

# WU07

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



Companies House

WEDNESDAY



A21 \*A7KM101V\*  
12/12/2018 #201  
COMPANIES HOUSE

### 1 Company details

Company number 0 2 0 9 4 0 1 4  
Company name in full H & M Plant (Rochester) Limited

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

### 2 Liquidator's name

Full forename(s) Andrew  
Surname Tate

### 3 Liquidator's address

Building name/number Montague Place  
Street Quayside  
Post town Chatham Maritime  
County/Region Kent  
Postcode M E 4 4 Q U  
Country

### 4 Liquidator's name ①

Full forename(s)  
Surname

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

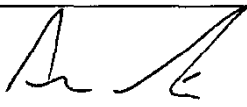
### 5 Liquidator's address ②

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

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

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<b>6</b>	<b>Period of progress report</b>											
From date	<sup>d</sup>	<sup>d</sup>	<sup>m</sup>	<sup>m</sup>	<sup>y</sup>	<sup>y</sup>	<sup>y</sup>	<sup>y</sup>				
	0	9	0	5	2	0	1	6				
To date	<sup>d</sup>	<sup>d</sup>	<sup>m</sup>	<sup>m</sup>	<sup>y</sup>	<sup>y</sup>	<sup>y</sup>	<sup>y</sup>				
	0	8	0	5	2	0	1	7				
<b>7</b>	<b>Progress report</b>											
<input checked="" type="checkbox"/> The progress report is attached												
<b>8</b>	<b>Sign and date</b>											
Liquidator's signature	Signature											
	X							X				
Signature date	<sup>d</sup>	<sup>d</sup>	<sup>m</sup>	<sup>m</sup>	<sup>y</sup>	<sup>y</sup>	<sup>y</sup>	<sup>y</sup>				
	1	1	1	2	2	0	1	8				

WU07

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



**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 **Andrew Tate**

Company name **Kreston Reeves LLP**

Address **Montague Place**  
**Quayside**

Post town **Chatham Maritime**

County/Region **Kent**

Postcode 

M	E	4		4	Q	U
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Country

DX

Telephone **01634 899800**



**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)**

**H & M Plant (Rochester) Limited**  
**(In Liquidation)**  
**Liquidator's Summary of Receipts & Payments**

Statement of Affairs £		From 09/05/2016 To 08/05/2017 £	From 09/05/2012 To 08/05/2017 £
	<b>ASSET REALISATIONS</b>		
50,000.00	Proceeds of Sale of Business	NIL	NIL
2,901.00	Monies Held By Third Party	NIL	2,901.19
15,000.00	Book Debts	NIL	NIL
	ISA Bank Interest Gross	NIL	10.54
	Bank Interest Gross	0.08	0.08
	Repayment of overdrawn fees	960.00	960.00
		960.08	3,871.81
	<b>COST OF REALISATIONS</b>		
	O.R. Disbursements	NIL	1,070.00
	DTI Audit Fees	88.00	436.00
	DTI Treasury Bill Fees	NIL	0.15
	Sec of State Fees	960.06	1,369.69
	Office Holders Fees	NIL	800.00
	Corporation Tax	0.02	2.12
	VAT irrecoverable	NIL	160.00
		(1,048.08)	(3,837.96)
	<b>UNSECURED CREDITORS</b>		
(28,381.98)	Trade & Expense Creditors	NIL	NIL
		NIL	NIL
<b>39,519.02</b>		<b>(88.00)</b>	<b>33.85</b>
	<b>REPRESENTED BY</b>		
	ISA A/C NIB 19-09-2017		33.85
			<b>33.85</b>

\_\_\_\_\_  
Andrew Tate  
Liquidator

# H & M Plant (Rochester) Limited In Liquidation

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Liquidators sixth Progress Report  
to Members and Creditors

Dated: 9 May 2017



## H & M PLANT (ROCHESTER) LIMITED – IN LIQUIDATION



### LIQUIDATORS FIFTH REPORT TO MEMBERS AND CREDITORS DATED 9 MAY 2017

#### REPORT TO ALL KNOWN MEMBERS AND CREDITORS

I am reporting on the progress made in the above company's liquidation since my appointment as Liquidator on 9 May 2012.

This report will give an account of my acts and dealings and of the conduct of the winding up for the period from my appointment to 8 May 2017 and should be read in conjunction with any previous reports and correspondence. I can advise that any references to 'the period covered by this report', refer specifically to the period 9 May 2016 to 8 May 2017 ("the anniversary period").

The contents of this report are detailed as follows:

1. Asset realisations and liquidators actions,
2. Liquidators investigations and duties
3. Creditor claims and dividend prospects
4. Receipts and Payments account,
5. Pre Appointment remuneration,
6. Liquidators remuneration,
7. Liquidators expenses,
8. Matters preventing closure,
9. Further Information,
10. Summary

The enclosures provided with this report are as follows:

1. Receipts and payments account,
2. Statutory Information,
3. Routine work summary,
4. A summary of my firm's time costs to date,
5. Details of my firm's charge out rates and disbursement policy.

#### ASSET REALISATIONS & LIQUIDATORS ACTIONS

##### Proceeds of Sale of Business

As previously reported, the Official Receiver's report to creditors showed the sum of £50,000 had been withdrawn from the company by the director, Mr Kevin Morris. I contacted Mr Morris to pursue payment of this balance which was not forthcoming. As a result, steps were taken to investigate the assets owned by Mr Morris with a view to petitioning for his bankruptcy however it transpired that HM Revenue & Customs ('HMRC') had already petitioned for his bankruptcy and I confirm that Mr Morris was adjudged bankrupt on 17 December 2013. Further details concerning the investigations and the bankruptcy are listed below.

##### Monies Held by Third Party

As previously reported, the initial report to creditors showed that the sum of £2,901 was held by Bibby Financial Services ("Bibby") in respect of their factoring agreement, the sum of £2,901.19 was duly received into the liquidation estate on 15 March 2013.

### Book Debts

As previously reported, the director advised the Official Receiver that he believed there to be book debts with a realisable value of £15,000 remaining due to the company. He also advised, however, that the company's books and records had been abandoned at the company's trading address in 2010, and that the landlord was likely to have disposed of them. I made a number of requests to the landlord, for confirmation of whether this disposal of records actually occurred, however no response was forthcoming and therefore I have had insufficient records to pursue any alleged book debts.

### Bank Interest Gross

In the period to 8 May 2017, bank interest of 8p has been earned on the funds held in the liquidation account, the total interest received to date is £10.62.

### Repayment of overdrawn fees

During the period reported, the sum of £960 has been repaid into the liquidation account in respect of fees incorrectly drawn.

## **LIQUIDATOR'S INVESTIGATIONS & DUTIES**

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.

Specifically, I recovered, listed and reviewed the company's accounting records; obtained and reviewed copy bank statements for the three years 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.

I took the following action where I considered that further investigation was justified:

### Preference Payment to Director

As previously advised, the director of the company, Mr Kevin Morris, sold the business to R. Swain & Sons Ltd, and from the surplus funds, withdrew the sum of £50,000 which he described in his dealings with the Official Receiver as an 'entrepreneurial payment'. Mr Morris asserted in his interview with the Official Receiver that he was advised by JAD Accountants that he was entitled to this payment, although could not name the individual within the firm that gave the advice. Mr Morris also paid the landlord of the trading premises, however, did not ensure that all other creditors of the company had been paid.

As mentioned above I have been in correspondence with Mr Morris on this matter however he proved unco-operative and I took the decision to take legal advice from Moon Beever Solicitors upon the strength of our claim against Mr Morris. The legal advice confirmed that I had sufficient evidence to support the claim and steps were then taken to commence a legal claim against Mr Morris, however, as discussed above, HMRC had already petitioned for Mr Morris' Bankruptcy.

Mr Morris was adjudged bankrupt on 17 December 2013 and Maxine Reid and I were subsequently appointed as his Trustee in Bankruptcy on 17 January 2014. My investigations as Trustee indicate that he owns a freehold property and a motor home.

The latest update from the bankruptcy estate is that the property has now been sold and the sum of £90,063.19 was achieved. The trustee has advised that a notice of intended dividend has been sent to all known creditors and dividend of approximately 45p in the £ will be paid in the next two months.

Investigations into the motor home asset are also still ongoing and at this stage.

## **CREDITOR CLAIMS & DIVIDEND PROSPECTS**

### Non-preferential unsecured Creditors (including Crown Creditors)

The statement of affairs included 10 non-preferential unsecured creditors with an estimated total liability of £28,381.98. I have received claims from 5 creditors at a total of £27,430.55. I have not received claims from 5 creditors with original estimated claims in the statement of affairs of £15,301.85.

Based on current information I am uncertain as to whether there will be a dividend payable to unsecured creditors.

## **RECEIPTS AND PAYMENTS ACCOUNT**

My receipts and payments account covering the period from the date of my appointment to the anniversary is enclosed with this report. A summary of the receipts and payments in the last year is also shown.

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

## **LIQUIDATORS REMUNERATION**

My remuneration was approved on a time cost basis.

Time costs incurred for the whole of the liquidation are summarised below:

	<b>No. of Hours</b>	<b>Average Hourly Rate (£)</b>	<b>Total Time (£)</b>
Time recorded for the anniversary period	7.00	174.84	1,223.90
Total time recorded since appointment	77.25	151.07	11,670.05

Enclosed with this report are schedules of my time costs which provide details of the activity costs incurred by staff grade for each of the above periods.

I have not been able to draw any remuneration in this matter. Please note that the receipts and payments account attached shows that I have drawn fees of £800 plus VAT however as mentioned above, this has been refunded to the liquidation account.

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/>. A copy of 'A Creditors Guide to Liquidators' Fees' also published by R3, together with an explanatory note which shows my firms fee policy are available at the link <http://www.krestonreeves.com/creditor-information>. Please note that there are different versions of the Guidance Notes and in this case you should refer to the November 2011 version.



## LIQUIDATOR'S EXPENSES

I summarise below the disbursements that have been met by my firm:

	Incurring in the anniversary period £	Incurring in the entire period £
Insolvency Bond	0.00	135.00
Statutory Advertising	0.00	127.00
Experian Search	0.00	10.00
Company Search	0.00	1.00
<b>Total</b>	<b>0.00</b>	<b>273.00</b>

I also summarise below the disbursements that have been met directly from the funds in the liquidation and are also listed in the enclosed R&P:

Nature of expense	Paid in the Anniversary Period £
DTI Audit Fees	88.00
Secretary of State Fees	960.06
Corporation Tax	0.02
<b>Total</b>	<b>1,048.08</b>

## MATTERS PREVENTING CLOSURE

There remain certain matters to be resolved in relation to the following before this case can be closed:

- Assets to be realised
- Agreement of unsecured creditors claims
- Payment of dividend

## FURTHER INFORMATION

An unsecured creditor may, with the permission of the Court or with the concurrence of 5% in value of the unsecured creditors (including the creditor in question), request further details of the liquidator's remuneration and expenses within 21 days of receipt of this report. Any secured creditor may request the same details in the same time limit.

An unsecured creditor may, with the permission of the Court or with the concurrence of 10% in value of the creditors (including the creditor in question), 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 receipt of this report. Any secured creditor may make a similar application to Court within the same time limit.

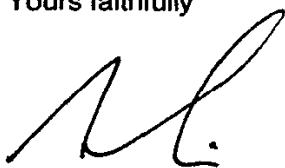
To comply with the Provision of Services Regulations, some general information about Kreston Reeves LLP can be found at <http://www.krestonreeves.com/creditor-information>.

**SUMMARY**

The liquidation will remain open until the matters referred to above have been fully resolved and based upon current information, I estimate that the liquidation should be concluded within 12 months and once resolved the Liquidation will be finalised and our files will be closed.

I trust that this is in order however should you require any further information please do not hesitate to contact Gemma Harris who is assisting me with this matter either via email at [Gemma.Harris@krestonreeves.com](mailto:Gemma.Harris@krestonreeves.com) or by telephone on 01634 899831.

Yours faithfully



**Andrew Tate**  
**Liquidator**

Andrew Tate is licensed in the United Kingdom to act as an insolvency practitioner by the The Institute of Chartered Accountants in England and Wales



## **H & M PLANT (ROCHESTER) LIMITED - IN LIQUIDATION**

### **STATUTORY INFORMATION**

<b>Company Name:</b>	<b>H &amp; M Plant (Rochester) Limited</b>
<b>Registered Office:</b>	<b>Montague Place, Quayside, Chatham Maritime, Chatham, Kent, ME4 4QU</b>
<b>Former registered office:</b>	<b>22 Chestfield Close, Rainham, Kent, ME8 7DQ</b>
<b>Registered Number:</b>	<b>02094014</b>
<b>Liquidator's Name:</b>	<b>Andrew Tate and</b>
<b>Liquidator's Address:</b>	<b>Montague Place, Quayside, Chatham Maritime, Chatham, ME4 4QU</b>
<b>Liquidator's date of appointment:</b>	<b>9 May 2012</b>
<b>Change in Liquidators Details</b>	<b>No changes have made within the period covered by this report.</b>

## **H & M PLANT (ROCHESTER) LIMITED - IN LIQUIDATION**

### **ROUTINE WORK SUMMARY**

#### **1. Administration**

- Case planning - devising an appropriate strategy for dealing with the case and giving instructions to the staff to undertake the work on the case.
- Setting up physical/electronic case files .
- Setting up the case on the practice's electronic case management system and entering data.
- Issuing the statutory notifications to creditors and other required on appointment as office holder, including gazetting the office holder's appointment.
- Obtaining a specific penalty bond.
- Convening and holding general meetings of creditors and members (as applicable).
- Dealing with all routine correspondence and emails relating to the case.
- Opening, maintaining and managing the office holder's estate bank account.
- Creating, 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.
- Filing returns at Companies House.
- Preparing and filing VAT returns.
- Preparing and filing Corporation Tax returns.

#### **2. Creditors**

- Obtaining information from the case records about employee claims.
- Completing documentation for submission to the Redundancy Payments Office.
- Corresponding with employees regarding their claims.
- Liaising with the Redundancy Payments Office regarding employee claims.
- Dealing with creditor correspondence, emails and telephone conversations regarding their claims.
- Maintaining up to date creditor information on the case management system.
- Issuing a notice of intended dividend and placing an appropriate gazette notice.
- Reviewing proofs of debt received from creditors, adjudicating on them and formally admitting them for the payment of a dividend.
- Requesting additional information from creditors in support of their proofs of debt in order to adjudicate on their claims.
- Calculating and paying a dividend to creditors, and issuing the notice of declaration of dividend.
- Paying tax deducted from the dividends paid to employees.

**07583500 H & M PLANT (ROCHESTER) LIMITED - IN LIQUIDATION****Matter: Restructuring****Analysis of ' time costs for the period 13/06/2012 to 28/04/2017****For the period: 09/05/2012 to 08/05/2017**

Classification of Work Function	Hours					Total Hours	Time Cost	Av hourly Rate
	Partner	Manager	Senior	Assistant Administrator	Support			
<b>Administration and Planning</b>							£	£
Statutory Reporting		0.90	1.80	3.90		6.60	1,002.50	167.05
Admin and Planning 300	1.90	7.55	28.80			38.25	5,672.75	148.31
Admin of Client or Engagement	0.10	1.30	0.40			1.80	464.00	257.78
<b>Investigations</b>								
Post appoint investigation 301	1.30	3.80	8.25			13.35	2,058.00	154.16
<b>Realisation of Assets</b>								
Asset Realisation 302		0.70	7.35	1.60		9.65	1,124.00	116.48
Cashiering			2.60	2.50	0.20	5.30	645.80	121.85
<b>Creditors</b>								
Creditors 304		1.00	0.90	0.40		2.30	397.00	172.61
<b>Case Specific Matters</b>								
Case specific 1 305			2.30			2.30	384.00	166.96
<b>Total Hours</b>	<b>3.30</b>	<b>8.95</b>	<b>52.40</b>	<b>8.40</b>	<b>0.20</b>	<b>77.25</b>		<b>151.07</b>
<b>Total Fees Claimed (£)</b>	<b>1,102.00</b>	<b>3,177.25</b>	<b>6,344.00</b>	<b>1,010.40</b>	<b>6.40</b>		<b>11,670.05</b>	

There are no approved Disbursements for this case.

**07583500 H & M PLANT (ROCHESTER) LIMITED - IN LIQUI****Matter: Restructuring****Analysis of ' time costs for the period 09/05/2016 to 08/05/2017****For the period: 09/05/2016 to 08/05/2017**

Classification of Work Function	Hours					Total Hours	Time Cost	Av hourly Rate
	Partner	Manager	Senior	Assistant Administrator	Support			
<b>Administration and Planning</b>							£	£
Admin and Planning 300		0.70	2.00			2.70	417.00	154.44
Statutory Reporting			1.80			1.80	311.00	172.78
Admin of Client or Engagement	0.10	1.00	0.40			1.50	369.50	246.33
<b>Realisation of Assets</b>								
Cashiering			0.80		0.20	1.00	126.40	126.40
<b>Total Hours</b>	<b>0.10</b>	<b>1.70</b>	<b>5.00</b>		<b>0.20</b>	<b>7.00</b>		<b>174.84</b>
<b>Total Fees Claimed (£)</b>	<b>39.00</b>	<b>465.50</b>	<b>713.00</b>		<b>6.40</b>		<b>1,223.90</b>	

There are no approved Disbursements for this case.

**H & M Plant (Rochester) Limited  
(In Liquidation)**

**Liquidator's Summary of Receipts and Payments**

<b>RECEIPTS</b>	<b>Statement of Affairs (£)</b>	<b>From 09/05/2012 To 08/05/2016 (£)</b>	<b>From 09/05/2016 To 08/05/2017 (£)</b>	<b>Total (£)</b>
Proceeds of Sale of Business	50,000.00	0.00	0.00	0.00
Monies Held By Third Party	2,901.00	2,901.19	0.00	2,901.19
Book Debts	15,000.00	0.00	0.00	0.00
ISA Bank Interest Gross		10.54	0.00	10.54
Bank Interest Gross		0.00	0.08	0.08
Repayment of overdrawn fees		0.00	960.00	960.00
		<b>2,911.73</b>	<b>960.08</b>	<b>3,871.81</b>
<b>PAYMENTS</b>				
O.R. Disbursements		1,070.00	0.00	1,070.00
DTI Audit Fees		348.00	88.00	436.00
DTI Treasury Bill Fees		0.15	0.00	0.15
Sec of State Fees		409.63	960.06	1,369.69
Office Holders Fees		800.00	0.00	800.00
Corporation Tax		2.10	0.02	2.12
Trade & Expense Creditors	(28,381.98)	0.00	0.00	0.00
Vat Receivable		160.00	0.00	160.00
		<b>2,789.88</b>	<b>1,048.08</b>	<b>3,837.96</b>
<b>Net Receipts/(Payments)</b>		<b>121.85</b>	<b>(88.00)</b>	<b>33.85</b>
<b>MADE UP AS FOLLOWS</b>				
ISA A/C		121.85	(88.00)	33.85
		<b>121.85</b>	<b>(88.00)</b>	<b>33.85</b>

Note:

We have not paid petitioning creditors costs yet