

Liquidator's Progress Report

S.192

Pursuant to Sections 92A and 104A and 192
of the Insolvency Act 1986

To the Registrar of Companies

Company Number

03632247

Name of Company

Albany Dry Lining Limited

~~++~~ We

Benjamin John Wiles, The Shard, 32 London Bridge Street, London SE1 9SG

Paul David Williams, The Shard, 32 London Bridge Street, London, SE1 9SG

the liquidator(s) of the company attach a copy of my/our Progress Report
under section 192 of the Insolvency Act 1986

The Progress Report covers the period from 02/09/2015 to 01/09/2016

Signed

Date 25.10.2016

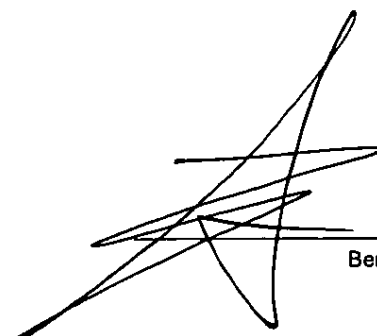
Duff & Phelps Ltd
The Shard
32 London Bridge Street
London, SE1 9SG

Ref 62549/BOW/PDW/PXC/LB/kab/MB



Albany Dry Lining Limited
(In Liquidation)
Joint Liquidators' Abstract of Receipts & Payments

| Statement of Affairs | | From 02/09/2015 To 01/09/2016 |
|----------------------|-------------------------------|----------------------------------|
| | SECURED CREDITORS | |
| -169,000 00 | National Westminster Bank plc | <u>NIL</u> NIL |
| | ASSET REALISATIONS | |
| Uncertain | Motor Vehicles | 500 00 |
| Uncertain | Debtors | NIL |
| | Sundry Receipts | <u>93 75</u> 593 75 |
| | COST OF REALISATIONS | |
| | Bank Charges | <u>2 60</u> -2 60 |
| | PREFERENTIAL CREDITORS | |
| -1,186 00 | Employee Arrears/Hol Pay | <u>NIL</u> NIL |
| | UNSECURED CREDITORS | |
| -226,082 00 | Trade & Expense Creditors | NIL |
| -12,659 00 | Employees | NIL |
| -85,479 00 | HM Revenue & Customs | NIL |
| -31,072 00 | Subcontractors | NIL |
| -114,446 00 | Management Company | <u>NIL</u> NIL |
| | DISTRIBUTIONS | |
| -100 00 | Ordinary Shareholders | <u>NIL</u> NIL |
| -640,024 00 | | <u>591 15</u> |
| | REPRESENTED BY | |
| | Floating/main current account | 591 15 |
| | | <u>591 15</u> |



Benjamin John Wiles
Joint Liquidator

Progress Report to Creditors

25 October 2016

Albany Dry Lining Limited

(In Creditors' Voluntary Liquidation)

Joint Liquidators' Progress Report to Creditors
for the period from 2 September 2015 to 1 September 2016
pursuant to Section 104A of the Insolvency Act 1986 (as amended)
and Rule 4.49C of the Insolvency Rules 1986 (as amended)

Duff & Phelps Ltd.
The Shard
32 London Bridge Street
London
SE1 9SG

Definitions

| Word or Phrase | Definition |
|--------------------------|--|
| the Act | The Insolvency Act 1986 (as amended) |
| the Appointment Date | 2 September 2015, being the date of appointment of the Joint Liquidators |
| the Bank / Natwest | National Westminster Bank plc, with whom the Company banked and the holder of a fixed and floating charge over the Company's assets |
| Category 1 Disbursements | The Joint Liquidators' external costs and expenses in dealing with the Liquidation |
| Category 2 Disbursements | The Joint Liquidators' internal costs and expenses in dealing with the Liquidation |
| the Company | Albany Dry Lining Limited (In Creditors' Voluntary Liquidation) (Company Number 03632247) |
| Crestel | Crestel Partnerships Limited, an associated company by way of common directorship and shareholder Benjamin John Wiles and Geoffrey Wayne Bouchier of Duff & Phelps were appointed Joint Administrators of Crestel on 6 July 2015 |
| CVL / Liquidation | Creditors' Voluntary Liquidation |
| DBEIS | The Department for Business, Energy & Industrial Strategy |
| the Directors | Howard Lavers, Laurence Haldron, Mark Judson and Paul Richards, the Directors of the Company |
| Duff & Phelps | Duff & Phelps Ltd , The Shard, 32 London Bridge Street, London SE1 9SG |
| Essential | Essential Partnerships, the partnership through which Howard Lavers and Laurence Haldron invoiced the Company for management services |
| HMRC | HM Revenue & Customs |
| the Joint Liquidators | Benjamin John Wiles and Paul David Williams of Duff & Phelps Ltd , The Shard, 32 London Bridge Street, London SE1 9SG |
| M&C | M & C Construction & Project Management, an associated company through which Mark Judson invoiced the Company for management services |

| Word or Phrase | Definition |
|----------------------|--|
| Prescribed Part | Pursuant to Section 176A of the Act, where a floating charge is created after 15 September 2003 a designated amount of a company's net property (floating charge assets less costs of realisation) shall be made available to non-preferential unsecured creditors |
| Previous Report | The Joint Liquidators' Report to Creditors dated 2 September 2015 |
| the Reporting Period | 2 September 2015 to 1 September 2016 |
| RPS | Redundancy Payments Service |
| the Rules | The Insolvency Rules 1986 (as amended) |
| the Secured Creditor | The holder of a fixed and floating charge over the Company's assets |
| SIP 9 | Statement of Insolvency Practice 9 – Industry best practice for Insolvency Practitioners in relation to disclosure of remuneration and disbursements |
| SOA | Statement of Affairs, documentation supplied by the Directors outlining the Company's financial position as at 2 September 2016, the appointment date of the Joint Liquidators |

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- 2 Background
- 3 Joint Liquidators' Receipts and Payments Account
- 4 Progress of the Liquidation
- 5 Investigations
- 6 Dividend Prospects / Prescribed Part
- 7 Costs and Expenses
- 8 Further Information
- 9 Conclusion

Appendices

- 1 Joint Liquidators' Receipts and Payments Account
- 2 Analysis of Time Charged and Expenses Incurred
- 3 Proof of Debt Form

1. Introduction

- 1 1 The purpose of this annual progress report is to detail the Joint Liquidators' acts and dealings together with the conduct of the Liquidation during the Reporting Period

2. Background

- 2 1 The Joint Liquidators were appointed on the Appointment Date
- 2 2 The Company's registered office is c/o Duff & Phelps Ltd , Level 14, The Shard, 32 London Bridge Street, London SE1 9SG The Company's registration number is 03632247
- 2 3 The Company's former registered office was Croft Chambers, 11 Bancroft, Hitchin, Hertfordshire SG5 1JQ The Company's former trading address was 1 Singer Way, Kempston MK42 7AW
- 2 4 The Company's principal activity was dry lining works on housing developments built by Crestel
- 2 5 For further details on the background of the Company, please refer to the Previous Report
- 2 6 Should any creditor or member require a copy of the Previous Report, please contact the Joint Liquidators' office in writing

3. Joint Liquidators' Receipts and Payments Account

- 3 1 A detailed Receipts and Payments Account for the Reporting Period is shown at Appendix 1
- 3 2 As at 1 September 2016 there was a cash balance of £591

4 Progress of the Liquidation

- 4 1 The manner in which the affairs and business of the Company have been managed during the Reporting Period are set out in the remainder of this report

Book Debts

- 4 2 As at the Appointment Date, the Company's book debts had a book value of £3,024,448 It should be noted that around £2,398,213 of the Company's debtors are due from Crestel Based on current information it is unlikely that there will be sufficient asset realisations in the Administration of Crestel to enable a significant dividend to non-preferential unsecured creditors, in repayment of the debt that is due
- 4 3 The Joint Liquidators have agreed for the Directors to assist with the reconciliation of the outstanding debtors on a commission fee basis of 20% of the total debtor realisations achieved by them

- 4 4 The Joint Liquidators have been in continued correspondence with the debtors regarding the sums due to the Company. It has been noted that certain of the book debts were settled pre-appointment and the records not updated. There are also claims for damages which are being offset against certain book debts.
- 4 5 The Joint Liquidators are continuing with the reconciliation of the Company's book debt ledger with the assistance of the Directors and will continue to pursue debtors in respect of the amounts owed. There have been no recoveries made to date.

Motor Vehicles

- 4 6 As detailed in the Previous Report, the Company owned a small number of motor vehicles, which as at 31 May 2014 had a book value of £33,250, but most of which required significant repairs and maintenance.
- 4 7 The Directors advised that the title of three of the Company's motor vehicles was transferred to both Essential and M & C prior to the Appointment Date.
- 4 8 The Joint Liquidators have received an amount of £500 in respect of two motor vehicles that were transferred to M & C, in line with the sale agreed by the Directors prior to the Appointment Date. We are advised that fair value was obtained in light of the age and condition of these vehicles.
- 4 9 The Joint Liquidators note that one motor vehicle was transferred to Essential prior to the Appointment Date and are currently assessing the fair value of this vehicle.
- 4 10 The fourth vehicle remained in the name of the Company as at the Appointment Date. However, given the age of the vehicle, the failed MOT and the cost of repairs required to make it roadworthy, the Joint Liquidators disclaimed their interest in the vehicle.

5 Investigations

- 5 1 The Joint Liquidators are under a duty to investigate what assets there are and what recoveries can be made. Hence a basic level of investigation has been undertaken.
- 5 2 An initial assessment has been made which involved collecting and analysing the books and records of the Company, including the bank accounts, considering the Directors' responses to their Questionnaires, contacting third parties (mainly banks, Company's accountants and solicitors and creditors) for further information relating to the Company's assets and dealings.
- 5 3 The Joint Liquidators have incurred time costs for this investigation in this period of £16,134. This also includes filing a report with DBEIS, a statutory obligation, regarding the conduct of all directors of the Company that served in the three years prior to the Joint Liquidators' appointment. The content of this report is confidential. The report was submitted to DBEIS on 26 February 2016.
- 5 4 On present information it is not expected that creditors will directly benefit from the required initial investigations as no potential recovery actions have been discovered.

- 5 5 Should any of the Company's creditors have information concerning the Company's affairs that they would like to bring to the Joint Liquidators' attention, please contact this office

6. Dividend Prospects / Prescribed Part

Secured Creditor

- 6 1 The Company granted a debenture to NatWest on 23 October 2006, which confers fixed and floating charges over all of the Company's assets
- 6 2 According to the SOA, NatWest are owed approximately £169,000 in respect of an overdraft facility
- 6 3 The Joint Liquidators have received a claim of £170,238 from NatWest, which is subject to intent of charges
- 6 4 It is currently uncertain whether there will be any return to Natwest under its security Any return will be dependent upon asset realisations in the Liquidation

Preferential Creditors

- 6 5 As at the Appointment Date, the Company had no employees, due to them being made redundant prior to this date Employees are owed arrears of wages and accrued holiday pay and, in that respect, preferential claims were estimated to be £1,186
- 6 6 The Joint Liquidators have received a claim from the RPS for the amount of £1,184
- 6 7 Based on current information, it is currently uncertain as to whether there will be a dividend to the preferential creditors due to the uncertainty of the level of asset realisations

Prescribed Part

- 6 8 The Prescribed Part is applicable in this instance as the Company granted a floating charge to Natwest on 23 October 2006 However, based on current information it is currently uncertain as to whether the Prescribed Part will be applied in this case due to the uncertainty of the level of asset realisations

Non-Preferential Unsecured Creditors

- 6 9 According to the SOA, non-preferential unsecured creditors totalled £469,738 The non-preferential unsecured creditors per the SOA can be summarised as follows

| Creditor Type | SOA |
|---------------------------|-----------------------|
| | £ |
| Trade & Expense Creditors | 226,082 |
| Essential | 114,446 |
| HMRC | 85,479 |
| Subcontractors | 31,072 |
| Employees | 12,659 |
| Total | <u>469,738</u> |

- 6 10 To date, the Joint Liquidators have received non-preferential unsecured claims totalling £3,065,158
- 6 11 Based on current information, it is currently uncertain as to whether there will be a dividend to the non-preferential unsecured creditors due to the uncertainty of the level of asset realisations
- 6 12 Attached at Appendix 3 is a Proof of Debt form Any creditor that is yet to submit a claim against the Company should complete this form and return it to this office as soon as possible, together with full supporting documentation

7 Costs and Expenses

- 7 1 The Joint Liquidators' remuneration was fixed on the basis of time properly charged, as agreed at the meeting of creditors held on 2 September 2015
- 7 2 The time costs incurred in the Reporting Period total £61,144 and are analysed at Appendix 2
- 7 3 The Joint Liquidators have not drawn any remuneration or disbursements during the Reporting Period
- 7 4 Pre-appointment remuneration of £7,500 plus VAT has been paid to Duff & Phelps, in respect of the assistance given to the Directors in the preparation of the SOA, the convening of the requisite meetings to place the Company into Liquidation and assisting the Directors in the period leading up to the Liquidation This was paid direct to Duff & Phelps by the Directors The full amount due to Duff & Phelps for the work carried out prior to the appointment date is £12,500 This was a fixed fee, approved by creditors at the meeting held on 2 September 2015 The remaining balance of £5,000 plus VAT and disbursements will be drawn from the Liquidation, dependant on the level of asset realisations
- 7 5 As detailed in the Previous Report, a winding-up petition was issued by one of the Company's creditors on 29 July 2015 with a court hearing scheduled for 13 October 2015 It was agreed at the first meeting of creditors that the petitioning costs would be paid as an expense of Liquidation The Joint Liquidators have not been in a position to settle the petitioning costs during the Reporting Period due to insufficient levels of asset realisations
- 7 6 The Joint Liquidators have not incurred any further expenses in dealing with the Liquidation
- 7 7 Information regarding the fees and disbursements of the Joint Liquidators, including details of the Duff & Phelps disbursements policy and hourly charge out rates for each grade of staff that may undertake work on this case, is in a document called "A Creditors' Guide to Liquidators' Fees" This can be viewed and downloaded from the Joint Liquidators' website at <http://www.duffandphelps.com/uk-restructuring/creditor-guides> Should you require a copy, please contact this office

- 7 8 Any secured creditor, or any non-preferential unsecured creditor (with the support of at least 10% in value of the non-preferential unsecured creditors or the permission of the Court), may apply to Court on the grounds that the remuneration or basis fixed for the Joint Liquidators' remuneration or the expenses incurred by the Joint Liquidators are considered to be excessive. This application must be made no later than eight weeks after receipt of the progress report, where the charging of the remuneration or the incurring of expenses in question occurs.

8. Further Information

- 8 1 In accordance with Rule 4.49E of the Rules, secured creditors and non-preferential unsecured creditors (with the concurrence of at least 5% in value of total unsecured claims) may make a request in writing to the Joint Liquidators for further information about the remuneration or expenses set out in this progress report. This should be done within 21 days of receipt of this report.

9 Conclusion

- 9 1 I shall be continuing with the Liquidation of the Company and I have a duty to provide creditors with a progress report on an annual basis.
- 9 2 If you require any further information please contact Katie Baldwin of this office.



Benjamin Wiles
Joint Liquidator

Appendix 1

Joint Liquidators' Receipts and Payments Accounts

Albany Dry Lining Limited (In Creditors Voluntary Liquidation)

Joint Liquidators' Receipts and Payments Account

| SOA Estimated to Realise Value (£) | | From 2 September 2015 To 1 September 2016 (£) |
|---|---------------------------------|---|
| | Asset Realisations | |
| Uncertain | Motor Vehicles | 500 00 |
| Uncertain | Debtors | NIL |
| | Sundry Receipts | 93 75 |
| Uncertain | | <u>593 75</u> |
| | Cost of Realisations | |
| | Bank Charges | (2 60) |
| | | <u>(2 60)</u> |
| | | <u>591 15</u> |
| | Represented By | |
| | Floating / Main Current Account | 591 15 |
| | | <u>591 15</u> |

Appendix 2

Analysis of Time Charged and Expenses Incurred

Albany Dry Lining Limited (In Creditors' Voluntary Liquidation)

Analysis of Joint Liquidators' Time Costs for the Reporting Period From 2 September 2015 to 1 September 2016

| Classification of Work Function | Managing Director | Manager | Hours Senior | Assistant | Support | Total Hours | Time Cost (£) | Avg Hourly Rate (£) |
|--|-------------------|-----------|--------------|-----------|---------|-------------|---------------|---------------------|
| Administration and Planning | | | | | | | | |
| Case Review and Case Diary Management | 0 00 | 4 80 | 9 50 | 17 00 | 0 00 | 31 30 | 8 467 00 | 270 51 |
| Cashiering and Accounting | 0 00 | 0 70 | 2 00 | 12 50 | 0 00 | 15 20 | 3 472 00 | 228 42 |
| Dealings with Directors and Management | 0 00 | 0 30 | 0 80 | 3 60 | 0 00 | 4 70 | 1 073 00 | 228 30 |
| IPS Setup and Maintenance | 0 00 | 0 00 | 0 00 | 3 20 | 0 00 | 3 20 | 608 00 | 190 00 |
| Insurance | 0 00 | 0 00 | 0 10 | 0 50 | 0 00 | 0 60 | 129 00 | 215 00 |
| Statutory Matters (Meetings Reports and Notices) | 0 00 | 0 10 | 5 70 | 20 60 | 0 00 | 26 40 | 5 900 00 | 223 48 |
| Strategy Planning and Control | 0 00 | 1 20 | 3 30 | 1 10 | 0 00 | 5 60 | 1 853 00 | 330 89 |
| Tax Compliance and Planning | 0 00 | 0 30 | 0 60 | 2 60 | 0 00 | 3 50 | 828 00 | 236 57 |
| Creditors | | | | | | | | |
| Communications with Creditors/Employees | 0 00 | 3 60 | 2 90 | 0 80 | 0 00 | 7 30 | 2 641 00 | 361 78 |
| Non-Preferential Creditor Claims Adjudication and Dist'n | 0 00 | 0 00 | 0 00 | 0 20 | 0 00 | 0 20 | 38 00 | 190 00 |
| Non-Pref Creditors/Employee Claims Handling | 0 00 | 1 40 | 0 90 | 6 50 | 0 00 | 8 80 | 2 141 00 | 243 30 |
| Pref Claims Adjudication and Distribution | 0 00 | 0 00 | 0 80 | 0 00 | 0 00 | 0 80 | 272 00 | 340 00 |
| Secured Creditors | 0 00 | 0 10 | 0 00 | 0 00 | 0 00 | 0 10 | 48 00 | 480 00 |
| Investigations | | | | | | | | |
| CDDA Reports and Communication | 0 00 | 15 50 | 0 50 | 47 20 | 0 00 | 63 20 | 16 134 00 | 255 28 |
| Financial Review and Investigations (S238/239 etc) | 0 00 | 2 50 | 0 00 | 2 20 | 0 00 | 4 70 | 1 408 00 | 299 57 |
| Realisation of Assets | | | | | | | | |
| Book Debts | 0 00 | 18 70 | 11 10 | 23 90 | 0 00 | 53 70 | 15 837 50 | 294 93 |
| Freehold and Leasehold Property | 0 00 | 0 20 | 0 00 | 0 00 | 0 00 | 0 20 | 96 00 | 480 00 |
| Other Tangible Assets | 0 00 | 0 00 | 0 10 | 0 00 | 0 00 | 0 10 | 34 00 | 340 00 |
| Plant & Machinery & Fixtures & Motor Vehicles | 0 00 | 0 20 | 0 20 | 0 00 | 0 00 | 0 40 | 164 00 | 410 00 |
| Total Hours | 0 00 | 49 60 | 38 50 | 141 90 | 0 00 | 230 00 | | 265 84 |
| Total Fees Claimed (£) | 0 00 | 20,082 00 | 13,117 00 | 27,944.50 | 0 00 | | 61,143 50 | |

| | |
|---|-----------------|
| Category One Disbursements | (£) |
| Storage Costs | 952 75 |
| Statutory Advertising | 338 40 |
| Insurance | 108 00 |
| Bordereau | 20 00 |
| Total Category One Disbursements | 1,417 15 |

Category Two Disbursements
There were no Category Two Disbursements

Appendix 3

Proof of Debt Form

Proof of Debt – General Form

| Albany Dry Lining Limited (In Creditors' Voluntary Liquidation) | | |
|--|---|---------------------------|
| Date of resolution for voluntary winding-up 2 September 2015 | | |
| 1 | Name of creditor (If a company please also give company registration number) | |
| 2 | For correspondence Address of creditor | |
| | Contact telephone number of creditor | REF |
| | Email address of creditor | |
| 3 | Total amount of claim, including any Value Added Tax and outstanding uncapitalised interest as at the date the company went into liquidation | |
| 4 | Details of any documents by reference to which the debt can be substantiated (Note There is no need to attach them now but the liquidator may call for any document or evidence to substantiate the claim at his discretion as may the chairman or convenor of any meeting) | |
| 5 | If amount in 3 above includes outstanding uncapitalised interest please state amount | £ |
| 6 | Particulars of how and when debt incurred (If you need more space append a continuation sheet to this form) | |
| 7 | Particulars of any security held, the value of the security, and the date it was given | |
| 8 | Particulars of any reservation of title claimed in respect of goods supplied to which the claim relates | |
| 9 | Signature of creditor or person authorised to act on his behalf | |
| | Name in BLOCK LETTERS | |
| | Position with or in relation to creditor Address of person signing (if different from 2 above) | |
| Admitted to vote for | | Admitted for dividend for |
| £ | | £ |
| Date | | Date |
| Liquidator | | Liquidator |