

# WU07

## Notice of progress report in a winding-up by the court



Companies House

FRIDAY



A22 \*A9DDHJHD\* 11/09/2020 #381  
COMPANIES HOUSE

### 1 Company details

Company number 0 1 6 3 5 6 0 5  
Company name in full T.W. Frizell (Haulage & Plant Hire) Limited

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

### 2 Liquidator's name

Full forename(s) David  
Surname Acland

### 3 Liquidator's address

Building name/number Derby House  
Street 12 Winckley Square  
Post town Preston  
County/Region  
Postcode P R 1 3 J J  
Country

### 4 Liquidator's name ①

Full forename(s) Lila  
Surname Thomas

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

### 5 Liquidator's address ②

Building name/number Derby House  
Street 12 Winckley Square  
Post town Preston  
County/Region  
Postcode P R 1 3 J J  
Country

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

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**6** Period of progress report

From date	<sup>d</sup> 1	<sup>d</sup> 8	<sup>m</sup> 0	<sup>m</sup> 7	<sup>y</sup> 2	<sup>y</sup> 0	<sup>y</sup> 1	<sup>y</sup> 9
To date	<sup>d</sup> 1	<sup>d</sup> 7	<sup>m</sup> 0	<sup>m</sup> 7	<sup>y</sup> 2	<sup>y</sup> 0	<sup>y</sup> 2	<sup>y</sup> 0

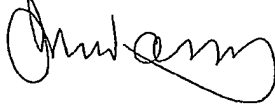
**7** Progress report

☒ The progress report is attached

**8** Sign and date

Liquidator's signature

Signature

X 

X

Signature date

<sup>d</sup> 0	<sup>d</sup> 7	<sup>m</sup> 0	<sup>m</sup> 9	<sup>y</sup> 2	<sup>y</sup> 0	<sup>y</sup> 2	<sup>y</sup> 0
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### Presenter information

You do not have to give any contact information, but if you do it will help Companies House if there is a query on the form. The contact information you give will be visible to searchers of the public record.

Contact name Joe Allen

Company name FRP Advisory Trading Limited

Address Derby House

12 Winckley Square

Post town Preston

County/Region

Postcode P R 1 3 J J

Country

DX cp.preston@frpadvisory.com

Telephone 01772 440700



### 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](http://www.gov.uk/companieshouse) or email [enquiries@companieshouse.gov.uk](mailto: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](http://www.gov.uk/companieshouse)

**FRP**

T.W. Frizell (Haulage & Plant Hire) Limited (In Liquidation) ("the Company")

The Liquidators' Progress Report for the period 18 July 2019 to 17 July 2020  
pursuant to section 104A of the Insolvency Act 1986 and the Insolvency  
(England and Wales) Rules 2016

8 September 2020

## Contents and abbreviations

**FRP**

Section	Content
1.	Progress of the liquidation
2.	Estimated outcome for the creditors
3.	Liquidators' remuneration, disbursements and expenses
<b>Appendix</b>	<b>Content</b>
A.	Statutory information about the Company and the liquidation
B.	Liquidators' Receipts & Payments Account for the both the Period and cumulatively
C.	A schedule of work
D.	Details of the Liquidators' disbursements for both the Period and cumulatively
E.	Statement of expenses incurred in the Period

### The following abbreviations may be used in this report:

<b>FRP</b>	FRP Advisory Trading Limited
<b>The Company</b>	T.W. Frizell (Haulage & Plant Hire) Limited (In Liquidation)
<b>The Liquidators</b>	David Acland and Lila Thomas of FRP Advisory Trading Limited
<b>The Period</b>	The reporting period 18/7/2019 – 17/7/2020
<b>WUC</b>	Winding up by the Court
<b>SIP</b>	Statement of Insolvency Practice
<b>QFCH</b>	Qualifying floating charge holder
<b>HMRC</b>	HM Revenue & Customs
<b>Secured Creditor /</b>	
<b>Santander</b>	Santander (UK) PLC
<b>Bond Dickinson</b>	Womble Bond Dickinson LLP
<b>Frizell Tipping</b>	Frizell Tipping Limited (in Liquidation)

## 1. Progress of the liquidation

### Note

This report has been prepared from information available at the time of its preparation. Due to the global outbreak of Covid 19 and the UK's response to this, requiring working from home and necessarily a lack of access to physical files or other information, we should advise that we may not have all the information required to ensure this report is both complete and accurate. Where there are errors and/or omissions we will endeavour to correct these where possible in our next report to you.

### Work undertaken during the Period and work yet to be completed

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

### Receipts and payments account

Attached at **Appendix B** is a receipts and payments account detailing both transactions for the Period and also cumulatively since our appointment as Liquidators.

### Investigations

As previously reported, we can confirm that no further actions are required.

## 2. Estimated outcome for the creditors

**FRP**

The estimated outcome for creditors was included in correspondence previously circulated by us and is further updated below:

### Outcome for Secured Creditors

As creditors will recall, as at the date of Administrators appointment, the indebtedness to Secured Creditor amounted to £824,000 in respect of a confidential invoice discounting facility, secured by way of a fixed and floating charge created on 30 May 2014. Additional security is provided by way of a cross corporate guarantee provided by Frizell Tipping and personal joint and several guarantees provided by Trevor Frizell, Ann Frizell and Joseph Frizell, limited to £95,000.

During the Administration, fixed charge distributions of £495,355.49 were paid to the Secured Creditor and a further distribution of £100,000 was paid by Frizell Tipping under the terms of the cross guarantee on 12 July 2017.

On 24 July 2019 a final distribution of £232,265.20 was paid by Frizell Tipping under the terms of the cross guarantee, meaning the Secured Creditor has been repaid in full.

### Preferential Creditors

There are insufficient funds available to pay a distribution to preferential creditors.

### Unsecured Creditors

We have received claims totalling £1,456,684.61 from unsecured creditors in these proceedings.

There are insufficient funds available to pay a distribution to unsecured creditors.

### The Prescribed Part

The Prescribed Part is a carve out of funds available to the holder of a floating charge which is set aside for the unsecured creditors in accordance with section 176A of the Insolvency Act 1986. The Prescribed Part only applies where the

floating charge was created after 15 September 2003 and the net property available to the floating charge holder exceeds £10,000.

As the value of the net property was £NIL, the value of the Prescribed Part fund is £NIL, therefore there are no funds available for the unsecured creditors.

### 3. Liquidators' remuneration, disbursements and expenses

#### Liquidators' remuneration

As creditors will recall, following the circulation of the Administrators Proposals, the Secured Creditor and preferential creditors passed a resolution that the Administrators' remuneration should be calculated on a fixed fee basis. Fees of £52,500 excluding VAT were drawn from by the Administrators, with the remaining balance of £7,500 being drawn by the liquidators.

#### Liquidators' disbursements

The Liquidators' disbursements are a recharge of actual costs incurred by them in dealing with this matter. Mileage payments made for expenses relating to the use of private vehicles for business travel, which is directly attributable to the insolvency estate, are paid by FRP Advisory Trading Limited at the HMRC approved mileage rate prevailing at the time the mileage was incurred. Details of disbursements incurred during the Period are set out in **Appendix D**.

#### Expenses of the liquidation

An estimate of the Liquidators' expenses was set out in the information previously circulated to creditors. We attach at **Appendix E** a statement of expenses that have been incurred during the Period. It is currently expected that the expenses incurred or anticipated to be incurred are not likely to exceed the details provided prior to the determination of the basis of the Liquidators' remuneration.

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

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



## Appendix A

Statutory information about the Company and the liquidation

**FRP**

### T.W. FRIZELL (HAULAGE & PLANT HIRE) LIMITED (IN LIQUIDATION)

#### COMPANY INFORMATION:

Other trading names:	N/A
Date of incorporation:	14 May 1982
Company number:	01635605
Registered office:	C/o FRP Advisory, Derby House, 12 Winckley Square, Preston, PR1 3JJ
Previous registered office:	7-9 Macon Court, Crewe, Cheshire, CW1 6EA
Business address:	Greenbank Farm, 344 Gresty Road, Crewe, CW2 5AD

#### LIQUIDATION DETAILS:

Liquidators:	David Acland & Lila Thomas
Address of Liquidators:	FRP Advisory Trading Limited, Derby House, 12 Winckley Square, Preston, PR1 3JJ
Date of appointment of Liquidators:	18 July 2018
Court in which Liquidation proceedings were brought:	The High Court of Justice, Manchester District Registry
Court reference number:	2161

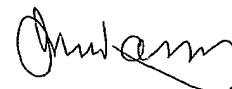
## Appendix B

Liquidators' Receipts & Payments Account for the both the Period and cumulatively

**FRP**

**T.W. Frizell (Haulage & Plant Hire) Limited**  
**(In Liquidation)**  
**Joint Liquidators' Summary of Receipts & Payments**

Statement of Affairs £	From 18/07/2019 To 17/07/2020 £	From 18/07/2018 To 17/07/2020 £
SECURED ASSETS		
Cash from Administration	NIL	14,055.37
VAT from Administration	NIL	6,501.77
Book Debts	NIL	663.44
	NIL	21,220.58
COSTS OF REALISATION		
Liquidators' Remuneration	7,500.00	7,500.00
Liquidators' Disbursements	69.93	69.93
Legal Fees	1,469.25	11,519.25
Agents Fees	NIL	50.00
Storage Costs	NIL	49.47
	(9,039.18)	(19,188.65)
ASSET REALISATIONS		
Cash from Administration	NIL	NIL
VAT from Administration	NIL	NIL
Insurance Refund	NIL	103.10
Sundry Refunds	NIL	698.63
Bank Interest Gross	73.70	85.32
	73.70	887.05
COST OF REALISATIONS		
O.R. Remuneration	NIL	5,000.00
DTI Cheque Fees	0.90	1.80
Sec of State Fees	NIL	6,000.00
Legal Fees & Disbursements	NIL	NIL
Corporation Tax	14.74	17.06
Storage Costs	206.66	256.72
Statutory Advertising	NIL	139.87
Bank Charges - Floating	88.00	176.00
	(310.30)	(11,591.45)
	<b>(9,275.78)</b>	<b>(8,672.47)</b>
REPRESENTED BY		
Vat Recoverable - Floating		89.23
ISA		(11,176.00)
ISA IB Fixed Charge		596.46
VAT Recoverable - Fixed		1,817.84
		<b>(8,672.47)</b>



David Acland  
Joint Liquidator

Appendix C  
A Schedule of Work

**FRP**

**T.W. Frizell (Haulage & Plant Hire) Limited (in Liquidation)**

**Schedule of Work**

The table below sets out a detailed summary of the work undertaken by the office holders during the reporting period together with an outline of work still to complete.

Note	Category	
1	<b>ADMINISTRATION AND PLANNING</b> <b>Work undertaken during the reporting period</b>	<b>ADMINISTRATION AND PLANNING</b> <b>Future work to be undertaken</b>
	<b>General Matters</b>	
	Regularly reviewing the conduct of the case, the case strategy and updating as required by the insolvency practitioners regulatory professional body to ensure all statutory matters are attended to and to ensure the case is progressing.	Complete a pre-closure review to ensure all statutory matters have been attended to prior to closure.
	<b>Regulatory Requirements</b>	
	Ongoing adherence to Money Laundering Regulations and any other regulations specific to the Company.	None currently anticipated.
	<b>Case Management Requirements</b>	
	Updating case strategy document as required.  Maintaining and developing the case specific paper and electronic files.	Administer case bank account.  Closure of internal systems and case bank account.
2	<b>ASSET REALISATION</b> <b>Work undertaken during the reporting period</b>	<b>ASSET REALISATION</b> <b>Future work to be undertaken</b>
	None.	No further asset realisations are anticipated.

## T.W. Frizell (Haulage &amp; Plant Hire) Limited (in Liquidation)

## Schedule of Work

3	<b>CREDITORS</b> <b>Work undertaken during the reporting period</b>	<b>CREDITORS</b> <b>Future work to be undertaken</b>
	<b>General</b> Responded to general queries received.	<b>General</b> Continue to respond to the general body of creditors.
4	<b>INVESTIGATIONS</b> <b>Work undertaken during the reporting period</b>	<b>INVESTIGATIONS</b> <b>Future work to be undertaken</b>
	None.	None.
5	<b>STATUTORY COMPLIANCE AND REPORTING</b> <b>Work undertaken during the reporting period</b>	<b>STATUTORY COMPLIANCE AND REPORTING</b> <b>Future work to be undertaken</b>
	Submission of post appointment VAT returns as required.  The preparation of this report.	To deal with the statutory requirements in order to bring the case to a close and for the Liquidators to obtain their release from office; this includes preparing final reports for stakeholders and filing the relevant documentation with the Registrar.
6	<b>TRADING (where applicable)</b> <b>Work undertaken during the reporting period</b>	<b>TRADING (where applicable)</b> <b>Future work to be undertaken</b>
	None	None

T.W. Frizell (Haulage & Plant Hire) Limited (in Liquidation)

Schedule of Work

7	<b>LEGAL AND LITIGATION</b> <b>Work undertaken during the reporting period</b>	<b>LEGAL AND LITIGATION</b> <b>Future work to be undertaken</b>
	Received advice from Bond Dickinson in respect of correspondence received from the Environment Agency.	Seeking further ad hoc legal advice on an ongoing basis.

## Appendix D

Details of the Liquidators' disbursements for both the Period and cumulatively

**FRP**

### Disbursements for the period 18 July 2018 to 17 July 2020

	Value £
<b>Category 1</b>	
Prof. Services	49.93
Bonding	20.00
<b>Grand Total</b>	<b>69.93</b>



## Appendix E

### Statement of expenses incurred in the Period

**FRP**

<b>T.W. Frizell (Haulage &amp; Plant Hire) Limited - In Liquidation</b> <b>Statement of expenses for the period ended</b> <b>17 July 2020</b>		
	<b>Period to</b> <b>17 July 2020</b>	<b>Cumulative period to</b> <b>17 July 2020</b>
<b>Expenses</b>	<b>£</b>	<b>£</b>
Office Holders' remuneration (Fixed Fee)	-	7,500
Office Holders' disbursements	-	70
Legal Fees	(1,031)	11,519
Agents Fees	-	50
Storage Costs	107	306
OR Remuneration	-	5,000
Sec of State Fees	-	6,000
DTI Cheque Fees	(1)	2
Corporation Tax	15	17
Statutory Advertising	-	140
Bank Charges - Floating	88	176
<b>Total</b>	<b>(822)</b>	<b>30,780</b>