company & Creditors'
pursuant to Section 106 of the Insolvency Act 1986 and in accordance Rules 4.49D
and 4.126 of the Insolvency Rules 1986

The Liquidator has completed his administration of the above liquidation and accordingly we enclose the Final Report which the Liquidator has laid before a final meeting of members and creditors convened pursuant to section 106 of the Insolvency Act 1986. As the Liquidator has issued the draft Final Report to creditors before the end of the second year anniversary, the Liquidator is not required to circulate a Progress Report and the Final Report should be read in its place.

The Final Report covers the period 11 June 2012 to 21 July 2014

Statutory Information

Company Name	A & D Barton & Sons (Pelsall) Limited
Former Company Name(s)	None
Trading Name(s)	None
Company Number	01291224
Date of Incorporation	17 December 1976
Former Registered Office	73A Coronation Road, Pelsall, Walsall, West Midlands WS4 1BQ
Former Trading Address	73A Coronation Road, Pelsall, Walsall, West Midlands WS4 1BQ
Current Registered Office	26/28 Goodall Street, Walsall, West Midlands WS1 1QL
Name of Liquidator	Timothy Frank Corfield
Address of Liquidator	Griffin & King, 26/28 Goodall Street, Walsall, West Midlands WS1 1QL
IP Number	8202
Date of Appointment of Liquidator	11 June 2012
Change(s) in Liquidator	None

Liquidator's Final Receipts & Payments Account from 11 June 2012 to 21 July 2014

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

a) *Asset realisations*

1) Office equipment, plant and machinery – Estimated to Realise £Nil as per Directors' Statement of Affairs

At cessation of trade the company assets consisted of office equipment, plant and machinery with a book value of £300 estimated by the director's to realise £Nil. Having reviewed the assets in situ the Liquidator concluded that, due to the age and poor condition of the assets, any sales proceeds would be exceeded by the costs of disposal with no value for creditors and accordingly the assets were left with the landlord for disposal.

2) Book Debts - Estimated to Realise £Uncertain per Directors' Statement of Affairs
Book debts recoveries totalling £193 57 have been achieved by the Liquidator. The Liquidator has been in negotiations to try to resolve a dispute with one debtor, where two contracts were completed/partly completed at 11 June 2012 with a book debt value of £86,533 plus further older retentions. The majority of this debt relates to contract work in progress at 11 June 2012. The debtor has stated they would invoke termination and contract completion/damages clauses, which would exceed the debt due and this would require to be legally challenged by the Liquidator, with an uncertain prospect of recovery. The Liquidator has been unable to realise a value for this debt and has concluded that the estate funds available are insufficient to support the costs of a contested collection action through the Courts. There are no further debtors to be realised.

4) Balance at Bank - Estimated to Realise £7,939 09 per Directors' Statement of Affairs

The Liquidator has realised £7,341 79 from National Westminster Bank PLC.

5) Other Receipts

The Liquidator has received a refund of £37 78 from BT Plc.

b) Investigations

1) Statutory Reporting

The Liquidator has a statutory obligation to consider the director's conduct. The Liquidator has submitted his report to the Insolvency Service, an Executive Agency of the Department for Business Innovation & Skills in accordance with the requirements of the Company Directors' Disqualification Act 1986.

2) Antecedent Transactions

The Liquidator received the following valuation dated 30 May 2012 from John Deeley MRICS of JTD Asset Solutions Limited in respect of assets sold prior to the date of liquidation. The valuers estimated to realise figures are shown below -

	Market Value (as a whole for use in situ)	Market Value (as items for removal from the premises)	Market Value subject to marketing constraint (ex-situ)
	£	£	£
Motor Vehicles	6,050	5,150	4,150

Transactions with Connected Parties

The Liquidator sold the company vehicles to Barton Property Developments Limited, a company controlled by the directors, for £4,500 plus Vat. The sum of £1,600 plus Vat was paid as consideration for the assets on 26 April 2012 and the balance on 18 June 2012.

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

There are no assets that remain to be realised.

Prescribed Part for Unsecured Debts

In this case there is no sum due to the floating charge holder. No charge was created before the effective date of 15 September 2003 and therefore section 176A of the Insolvency Act 1986 does not apply. Accordingly there is no sum payable to unsecured creditors under this section.

Dividend Prospects to Creditors

A summary of the company liabilities is detailed below -

	Statement of Affairs	Claims Received to Date
	£	£
Preferential Creditors	15,294 47	11,779 37
Non-Preferential Unsecured Creditors	196,069 24	207,712 66

In order to minimise the costs associated with an insolvency procedure, it is our policy to only agree the claims of creditors in the event that a distribution is declared, or it is anticipated that one will be declared. Accordingly, the Liquidator confirms that creditors claims received to date, have not been verified or agreed.

In accordance with Part 11 of the Insolvency Rules 1986, the Liquidator gave formal notice to creditors on 6 August 2013 that no dividend will be declared to any class of creditor in this case.

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

Professional Advisers

The Liquidator has used professional advisers and the basis of the fee arrangement is listed as below.

Name of Professional Advisor	Nature of Work	Basis of Fee Arrangement	Total Costs £
JTD Asset Solutions Limited	Indicative Market Valuation Report	Time Costs plus Vat	Not Invoiced

The Liquidator's choice of professionals has been based on their experience and ability to perform this type of work, the complexity & nature of the assignment and the basis of the fee arrangement. The Liquidator has reviewed the fees charged and is satisfied that they are reasonable in the circumstances of the case.

Expenses of Statement of Affairs

At the meeting of creditors on 11 June 2012 creditors resolved that the fee for convening the meeting and the production of the report & statement of affairs by this practice shall be fixed at £8,500 including VAT, in accordance with Rule 4.38(1) of the Insolvency Rules 1986 and that this fee shall be paid as an expense of the liquidation.

Basis of Remuneration

At the meeting of creditors on 11 June 2012 creditors resolved that the Liquidator's remuneration be fixed on the basis of the time properly incurred by the Liquidator and his staff in attending to matters arising in the insolvency under Rule 4.127(2) (b) of The Insolvency Rules 1986.

Statement of Remuneration

During this reporting period the Liquidator has remuneration time costs totalling £16,192 00 against which, remuneration totalling £1,973 14 plus vat has been drawn from assets of the company by the Liquidator.

At the meeting of creditors held on 11 June 2012 creditors resolved to approve the hourly charge-out rates of the Liquidator. In common with other professional firms, these rates are subject to periodic review. An explanatory schedule detailing the scale rates charged for each grade of staff employed in the administration of an insolvency case is attached at Appendix B.

A detailed analysis of the remuneration charged by the Liquidator during the period of this report is enclosed at Appendix C. In summary (as outlined in the table below), a total of 76.5 hours have been spent working on the Liquidation at a cost of £16,192.00 resulting in an average cost per hour of £211.66. Liquidator's remuneration has been drawn totalling £1,973.14.

Period	Liquidator's Time Costs	Remuneration Drawn	Amount Outstanding	Total Hours	Average Rate Per Hour
	£	£	£		£
11.06.2012 to 10.06.2013	12,216.00	1,736.77	10,479.23	57.7	211.72
11.06.2013 to 21.07.2014	3,976.00	236.37	3,739.63	18.8	211.49
Total	16,192.00	1,973.14	14,218.86	76.5	211.66

As there are no company assets with which to meet the Liquidator's time costs, these have been met (or partly met) from the payments made to the Liquidator other than out of the assets of the liquidation.

There are insufficient company assets with which to meet the Liquidator's time costs. The remaining time costs are irrecoverable.

A Guide to Liquidator's fees is available at www.icaew.com/en/technical/insolvency/creditors-guides. If you do not have access to online services, a copy can be provided upon request.

Statement of Expenses

a) Category 1 Disbursements & Expenses

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

Period	To Whom Paid	Nature of Disbursement/Expense	£
11.06.2012 to 10.06.2013	Courts Advertising Ltd	Statutory advertising required under insolvency legislation	229.50
	Lockton Insolvency Risk Services Ltd	Premium for Insolvency Practitioners Specific Bond required under insolvency regulations	60.00
	Companies House	Download of online company registration documents required for money laundering identification of the client, directors & shareholders	6.00
	The Royal Bank of Scotland Plc	Account service charges for 12 months	24.00
	HM Land Registry	Download of online land title documents for property and leases	3.00
	Griffin & King (various staff)	Mileage 7 miles @ 40p per mile to meet directors & collection of records	2.80
Total (including vat)			325.30

11 06 2013 to 21 07 2014	Courts Advertising Ltd	Statutory advertising required under insolvency legislation	84 60
	The Royal Bank of Scotland Plc	Account service charges for 12 months	24 00
Total (plus vat where appropriate)			108 60

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

b) Category 2 Disbursements & Expenses

Creditors' approval is required for internal disbursements or expenses (category 2) where the cost (or an allocation of cost) is in respect of services provided by the Liquidator or his firm. At the meeting of creditors held on 11 June 2012 creditors resolved to approve the Liquidator's expenses and disbursements, including an explanation of the basis of calculation for costs which, whilst being in the nature of expenses or disbursements, include elements of shared or allocated costs. An explanatory schedule detailing the basis of calculation for costs is attached at Appendix B.

The following category 2 disbursements have been incurred in the Liquidation

Period	To Whom Paid	Nature of Disbursement/Expense	£
11 06 2012 to 10 06 2013	Goodall Management (a partnership in which Mr Corfield is a partner)	Room hire S 98 creditors meeting room	65 00
	Griffin & King Limited	Photocopying S 98 creditors meeting circular (32 copies/6 pages) SOA & Report of the Proceedings (24 copies/24 pages) S104A Annual Report (17 copies/10 pages) (698 pages @ 4 00p per page)	27 92
	Griffin & King Limited	Postage S 98 creditors meeting circular SOA & Report of the Proceedings S104A Annual Report (56 17 @ 0 66p each & 17 @ 0 71p each)	49 03
	Griffin & King Limited	Letterheads S 98 creditors meeting circular SOA & Report of the Proceedings S104A Annual Report (73 @ 3 05p each)	2 22
	Griffin & King Limited	A4 window envelopes S 98 creditors meeting circular SOA & Report of the Proceedings S104A Progress Report (73 envelopes @ 7 25 per envelope)	5 29
	Griffin & King Limited	Record Storage boxes (5 Boxes @ £4 55 per box)	22 75
	Griffin & King Limited	First year storage charge (5 boxes @ £5 per box p a)	25 00
Total (plus vat where appropriate)			197 21

11 06 2013 to 21 07 2014	Griffin & King Limited	Photocopying S106 Final Report (13 pages) (16 copies @ 4 00p per page)	8 32
	Griffin & King Limited	Postage S106 Final Report (16 @ 0 71p each)	11 36
	Griffin & King Limited	Letterheads S106 Final Report (16 @ 3 05p each)	0 49
	Griffin & King Limited	A4 window envelopes S106 Final Report (16 envelopes @ 7 25p per envelope)	1 16
	Goodall Management (a partnership in which Mr Corfield is a partner)	Second year storage charge (5 boxes @ £5 per box p a)	25 00
Total (plus vat where appropriate)			46 33

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

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

Under Rule 4 49E of the Insolvency Rules 1986 creditors have a right to request further information about the Liquidator's remuneration and expenses Under Rule 4 131 of the Insolvency Rules 1986 creditors have the right to challenge said remuneration and expenses on the grounds that it is or are, in all the circumstances, excessive or inappropriate

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

Final Meeting of the Company

A formal notice is attached at Appendix E of the final general meeting of the company to be held on 21 July 2014, for the purposes of having an account laid before it showing how the winding-up of the company has been disposed of, and for the meeting to consider the release of the Liquidator pursuant to section 173 of the Insolvency Act 1986 Votes are based on the nominal value of shares held by a member

The resolutions proposed are -

- 1 To approve the account of the Liquidator's acts and dealings and of the conduct of the winding up
- 2 The Liquidator be released pursuant to section 173 of the Insolvency Act 1986

A member may vote on these resolutions, without attending the meeting in person, by completing and returning the enclosed Proxy form at Appendix F, which should be returned to this office so as to arrive not later than 12 noon on the last business day prior to the meeting

Final Meeting of Creditors

A formal notice is attached at Appendix E of the final meeting of creditors of the company to be held on 21 July 2014, for the purposes of having the Liquidator's Final Report laid before it showing how the winding-up of the company has been conducted and the property of the company has been disposed of, and for the meeting to consider the release of the Liquidator pursuant to section 173 of the Insolvency Act 1986. Votes are based on the value of your debt as evidenced by a written statement of your claim or proof of debt.

The resolutions proposed are -

- 1 To approve the account of the Liquidator's acts and dealings and of the conduct of the winding up
- 2 The Liquidator be released pursuant to section 173 of the Insolvency Act 1986

A creditor may vote on these resolutions, without attending the meeting in person, by completing and returning the enclosed Proxy form at Appendix F, which should be returned to this office so as to arrive not later than 12 noon on the last business day prior to the meeting.

The Liquidator is aware that members and creditors rarely attend such meetings and therefore it has been convened at the offices of the Liquidator in order to minimise costs. Should any creditor wishing to attend the meeting consider that the proposed venue is inconvenient they should contact Mr S J Nicholls within the next seven days so that suitable alternative arrangements can be made.

Final Meetings of Company & Creditors

Notice of the final general meeting of the company was sent to members on 16 May 2014. The meeting of members was duly held on / summoned for 21 July 2014 pursuant to section 106 of the Insolvency Act 1986, for the purposes of having an account laid before it showing how the winding-up of the company has been conducted and the property disposed of, and that the same was done accordingly / no quorum was present at the meeting.

Notice of the final meeting of creditors of the company was sent to creditors on 16 May 2014. The final meeting of creditors was duly held on / summoned for 21 July 2014 pursuant to section 106 of the Insolvency Act 1986, for the purposes of having an account laid before it showing how the winding-up of the company has been conducted and the property disposed of, and that the same was done accordingly / ~~no quorum was present at the meeting~~.

The outcome of the meeting was as follows -

- 1 The account of the Liquidator's acts and dealings and of the conduct of the winding up was approved
- 2 The Liquidator was released pursuant to Section 173 of the Insolvency Act 1986

Other Relevant Information

If any member or creditor requires further explanation on any aspect of the Report they should telephone Mr S Nicholls who will be able to deal with such enquiries.

Signed 
Timothy F Corfield - Liquidator
Dated 21 July 2014

A & D Barton & Sons (Pelsall) Limited
(In Liquidation)
Liquidator's Abstract of Receipts & Payments

Statement of Affairs		From 11/06/2013 To 21/07/2014	From 11/06/2012 To 21/07/2014
ASSET REALISATIONS			
NIL	Office equipment, plant & machinery	NIL	NIL
	Motor Vehicles	NIL	2,900 00
Uncertain	Book Debts	NIL	193 57
7,939 09	Balance at Bank	NIL	7,341 79
	Sundry Receipt	NIL	37 78
		<u>NIL</u>	<u>10,473 14</u>
COST OF REALISATIONS			
	Statement of Affairs Fee	NIL	8,500 00
	Liquidators Fees	236 37	1,973 14
		<u>(236 37)</u>	<u>(10,473 14)</u>
PREFERENTIAL CREDITORS			
(12,434 53)	RPO Arrears of pay & holiday pay	NIL	NIL
(2,859 94)	Employees Arrears of pay/holiday pay	NIL	NIL
		<u>NIL</u>	<u>NIL</u>
UNSECURED CREDITORS			
(19,979 29)	Trade & Expense Creditors	NIL	NIL
(123,800 35)	RPO Pay in lieu & redundancy pay	NIL	NIL
(6,487 79)	Employees Pay in lieu balance	NIL	NIL
(26,377 14)	HMRC PAYE & NI	NIL	NIL
(17,864 67)	HMRC Vat	NIL	NIL
(1,560 00)	Barton Property Developments Limited	NIL	NIL
		<u>NIL</u>	<u>NIL</u>
<u>(203,424.62)</u>		<u>(236 37)</u>	<u>0 00</u>
REPRESENTED BY			
			<u>NIL</u>



— Timothy Frank Corfield
Liquidator

GRIFFIN & KING**CHARGE OUT RATES PER HOUR**

Grade	£ 2012	£ 2013	£ 2014
Insolvency Practitioner	335	350	365
Managers	195 to 275	225 to 295	250 to 315
Senior Case Administrators	120 to 195	110 to 225	135 to 235
Administrators & Junior Administrators	60 to 120	60 to 110	75 to 135
Junior Staff	35 to 60	35 to 60	35 to 75

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

All charge-out rates are subject to periodic review. Any material amendments to charge-out rates shall be advised to Creditors (or the liquidation committee) in subsequent statutory reports. Time is charged by individual staff to the category of work undertaken, in units of 6 minutes (being 0.10 of an hour).

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

EXPENSES AND DISBURSEMENTS

Creditors approval is not required for necessary external disbursements (Category 1) paid to independent third parties. Such disbursements shall be disclosed to Creditors during the course of reporting in the administration.

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

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

<u>Disbursement</u>	<u>Cost</u>	<u>Basis of Calculation of Cost</u>
Photocopying for all circulars to Creditors	4 pence per copy	This is the actual cost of a sheet of white copying paper at 0.004 pence and the actual cost per use of the copier of 0.035 pence.
Postage for all circulars to Creditors	The cost is dependent on the weight of the circular	This is the actual cost of the postage charged by the Royal Mail (or equivalent service) for 1 st or 2 nd class postage according to the size & weight of the circular.
Envelopes for all circulars to Creditors	7.25 pence per A4 window envelope	This is the actual cost an envelope used.
Letterheads for all circulars to Creditors	3.05 pence per letterhead	This is the actual cost of a letterhead used.
Companies House search information	The cost is dependent on the quantity of documents required or available	This is the actual cost of the document download service provided by Companies House.
Meeting Room Hire for all formally convened Creditor meetings	£65 for each meeting	This is the actual cost of hiring the meeting room facilities or if held at our offices in Walsall, as levied by the managing agents of the building, Goodall Management (a partnership of which Mr Corfield is a partner). The amount charged is in line with the cost of alternative external provision.
Mileage	40 pence per mile	This is the cost reimbursed to staff of Griffin & King for the cost of petrol and the use of their own vehicle for business purposes.
Archive storage boxes for all company books & records	£4.55 per archive record storage box required	This is the actual cost of each archive storage box.
Storage for all the archive storage boxes of books & records	£5 per annum per archive box	This is the actual invoice cost for storage per archive box at 26/28 Goodall Street, Walsall, West Midlands WS1 1QL (or other storage facilities), levied by Goodall Management (a partnership of which Mr Corfield is a partner). The amount charged is in line with the cost of alternative external provision.
Issue - 1 st Jan 2014		

A D Barton Sons (Pelsall) Limited in Liquidation

Analysis of the Liquidator's time costs for the period 10 June 2013 to 21 July 2014

Classification of work / function	Insolvency Practitioner Hours	£	Managers Hours	£	Seniors & Administrators Hours	£	Junior Staff Hours	£	Total Hours	Time Cost £	Average Hourly £
Administration, Planning and control	0.0	0.00	0.4	112.00	6.0	1,232.00	0.0	0.00	6.4	1,344.00	210.00
Asset realisations	0.0	0.00	0.0	0.00	0.0	0.00	0.0	0.00	0.0	0.00	0.00
Book Debt Realisations	0.0	0.00	0.0	0.00	2.4	500.00	0.0	0.00	2.4	500.00	208.33
Creditors	0.0	0.00	0.0	0.00	0.7	143.50	0.0	0.00	0.7	143.50	205.00
Preferential Creditors	0.0	0.00	0.0	0.00	0.0	0.00	0.0	0.00	0.0	0.00	0.00
Investigation	0.0	0.00	0.0	0.00	0.0	0.00	0.0	0.00	0.0	0.00	0.00
Employee Matters	0.0	0.00	0.0	0.00	0.0	0.00	0.0	0.00	0.0	0.00	0.00
Financial and tax matters	0.0	0.00	0.0	0.00	1.1	225.50	0.0	0.00	1.1	225.50	205.00
Distributions and Closing	0.0	0.00	0.0	0.00	6.2	1,763.00	0.0	0.00	6.2	1,763.00	0.00
Total hours	0.0	0.00	0.4	112.00	18.4	3,864.00	0.0	0.00	18.8	3,976.00	211.48
Total time costs £		0.00		280.00		210.00		0.00		211.49	
Average Hourly Rate £		0.00									

Note

The following details are indicative, but not fully inclusive of the types of activities undertaken under each of the above categories, and are provided as a guide

- 1 Administration planning & control included such activities as agreeing strategy, reviewing the post received and sent, statutory responsibilities, seeking appropriate legal assistance, ensuring the Office Holder was sufficiently bonded, collating, printing and storing of both company and Office Holder's books and records, discussions with Bank, file reviews, progress reports, filing
- 2 Asset realisations included dealing with valuations, offers received and selling / disposing of company assets
- 3 Book debt realisations included writing to outstanding debtors, dealing with queries, taking further action where appropriate
- 4 Creditor administration has consisted of identifying and informing trade creditors, managing and agreeing creditor claims, telephone queries
- 5 Preferential Creditor administration involves handling employee preferential claims and agreeing and checking claims from the Redundancy Payments Office
- 6 Investigation matters have related to directors' conduct
- 7 Employee matters included dealing with employee queries, submitting claims to RPO, employment forms and returns, pension enquiries
- 8 Financial and tax matters include maintaining the Office Holders financial records, tax returns,
- 9 Distributions and closing involves calculating dividends to secured, preferential and unsecured creditors and formal statutory requirements to close the case

A D Barton Sons (Pelsall) Limited in Liquidation

Appendix C

Analysis of the Liquidator's time costs for the period 11 June 2012 to 10 June 2013

Classification of work / function	Insolvency Practitioner Hours	£	Managers Hours	£	Seniors & Administrators Hours	£	Junior Staff Hours	£	Total Hours	Time Cost £	Average Hourly £
Administration, Planning and control	4.0	1,340.00	0.7	185.00	7.8	1,491.00	0.0	0.00	12.5	3,016.00	241.28
Asset realisations	0.0	0.00	0.0	0.00	2.2	418.00	0.0	0.00	2.2	418.00	190.00
Book Debt Realisations	0.0	0.00	4.7	1,376.50	13.5	2,655.00	0.0	0.00	18.2	4,031.50	221.51
Creditors	0.0	0.00	0.3	82.50	9.7	1,846.00	0.0	0.00	10.0	1,928.50	192.85
Preferential Creditors	0.0	0.00	0.0	0.00	0.0	0.00	0.0	0.00	0.0	0.00	0.00
Investigation	0.0	0.00	0.0	0.00	6.8	1,292.00	0.0	0.00	6.8	1,292.00	190.00
Employee Matters	0.0	0.00	0.0	0.00	4.4	836.00	0.0	0.00	4.4	836.00	190.00
Financial and tax matters	0.0	0.00	0.0	0.00	3.6	694.00	0.0	0.00	3.6	694.00	192.78
Distributions and Closing	0.0	0.00	0.0	0.00	0.0	0.00	0.0	0.00	0.0	0.00	0.00
Total hours	4.0	1,340.00	5.7	1,644.00	48.0	9,232.00	0.0	0.00	57.7	12,216.00	211.72
Total time costs £		335.00		288.42		182.33		0.00		211.72	
Average Hourly Rate £											

Note

The following details are indicative, but not fully inclusive of the types of activities undertaken under each of the above categories, and are provided as a guide

- 1 Administration planning & control included such activities as agreeing strategy, reviewing the post received and sent, statutory responsibilities, seeking appropriate legal assistance, ensuring the Office Holder was sufficiently bonded, collating, printing and storing of both company and Office Holder's books and records, discussions with Bank, file reviews, progress reports, filing
- 2 Asset realisations included dealing with valuations, offers received and selling / disposing of company assets
- 3 Book debt realisations included writing to outstanding debtors, dealing with queries, taking further action where appropriate
- 4 Creditor administration has consisted of identifying and informing trade creditors, managing and agreeing creditor claims, telephone queries
- 5 Preferential Creditor administration involves handling employee preferential claims and agreeing and checking claims from the Redundancy Payments Office
- 6 Investigation matters have related to directors' conduct
- 7 Employee matters included dealing with employee queries, submitting claims to RPO, employment forms and returns, pension enquiries
- 8 Financial and tax matters include maintaining the Office Holders financial records, tax returns,
- 9 Distributions and closing involves calculating dividends to secured, preferential and unsecured creditors and formal statutory requirements to close the case

Rule 4.49E Creditors' and members' request for further information

(1) [Duty of Liquidator re remuneration or expenses] If—

- (a) within the period mentioned in paragraph (2)—
 - (i) a secured creditor, or
 - (ii) an unsecured creditor with the concurrence of at least 5% in value of the unsecured creditors (including the creditor in question), or
 - (iii) members of the company in a members' voluntary winding up with at least 5% of the total voting rights of all the members having the right to vote at general meetings of the company, or
- (b) with the permission of the court upon an application made within the period mentioned in paragraph (2)—
 - (i) any unsecured creditor, or
 - (ii) any member of the company in a members' voluntary winding up,

makes a request in writing to the liquidator for further information about remuneration or expenses set out in a progress report in accordance with Rule 4 49B(1)(e) or (f) (including by virtue of Rule 4 49C(5)) or in a draft report under Rule 4 49D, the liquidator must, within 14 days of receipt of the request, comply with paragraph (3) except to the extent that the request is in respect of matter in a draft report under Rule 4 49D or a progress report required by Rule 4 108 which (in either case) was previously included in a progress report not required by Rule 4 108

(2) [Period for compliance with r4.49E(1)] The period referred to in paragraph (1)(a) and (b) is—

- (a) 7 business days of receipt (by the last of them in the case of an application by more than one member) of the progress report where it is required by Rule 4 108, and
- (b) 21 days of receipt (by the last of them in the case of an application by more than one member) of the report or draft report in any other case

(3) [How liquidator to comply] The liquidator complies with this paragraph by either—

- (a) providing all of the information asked for, or
- (b) so far as the liquidator considers that—
 - (i) the time or cost of preparation of the information would be excessive, or
 - (ii) disclosure of the information would be prejudicial to the conduct of the liquidation or might reasonably be expected to lead to violence against any person, or
 - (iii) the liquidator is subject to an obligation of confidentiality in respect of the information,

giving reasons for not providing all of the information

(4) [Application to court by creditors and members] Any creditor, and any member of the company in a members' voluntary winding up, who need not be the same as the creditors or members who asked for the information, may apply to the court within 21 days of—

- (a) the giving by the liquidator of reasons for not providing all of the information asked for, or
- (b) the expiry of the 14 days provided for in paragraph (1),

and the court may make such order as it thinks just

(5) [Court may extend period in rr.4 131(1B), 4.148C(2)] Without prejudice to the generality of paragraph (4), the order of the court under that paragraph may extend the period of 8 weeks or, as the case may be, 4 weeks provided for in Rule 4 131(1B) or 4 148C(2) by such further period as the court thinks just

(6) [Non-application to official receiver] This Rule does not apply where the liquidator is the official receiver

Rule 4.131 Creditors' claim that remuneration is or other expenses are excessive

(1) **[Secured or certain unsecured creditors may apply to court]** Any secured creditor, or any unsecured creditor with either the concurrence of at least 10% in value of the creditors (including that creditor) or the permission of the court, may apply to the court for one or more of the orders in paragraph (4)

(1A) **[Grounds for application]** Application may be made on the grounds that—

- (a) the remuneration charged by the liquidator,
- (b) the basis fixed for the liquidator's remuneration under Rule 4 127, or
- (c) expenses incurred by the liquidator,

is or are, in all the circumstances, excessive or, in the case of an application under sub-paragraph (b), inappropriate.

(1B) **[Time limit for application]** The application must, subject to any order of the court under Rule 4 49E(5), be made no later than 8 weeks (or, in a case falling within Rule 4 108, 4 weeks) after receipt by the applicant of the progress report, or the draft report under Rule 4 49D, which first reports the charging of the remuneration or the incurring of the expenses in question ("the relevant report")

(2) **[Power of the court to dismiss etc]** The court may, if it thinks that no sufficient cause is shown for a reduction, dismiss the application, but it shall not do so unless the applicant has had an opportunity to attend the court for a hearing, of which he has been given at least 5 business days' notice but which is without notice to any other party

If the application is not dismissed under this paragraph, the court shall fix a venue for it to be heard, and give notice to the applicant accordingly

(3) **[Notice to Liquidator]** The applicant shall, at least 14 days before the hearing, send to the liquidator a notice stating the venue and accompanied by a copy of the application, and of any evidence which the applicant intends to adduce in support of it

(4) **[Court order]** If the court considers the application to be well-founded, it must make one or more of the following orders—

- (a) an order reducing the amount of remuneration which the liquidator was entitled to charge,
- (b) an order fixing the basis of remuneration at a reduced rate or amount,
- (c) an order changing the basis of remuneration,
- (d) an order that some or all of the remuneration or expenses in question be treated as not being expenses of the liquidation,
- (e) an order that the liquidator or the liquidator's personal representative pay to the company the amount of the excess of remuneration or expenses or such part of the excess as the court may specify,

and may make any other order that it thinks just, but an order under sub-paragraph (b) or (c) may be made only in respect of periods after the period covered by the relevant report

(5) **[Costs of application]** Unless the court orders otherwise, the costs of the application shall be paid by the applicant, and are not payable as an expense of the liquidation

IN THE MATTER OF THE INSOLVENCY ACT 1986

AND


**A & D BARTON & SONS (PELSALL) LIMITED
IN CREDITORS' VOLUNTARY LIQUIDATION**

Company Number: 01291224

Notice is hereby given, pursuant to Section 106 of the Insolvency Act 1986, that Final Meetings of the Members and Creditors of the above-named Company will be held at the offices of Griffin & King, 26/28 Goodall Street, Walsall, West Midlands WS1 1QL, on 21 July 2014 at 11.00am and 11.15am respectively, for the purpose of having an account laid before them showing the manner in which the winding-up of the Company has been conducted and the property disposed of, and of receiving any explanation that may be given by the Liquidator, and to consider the release of the Liquidator under section 173 of the Insolvency Act 1986.

Any member or creditor is entitled to attend and vote at the meetings and may appoint a proxy to attend instead of himself. A proxy holder need not be a member or creditor of the Company. Proxies to be used at the meetings must be lodged at Griffin & King, 26/28 Goodall Street, Walsall, West Midlands WS1 1QL not later than 12.00 noon on the business day prior to the day of the meetings.

Where a proof of debt has not been submitted by a creditor, any proxy must be accompanied by such a completed proof.



**Timothy F. Corfield
Liquidator**

Date: 20 May 2014

Proxy

In the matter of

A & D Barton & Sons (Pelsall) Limited

And

In the matter of the Insolvency Act 1986

Notes to help
completion of
the form

Please give full name
& address for
communication

Name of Creditor/Member

Address

Please insert name
of chosen proxy
holder (who must be
18 or over) or the
chairman of the
meeting (see note below)

if you wish to provide for
alternative proxy holders in
the circumstances that your
first choice is unable to
attend please state the
name(s) of the alternatives
as well

Name of Proxy Holder

1

or

2

or

3

Please delete words in
brackets if the proxy holder
is only to vote as directed
i.e. he has no discretion

I appoint the above person to be my/the creditor's/member's proxy holder at the meeting of creditors/members to be held on Monday 21 July 2014 or at any adjournment of that meeting. The proxy holder is to propose or vote as instructed below (and in respect of any resolution for which no specific instruction is given, may vote or abstain at his/her discretion).

Resolutions

- 1 To approve the account of the Liquidator's acts and dealings and of the conduct of the winding up
- 2 The Liquidator be granted his release pursuant to Section 173 of the Insolvency Act 1986

Any other resolutions which
the proxy-holder is to
propose or vote in favour of
or against should be set
out in numbered
paragraphs in the space
provided below paragraph
2. If more room is required
please use the other side
of this form

Other Resolutions

This form must be
signed

Signature _____ Date _____

Only to be completed if the
creditor/member has not
signed in person

Name in CAPITAL LETTERS _____
Position with creditor/member or relationship to creditor/member or other authority
for signature

Please note that if you nominate the chairman of the meeting to be your proxy-holder
he will be the current liquidator.