

Section 106

The Insolvency Act 1986

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

# S106

For Official Use

To the Registrar of Companies

--	--	--

Company Number

01722668
----------

Name of Company

A&H Gadd Limited
------------------

I / We

Simon Edward Jex Girling  
Bridgewater House  
Finzels Reach  
Counterslip  
Bristol BS1 6BX

Graham David Randall  
Bridgewater House  
Finzels Reach  
Counterslip  
Bristol  
BS1 6BX

give notice

- 1 that a general meeting of the company was ~~held on~~/summoned for 12 November 2013 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 that a meeting of the creditors of the company was ~~duly held on~~ / summoned for 12 November 2013 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 of the company has been conducted and the property of the company disposed of and that ~~the same was done accordingly~~ / no quorum was present at the meeting

Signed 

Date 18 November 2013

BDO LLP  
Bridgewater House  
Finzels Reach  
Counterslip  
Bristol BS1 6BX

Ref 00153385/SEJG/GDR/SZB/SFW/AMW

Insolve		For Official Use	
FRIDAY			
	*A2LN9DY0*		
	A36	22/11/2013	#167
	COMPANIES HOUSE		

## Liquidator's statement of account Creditors' voluntary winding up

A&amp;H Gadd Limited

From 9 July 2010 To 12 November 2013

S of A

		HIRE PURCHASE		
4,000 00	Commercial Vehicles & Office Equipment		NIL	
(81,116 00)	Due to Lease Company		<u>NIL</u>	
				NIL
		ASSET REALISATIONS		
40,000 00	Fixed Assets		NIL	
500,000 00	Book Debts	120,544 32		
	Sundry Receipt	209 30		
	Water Refund	200 00		
	Bank Interest Gross	174 00		
	From Administration Acc	31,984 36		
	NHBC refund	13,999 67		
			<u>13,999 67</u>	167,111 65
		COST OF REALISATIONS		
	Joint Administrators' Fees	18,663 00		
	Joint Administrators' Expenses	776 44		
	Office Holders Fees	30,000 00		
	Office Holders Expenses	786 63		
	Court Fees	200 00		
	Debt Collection Fees	9,837 77		
	Legal Fees (1)	51,849 26		
	Corporation Tax	4,859 84		
	Telephone Telex & Fax	454 19		
	Emptying of Septic Tank	124 80		
	Storage Costs	2,957 66		
	Water Rates	45 19		
	Statutory Advertising	178 74		
	Gas	597 90		
	Other Property Expenses	116 14		
	Insurance of Assets	2,206 92		
	Subcontractors Fees	1,612 50		
	Bank Charges	25 75		
	DTI Unclaimed Dividends	349 40		
			<u>349 40</u>	(125,642 13)
		PREFERENTIAL CREDITORS		
	Inland Revenue	5,597 87		
	DE Arrears & Holiday Pay	19,083 04		
96,000 00	Employee Arrears/Hol Pay	11,546 08		
	Barclays Bank Plc	5,242 53		
			<u>5,242 53</u>	(41,469 52)
		FLOATING CHARGE CREDITORS		
1,450,000 00	Barclays Bank		<u>NIL</u>	NIL
		UNSECURED CREDITORS		
4,230,560 00	Trade & Expense Creditors		NIL	
387,686 00	Inland Revenue		<u>NIL</u>	
				NIL
		DISTRIBUTIONS		
556 00	Ordinary Shareholders		NIL	

Liquidator's statement of account Creditors' voluntary winding up

A&amp;H Gadd Limited

From 9 July 2010 To 12 November 2013

---

(5,701,918 00)

---

NIL

---

(0 00)

## Dividend information

Preferential debts            Pref creditors paid 37 11p in £ from this liquidation

Unsecured debts            None

Returns to contributories    None

## Fee information

Fees fixed by time charge basis

(1) Assets, including None shown in the statement of assets and liabilities and estimated to be of the value of None have proved unrealisable

---

(2) Amount paid into the Insolvency Services account in respect of

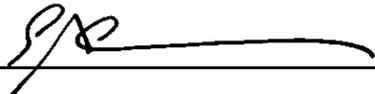
- (a) Unclaimed dividends payable to creditors in the winding up £349 40 Unclaimed Monies paid to The Insol
- (b) Other unclaimed dividends None
- (c) moneys held by the company in trust in respect of dividends or other sums due before the commencement of the winding up to any person as a member of the company None

(3) Other comment  
None

Dated

18 November 2013

Signed by the liquidator



Name & Address

Simon Edward Jex Girling  
BDO LLP  
Bridgewater House  
Finzels Reach  
Counterslip  
Bristol BS1 6BX

«NAME»  
«A1»  
«A2»  
«A3»  
«A4»  
«A5»

21 August 2013

Your Ref «CREF»  
Our Ref SEG/SFG/00153385/A6Please ask for  
Sarah Greenwood  
0117 930 1582

FAO «CONTACT»

Dear Sirs

**A&H Gadd Limited - In Creditors' Voluntary Liquidation ("the Company")**

I am now in a position to conclude this liquidation and advise you that final general meetings of the company and its creditors have been convened pursuant to Section 106 of the Insolvency Act 1986, formal notice of which is given below. This is my draft report issued in accordance with Rule 4.49D of the Insolvency Rules 1986. In the event that no substantive issues are raised by creditors by 11 September 2013 no further report will be issued and this report will be presented at the final meeting. I confirm that notice of no further dividend has been given in accordance with Rule 4.186 of the Insolvency Rules 1986 and there was no Prescribed Part.

There has been no activity since my last report dated 31 July 2013. I enclose, for your information, a summary of my final receipts and payments account, which is largely self-explanatory, although I would comment on the following:

***Ash Homes Taunton Limited (in administrative receivership)***

The administrative receivers have confirmed that regrettably there will be no distribution by them to the Company from the cross guarantees and intercompany debts between the two companies. Therefore there have been no further distributions from the Company to its two secured creditors, Barclays Bank Plc and Heritable Bank Limited. These creditors may receive further distributions (under their cross guarantees) from other insolvent group companies depending on the realisations in those companies.

***Preferential Creditors***

A second and final distribution has been paid to preferential creditors on 11 February 2013 at 10.49 pence in the pound. Preferential creditors have therefore received distributions totalling 37.11 pence in the pound from this liquidation. All unbanked distribution cheques have now been paid into the unclaimed dividend account at the ISA.

***Liquidators' Remuneration***

I have drawn total fees of £30,000, the creditors having already approved the Liquidators' remuneration on a time costs basis. I attach a schedule which summarises the time costs drawn to date and indicates the work undertaken in that respect. Creditors will note that this firm has written off over £31,000 of unrecoverable time costs, plus the additional time costs arising from now on for finalising this report and closing the liquidation.

***Disbursements***

Amounts totalling £786.63 have been drawn in respect of category 1 disbursements throughout the liquidation.

**Creditor Enquiries**

Creditors with the concurrence of at least 5% in value of the unsecured creditors may within 7 business days request in writing further information regarding the remuneration and expenses set out in this report. In accordance with Rule 4.49E(3) of the Insolvency Rules 1986, within 14 days of a request we will provide further information or explain why further information is not being provided.

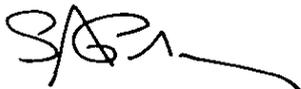
A creditor (who need not be the creditor who asked for the information) may, with the concurrence of at least 5% or more in value of the creditors (including the creditor in question), apply to the court within 21 days of our response or the expiry for the period of my response and the court may make such order as it thinks fit (Rule 4.49E(4) of the Insolvency Rules 1986). Creditors with the concurrence of at least 10% of the creditors may apply to the court if they consider that the remuneration of the liquidators, or the basis fixed for the remuneration of the liquidator or expenses charged by the liquidator are excessive (Rule 4.131 of the Insolvency Rules 1986). Such an application must be made within 8 weeks of receiving this draft report.

The Insolvency Service has established a central gateway for considering complaints in respect of Insolvency practitioners. In the event that you make a complaint to me but are not satisfied with the response from me then you should visit <http://www.bis.gov.uk/insolvency/contact-us/IP-Complaints-Gateway> where you will find further information on how you may pursue the complaint.

**NOTICE IS HEREBY GIVEN** pursuant to Section 106 of the Insolvency Act, 1986, that meetings of the contributories and creditors of A&H Gadd Limited will be held at the offices of BDO LLP, Bridgewater House, Finzels Reach, Counterslip, Bristol, BS1 6BX on 12 November 2013 at 11.00am and 11.30am respectively for the purpose of receiving an account of the Liquidators' acts and dealings, and of the conduct of the winding-up since liquidation. A proxy form is enclosed which must be lodged at the offices of BDO LLP, Bridgewater House, Finzels Reach, Counterslip, Bristol, BS1 6BX, no later than midday on the working day prior to the meeting to entitle you to vote by proxy at the meeting. This meeting is purely formal and only this report will be presented.

Please contact Sarah Greenwood on 0117 930 1582 if you propose to attend in person, or if you have any queries regarding the content of this report.

Yours faithfully  
For and on behalf of  
A&H Gadd Limited



Simon Girling  
Joint Liquidator  
Authorised by the Insolvency Practitioners Association

**Statement from the Insolvency Rules 1986 (as amended) regarding the rights of creditors in respect of the Joint Liquidators' fees and expenses:****Rule 4.49E Creditors' and members' request for further information**

(1) 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[s] 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) 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) 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

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

(1) 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) 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) 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) 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) 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) 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) 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