

LIQ03

Notice of progress report in voluntary winding up



Companies House

For further information, please
refer to our guidance at
www.gov.uk/companieshouse

1 Company details

Company number 0 1 4 0 1 3 2 8

Company name in full EUROPA PLANT SERVICES LIMITED

→ Filling in this form

Please complete in typescript or in
bold black capitals.

2 Liquidator's name

Full forename(s) Victoria Louise

Surname Galbraith

3 Liquidator's address

Building name/number Bridgestones Limited

Street 125/127 Union Street

Post town Oldham

County/Region Lancashire

Postcode O L 1 1 T E

Country United Kingdom

4 Liquidator's name ①

Full forename(s) Robert Lochmohr

Surname Cooksey

① Other liquidator

Use this section to tell us about
another liquidator.

5 Liquidator's address ②

Building name/number Bridgestones Limited

Street 125/127 Union Street

Post town Oldham

County/Region Lancashire

Postcode O L 1 1 T E

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② Other liquidator

Use this section to tell us about
another liquidator.

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

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 Victoria Galbraith

Company name Bridgestones Limited

Address 125/127 Union Street

Post town Oldham

County/Region Lancashire

Postcode O L 1 1 T E

Country United Kingdom

DX

Telephone 0161 785 3700

**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

Europa Plant Services Limited – In Creditors' Voluntary Liquidation

LIQUIDATORS' PROGRESS REPORT TO CREDITORS AND MEMBERS

Period: 7th March 2020 to 6th March 2021

EXECUTIVE SUMMARY

Matters concerning the secured creditor have been resolved and my investigations have concluded.

It is uncertain at the time as to whether a dividend will be declared to non-preferential unsecured creditors.

STATUTORY INFORMATION

Company name:	Europa Plant Services Limited
Registered office:	Bridgestones Limited 125/127 Union Street Oldham OL1 1TE
Former registered office:	Unit1, Blackburn Hill Compound Milton Road Bedford Bedfordshire MK44 2DG
Registered number:	01401328
Liquidators names:	Victoria Galbraith Robert Cooksey
Liquidator's address:	Bridgestones Limited 125/127 Union Street Oldham OL1 1TE
Liquidator's date of appointment:	7 th March 2019

I, Victoria Galbraith along with my colleague Jonathan Lord were appointed as Joint Liquidator of the above Company on 7th February 2019.

My colleague Robert Cooksey, was appointed Joint Liquidator of the above Company with effect from 24th July 2020, following the resignation of Jonathan Lord.

The appointments are pursuant to a block transfer order made in the High Court of Justice Business and Property Courts in Manchester, number CR-2020-MAN-000720.

I am writing to all members and creditors in accordance with Section 104A of The Insolvency Act 1986, to advise you of my dealings in the liquidation and to lay before you an account of my receipts and payments.

LIQUIDATORS' ACTIONS SINCE APPOINTMENT

At the date of my appointment as Joint Liquidator, the Company had presented a Statement of Affairs indicating its assets and liabilities. The only assets shown thereon were additional pay from auction sales and cash at bank. Goodwill was also listed however; due to the insolvent nature of the Company it had an estimated to realise value of Nil.

My initial strategy in dealing with the case was to try to realise any assets and to commence my investigations.

According to the statement of affairs the Company's assets were sold prior to liquidation in two auctions. Details regarding my efforts to obtain the funds from the sale of the assets at auction can be found further on in my report.

Correspondence was sent to the bank requesting the remittance of any funds and copies of the Company's bank statements in order to assist with my investigations. Funds have been received from the Company's bank as detailed further on in my report.

I also instructed solicitors to consider the validity of a charge registered at Companies House. Details regarding this matter can be found further on in my report.

After carrying out my investigations as required by statute, I revealed a number of transactions entered into by the Company in the period prior to cessation of trade which require further analysis. My investigations in this regard have now concluded and I will now proceed to assess creditors' claims.

There is certain work that I am required by the insolvency legislation to undertake in connection with the liquidation that provides no financial benefit for the creditors. A description of the routine work undertaken since my last progress report is contained in Appendix 1.

RECEIPTS AND PAYMENTS

My Receipts & Payments Account for the period from 7th March 2019 to 6th March 2021 is attached at Appendix 2.

The Receipts & Payments account is shown net of VAT.

The balance of funds is held in an interest-bearing estate bank account.

ASSETS

Additional Pay from Auction Sales

According to the statement of affairs the Company's assets were sold prior to liquidation in two auctions.

Once appointed as Joint Liquidator I contacted the two auction houses requesting remittance of funds. I received a response from both auction houses stating that they had already paid into the Company bank account.

Upon review of the Company's bank statements I can confirm that both auction houses had made payment into the Company's bank account. Remittance of the funds paid into the bank account was requested from the bank and funds have since been received as detailed below in cash at bank.

No further realisations will be made in this regard.

Cash at Bank

According to the statement of affairs, at the time the Company ceased trade it held cash at bank totalling £4,754.00.

However, recovery efforts resulted in funds being received to a total of £123,499.33.

The variation is due to funds being paid into the Company's bank account in relation to the auctions sales. No further realisations will be made in this regard.

Rates Refund

The sum of £342.81 has been received into the liquidation in relation to a business rates refund. No further realisations are expected in this regard.

Bank Interest, Net of Tax

Funds received by the Liquidator are lodged in an interest bearing account in the Company's name. Interest credited to this account becomes a receipt in the Liquidation. The sum of £202.14 was received.

LIABILITIES

Secured Creditors

An examination of the Company's mortgage register held by the Registrar of Companies, showed that the Company had granted the following charge over its assets:

Security Trustee Services Limited as Security Agents ("STS")

Delivered on 8th November 2017

The charge contained a fixed and floating charge.

Upon my appointment, having reviewed the documents relating to the charge and having also questioned the Director, I instructed, Freeths LLP ("Freeths") to check the validity of the charge as I, along with the Joint Liquidator took an initial view that the charge may not be valid.

Following lengthy reviews by my solicitor and having received the opinion of counsel, the validity of the charge remained in doubt and I instructed my Freeths to write to STS to put forward details of my decision.

My solicitor engaged with STS who then instructed their solicitor. Communications continued as STS disputed my opinion regarding the validity of the charge.

Further opinion was obtained from counsel once STS's solicitor confirmed their position.

Court proceedings looked likely as no agreement was being reached and following advice on the strength of my claim, I instructed my solicitor to draft a court application which was sent to STS.

Negotiations continued until April 2020 when, in order to avoid protracted legal proceedings with the potential of considerable costs a full and final settlement of funds was agreed by both parties with 50% of the auction proceeds to be transferred to STS.

The balance of £61,749.66 has been paid to STS.

Preferential Creditors

The statement of affairs anticipated that claims of £2,419.00 would be made against the liquidation. No claims have been received to date.

Crown Creditors

The statement of affairs included an estimated liability of £24,908.22 as being owed to HM Revenue & Customs by way of Corporation Tax.

However, HM Revenue & Customs have now submitted a final integrated claim totalling £22,302.08. This claim includes £3,789.08 as being owed by way of PAYE and £18,513.00 as being owed by way of VAT.

Non-preferential unsecured Creditors

The statement of affairs included 26 non-preferential unsecured creditors, with an estimated total liability of £165,244.34. I have received claims from 12 creditors at a total of £79,068.34. I have not received claims from 17 creditors with original estimated claims in the statement of affairs of £96,566.66.

DIVIDEND PROSPECTS

It is uncertain at the time as to whether a dividend will be declared to non-preferential unsecured creditors.

INVESTIGATION INTO THE AFFAIRS OF THE COMPANY

I undertook an initial investigation into the Company's affairs to establish whether there were any potential asset recoveries or conduct matters that justified further investigation, taking account of the public interest, potential recoveries, the funds likely to be available to fund an investigation, and the costs involved. I am required by the Statements of Insolvency Practice to undertake such an initial investigation and the work detailed below has been undertaken in connection with that initial investigation.

Specifically, I recovered, listed and reviewed the Company's accounting records; obtained and reviewed copy bank statements for the 19 months prior to the Company ceasing to trade from the Company's bankers; and compared the information in the Company's last set of accounts with that contained in the statement of affairs lodged in the Liquidation and made enquiries about the reasons for the changes.

After completing an analysis of the Company's financial information, I highlighted certain transactions that required further investigation. My investigations in this regard have now concluded and will be looking to adjudicate creditors' claims.

PRE-APPOINTMENT REMUNERATION

The creditors previously authorised the payment of a fee of £10,000 + VAT for my assistance with preparing the statement of affairs and arranging the decision procedure for creditors to appoint a liquidator.

The fee for preparing the statement of affairs and arranging the decision procedure for creditors to appoint a liquidator was paid pre-appointment by the Company.

LIQUIDATOR'S REMUNERATION

My remuneration was approved on a time cost basis based on a fees estimate of £36,215.00. The fees estimate acts as a cap and I cannot draw remuneration in excess of that estimate without first seeking approval from the creditors. My total time costs to 6th March 2021 amount to £36,228.00, representing 132.10 of hours work at a blended charge out rate of £274.25 per hour, of which £4,077.00, representing 15.50 of hours work, was charged in the period since 7th March 2020, at a blended charge out rate of £263.03 per hour. The actual blended charge out rate incurred compares with the estimated blended charge out rate of £279.65 in my fees estimate.

I have drawn £35,484.00 to 6th March 2021 of which £15,484.00 was drawn in the period since my last report.

A detailed schedule of my time costs incurred to date and since 7th March 2020 compared with my original fees estimate are attached as Appendix 3 & 4.

As at 6th March 2021 I anticipate that the total time costs I will incur in this matter in respect of the categories of work for which I am being remunerated on a time cost basis may exceed the total estimated remuneration I set out in my fees estimate when my remuneration was authorised by the creditors. This is due to the

extensive work undertaken to reach agreement with the charge holder. I do not intend to draw remuneration in excess of the fee estimate so will not be seeking a decision to increase this at this time.

Further information about creditors' rights can be obtained by visiting the creditors' information micro-site published by the Association of Business Recovery Professionals (R3) at <http://www.creditorinsolvencyguide.co.uk/>. Details about how an office holder's fees may be approved for each case type are available in a series of Guidance Notes issued with Statement of Insolvency Practice 9, and they can be accessed at www.bridgestones.co.uk/technical.html. There are different versions of these Guidance Notes, and in this case please refer to the most recent version. Further details, including Bridgestones charge-out rates, are also included in the practice fee recovery sheet available at the same link.

LIQUIDATOR'S EXPENSES

Expenses are any payments from the estate which are neither an office holder's remuneration nor a distribution to a creditor or a member. Expenses also includes disbursements. Disbursements are payments which are first met by the office holder and then reimbursed to the office holder from the estate. Expenses are split into:

- category 1 expenses, which are payments to persons providing the service to which the expense relates who are not an associate of the office holder; and
- category 2 expenses, which are payments to associates or which have an element of shared costs. Before being paid category 2 expenses require approval in the same manner as an office holder's remuneration.

I do not intend to recover any expenses with an element of shared costs in this case.

I have incurred expenses to 6th March 2021 of £20,390.47 not inclusive of VAT of which £17,547.61 was incurred in the period since my last report.

I have drawn £20,014.82, not inclusive of VAT, to date of which £17,536.96 was drawn in the period since my last report.

I have incurred and drawn the following category 1 expenses in the period since my previous report:

Type of category 1 expense	Amount incurred/ accrued in the reporting period
Legal Fees	£13,804.96
Bank Charges	£14.40
Legal Disbursements	£3,700.00
Specific Bond	£17.60

Legal Disbursements shown above includes council fees.

Although I have accrued the following category 1 expenses in the period since my previous report these have not yet been drawn:

Type of expense	Amount incurred/ accrued in the reporting period
Creditor Gateway	£10.00
Postages	£0.65

I have used the following agents or professional advisors in the reporting period:

Professional Advisor	Nature of Work	Basis of Fees
I. Tucker (Exchange Chambers)	Counsel	Time costs

L. Ife (Enterprise Chambers)	Counsel	Time costs
Freeths LLP	Solicitors	Time costs

The choice of professionals was based on my perception of their experience and ability to perform this type of work and the complexity and nature of the assignment. I also considered that the basis on which they will charge their fees represented value for money. I have reviewed the charges they have made and am satisfied that they are reasonable in the circumstances of this case.

As you can see from the information provided in this report, the expenses I have incurred in this matter have exceeded the total expenses I estimated would incur when my remuneration was authorised by creditors. The reason I exceeded the expenses estimate is due to the challenge of the validity of the charge registered by the company in favour of STS as detailed earlier in this report which resulted in higher than anticipated legal costs.

FURTHER INFORMATION

Creditors are reminded of their rights under Rule 18.9 of the Insolvency Rules 2016. Within 21 days of receipt of a progress report a secured creditor or an unsecured creditor with concurrence of at least 5% in value of the company's unsecured creditors or permission of the court may request further information about remuneration and expenses set out in the report. Such a request must be made in writing.

The Liquidator must provide the information requested within 14 days of receipt of the request or alternatively his reasons for non-provision of the information.

Under Rule 18.34 of the Insolvency Rules 2016, should a creditor believe that the Liquidators' remuneration or expenses are excessive, or the basis fixed for the Liquidators' remuneration is inappropriate. A secured creditor or any unsecured creditor with the concurrence of at least 10% in value of the company's unsecured creditors or the permission of the court may apply to court to challenge the Liquidators' remuneration. Any such application must be made within a period of 8 weeks following the receipt of the progress report in which the charging of the remuneration or incurring of expenses is first reported.

To comply with the Provision of Services Regulations, some general information can be found at <http://www.bridgestones.co.uk/about.html>

At Bridgestones we always strive to provide a professional and efficient service, however we recognise that it is in the nature of insolvency proceedings for disputes to arise from time to time. If you should have cause to complain about the way, we are acting our complaints procedure can also be found on our website www.bridgestones.co.uk.

To comply with the General Data Protection Regulation a copy privacy notice can be found at <http://www.bridgestones.co.uk/gdpr>.

SUMMARY

The Liquidation will remain open whilst I adjudicate claims. I estimate that this will take approximately 6-9 months and once resolved the Liquidation will be finalised and our files will be closed.

If creditors have any queries regarding the conduct of the Liquidation, or if they want hard copies of any of the documents made available on-line, they should contact Eleanor Worrall on 0161 785 3700, or by email at mail@bridgestones.co.uk.



Victoria Galbraith
Joint Liquidator

Appendix 1

1. Administration

This represents the work involved in the routine administrative functions of the case by the office holder and their staff, together with the control and supervision of the work done on the case by the office holder and their managers. It does not give direct financial benefit to the creditors, but has to be undertaken by the office holder to meet their requirements under the insolvency legislation and the Statements of Insolvency Practice, which set out required practice that office holders must follow.

- Case planning - devising an appropriate strategy for dealing with the case and giving instructions to the staff to undertake the work on the case.
- Dealing with all routine correspondence and emails relating to the case.
- Maintaining and managing the office holder's estate bank account.
- Maintaining and managing the office holder's cashbook.
- Undertaking regular bank reconciliations of the bank account containing estate funds.
- Reviewing the adequacy of the specific penalty bond on a quarterly basis.
- Undertaking periodic reviews of the progress of the case.
- Overseeing and controlling the work done on the case by case administrators.
- Preparing, reviewing and issuing annual progress reports to creditors and members.
- Preparing and filing VAT returns.

2. Creditors

Claims of creditors - the office holder needs to maintain up to date records of the names and addresses of creditors, together with the amounts of their claims as part of the management of the case, and to ensure that notices and reports can be issued to the creditors. The office holder also needs to deal with correspondence and queries received from creditors regarding their claims and dividend prospects as they are received. The office holder is required to undertake this work as part of his statutory functions.

- Dealing with creditor correspondence, emails and telephone conversations regarding their claims.
- Maintaining up to date creditor information on the case management system.
- Corresponding with secured creditor.

Appendix 2

Europa Plant Services Limited - In Creditors Voluntary Liquidation Joint Liquidators' Abstract of Receipts & Payments

From 07 March 2019 To 06 March 2021

S of A £		As Previously Reported	07/03/20 to 06/03/21	Total £
RECEIPTS				
4,754	Cash at Bank	123,499.33	NIL	123,499.33
NIL	Bank Interest Net of Tax	143.19	58.95	202.14
NIL	Rates Refund	342.81	NIL	342.81
140,993	Additional Pay	NIL	NIL	NIL
<u>145,748</u>		<u>123,985.33</u>	<u>58.95</u>	<u>124,044.28</u>
PAYMENTS				
NIL	Legal Fees	(2,000.00)	(13,804.96)	(15,804.96)
NIL	Statutory Advertising	(200.86)	NIL	(200.86)
NIL	Bank Charges	(12.00)	(14.40)	(26.40)
NIL	Creditor report hosting	(10.00)	NIL	(10.00)
NIL	Liquidator's Remuneration	(20,000.00)	(15,484.00)	(35,484.00)
NIL	Legal Disbursements	NIL	(3,700.00)	(3,700.00)
NIL	Settlement Funds	NIL	(61,749.66)	(61,749.66)
NIL	Vat Control Account	(42.18)	(254.62)	(296.80)
NIL	Specific Bond	(255.00)	(17.60)	(272.60)
<u>0</u>		<u>(22,520.04)</u>	<u>(95,025.24)</u>	<u>(117,545.28)</u>
<u>145,748</u>	CASH IN HAND	<u>101,465.29</u>	<u>(94,966.29)</u>	<u>6,499.00</u>

Appendix 3

BRIDGESTONES CHARGEOUT RATE SUMMARY

Client name: Europa Plant Services Limited

Date: 30/04/2021

Time Spent for period: 07 March 2020 - 06 March 2021

Classification of work	Insolvency Practitioner hours	Senior Manager hours	Manager hours	Case Administrator hours	Support Staff hours	Total Hours	Total Cost	Average Rate
Statutory compliance, administration and planning	1.50	2.10	4.00	0.00	0.00	7.60	2,145.00	282.24
Investigations	0.00	0.00	1.20	0.00	0.00	1.20	288.00	240.00
Realisation of Assets	0.00	1.20	0.00	0.00	0.00	1.20	324.00	270.00
Bank	0.00	0.00	4.90	0.00	0.00	4.90	1,176.00	240.00
Creditors and Employees	0.00	0.00	0.60	0.00	0.00	0.60	144.00	240.00
Case specific matters	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Total hours	1.50	3.30	10.70	0.00	0.00	15.50	4,077.00	263.03
Total fees claimed								4,077.00
Invoiced								0.00
Balance written off /carried forward								4,077.00

Charge out rate in units of 6 minutes

Chargeout rates:	2021	2020	2019
Insolvency Practitioner	440	440	440
Senior Manager	270	270	270
Manager	240	240	240
Case Administrator	190	190	190
Support Staff	130	130	130

Appendix 4

BRIDGESTONES CHARGEOUT RATE SUMMARY

Client name: Europa Plant Services Limited

Date: 30/04/2021

Time Spent for period: 07 March 2019 - 06 March 2021

Classification of work	Insolvency Practitioner hours	Senior Manager hours	Manager hours	Case Administrator hours	Support Staff hours	Total Hours	Total Cost	Average Rate
Statutory compliance, administration and planning	5.70	4.60	30.90	7.40	0.20	48.80	12,222.00	250.45
Investigations	4.60	0.50	9.90	8.50	1.50	25.00	6,111.00	244.44
Realisation of Assets	20.30	1.20	16.20	0.00	0.00	37.70	13,143.00	348.62
Bank	0.00	0.00	8.00	0.00	0.20	8.20	1,942.00	236.83
Creditors and Employees	0.10	0.00	5.20	2.40	0.00	7.70	1,682.00	218.44
Case specific matters	0.00	0.00	4.70	0.00	0.00	4.70	1,128.00	240.00
Total hours	30.70	6.30	74.90	18.30	1.90	132.10	36,228.00	274.25
Total fees claimed								36,228.00
Invoiced								0.00
Balance written off /carried forward								36,228.00

Charge out rate in units of 6 minutes

Chargeout rates:	2021	2020	2019
Insolvency Practitioner	440	440	440
Senior Manager	270	270	270
Manager	240	240	240
Case Administrator	190	190	190
Support Staff	130	130	130