

**Liquidator's Progress  
Report****S.192****Pursuant to Sections 92A and 104A and 192  
of the Insolvency Act 1986**

To the Registrar of Companies

Company Number

01430568

Name of Company

Automated Tube Cutting Services Ltd

I / ~~MD~~  
M D Hardy  
35 Ludgate Hill  
Birmingham  
B3 1EH

the liquidator ~~MD~~ of the company attach a copy of my ~~MD~~ Progress Report  
under section 192 of the Insolvency Act 1986

The Progress Report covers the period from 18/01/2012 to 17/01/2013

Signed M D HardyDate 21 1 2013

Poppleton & Appleby  
35 Ludgate Hill  
Birmingham  
B3 1EH

Ref A6C/MDH/GGB/SLH/JS

TUESDAY



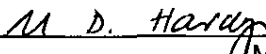
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A12 22/01/2013 #142  
COMPANIES HOUSE

**Automated Tube Cutting Services Ltd**  
**(In Liquidation)**  
**Liquidator's Abstract of Receipts & Payments**

Statement of Affairs		From 18/01/2012 To 17/01/2013
	<b>FIXED CHARGE ASSETS</b>	
NIL	Leasehold Improvements	NIL
NIL	Fixtures & Fittings	NIL
45,000 00	Plant & Machinery	NIL
NIL	Office Furniture & Equip	NIL
1,100 00	Motor Vehicle	NIL
15,000 00	Stock	NIL
		<hr/> NIL
	<b>FIXED CHARGE COSTS</b>	
(166,339 42)	Landlord's Dstraint	NIL
		<hr/> NIL
	<b>ASSETS NOT PLEDGED</b>	
3,113 52	Cash in hand - client account	1,322 16
43,505 17	Cash at Bank	43,476 67
39,644 33	Book Debts	40,569 22
	Shares/Investments	34 50
	Interest Gross	107 59
	Policy Surrender Fund	3,199 83
		<hr/> 88,709 97
	<b>COST OF REALISATIONS</b>	
	Agents Costs	1,500 00
	Solicitors Fees	720 00
	Statutory Advertising	209 25
	Statement of Affairs Fee	4,929 00
	Stationery, Printing & Carriage	81 47
	Specific Bond	135 00
	Bank Charges & Interest	5 00
	Accountancy Fees	2,816 00
	Pension Adviser Costs	1,750 00
	Storage Costs	7 50
	Re-Direction of Mail	27 20
	Motor Expenses	213 00
	Liquidators Fees	14,000 00
		<hr/> (26,393 42)
	<b>PREFERENTIAL CREDITORS</b>	
(4,682 73)	Wages/Holiday Pay - Employees	3,899 47
		<hr/> (3,899 47)
	<b>UNSECURED CREDITORS</b>	
(32,467 93)	Trade & Expense Creditors	NIL
(2,514 98)	HM Revenue & Customs - PAYE/NIC	NIL
(7,978 58)	HM Revenue & Customs - VAT	NIL
(24,313 46)	Landlords & Associated Costs	NIL
(66,748 30)	Employees	NIL
(753 00)	Loan Accounts	NIL
		<hr/> NIL
	<b>DISTRIBUTIONS</b>	
(100 00)	Ordinary Shareholders	NIL

**Automated Tube Cutting Services Ltd  
(In Liquidation)  
Liquidator's Abstract of Receipts & Payments**

Statement of Affairs	From 18/01/2012 To 17/01/2013
	NIL
<b>(158,535.38)</b>	<b>58,417 08</b>
REPRESENTED BY	
Bank	3,381 81
Money Market Deposit	50,107 59
Vat Control Account	4,927 68
	<b>58,417 08</b>

  
M D Hardy  
Liquidator

**TO ALL MEMBERS, CREDITORS AND  
THE REGISTRAR OF COMPANIES**



A12  
COMPANIES HOUSE

Our Ref MDH/GGB/SLH/JS/A6C/CVLL259

18 January 2013

Dear Sirs

**Automated Tube Cutting Services Ltd - In Creditors' Voluntary Liquidation ("the Company")**  
**Company Number. 01430568**  
**35 Ludgate Hill, Birmingham, B3 1EH**

In accordance with Section 104A of the Insolvency Act 1986 and Rule 4.49C of the Insolvency Rules 1986, I enclose a copy of my Progress Report to Creditors. I would remind Creditors that I was appointed as Liquidator of the Company on 18 January 2012 and now report following the end of a year since my appointment.

**Receipts and Payments Account**

I attach a copy of my Receipts and Payments Account from 18 January 2012 to 17 January 2013.

**Assets**

There were no assets which were subject to a Fixed Charge and therefore all assets fall under the Floating Charge.

**Landlord's Distrain**

As detailed in the original report to Creditors, on 25 November 2011 the Company's Director was advised that the Landlords of the Company's premises had taken possession of the Company's machinery, plant and materials following the forfeiture of the lease due to outstanding rental liabilities. As a consequence, the Company was no longer able to continue trading and also had no access to the assets to enable a sale for the general benefit of Creditors.

**Cash in Hand – Client Account**

I held the sum of £3,113 which related to Debtor cheques received prior to my appointment which I presented at my client account bank. Following my appointment, I was advised that one cheque in the sum of £1,791 had been cancelled by the Debtor. I therefore was only able to realise £1,322 of the funds previously held.

Continued

### **Cash at Bank**

The Company's bank account statements as at 13 January 2012 showed a credit balance amounting to £43,505. I wrote to the Company's Bank in order to realise the balance and received £43,477 in February 2012. The small difference in the amount received as compared to the amount estimated in the Statement of Affairs was attributed to bank charges taken prior to my appointment.

### **Book Debts**

As at the date of my appointment I was advised that the Company's debtor ledger stood at £44,049. This was estimated to realise £39,644 in the Director's Statement of Affairs. I wrote to all outstanding Debtors regarding their outstanding accounts and have realised £40,569.

### **Assets Remaining Unsold**

I can confirm that there are no assets which remain unrealised at this time.

### **Investigation**

As Liquidator, I was obliged to investigate the affairs of the Company and its Officers during the three years prior to insolvency. I would confirm that my confidential report was submitted to the Insolvency Service in discharge of this duty.

### **Liquidator's Actions Since Appointment**

As advised above, the Company had a number of outstanding Debtors. I spent significant time liaising with the Debtors in order to realise the outstanding sums due.

Overall realisations have proved better than the original estimated to realise amount, although I have written off £3,364 as the invoices were disputed by the Debtors. I was unable to verify all of the disputes as there was a lack of information available due to the forfeiture of the lease and my inability to access the Company's records.

I also instructed Solicitors, Brindley, Twist, Tafft and James, in respect of the recovery of one Debtor. Following an initial letter from my Solicitors, payment was made by the Debtor.

I have spent some time agreeing Preferential Creditor claims and declared a dividend to Preferential Creditors on 24 October 2012.

I have also spent some time agreeing Unsecured Creditor claims as there are sufficient funds available for a dividend.

The Company also operated an Executive Pension Investment Plan for employees. In this regard, I instructed Corporate Tax Planning Limited, a specialist firm of advisers who deal with pension issues in insolvency scenarios, to act and advise me in respect of my duties and following receipt of their advice, the Scheme will be closed.

Continued

## Costs of Liquidation

### Professional Fees

Agents and Solicitors were instructed during the course of the liquidation. The scope of their engagement as well as the fees paid can be summarised as follows

Firm	Scope	Agreed Fee Structure	Original Budgeted Costs (£)	Professional Fees Paid	Further Fees Expected (£)	Revised Budget (£)
Brindley, Twist, Taft & James	Acting and advising in the recovery of book debts	Time costs & disbursements	500	220	Nil	N/A
KW Law	Providing advice as to the landlord's forfeiture	Time costs & disbursements	500	500	Nil	N/A
Philip Davies & Sons	Conducting a valuation of the Company's assets and reporting on the value following distraint	Time costs & disbursements	1,500	1,500	Nil	N/A
Corporate Tax Planning Ltd	Act and advise in respect of the Executive Pension Investment plan	Fixed fee	1,750	1,750	Nil	N/A
Landers Accountancy	Assistance with the preparation of the Statement of Affairs, finalising tax position	Time costs & disbursements	3,000	2,816	Nil	N/A
<b>Total</b>			<b>7,250</b>	<b>6,786</b>	<b>Nil</b>	<b>N/A</b>

### Liquidator's Remuneration

The costs of the liquidation paid to date are detailed on the attached Receipts and Payments Account. To date I have drawn fees of £14,000 against my own total time costs of £16,273. The time costs incurred by this firm in this matter equate to 110 hours at an average charge out rate of £148 per hour. The basis for drawing my fees and expenses were approved by Creditors at the initial Creditors meeting and details of the date and content of the resolution passed has been circulated previously.

I can also confirm that the Statement of Affairs fee of £4,929 has been settled. The drawing of this fee and the basis of charge was approved at the initial meeting of Creditors. I believe that the other costs of the procedure are self explanatory. However, if any further explanation is required I would be only too happy to provide it upon request.

I have attached as Appendix A, a schedule of the routine work undertaken by me as Liquidator to date.

In accordance with Statement of Insolvency Practice 9 I append to this report a detailed analysis of time spent on the liquidation since 18 January 2012.

Continued

## Outcome for Creditors

### **Secured Creditor – National Westminster Bank plc ("the Bank")**

As previously advised, the Company granted a Debenture in favour of the Bank dated 5 October 1998 which was duly registered at Companies House on 13 October 1998 comprising fixed and floating charges over the Company's assets

At the date of my appointment, there was no outstanding liability owed to the Bank

There were no additional Secured Creditors

### **Preferential Creditor Claims**

The position as regards Preferential Creditors can be summarised best as follows -

Number of Preferential Creditor Claims	Estimated Statement of Affairs Value of Preferential Claims	Final Value of Preferential Creditor Claims
9	£4,683	£3,899

There has been a first and final dividend paid to Preferential Creditors at the rate of 100p in the £, totalling £3,899. No further dividend will be payable. I can also confirm that no interest has been paid on these claims.

### **Unsecured Creditors**

The position as regards Unsecured Creditors can be summarised best as follows -

Number of Unsecured Creditor Claims	Estimated Statement of Affairs Value of Unsecured Claims	Current Value of Unsecured Creditor Claims
58	£233,614	£205,378

There is to be a first and final dividend paid to Unsecured Creditors although at this time, I am unable to state the quantum or timing of this as I am currently still agreeing Creditor claims. Any Creditor who has not submitted a claim should now forward their completed Proof of Debt Form which is enclosed with this report.

### **Crown Creditors**

I can confirm that the position as regards the claims from Crown Creditors was confirmed as follows -

Number of Crown Creditor Claims	Estimated Statement of Affairs Value of Crown Creditor Claims	Current Value of Crown Creditor Claims
2	£11,583	£21,516

## The Prescribed Part

In these proceedings there was not a triggering of the Prescribed Part, that is, a section of funds ring-fenced for the benefit of Unsecured Creditors.

Continued

**Conclusion**

There remain certain areas as detailed within this report which require further time to fully resolve. I will continue with my functions to progress this case to closure once those various matters have been resolved.

I have attached as Appendix B, a statement of Creditors rights in relation to these proceedings.

If you should require any further information concerning this liquidation then please do not hesitate to contact either myself or my Case Manager, Gavin Bates.

Yours faithfully  
For and on behalf of  
**Automated Tube Cutting Services Ltd**

*M. D. Hardy*

**M D Hardy**  
**Liquidator**



**Automated Tube Cutting Services Ltd**  
**(In Liquidation)**  
**Liquidator's Abstract of Receipts & Payments**  
**To 17/01/2013**

S of A £		£	£
	<b>FIXED CHARGE ASSETS</b>		
NIL	Leasehold Improvements	NIL	
NIL	Fixtures & Fittings	NIL	
45,000 00	Plant & Machinery	NIL	
NIL	Office Furniture & Equip	NIL	
1,100 00	Motor Vehicle	NIL	
15,000 00	Stock	NIL	
			NIL
	<b>FIXED CHARGE COSTS</b>		
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(66,748 30)	Employees	NIL	
(753 00)	Loan Accounts	NIL	
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(100 00)	Ordinary Shareholders	NIL	

**Automated Tube Cutting Services Ltd**  
**(In Liquidation)**  
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**To 17/01/2013**

<b>S of A £</b>	<b>£</b>	<b>£</b>
		NIL
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REPRESENTED BY		
Bank		3,381 81
Money Market Deposit		50,107 59
Vat Control Account		4,927 68
		<b>58,417.08</b>

# Time Entry - SIP9 Time & Cost Summary

AGC - Automated Tube Cutting Services Ltd  
Project Code POST  
To 17/01/2013

Classification of Work Function	Partner	Manager	Other Senior Professionals	Assistants & Support Staff	Total Hours	Time Cost (£)	Average Hourly Rate (£)
Administration & Planning	1.20	14.30	24.70	5.50	45.70	6,739.50	147.47
Case specific matters	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Creditors	0.30	8.80	15.10	5.20	29.40	4,174.50	141.99
Investigations	0.30	1.40	2.40	1.30	5.40	762.50	141.20
Realisations of Assets	3.40	5.80	13.50	5.40	28.10	4,294.00	152.81
Trading	0.10	1.40	0.00	0.00	1.50	302.50	201.67
<b>Total Hours</b>	<b>5.30</b>	<b>31.70</b>	<b>55.70</b>	<b>17.40</b>	<b>110.10</b>	<b>16,273.00</b>	<b>147.80</b>
<b>Total Fees Claimed</b>						<b>14,000.00</b>	
<b>Total Disbursements Claimed</b>						<b>229.55</b>	

Time Entry - SIP9 Time & Cost Summary  
Category 2 Disbursements

A6C - Automated Tube Cutting Services Ltd  
Project Code POST  
To 17/01/2013

Other amounts paid or payable to the office holders firm or to party in which the office holder or his firm or any associate has an interest

Transaction Date	Type and Purpose	Amount
31/08/2012	August Storage	2 50
31/10/2012	Storage Oct 12	2 50
31/12/2012	Storage Dec 12	2 50
28/11/2012	Nov Storage	2 50
25/09/2012	Sept Storage	2 50
Total		12 50

## **APPENDIX A**

### **ROUTINE WORK ORDINARILY UNDERTAKEN IN MEMBERS AND CREDITORS VOLUNTARY LIQUIDATIONS**

#### **1 Administration & Planning**

- Preparing the documentation and dealing with the formalities of appointment
- Statutory notifications and advertising
- Preparing documentation required
- Dealing with all routine correspondence, e mails and telephone calls
- Maintaining physical case files and electronic case details in our computerised systems
- Review and storage
- Case bordereau reviews and maintenance
- Case planning and administration
- Case reviews
- Preparing reports to interested parties
- Convening and holding meetings of members and creditors and, where appropriate, the Committee

#### **2. Cashiering**

- Maintaining and managing the Liquidator's cashbook and bank account(s)
- Ensuring statutory lodgements and taxation affair obligations are met

#### **3. Creditors**

- Dealing with creditor correspondence, e mails and telephone calls
- Preparing reports to Creditors and other interested parties
- Maintaining Creditor information within our computerised systems
- Reviewing and adjudicating upon proofs of debt received from Creditors

#### **4. Investigations**

- Review and storage of books and records.
- Preparing a report pursuant to the Company Directors Disqualification Act (Not in a Members Voluntary Liquidation)
- Conduct investigations into suspicious transactions
- Reviewing books and records to identify any transactions or actions a Liquidator may take against a third party in order to recover funds for the benefit of Creditors

#### **5. Realisation of Assets**

- Corresponding with debtors (where appropriate) and attempting to collect outstanding book debts
- Liaising with the Company's bank regarding the closure of the accounts(s)
- Employment of Agents and Solicitors where appropriate to assist in dealing with the above.

## APPENDIX B

### STATUTORY DISCLOSURE REQUIREMENTS

Legislative requirements state that when an Insolvency Practitioner reports to Creditors, there are certain statutory statements he must make. In order to fully comply with these conditions, we have set out below the statements which apply in these proceedings in this Appendix, rather than in the report itself, with the intention of keeping the report informative for Creditors whom are more likely to be interested in the practical points arising in the insolvency.

The statements which form part of this statutory report which also need to be considered along with it are as follows -

- Please note that no funds have been held with the Insolvency Services Account at any time during the liquidation, therefore, it has been neither possible nor necessary to reconcile this account with the Secretary of State.
- I can confirm that there have been no unrealised assets in this matter.

#### Comments as Regards Liquidator's Remuneration:-

- I attach details of this firm's fee and disbursement recovery policy, which includes details of our current charge out rates.
- Creditors/Members should note that a request for further information regarding my fees and expenses should be made within 21 days of receipt of this report, pursuant to Rule 4.49E of the Insolvency Rules 1986, details of which can be found on our website at [www.poppletonandappleby.co.uk](http://www.poppletonandappleby.co.uk) and selecting Creditors Login, Creditors Guidance Notes, Creditor/Members Rights and Rule 4.49E. A hard copy can be provided upon written request.
- Furthermore, I am obliged to advise Creditors/Members of their right to appeal the level of my remuneration and expenses, pursuant to Rule 4.131 of the Insolvency Rules 1986, a copy of which can be found on our website at [www.poppletonandappleby.co.uk](http://www.poppletonandappleby.co.uk) and selecting Creditors Login, Creditors Guidance Notes, Creditor/Members Rights and Rule 4.131. This allows Unsecured Creditors/Members, with the permission of the Court or with the concurrence of 5% or more of the Unsecured Creditors/Members (including the Creditor/Member instigating this process) to request further details as regards remuneration and expenses within the period of 21 days from receipt of this report. Secured Creditors have identical rights.
- Unsecured Creditors/Members, with either the permission of the Court or the concurrence of at least 10% of Creditors/Members may apply to Court to challenge the amount and/or basis of the Liquidator's fees and the amount of any proposed expenses or expenses already incurred, within 8 weeks of the receipt of this report. Secured Creditors have identical rights.