

# LIQ14

## Notice of final account prior to dissolution in CVL



Companies House

SATURDAY



A10

\*A7BNNØXM\*

04/08/2018

#32

COMPANIES HOUSE

### 1 Company details

Company number 0 2 1 8 7 6 7 0

Company name in full Bilston Engineering Limited

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

### 2 Liquidator's name

Full forename(s) David Frederick

Surname Wilson

### 3 Liquidator's address

Building name/number 29 Park Square West

Street Leeds

Post town LS1 2PQ

County/Region

Postcode

Country

### 4 Liquidator's name ●

Full forename(s)

Surname

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

### 5 Liquidator's address ●

Building name/number

Street

Post town

County/Region

Postcode

Country

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

# LIQ14

Notice of final account prior to dissolution in CVL

6

## Liquidator's release

☐ Tick if one or more creditors objected to liquidator's release.

:

7

## Final account

☐ I attach a copy of the final account.

8

## Sign and date

Liquidator's signature

Signature

X



X

Signature date

d 0

d 2

m 0

m 8

y 2

y 0

y 1

y 8

## LIQ14

### Notice of final account prior to dissolution in CVL



#### 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 Sam Booth

Company name DFW Associates

Address 29 Park Square West

Leeds

Post town LS1 2PQ

County/Region

Postcode

Country

DX

Telephone 01133907940



#### 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)

**FINAL ACCOUNT TO CREDITORS PURSUANT TO SECTION 106(1)  
OF THE INSOLVENCY ACT 1986**

**BILSTON ENGINEERING LIMITED  
IN LIQUIDATION  
("THE COMPANY")**

**For the period 3 August 2016 to 2 August 2018**

This report has been produced by the Liquidator solely to comply with his statutory duty to report to creditors on the progress of the Liquidation. The report is private and confidential and may not be relied upon, referred to, reproduced or quoted from, in whole or in part, by creditors for any purpose other than this report to them, or by any other person for any purpose whatsoever.

# **BILSTON ENGINEERING LIMITED - IN LIQUIDATION**

## **CONTENTS**

1. Introduction
2. Statutory Information
3. Case Strategy
4. Steps Taken During the Liquidation
5. Liquidator's Receipts & Payments Account
6. Distributions to Creditors
7. Pre-Appointment Costs
8. The Liquidator's Remuneration, Disbursements & Expenses
9. Other matters and information to assist Creditors
10. Conclusion

## **APPENDICES**

1. Appendix 1 - Liquidator's Receipts and Payments accounts for the period 3 August 2017 to 1 June 2018 and cumulative for 3 August 2016 to 2 August 2018
2. Appendix 2 - Liquidator's Remuneration (SIP 9 Report) for the period 3 August 2017 to 1 June 2018 and cumulative 3 August 2016 to 2 August 2018
3. Appendix 3 –Liquidator's Time Cost Report and Statutory Fee Estimate incorporating a comparison with actual Time Costs incurred in the Liquidation;
4. Appendix 4 – Administrator's Statutory Estimate of Expenses (including disbursements) incorporating a comparison with the actual disbursements and Expenses incurred in the Liquidation;
5. Appendix 5 - DFW Charging Policy
6. Appendix 6 – Copy of the Formal Notice sent to creditors that the affairs of the Company are wound up
7. Appendix 7 - Extract from Rules 18.9 and 18.34 (Creditors' Rights)

## ABBREVIATIONS

For the purposes of this report the following abbreviations shall be used:

“The Act”	Insolvency Act 1986 (as amended)
“The Rules”	Insolvency (England and Wales) Rules 2016
“CVL”	Creditors’ Voluntary Liquidation
“The Liquidator”	David Frederick Wilson
“Appointment”	Date of Appointment 3 August 2016
“EC Regulations”	Council Regulation (EU) No 1346/2000 applies and these are classed as ‘main proceedings’ as defined in Article 3(1) of that regulation

## 1. INTRODUCTION

### Liquidator’s Final Account

I was appointed as Liquidator of the Company at meetings of members and creditors held on 3 August 2016. I confirm that I am licensed to act as an Insolvency Practitioner in the UK by the Institute of Chartered Accountants in England and Wales. I confirm that there has been no change in office-holder, or my contact details since the date of Liquidation.

The affairs of the Company are fully wound up. In accordance with Section 106(1) of the Insolvency Act 1986 and Rule 18.14 of the Insolvency (England & Wales Rules) 2016, I am writing as Liquidator to provide my final account of the Liquidation to members and creditors.

I confirm that I have delivered this final account to all known creditors and to the members of the Company on 5 June 2018. This copy is being delivered to the Registrar of Companies, which is detailed further in the report.

This account includes details of matters arising in the Liquidation since my last progress report and as this is my final account, summarises the key issues that arose during the full duration of the Liquidation.

## 2. STATUTORY INFORMATION

Company Number:	02187670
Date of Incorporation:	3 November 1987
Principal Activity:	Light engineering
Previous Names:	Peckbush Limited Nov 1987 – Feb 1988 Linval Engineering Limited Feb 1988 – Oct 1989
Trading Name:	None
Registered Office:	29 Park Square West, Leeds, LS1 2PQ
Previous Registered Office:	Norton Hall 1 Norton Close, Wath, Ripon, North Yorkshire, England, HG4 5NZ
Trading Address:	Spring Road Industrial Estate, Spring Road, Ettingshall, Wolverhampton, WV4 6JT
Share Capital:	20,002 shares of £1 each

Shareholders:	<b>Name</b>	<b>Shares held</b>	
	Tesserrae Group	15,001	
	Surrinder Ram	2,500	
	Rajinder Ram	2,501	
Directors:	<b>Name</b>	<b>Appointed</b>	<b>Resigned</b>
	Doug Bedford	27 March 2015	N/A
	Nicholas Bradshaw	4 March 2011	27 March 2015
	John Cooper	1 April 2015	9 Dec 2015
	Vejay Kumar	17 April 2009	8 March 2011
	Duncan Morris	9 Dec 2015	15 April 2016
	Rajar Ojelay	1 April 1999	16 April 2009
	Shindo Ojelay	31 Jan 1992	5 Jan 2010
	Charno Ram	31 Jan 1992	16 April 2009
	Jagat Ram	1 May 1996	27 March 2015
	Raj Vinder Ram	17 April 2009	5 Aug 2013
	Surinder Ram	27 July 2015	15 Jan 2016
Mortgage and charges:	<b>Date Created</b>	<b>Date filed</b>	
Skipton Business Finance Ltd – Fixed and Floating (“Skipton”)	26 March 2015	30 March 2015	
Cross guarantee debenture	27 March 2015	9 April 2015	
	Nermala Bagla		
	Kuldeep Kumar Daiya		
	Anilar Kumar		
	Anita Ojelay		
	Paul Ram Lal Ojelay		
	Jessica Ojelay		
	Vejay Kumar		
	Ashwani Bagla		

### 3. CASE STRATEGY

My overall strategy for the Liquidation was to conduct an investigation into the affairs of the Company and the other associated companies to ensure that all valuable assets have been identified.

It is now clear, all assets having been realised, that there will be no dividend for any class of creditor. Formal Notice to this effect is given later in this report.

I have been assisted in the performance of my duties by a Case Manager and a Case Administrator who have the day to day conduct of the Liquidation and who helped me to ensure that work done was carried out at the appropriate grade, having regard to its complexity.

I instructed Clarion Solicitors to conduct a review of the fixed charge security and advise me on legal issues arising in respect of the Liquidation and employment matters. Bluepool were instructed in relation to computer services who tried to extract data from the Company’s server in relation to payroll matters and SAGE back-up. However, it transpired that the system was corrupt and the Liquidator was unable to extract the information. Sanderson Weatherall were instructed in respect of the following:

- Attend the trading premises to undertake the scheduling and valuation of the assets on a market value basis as a whole in-situ and for the removal from the premises;
- Supervising retention of title inspections and collections;
- Dealing with third party owned finance assets and their return; and
- Site clearance.

They were selected because of their general knowledge and experience and the geographic proximity to my office.

Their contribution to the Liquidation has been essential and has assisted me to generate or pursue value for the estate, meet regulatory requirements and to evaluate the potential for further recoveries.

The Liquidator has complied with his statutory obligations in the winding up. Briefly these entailed dealing with the formalities of hosting meetings of both members and creditors to place the Company in to Liquidation, addressing any creditor queries, completing and sending annual progress reports, realising the Company's assets, dealing with the tax affairs of the company, submitting a report on the conduct of the Directors and ensuring that all affairs of the Company have been dealt with.

The services to be provided by me include those required by law and/or professional regulations to deal with the Liquidation.

Briefly:-

- Instructing agents to value and dispose of the plant & machinery/chattel assets which is in the direct financial interest of creditors;
- Dealing with retention of title claims;
- Dealing with the finance companies regarding third party owned assets;
- Dealing with employee and tribunal claims;
- Liaising with the pension provider regarding pension scheme matters;
- Assisting Skipton Business Finance with book debt collections which is in the direct interest of the secured and unsecured creditors to reduce their indebtedness;
- In the event of a dividend being payable and if appropriate, agreeing the claims of unsecured creditors, is in the direct financial interest of creditors;
- Work done in performing investigations is a statutory requirement but will be in the direct financial interests of creditors if it leads to additional asset realisations; and
- All other work which is required by statute or professional regulations.

The Liquidator has complied with his statutory obligations in the winding up. Briefly these entailed dealing with the formalities of hosting meetings of both members and creditors to place the Company in to Liquidation, addressing any creditor queries, completing and sending annual progress reports, realising the Company's assets, dealing with the tax affairs of the company, submitting a report on the conduct of the Directors and ensuring that all affairs of the Company have been dealt with.

No non statutory reports have been issued by the Liquidator to any person.

#### **4. STEPS TAKEN DURING THE LIQUIDATION**

##### **Book Debts**

As previously reported, un-factored book debts totalling £1,788.35 have been received from Ocanti Opco Limited a company in Liquidation.

##### **Plant & Machinery**

The plant and machinery sold via private treaty sale realised £1,000 and the items sold by online auction realised £16,845. Total realisations in this regard have been £17,845.

##### **Cash held on Appointment**

Cash at bank at the date of appointment amounted to £1,872.40, in relation to work in progress completed prior to the cessation of trade. The completed goods were collected and the funds remitted to the DFW Associates client account in the lead up to the appointment of the Liquidator.



## **Bank Interest**

Gross bank interest in the sum of £0.06 has accrued in respect of funds held in the Liquidation account in the period. Total bank interest of £1.00 has been received in the Liquidation.

## **5. LIQUIDATOR'S RECEIPTS & PAYMENT ACCOUNT**

Attached at Appendix 1 is a Final Receipts and Payments account, covering the period 3 August 2017 to 2 August 2018, and cumulative for the duration of the Liquidation.

## **6. DISTRIBUTION TO CREDITORS**

### **Secured Creditors**

#### **Skipton**

The Company's debtor ledger was subject to an invoice finance agreement with Skipton secured by way of a debenture created on 26 March 2015 and delivered on 30 March 2015. Skipton hold a Deed of Priority over the second debenture which is detailed further below. As at the date of Administration the gross value of the outstanding ledger was approximately £284,688, with a corresponding balance due to Skipton of £298,285, excluding any applicable charges. There was also an outstanding EFG loan of approximately £35,000.

Skipton have advised that they have been repaid in full in respect of the debtor ledger, however no termination fees have been applied. The surplus in respect of the debtor ledgers of two other group companies, Chesterton Light Engineering Limited and Cambmac Engineering Limited have been utilised to repay the outstanding EFG Loan. This is in respect of a cross guarantee, however we anticipate that Skipton will be left with a shortfall under the terms of their security held within the group. The director has given a personal guarantee in respect of this liability.

**Nermala Bagla, Kuldeep, Kumar Daiya, Anilar Kumar, Anita Ojelay, Paul Ram Lal Ojelay, Jessica Ojelay, Vejay Kumar, Ashwani Bagla**

There is also a charge registered in relation to the money owed to the former owners of the Company. This money is due from Tesserrae Group Limited the holding group company, for money due under the sale agreement for the original purchase. There is a charge against the Company as it is subject to a cross guarantee for the amount owed.

### **Preferential Creditors**

The estimated statement of affairs detailed preferential claims of £21,600 in relation to unpaid wages and holiday pay. The Redundancy Payments Service have not yet submitted a preferential claim despite numerous requests. There are insufficient funds to enable a distribution to preferential creditors.

### **Unsecured Creditors**

The statement of affairs, included in the Section 98 report presented to the meeting of the creditors of the Company, estimated total unsecured debts of £370,985 from 83 creditors. To date, the Liquidator has received claims of £372,565 from 47 creditors. There are insufficient realisations to enable a dividend distribution to unsecured creditors.

In accordance with Rule 14.36 I confirm formally that no dividend will be declared in the Liquidation as realisations have already been used to contribute towards the costs of the winding up and there are insufficient asset realisations to allow a dividend to unsecured creditors. The small remaining balance will be utilised to defray the final costs of the Liquidation.

### **Prescribed part for unsecured creditors pursuant to Section 176a of the Act**

Section 176a of the Act provides that, where the Company has created a floating charge on or after 15 September 2003, the Liquidator must make a prescribed part of the Company's net property available for the unsecured creditors and not distribute it to the floating charge holder except in so far as it exceeds the amount required for the satisfaction of unsecured debts.

The prescribed does not apply as the net floating property is less than £10,000.

## **7. PRE-APPOINTMENT COSTS.**

On 3 August 2016, at the meeting of the company's creditors, resolutions were presented in conjunction with DFW charging policy. The following resolution was duly passed unanimously, alongside other resolutions

"THAT insofar as not paid prior to the meeting, the Liquidator be authorised to pay DFW Associates fee in the sum of £5,000 plus disbursements plus VAT for assisting in preparation of the Statement of Affairs and convening the Section 98 meeting of creditors."

In this regard, total pre-appointment costs of £5,000 have been paid to DFW Associates.

## **8. THE LIQUIDATOR'S REMUNERATION, DISBURSEMENTS AND EXPENSES**

### **REMUNERATION**

#### **Statutory Fees Estimate**

On the 31 August 2016 the unsecured creditors resolved by correspondence that my remuneration be paid on the basis of my time costs as set out in my statutory estimate of my fees, which acts as a cap on the amount of remuneration that I can draw out of the assets of the Company without further authority from creditors.

By virtue of the approval by creditors to the basis of my remuneration, this cap was set at £14,165.

The services provided and to be provided by me included those required by law and/or professional regulations to deal with the procedure and are detailed in section 2 above.

The original cost estimate has been exceeded, however as there have been insufficient realisations for me to make a full recovery of my time costs.

#### **Time Costs and Remuneration**

The total time spent on the Liquidation by myself and my staff in the period of this report from 3 August 2017 to 2 August 2018 is 23 hours equating to time costs of £5,137.50 at an average rate of £223.37 per hour. Total time spent on the Liquidation by myself and my staff from 3 August 2016 to 2 August 2018 is 89 hours equating to time costs of £23,438 at an average rate of £263.20 per hour.

An analysis of the time spent to date and comparison with my original fee estimate, any variances and my revised fee estimate is provided at Appendix 3.

Generally the actual time spent has exceeded the statutory fee estimate in respect of the following categories

<b>Category</b>	<b>Amount £</b>	<b>Comments</b>
Admin and planning	2,198.50	Time estimate has been exceed in respect of the HMRC returns, general correspondence and case compliance matters.
Realising Assets	1,050.50	Dealing with asset realisation has taken longer than expected in relation to liaising with Skipton regarding the book debt collections
Creditors	5,484.00	Time has exceeded the original estimate in relation to statutory reporting to creditors.
Trading	1,005.50	Time has been spent dealing with employee claims which were not included under this category in the original fee estimate

Total Liquidator's fees of £5,580.43 have been drawn in the Liquidation. As detailed above my original time cost estimate has been exceeded in actual time spent. However, there are insufficient realisations for me to make a full recovery of my time costs.

## **DISBURSEMENTS & EXPENSES**

### **Liquidators Statutory Statement of Disbursements and Expenses**

On the 31 August 2016 the unsecured creditors resolved by correspondence that I am authorised to recover category 2 disbursements out of the assets of the Company without further authority from creditors as an expense of the Liquidation this estimate was revised and approved by creditors by correspondence on 23 October 2017. Details of the expenses and disbursements incurred and paid to date, in comparison to my expenses estimate and my revised estimate, are detailed at Appendix 4.

The following information in relation to the time costs and disbursements are set out in the attachments below:

1. Appendix 2 – Time Costs incurred in the period of this report;
2. Appendix 2 – Time Costs incurred in the period of the Liquidation (cumulative);
3. Appendix 3 – Liquidator's Time Cost Report and Statutory Fee Estimate incorporating a comparison with actual Time Costs incurred in the Liquidation;
4. Appendix 4 – Administrator's Statutory Estimate of Expenses (including disbursements) incorporating a comparison with the actual disbursements and Expenses incurred in the Liquidation;
5. Appendix 5 - DFW Associates charge out policy; and
6. Appendix 7 – Extract from Rules 18.9 and 18.34 (Creditors' Rights)

A copy of a Creditors' Guide to Liquidator's Remuneration, which also includes details of creditors' rights, is available for download from <https://www.r3.org.uk/what-we-do/publications/professional/fees>. Alternatively I shall be pleased to provide you with a hard copy free of charge on request.

A creditor's voluntary liquidations a guide to unsecured creditors can be downloaded at the following website [https://www.r3.org.uk/media/documents/publications/professional/Creditors\\_CVL.pdf](https://www.r3.org.uk/media/documents/publications/professional/Creditors_CVL.pdf). Alternatively I shall be pleased to provide you with a hard copy in request.

## **9. OTHER MATTERS TO ASSIST CREDITORS**

### **Investigations**

The Liquidator has a statutory duty to investigate the conduct of the Director and any person he considers to be or have been a shadow or de facto Director during the period of three years before the date of his appointment, in relation to their management of the affairs of the company and the causes of its failure.

My preliminary investigations revealed no matters that it was in the interests of creditors for me to investigate in depth and no matters came to light subsequently during the Liquidation.

The Liquidator is also obliged to submit confidential reports to the Department for Business Innovation and Skills. I can confirm that I have discharged my duties in this regard.

### **SIP 13 – Disposal of Assets to Connected Parties**

There have been no asset disposals or transactions with connected parties in the Liquidation.

### **Benefits for Creditors**

During the Liquidation:-

- All of the disclosed assets of the Liquidation have been realised;
- Employee redundancy claims have been processed and paid by the Redundancy Payments Office including tribunal awards;
- Investigations into the affairs of the Company to identify any undisclosed assets; and
- My investigation into the conduct of the Directors has been carried out and concluded and, whilst it did not give rise to any additional realisations for the benefit of creditors, they can be assured that the situation has been reviewed.

## **10. CONCLUSION**

### **The Liquidator's discharge and release and Creditors' Rights in this regard**

The only matter outstanding in the Liquidation is for me to vacate office as Liquidator and be released.

Prior to this occurring I am obliged to give formal Notice to creditors under Rule 6.28 of the Insolvency (England and Wales) Rules 2016 and under Section 106(2) of the Insolvency Act 1986 that the Company's affairs have been fully wound up and of their rights in this regard. This Notice is attached to this report at Appendix 4.

In the ordinary course of events I will vacate office and receive my release at the end of the Prescribed Period (eight weeks after this Notice has been delivered to creditors) when I report to the Registrar of Companies that I have delivered it.

In the alternative, should any creditor exercise any of their rights I will report finally to the Registrar of Companies when any request, application or objection by them has been finally determined, should this be later than the end of the Prescribed Period.

The Company will be dissolved automatically by the Registrar of Companies three months after I have lodged my final account.

If you require any further information please do not hesitate to contact my office using the below listed contact details.

A handwritten signature in black ink, appearing to read 'D F Wilson', is written over a horizontal line.

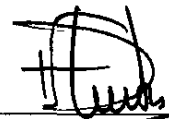
**D F Wilson**  
**Liquidator**

**Date: 2 August 2018**

**BILSTON ENGINEERING LIMITED  
(IN LIQUIDATION)**

**LIQUIDATOR'S FINAL RECEIPTS & PAYMENTS ACCOUNT**

<b>RECEIPTS</b>	<b>Statement of Affairs (£)</b>	<b>From 03/08/2016 02/08/2017 (£)</b>	<b>From 03/08/2017 To 02/08/2018 (£)</b>	<b>Total (£)</b>
Plant & Machinery	6,000.00	17,845.00	Nil	17,845.00
Cash a Bank	1,872.40	1,872.40	Nil	1,872.40
Book Debts	Nil	1,788.35	Nil	1,788.35
Bank Interest	Nil	0.94	0.06	1.00
	<u>7,872.40</u>	<u>21,506.69</u>	<u>0.06</u>	<u>21,506.75</u>
<b>PAYMENTS</b>				
Specific Bond		150.00	Nil	150.00
Preperation of Statement of Affairs		5,000.00	Nil	5,000.00
Liquidator's Fees		5,250.00	330.43	5,580.43
Agents Fees		8545.32	Nil	8,545.32
Legal fees		1186.00	Nil	1,186.00
Computer Services		814.00	Nil	814.00
Statutory Advertising		231.00	Nil	231.00
		<u>21,176.32</u>	<u>330.43</u>	<u>21,506.75</u>
<b>Net Receipts/(Payments)</b>		<u>330.37</u>	<u>(330.37)</u>	<u>Nil</u>
<b>MADE UP AS FOLLOWS</b>				
Bank Current Account		330.37	(330.37)	Nil
VAT Receivable / (Payable)		Nil	Nil	Nil
		<u>330.37</u>	<u>(330.37)</u>	<u>Nil</u>



David Frederick Wilson  
Liquidator

Time Entry - SIP9 Time & Cost Summary

CVL0083 - Bilston Engineering Limited  
All Post Appointment Project Codes  
From: 03/08/2016 To: 02/08/2018

Classification of Work Function	Partner	Manager	Other Senior Professionals	Assistants & Support Staff	Total Hours	Time Cost (£)	Average Hourly Rate (£)
Admin & Planning	8.60	11.90	0.00	1.00	21.50	6,023.00	280.14
Case Specific Matters	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Creditors	12.40	36.50	0.00	1.25	50.15	12,905.00	257.33
Investigations	0.20	1.60	0.00	0.00	1.80	427.00	237.22
Realisation of Assets	4.10	7.00	0.00	0.00	11.10	3,077.50	277.25
Trading	0.10	4.40	0.00	0.00	4.50	1,005.50	223.44
Total Hours	25.40	61.40	0.00	2.25	89.05	23,438.00	263.20

Summary of chargeout rates for staff members involved with this case.

Grade Category	Minimum Rate	Maximum Rate
Partner	375	375
Manager	220	220
Assistants & Support Staff	180	180

Time Entry - SIP9 Time & Cost Summary

CVL0083 - Bilston Engineering Limited  
All Post Appointment Project Codes  
From: 03/08/2017 To: 02/08/2018

Classification of Work Function	Partner	Manager	Other Senior Professionals	Assistants & Support Staff	Total Hours	Time Cost (£)	Average Hourly Rate (£)
Admin & Planning	0.30	7.60	0.00	0.00	7.90	1,784.50	225.89
Case Specific Matters	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Creditors	0.20	14.90	0.00	0.00	15.10	3,353.00	222.05
Investigations	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Realisation of Assets	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Trading	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Total Hours	0.50	22.50	0.00	0.00	23.00	5,137.50	223.37

Summary of chargeout rates for staff members involved with this case.

Grade Category	Minimum Rate	Maximum Rate
Partner	375	375
Manager	220	220
Assistants & Support Staff	180	180

## Liquidator's Time Costs Report &amp; Statutory Fees Estimate with comparisons to actual time spent

Estimated duration - 24 months

Time is charged in units of 6 minutes

	Note	Fee Estimate			Actual Time Spent			Variance		
		Hrs	Rate	£	Hrs	Rate	£	Hrs	Rate	£
Admin and planning	1	12.10	271.45	3,824.50	21.50	280.14	6,023.00	-9.40	N/A	- 2,198.50
Investigations	2	3.00	297.50	892.50	1.80	237.22	427.00	1.20	N/A	465.50
Realising assets	3	7.10	285.50	2,027.00	11.10	277.25	3,077.50	-4.00	N/A	- 1,050.50
Trading	4	-	-	-	4.50	223.44	1,005.50	-4.50	N/A	- 1,005.50
Creditors	5	22.60	328.37	7,421.00	50.15	257.33	12,905.00	-27.55	N/A	- 5,484.00
Case specific	6	-	-	-	-	-	-	-	N/A	-
		44.80		14,165.00	89.05		23,438.00	-44.25		- 9,273.00

**1 Administration and case planning**

Setting case strategy, performing file reviews, delegating tasks and managing workflows  
 Secure and prepare inventory of books and records; create paper and electronic files; data input  
 Keeping the case data up to date throughout as the case progresses; recording decisions  
 Periodic VAT and Corporation Tax Returns  
 Notification, filing and advertising of the appointment; arrange and monitor insolvency bond  
 Opening and operating estate bank accounts and bank reconciliations  
 Obtaining Tax clearance at the conclusion of the case

**2 Investigations**

Review of books and records; preliminary investigation under Statement of Insolvency Practice 2  
 Enquiry into Director Conduct under Statement of Insolvency Practice 4 and DBIS guidance notes  
 Completion and submission of report on Directors' conduct; liaison with Insolvency Service  
 Investigations into the affairs of the Company

**3 Realising assets**

Identifying, securing, storage and insurance of the Company's assets; return third party property  
 Liaising with Skipton regarding book debts collections and cash balances from bankers  
 Instructing agents to value and dispose of tangible assets  
 Dealing with the formalities of vacating the former premises/lease disclaimer

**4 Trading**

Ongoing employee queries and claims

**5 Creditors**

Dealing with 36 employee claims and the Redundancy Payments Office - liaison, agreement  
 Dealing with the claims of Debenture Holders  
 Dealing with the enquiries and claims of 4 unsecured creditors - liaison, correspondence  
 Dealing with employee pension matters  
 Dealing with Retention of Title claims and assets subject to finance  
 Issuing the report on the s98 meeting and the Statutory Fees and Expenses Estimates of the Liquidator  
 Convening, conducting, reporting on the meeting/resolutions of creditors, file at Companies House  
 Issuing Progress Reports at statutory intervals; filing at Companies House  
 Issuing a draft final and a final report; filing at Companies House

**6 Case specific**

Specific creditor queries or asset realisation matters not detailed in sections 3 or 5 above



## Liquidator's statutory estimate of expenses (including disbursements) with comparison to actual expenses

Estimated duration - 24 months

Expense	Note	Provider	Approved Statutory Expenses £	Incurred £	Paid to Date £	Unpaid £
Statutory bond	1	Marsh	150.00	150.00	150.00	Nil
Statutory adverts	1	London Gazette	231.00	231.00	231.00	Nil
Postage & Copying	1	Royal Mail	272.00	174.80	Nil	174.80
Legal Fees	2	Clarion Solicitors	1,186.00	1,186.00	1,186.00	Nil
Agents Valuers Fees	3	Sanderson Weatherall	8,545.32	8,545.32	8,545.32	Nil
Computer Services	2	Bluepool	814.00	814.00	814.00	Nil
Storage costs	1	McCarthys	100.00	193.60	Nil	193.60
<b>Total expenses and category 1 disbursements</b>			<b>11,298.32</b>	<b>11,294.72</b>	<b>10,926.32</b>	<b>368.40</b>
<b>Category 2 disbursements</b>						
Mileage			Nil	Nil	Nil	Nil
<b>Total Category 2 disbursements</b>			<b>Nil</b>	<b>Nil</b>	<b>Nil</b>	<b>Nil</b>
<b>Total per Estimated Outcome Statement</b>			<b>11,298.32</b>	<b>11,294.72</b>	<b>10,926.32</b>	<b>368.40</b>

## Notes

1 All of these expenses and disbursements are statutory compliance costs.

## **DFW Associates Charging Policy**

### **Introduction**

This note applies where a licenced insolvency practitioner in the firm is acting as an office holder of an insolvent estate and seeks creditor approval to draw remuneration on the time properly spent in dealing with the case. It also applies where further information is to be provided to creditors regarding the office holder's fees. Following a passing of the resolution for the office holder to be remunerated on a time cost basis. Best practice guidance requires that such information should be disclosed to those who are responsible for approving remuneration.

In addition, this note applies where creditor approval is sought to make a separate charge by way of expenses or disbursements to recover the costs of facilities provided by the firm and where payments are to be made to outside parties in which the office holder or his firm or any associate has an interest. Best practice guidance requires that such charges should be disclosed to those who are responsible for approving the office holder's remuneration, together with an explanation of how those charges are calculated.

### **Office Holder's Fees in Respect of the Administration of the insolvent estate.**

The office holder will delegate tasks to colleagues. Such delegation assists the office holder as it allows him/her to deal with the more difficult aspects of the case and ensures that work is allocated and completed at the appropriate level. There are various staff that are employed by the office holder and these appear below.

The firm operates a time recording system which allows the staff working on the case with the office holder to allocate their time to the case. The time is recorded at the individual hourly rate in force at that time which is detailed below.

### **Expenses Incurred By Office Holder In Respect Of the Administration of Insolvent Estates**

Best practice guidance classifies expenses into two broad categories

- Category 1 disbursements (approval not required) – specific expenditure that is directly related to the case usually outsourced to a third party. Once these items of expenditure are incurred they are immediately charged to the case.
- Category 2 disbursements (approval required) – items of incidental expenditure directly incurred on the case which include an element of shared or allocated cost and which are based on a reasonable method of calculation.

(A) The following items of expenditure are charged to the case (subject to approval)

- Car Mileage is charged at a rate of 45p per mile
- Storage of books and records (when not chargeable as a category 1 disbursement)
- Expenses which should be treated as Category 2 disbursements (approval required) – in addition to the 2 categories referred to above best practice guidance indicates that where payments are made to outside parties in which the office holder or his firm or any associate has an interest these should be treated as category 2 disbursements

(B) The following items of expenditure will normally be treated as general office overheads and will not be charged to the case although a charge may be made where the precise cost to the case can be determined because the item satisfies the test of a category 1 disbursement.

- Telephone and facsimile
- Printing and photocopying
- Stationery

### **DFW Charge-out Rate – Post 1 May 2016**

Time is recorded in 6 minute units.

Principal Associate	375
Senior Associate	220
Junior	180

**RULE 6.28 OF THE INSOLVENCY (ENGLAND & WALES) RULES 1986  
NOTICE TO CREDITORS**

**BILSTON ENGINEERING LIMITED – IN LIQUIDATION (“THE COMPANY”)**

**Registered Number: 02187670**

**NOTICE THAT THE COMPANY’S AFFAIRS ARE FULLY WOUND UP**

This notice is being given to all known creditors in accordance with the requirements of Rule 6.28 of the Insolvency (England and Wales) Rules 2016 and Section 106(2)(c) of the Insolvency Act 1986.

The Company’s affairs are fully wound up.

As a creditor, you:-

- Have the right to request information from the Liquidator under Rule 18.9;
- Have the right to challenge the Liquidator’s remuneration and expenses under Rule 18.34; and
- May object to the Liquidator’s release by giving Notice in writing to the Liquidator before the end of the **Prescribed Period**.

The **Prescribed Period** is the period ending at the later of:-

- Eight weeks after the **delivery** of this Notice, or
- If any request for information under Rule 18.9 or any application to the Court is made under that Rule or Rule 18.34 is made, when that request or application is finally determined.

In accordance with Part 1 Chapter 9 of the Rules the date of **delivery** of this Notice will depend on the method used for delivering it. The last delivery date will be that determined by the deemed delivery date applicable to creditors who received Notice by First Class Post, which is 5 June 2018.

The Liquidator will vacate office under Section 171(7) of the Insolvency Act 1986 on delivering to the Registrar of Companies the final account and Notice saying whether any creditor has objected to his release.

The Liquidator will be released from office under Section 173(b) of the Insolvency Act 1986 at the same time as vacating office unless any of the Company’s creditors have objected to the Liquidator’s release, in which event he will be released at such time as the Secretary of State may, on the application of that person, determine.

Where a Liquidator has his release he is from that time discharged from all liability, both in respect of acts or omissions of his in the winding up and otherwise in relation to his conduct as Liquidator subject to the powers of the Court under Section 212 of the Insolvency Act 1986.



**David Frederick Wilson**

**Liquidator**

Date: 1 June 2018

*Contact details:*

DFW Associates  
29 Park Square West  
Leeds  
LS1 2PQ

Telephone: 0113 3907940 (Please ask for Sam Booth)

Email addresses : [sam.booth@dfwassociates.co.uk](mailto:sam.booth@dfwassociates.co.uk) or [info@dfwassociates.co.uk](mailto:info@dfwassociates.co.uk)

**EXTRACT FROM THE INSOLVENCY RULES (ENGLAND AND WALES) 2016**

**Remuneration and expenses: application to court by a creditor or member on grounds that remuneration or expenses are excessive**

**Rule 18.34**

(1) This rule applies to an application in an administration, a winding-up or a bankruptcy made by a person mentioned in paragraph (2) on the grounds that—

- (a) the remuneration charged by the office-holder is in all the circumstances excessive;
- (b) the basis fixed for the office-holder's remuneration under rules 18.16, 18.18, 18.19, 18.20 and 18.21 (as applicable) is inappropriate; or
- (c) the expenses incurred by the office-holder are in all the circumstances excessive.

(2) The following may make such an application for one or more of the orders set out in rule 18.36 or 18.37 as applicable—

- (a) a secured creditor,
- (b) an unsecured creditor with either—
  - (i) the concurrence of at least 10% in value of the unsecured creditors (including that creditor), or
  - (ii) the permission of the court, or
- (c) in a members' voluntary winding up—
  - (i) members of the company with at least 10% of the total voting rights of all the members having the right to vote at general meetings of the company, or
  - (ii) a member of the company with the permission of the court.

(3) The application by a creditor or member must be made no later than eight weeks after receipt by the applicant of the progress report under rule 18.3, or final report or account under rule 18.14 which first reports the charging of the remuneration or the incurring of the expenses in question ("the relevant report").

**EXTRACT FROM THE INSOLVENCY RULES (ENGLAND AND WALES) 2016**

**Creditors' and Members' requests for further information in Administration, Winding up & Bankruptcy**

**Rule 18.9**

(1) The following may make a written request to the office-holder for further information about remuneration or expenses (other than pre-administration costs in an administration) set out in a progress report under rule 18.4(1)(b), (c) or (d) or a final report under rule 18.14—

- (a) a secured creditor;
- (b) an unsecured creditor with the concurrence of at least 5% in value of the unsecured creditors (including the creditor in question);
- (c) 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;
- (d) any unsecured creditor with the permission of the court; or
- (e) any member of the company in a members' voluntary winding up with the permission of the court.

(2) A request, or an application to the court for permission, by such a person or persons must be made or filed with the court (as applicable) within 21 days of receipt of the report by the person, or by the last of them in the case of an application by more than one member or creditor.

(3) The office-holder must, within 14 days of receipt of such a request respond to the person or persons who requested the information by—

- (a) providing all of the information requested;
- (b) providing some of the information requested; or
- (c) declining to provide the information requested.

(4) The office-holder may respond by providing only some of the information requested or decline to provide the information if—

- (a) the time or cost of preparation of the information would be excessive; or
- (b) disclosure of the information would be prejudicial to the conduct of the proceedings;
- (c) disclosure of the information might reasonably be expected to lead to violence against any person; or
- (d) the office-holder is subject to an obligation of confidentiality in relation to the information.

(5) An office-holder who does not provide all the information or declines to provide the information must inform the person or persons who requested the information of the reasons for so doing.

(6) A creditor, and a member of the company in a members' voluntary winding up, who need not be the same as the creditor or members who requested the information, may apply to the court within 21 days of—

- (a) the office-holder giving reasons for not providing all of the information requested; or
- (b) the expiry of the 14 days within which an office-holder must respond to a request.

(7) The court may make such order as it thinks just on an application under paragraph (6).