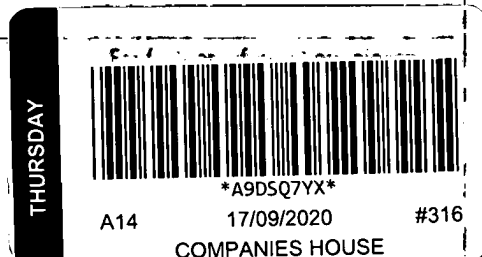


LIQ03

Notice of progress report in voluntary winding up



Companies House



1 Company details

Company number 0 1 6 1 1 3 7 1
Company name in full Cox and Allen (Kendal) Limited

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

2 Liquidator's name

Full forename(s) Ian
Surname Williamson

3 Liquidator's address

Building name/number Campbell Crossley & Davis
Street Seneca House/Links Point
Amy Johnson Way
Post town Blackpool
County/Region Lancashire
Postcode F Y 4 2 F F
Country

4 Liquidator's name ①

Full forename(s)
Surname

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

5 Liquidator's address ②

Building name/number
Street
Post town
County/Region
Postcode
Country

② Other liquidator
Use this section to tell us about
another liquidator.

LIQ03

Notice of progress report in voluntary winding up

6 Period of progress report

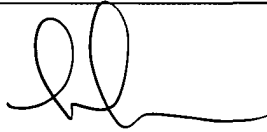
From date	d	1	d	9	m	0	m	7	y	2	y	0	y	1	y	9
To date	d	1	d	8	m	0	m	7	y	2	y	0	y	2	y	0

7 Progress report☒ The progress report is attached**8** Sign and date

Liquidator's signature

Signature

X



X

Signature date

d	1	d	6	m	0	m	9	y	2	y	0	y	2	y	0
---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---

**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	Francesca Vivace
Company name	Campbell Crossley & Davis
Address	Seneca House/Links Point Amy Johnson Way Blackpool
Post town	Lancashire
County/Region	
Postcode	F Y 4 2 F F
Country	
DX	
Telephone	01253 349331

**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



Campbell Crossley & Davis

BUSINESS RECOVERY

Ian Williamson B.A. (Hons) F.C.A. F.A.B.R.P. Peter G. C. Riley F.C.A.
Peter Swarbrick B.Sc. (Hons) F.C.A. Steven D. Mondy F.C.A.

Our reference: C708A/D/RIW/FEV
16 September 2020

LIQUIDATOR'S ANNUAL PROGRESS REPORT

Dear Sirs,

Cox and Allen (Kendal) Limited ('the Company') – In Liquidation

1 Introduction and Statutory Information

- 1.1 I was appointed as liquidator of the Company on 19 July 2018. This progress report covers the period from 19 July 2019 to 18 July 2020 ('the Period') and should be read in conjunction with any previous progress reports which have been issued. I am bound by the Insolvency Code of Ethics when carrying out all professional work in relation to an insolvency appointment.
- 1.2 Information about the way that we will use and store personal data on insolvency appointments can be found at www.campbell-crossley-davis.co.uk/free-resources. If you are unable to download this, please contact us and a hard copy will be provided to you.
- 1.3 The Company operated in the building and construction sector. The principal trading address was Unit 1, Meadowbank Business Park, Shap Road, Kendal, Cumbria, LA9 6NY.
- 1.4 The registered office has been changed to Ground Floor, Seneca House, Links Point, Amy Johnson Way, Blackpool, FY4 2FF and its registered number is 01611371.
- 1.5 Asset realisations are slightly higher than originally anticipated. Preferential creditors have received 100p in £ and unsecured creditors 6p in £. There are no secured creditors. There will not be any more dividends and the case is ready to be closed.

2 Progress of the Liquidation

- 2.1 This section of the report provides creditors with an update on the progress made in the liquidation during the Period and an explanation of the work done by the Liquidator and his staff.
- 2.2 At Appendix A is my receipts and payments account covering the Period with a comparison to the directors' statement of affairs values. It also includes a cumulative receipts and payments account from the date of my appointment as liquidator to the end of the period covered by this report.
- 2.3 Time during the Period has been spent drafting the first progress report to creditors, notifying unsecured creditors of our intention to pay a first and final dividend, reviewing and agreeing unsecured creditors' claims and undertaking statutory duties such as periodic case reviews. Whilst some of this work will not provide a financial benefit to creditors, it is required on every case by statute.

e: info@crossleyd.co.uk w: www.campbell-crossley-davis.co.uk

reply to:
Blackpool Office
Ground Floor, Seneca House, Links Point
Amy Johnson Way, Blackpool, FY4 2FF

t: 01253 349331
f: 01253 348434



Northwich Office
83 London Road
Northwich
Cheshire
CW9 5HQ

t: 01606 45591

Administration (including statutory compliance & reporting)

- 2.4 An office holder must comply with certain statutory obligations under the Insolvency Act 1986 and other related legislation. Details about the work I anticipated would need to be done in this area was outlined to creditors in my initial fees estimate/information.
- 2.5 Where the costs of statutory compliance work or reporting to creditors exceeds the initial estimate, it will usually be because the duration of the case has taken longer than anticipated, possibly due to protracted asset realisations, which have in turn placed a further statutory reporting requirement on the Liquidator.
- 2.6 As noted in my initial fees estimate/information, this work will not necessarily bring any financial benefit to creditors, but is required on every case by statute.

Realisation of Assets

- 2.7 During the Period a retention totalling £2,516.33 was received. The remaining outstanding retentions have been written off due to counter claims that have arisen as a result of the liquidation.
- 2.8 A small employer pension contribution of £155.88 was also recovered.
- 2.9 The work the Liquidator and his staff have undertaken to date has provided a financial benefit to the preferential and unsecured creditors. All known assets have now been realised. No other assets have come to light in the Period as a result of our review of the Company's affairs.

Investigations

- 2.10 You may recall from my first progress report to creditors that some of the work the Liquidator is required to undertake is to comply with legislation such as the Company Directors' Disqualification Act 1986 (CDDA 1986) and Statement of Insolvency Practice 2 – Investigations by Office Holders in Administrations and Insolvent Liquidations and may not necessarily bring any financial benefit to creditors, unless these investigations reveal potential asset recoveries that the Liquidator can pursue for the benefit of creditors.
- 2.11 My report on the conduct of the directors of the Company to the Department for Business, Energy & Industrial Strategy under the CDDA 1986 was submitted during the first year of the liquidation and is confidential.
- 2.12 Since my last progress report, no further potential assets have come to light that may benefit creditors.

3 Creditors

- 3.1 Information on the outcome for creditors in this case can be found below. A liquidator is not only required to deal with correspondence and claims from unsecured creditors (which may include retention of title claims), but also those of any secured and preferential creditors of the Company. This may involve separate reporting to any secured creditor and dealing with distributions from asset realisations caught under their security, most typically a debenture.
- 3.2 Claims from preferential creditors typically involve employee claims and payments made on behalf of the Company by the Redundancy Payments Service following dismissal.
- 3.3 The above work will not necessarily bring any financial benefit to creditors generally, however a Liquidator is required by statute to undertake this work. Similarly, if a distribution is to be paid to any class of creditor, work will be required to agree those claims and process the dividend payments to each relevant class of creditor. The more creditors a company has, the more time and cost will be involved by the Liquidator in dealing with those claims.

Secured Creditors

- 3.4 There were no secured creditors.

Preferential Creditors

- 3.5 A summary of preferential claims is detailed below.

Preferential claim	Agreed Claim £	Statement of Affairs Claim £	Dividend paid p in the £1
Department for Business, Energy & Industrial Strategy (BEIS)	3,945.73	7,398.00	100p in £ paid on 4 July 2019
Employee claims (Total number of claims = 4)	587.30	Nil	100p in £ paid on 4 July 2019

Unsecured Creditors

- 3.6 On 22 May 2020 we wrote to all proving and non-proving unsecured creditors to give them notice of our intention to pay a first and final dividend. We also advertised for claims in The London Gazette on 24 July 2018 (at the start of the liquidation) giving creditors until 17 August 2018 to submit claims.
- 3.7 I have received claims totalling £795,080.67 from ninety one creditors. A first and final dividend of 6p in £ totalling £47,864.87 was paid to them on 25 August 2020.

Matters still to be dealt with

- 3.8 The case remained open at the anniversary to pay a first and final dividend to unsecured creditors. As this has now been paid, the case is ready to be closed.

4 Liquidator's Expenses & Disbursements

- 4.1 The estimate of expenses (including disbursements) which were anticipated at the outset of the liquidation was provided to creditors when the basis of my fees was approved. Details of these are set out below together with an analysis of the expenses paid to the date of this report.

	Paid in the period covered by this report £	Total anticipated cost £	Paid to date £
Agent's costs and disbursements	Nil	21,630.00	23,123.97
Statutory advertising	150.00	254.00	403.80
Debt collection costs	Nil	2,500.00	Nil
Accountant's fees	Nil	1,000.00	1,000.00
Insurance bond	Nil	200.00	336.00
Software licence fee	Nil	125.00	125.00
Payroll costs	Nil	500.00	300.00
Outsourced payroll fees for redundancy calculations	50.00	Nil	210.00
Bank fees	60.00	Nil	102.38
	260.00	26,209.00	25,441.15

- 4.2 Expenses paid are broadly in line with amounts anticipated in the original fee estimate.

- 4.3 The agent's costs and disbursements relate to the valuation and sale of the Company's chattel assets. This includes all work required to prepare and administer the auction and payment of any associated disbursements.
- 4.4 The statutory advertising covers notice of the liquidator's appointment, notice relating to the passing of the resolutions to place the Company into creditors' voluntary liquidation and notice requiring creditors to submit claims. It also includes £150 for a pension check undertaken by Courts Advertising Limited.
- 4.5 Hanley & Co were paid £1,000 for their assistance with the preparation of the statement of affairs.
- 4.6 The insurance bond is taken out by all Insolvency Practitioners on a case by case basis. The premium is based on the value of the assets.
- 4.7 Gary Price, the Company's former finance manager, was paid £300 to close down the payroll scheme and issue P45s to the former employees. Emprove Limited has received £210 for calculating additional employee preferential and unsecured claims.
- 4.8 As the Company was registered for VAT all expenses are shown net, where applicable. Campbell Crossley & Davis does not charge Category 2 disbursements to the case.
- 4.9 At the anniversary Liquidator's fees of £13,811 were outstanding. These are dealt with in more detail below.

5 Liquidator's Remuneration

- 5.1 The creditors approved that the basis of the liquidator's remuneration be fixed by reference to the time properly spent by him and his staff in managing the liquidation. My fees estimate/information was originally provided to creditors when the basis of my remuneration was approved and was based on information available to me at that time. A copy of that estimate is attached as Appendix B.
- 5.2 My time costs for the Period are £13,811. This represents 89.4 hours at an average rate of £154.49 per hour. The time analysis at Appendix C provides details of the activity costs incurred by staff grade during the Period. A narrative explanation of the work undertaken by the Liquidator during the Period can be found in section 3 of the report.
- 5.3 The cumulative time costs incurred to date are £27,513. This represents 189 hours at an average rate of £145.57 per hour. Attached at Appendix D is a cumulative time analysis for the period from 19 July 2018 to 18 July 2020. At the anniversary, £13,702 had been drawn on account.
- 5.4 At the date of this report, my fees estimate for the liquidation remains unchanged. This is because I intend to cap the time costs drawn from the estate to the level of my estimate and as a result any time incurred in excess of this will not be borne by creditors.
- 5.5 I anticipate completing an additional 30 hours work totalling £4,350. This work will include declaring and paying the first and final dividend to proving unsecured creditors, drafting this annual progress report to creditors and the final report, completing our statutory duties and taking all necessary steps to close the case. Whilst some of this work will not necessarily bring any financial benefit to creditors, I am required by statute to undertake it.
- 5.6 A copy of 'A Creditors' Guide to Liquidators' Fees' is available on request or can be downloaded from <https://www.campbell-crossley-davis.co.uk/free-resources/>.
- 5.7 Attached as Appendix E is additional information in relation to the liquidator's fees, expenses and disbursements, including where relevant, information on the use of subcontractors and professional advisers.


6 Creditors' Rights

- 6.1 Within 21 days of the receipt of this report, a secured creditor, or an unsecured creditor (with the concurrence of at least 5% in value of the unsecured creditors) may request in writing that the Liquidator provide further information about his remuneration or expenses which have been itemised in this progress report.
- 6.2 Any secured creditor, or an unsecured creditor (with the concurrence of at least 10% in value of the unsecured creditors) may within 8 weeks of receipt of this progress report make an application to court on the grounds that, in all the circumstances, the basis fixed for the Liquidator's remuneration is inappropriate and/or the remuneration charged or the expenses incurred by the Liquidator, as set out in this progress report, are excessive.

7 Next Report

- 7.1 I am required to provide a further report on the progress of the liquidation within two months of the next anniversary of the liquidation, unless I have concluded matters prior to this, in which case I will write to all creditors with my final account.
- 7.2 If you have any queries in relation to the contents of this report, I can be contacted by telephone on 01253 349331 or by email at francesca.vivace@crossleyd.co.uk.

Yours faithfully

A handwritten signature in black ink, appearing to read 'Ian Williamson', with a stylized flourish at the end.

Ian Williamson
Liquidator

**COX AND ALLEN (KENDAL) LIMITED
IN LIQUIDATION**

**LIQUIDATOR'S RECEIPTS
AND PAYMENTS ACCOUNT**

**FOR THE PERIOD FROM 19 JULY 2018
TO 18 JULY 2020**

	Statement of Affairs £	19.07.2019- 18.07.2020 £	19.07.2018- 18.07.2020 £
RECEIPTS			
Vehicles	20,000.00		9,120.00
Less: Borderway Finance			<u>(767.70)</u>
			8,352.30
Debtors	31,338.00	2,516.33	23,877.04
Plant and Machinery	25,000.00		65,183.70
Stock	1,000.00		Nil
Cash at Bank	13,754.00		13,705.60
Employer Contribution Pension Refund	Nil	155.88	155.88
DVLA Refund	Nil		<u>283.33</u>
	<u>91,092.00</u>	<u>2,672.21</u>	111,557.85
PAYMENTS			
Statement of Affairs Fee			(6,000.00)
Software Licence Fee			(125.00)
Statutory Advertising			(403.80)
Statutory Insurance Bond			(336.00)
Liquidator's Remuneration		(12,702.00)	(13,702.00)
Payroll Administration		(160.00)	(510.00)
Bank Fees		(60.00)	(102.38)
Document Upload Fees		(23.80)	(23.80)
Agent's Fees and Expenses			<u>(23,123.97)</u>
		<u>(10,273.59)</u>	67,230.90
PREFERENTIAL DIVIDEND			
5 proving preferential creditors with claims totalling £4,533.03			
100p in £ declared on 4 July 2019			<u>(4,533.03)</u>
		<u>(10,273.59)</u>	62,697.87
VAT		<u>200.00</u>	<u>(10.00)</u>
BANK MOVEMENTS/CASH AT BANK		<u>(10,073.59)</u>	<u>62,687.87</u>

NOTES:

1. The Company is VAT registered, so where appropriate, receipts and payments exclude VAT
2. Cash at Bank is held in a non-interest bearing account

Liquidator's Fees Estimate

APPENDIX B

Below is my **fees estimate** for the liquidation. The work the liquidator anticipates undertaking in relation to this estimate has been outlined above. It is an estimate for the entire liquidation. If I consider this estimate will be exceeded, I will advise creditors and seek approval for my revised **fees estimate** as appropriate.

	Hours					Total Estimated hours	Total Estimated Cost £	Average hourly rate £
	Liquidator	Manager	Senior Administrator	Cashier	Junior Administrator			
Administration (inc statutory compliance & reporting)	10	20	10	5	10	55	8,650	157.27
Realisation of assets								
- Plant and Machinery	3	10				13	2,550	196.15
- Debtors	2	20	5	10	3	40	5,780	144.50
Creditors (claims & distributions):	5	10	5	5	30	55	6,100	110.91
- Employees including pension		10	5			15	2,250	150.00
Investigations	5	10				15	3,150	210.00
Total estimated hours by staff grade	25	60	25	20	43	113		
Hourly rate	300.00	165.00	120.00	110.00	60.00			
Total estimated time costs by staff grade	7,500.00	9,900.00	3,000.00	2,200.00	2,580.00		28,180.00	247.56

The estimated number of hours for dealing with creditor related matters assumes that we will be required to deal with general enquires and correspondence acknowledging claims. There are also employee issues to deal with which increases the time required in this instance.

We take an objective and practical approach to each assignment which includes active partner involvement from the outset. Other members of staff will be assigned on the basis of experience and specific skills to match the needs of the case.

APPENDIX C

Cox and Allen (Kendal) Limited
(In Creditors' Voluntary Liquidation)

Summary of Liquidator's Time Costs from 19 July 2019 to 18 July 2020

	Partner		Manager		Senior Administrator		Junior Administrator		Cashier		Total		Average
	Units	Cost £	Units	Cost £	Units	Cost £	Units	Cost £	Units	Cost £	Units	Cost £	Hourly Rate £
Statutory & Review	5	156.00	3	49.50	1	12.00	82	492.00	-	-	91	709.50	77.97
Receipts & Payments	6	189.00	156	2,787.00	-	-	-	-	-	-	162	2,976.00	183.70
Insurance	-	-	7	115.50	-	-	-	-	-	-	7	115.50	165.00
Assets	-	-	27	472.50	-	-	-	-	-	-	27	472.50	175.00
Creditors	55	1,791.00	153	2,713.50	20	243.00	54	324.00	-	-	282	5,071.50	179.84
General Administration	24	747.00	96	1,651.50	3	39.00	118	1,081.50	84	947.00	325	4,466.00	137.42
Total	90	2,883.00	442	7,789.50	24	294.00	254	1,897.50	84	947.00	894	13,811.00	
Average Hourly Rate (£)		<u>320.33</u>		<u>176.23</u>		<u>122.50</u>		<u>74.70</u>		<u>112.74</u>		<u>154.49</u>	

All Units are 6 minutes

APPENDIX D

Cox and Allen (Kendal) Limited
(In Creditors' Voluntary Liquidation)

Liquidator's Time Costs from 19 July 2018 to 18 July 2020

	Partner		Manager	Senior Administrator		Junior Administrator		Cashier			Total		Average
	Units	Cost	Units	Cost	Units	Cost	Units	Cost	Units	Cost	Units	Cost	Hourly Rate
		£		£		£		£		£		£	£
Statutory & Review	15	456.00	13	214.50	1	12.00	92	552.00	-	-	121	1,234.50	102.02
Receipts & Payments	8	249.00	156	2,787.00	8	96.00		-	-	-	172	3,132.00	182.09
Insurance	-	-	35	577.50	-	-	-	-	-	-	35	577.50	165.00
Assets	65	1,950.00	76	1,281.00	36	432.00	19	114.00	-	-	196	3,777.00	192.70
Creditors	79	2,511.00	304	5,205.00	22	267.00	290	1,740.00	-	-	695	9,723.00	139.90
Landlords	4	120.00	3	49.50	-	-	-	-	-	-	7	169.50	242.14
General Administration	44	1,347.00	107	1,833.00	5	63.00	151	1,279.50	137	1,530.00	444	6,052.50	136.32
Appointment	12	360.00	17	280.50	80	960.00	52	312.00	-	-	161	1,912.50	118.79
Investigations	8	240.00	37	610.50	-	-	14	84.00	-	-	59	934.50	158.39
Total	235	7,233.00	748	12,838.50	152	1,830.00	618	4,081.50	137	1,530.00	1,890	27,513.00	
Average Hourly Rate (£)		307.79		171.64		120.39		66.04		111.68		145.57	

All Units are 6 minutes

Additional Information in Relation to the Liquidator's Fees, Expenses & Disbursements

1 Staff Allocation and the Use of Sub-Contractors

- 1.1 The general approach to resourcing our assignments is to allocate staff with the skills and experience to meet the specific requirements of the case.
- 1.2 The constitution of the case team will usually consist of a Partner, a Manager, and an Administrator or Assistant. The exact constitution of the case team will depend on the anticipated size and complexity of the assignment and the experience requirements of the assignment.
- 1.3 On this case we have used the services of the following sub-contractors:

Services	Provider	Basis of fee arrangement	Cost to date £
Payroll administration	Gary Price	Fixed fee	300
Calculation of dividends	Emprove Limited	Fixed fee	210
Assistance with statement of affairs	Hanley & Co	Fixed fee	1,000

2 Professional Advisors

- 2.1 On this assignment we have used the professional advisors listed below. We have also indicated alongside, the basis of our fee arrangement with them, which is subject to review on a regular basis.

Name of Professional Advisor	Basis of Fee Arrangement
Wignall Brownlow LLP (valuation advice)	Fixed fee of £3,000
Wignall Brownlow LLP (disposal advice and sale by auction)	10% of net realisations plus disbursements

- 2.2 Our choice was based on our perception of their experience and ability to perform this type of work, the complexity and nature of the assignment and the basis of our fee arrangement with them.

3 Disbursements

- 3.1 Category 1 disbursements do not require approval by creditors. The type of disbursements that may be charged as a Category 1 disbursement to a case generally comprise of external supplies of incidental services specifically identifiable to the case, such as postage, case advertising, invoiced travel and external printing, room hire and document storage. Also chargeable will be any properly reimbursed expenses incurred by personnel in connection with the case. These disbursements are included in the tables of expenses above.
- 3.2 This firm does not charge Category 2 disbursements.

4 Charge-Out Rates

- 4.1 Campbell Crossley & Davis' current charge-out rates effective from 17 August 2020 are detailed below. Please note this firm records its time in minimum units of 6 minutes.

	2020 (Per hour) £	2019 (Per hour) £	2018 (Per hour) £
Partner	400	330	265
Licensed Insolvency Practitioner (Corporate)	300	-	-
Senior Manager	250	-	-
Manager	200	180	145
Senior Administrator	150	130	105
Cashier	135	120	105
Administrator	120	90	-
Junior Administrator	-	60	50