

WU07

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



Companies House

FRIDAY



A13 21/07/2017 #73
COMPANIES HOUSE

1 Company details

Company number 0 3 7 7 4 7 1 1

Company name in full Automation & control Solutions Limited

→ Filling in this form

Please complete in typescript or in
bold black capitals.

2 Liquidator's name

Full forename(s) James Richard Duckworth

Surname

3 Liquidator's address

Building name/number Freeman Rich

Street 284 Clifton Drive South

Post town Lytham St. Annes

County/Region Lancashire

Postcode F Y 8 1 L H

Country UK

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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Period of progress report

From date	^d 1	^d 0	^m 0	^m 7	^y 2	^y 0	^y 1	^y 6
To date	^d 0	^d 9	^m 0	^m 7	^y 2	^y 0	^y 1	^y 7

7

Progress report

☒ The progress report is attached

8

Sign and date

Liquidator's signature

Signature

X



X

Signature date

^d 2	^d 0	^m 0	^m 7	^y 2	^y 0	^y 1	^y 7
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**Presenter information**

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

Contact name

Dawn Morris

Company name

Freeman Rich

Address

284 Clifton Drive South

Post town

Lytham St Annes

County/Region

Lancashire

Postcode

F Y 8 1 L H

Country

UK

DX

Telephone

01253 712231

**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 or email 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

AUTOMATION & CONTROL SOLUTIONS LIMITED – IN COMPULSORY LIQUIDATION

Liquidator's Annual Progress Report to Creditors and Members for the period 10th July 2016 to 9th July 2017

STATUTORY INFORMATION

Name of Company:	AUTOMATION & CONTROL SOLUTIONS LIMITED
Registered Office:	284 Clifton Drive South LYTHAM ST ANNES Lancashire FY8 1LH
Former Registered Office:	187 Privett Road GOSPORT Hampshire PO12 3ST
Registered Number:	03774711
Court Name and Number:	HIGH COURT OF JUSTICE NO 7650 OF 2010
Liquidator's Name:	James Richard Duckworth
Liquidator's Address:	Freeman Rich 284 Clifton Drive South LYTHAM ST ANNES Lancashire FY8 1LH
Contact Telephone Number:	01253 712231
Date of Winding-up Order:	17th November 2010
Liquidator's Date of Appointment:	10th July 2014

SUMMARY OF LIQUIDATOR'S ACTIONS SINCE APPOINTMENT

Creditors will be aware from my previous Report that following my enquiries and investigations I had determined the Directors Loan Account at the date of the Winding Up Order, a claim has been asserted to the Director. A Settlement Agreement was reached with him and it was agreed, having reviewed his financial position, to accept the sum of £25,000.00 in settlement of the claims asserted by way of a Time to Pay Arrangement over five years.

LIQUIDATOR'S ACTIONS SINCE LAST REPORT

This is my third Annual Progress Report and should be read in conjunction with my previous Annual Progress Reports.

I have spent time in the reporting period as follows:-

Preparing and issuing the last Annual Progress Report.
Carrying out periodic reviews of the case.

Completing statutory matters.
Carrying out ongoing cashiering work.
Enquiries into any Payment Protection Insurance and Interest Rate Hedging claims have been made.

I am pleased to report that payments are currently up-to-date and are due to increase with effect from September 2017.

I shall notify creditors of any developments at the time of my next Report.

RECEIPTS AND PAYMENTS ACCOUNT

My Receipts & Payments Account for the period from 10th July 2016 to 9th July 2017 is attached. All amounts in the Receipts & Payments Account are shown net of VAT.

ASSETS

The Official Receiver's Report to Creditors identified the following assets:-

Details	Amount
Residual Stock	£500.00

No information was provided by the Official Receiver and no realisations made. Due to the time elapse from the Winding-up Order to the date of Appointment no action will be taken by me.

Payment Protection Insurance ("PPI") and Interest Rate Hedging Claims ("IRH")

Enquiries have been made to identify any potential PPI/IRH claims however these enquiries have been concluded and there is no redress due.

LIABILITIES

Secured Creditors

There are provisions of the insolvency legislation that require a Liquidator to set aside a percentage of a Company's assets for the benefit of the unsecured creditors in cases where the Company gave a "Floating Charge" over its assets to a lender on or after 15th September 2003. This is known as the "prescribed part of the net property" ("prescribed part"). A Company's net property is that left after paying the preferential creditors, but before paying the lender who holds a Floating Charge. Any costs of the liquidation that are payable before the Liquidator has reached a position to make a distribution to the Floating Charge Holder have to be deducted from Floating Charge realisations before arriving at an amount for the "net property" of the Company. As a result, the costs associated with realising Floating Charge assets, paying preferential claims in full, the general costs of winding-up and the costs of confirming the validity of the Floating Charge will have to be deducted before the "net property" is calculated. The prescribed part that the Liquidator then has to set aside for unsecured creditors is:

- 50% of the first £10,000 of the net property; and
- 20% of the remaining net property;

up to a maximum of £600,000.

As there are no Charges registered over the assets of the Company, the prescribed part provisions will not apply.

Unsecured Creditors

The Official Receiver's Report to Creditors included Unsecured Creditors with an estimated total liability of £99,427.00. To date I have received claims from two creditors in the total sum of £108,593.91. I have not received claims from two creditors for unknown amounts.

DIVIDEND PROSPECTS

The payment of a dividend in this matter will be largely dependent upon the extent of realisations and the costs of realisation. If the Director maintains the Settlement Agreement it is anticipated that there may be a distribution to creditors.

LIQUIDATOR'S REMUNERATION

My remuneration was previously authorised by creditors at a creditors' meeting held on 30th April 2015. My remuneration has been fixed by reference to the time properly given in attending to matters arising in the liquidation.

No remuneration has been drawn in this period.

Information about creditors' rights is published by The Association of Business Recovery Professionals. A copy of 'A Creditor's Guide to Liquidator's Fees' can be viewed online at <http://www.insolvency-practitioners.org.uk/regulation-and-guidance/guides-to-fees>. There are different versions of these Guidance Notes and in this case please refer to the November 2011 version.

Time to be charged on all cases is in 5 minute units and hourly billing rates for the periods since the date of my appointment are as follows (plus VAT):-

	From April 2011	
	A	B
See note below		
Insolvency Practitioners	255.00	425.00
Chartered Accountants/Solicitor	240.00	320.00
Associates	220.00	330.00
Managers	175.00	225.00
Senior Professionals	150.00	225.00
Administrator	120.00	180.00
Cashier	100.00	
Assistants	90.00	120.00
Support Staff	85.00	115.00

A Basic Charge out rates

B Charge out rates for special investigation work undertaken in complex cases

A schedule of the time costs incurred in this period is shown in the analysis below:-

	Insolvency Practitioner Hours	Associate Hours	Other Snr Prof. Hours	Cashier Hours	Support Staff Hours	Total Hours	Total Costs £	Avg. Hrly. Rate £
Administration and Planning								
Statutory	0.00	2.00	0.00	0.00	2.00	4.00	620.00	
Maintenance of Records	0.25	0.00	0.00	0.00	0.67	0.92	123.75	
General Admin	0.08	0.00	0.00	0.00	3.33	3.41	312.91	
VAT & TAX	0.00	0.00	0.58	0.00	0.00	0.58	87.50	
Review	0.17	1.00	0.00	0.00	1.00	2.17	352.50	
Cashiering	0.00	0.00	0.00	3.83	0.00	3.83	383.29	
	0.50	3.00	0.58	3.83	7.00	14.91	1879.95	126
Realisation of Assets								
Directors Loan Accounts	0.00	1.33	0.00	0.00	0.00	1.33	293.30	
PPI	0.00	0.00	0.00	0.00	1.17	1.17	105.00	
	0.00	1.33	0.00	0.00	1.17	2.50	398.30	159
Total hours	0.50	4.33	0.58	3.83	8.17	17.41	2278.25	
Total Costs (£)	127.50	953.30	87.50	383.29	726.66		2278.25	131

A schedule of the time costs incurred since my appointment is shown in the analysis below:-

	Insolvency Practitioner Hours	Associate Hours	Other Snr Prof. Hours	Cashier Hours	Support Staff Hours	Total Hours	Total Costs £	Avg. Hrly. Rate £
Administration and Planning								
Open	0.00	0.75	0.00	0.00	3.67	4.42	495.00	
Planning	0.00	1.00	0.00	0.00	0.00	1.00	220.00	
Statutory	0.00	5.50	0.50	0.00	3.91	9.91	1650.00	
Maintenance of Records	0.41	0.33	0.00	0.00	7.18	7.92	820.39	
General Admin	0.08	0.00	0.25	0.00	9.82	10.15	909.57	
VAT & TAX	0.00	0.00	1.25	0.00	0.00	1.25	187.50	
Review	0.42	3.34	0.00	0.00	2.16	5.92	1034.59	
Cashiering	0.00	0.00	0.00	7.58	0.00	7.58	758.27	
	0.91	10.92	2.00	7.58	26.74	48.15	6075.32	126
Investigations								
Initial Investigation	0.00	2.50	0.00	0.00	0.00	2.50	825.00	
HMLR Enquiries/Searches	0.00	0.00	0.00	0.00	0.33	0.33	28.33	
Bank Enquiries	0.00	2.66	0.00	0.00	1.92	4.58	1042.92	
Books and Records	0.00	0.00	0.00	0.00	2.50	2.50	213.33	
Enquiry Financial Advisors	0.00	0.75	0.00	0.00	0.00	0.75	247.50	
	0.00	5.91	0.00	0.00	4.75	10.66	2357.08	221
Realisation of Assets								
Directors Loan Accounts	0.00	6.50	0.08	0.00	0.00	6.58	1442.44	
PPI	0.00	0.00	0.00	0.00	3.25	3.25	292.50	
	0.00	6.50	0.08	0.00	3.25	9.83	1734.94	176
Creditors								
Agreeing Creditors Claims	0.00	0.00	0.00	0.00	0.33	0.33	30.00	
General Correspondence	0.00	1.00	0.33	0.00	1.00	2.33	360.00	
	0.00	1.00	0.33	0.00	1.33	2.66	390.00	147
Total hours	0.91	24.33	2.41	7.58	36.07	71.30	10557.34	
Total Costs (£)	233.75	6004.11	381.25	758.27	3179.96		10557.34	148

A description of the routine work undertaken is as follows:-

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 others required on appointment as office holder, including gazetting the office holder's appointment.
- Obtaining a specific penalty bond (this is insurance required by statute that every insolvency office holder has to obtain for the protection of each estate).
- Convening and holding a general meeting of creditors.
- Seeking a resolution/decision from creditors for the fixing of the basis of the Liquidator's remuneration and expenses.
- Dealing with all routine correspondence and e-mails relating to the case.
- Cashiering – Creating, maintaining and managing the office holder's cashbook.
- Logging and banking of estate receipts.
- Undertaking regular 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.
- Ongoing Due Diligence and consideration of threats to fundamental principles.
- Pension Enquiries.

Investigations:

- Recovering the books and records for the case.
- Listing the books and records recovered.
- Reviewing books and records.
- Conducting an initial investigation with a view to identifying potential asset recoveries by seeking and obtaining information from relevant third parties, such as the bank, Accountants, Solicitors etc.
- Detailed bank analysis.
- H.M. Land Registry Searches.
- Companies House Searches.
- Bankruptcy Searches.

Realisation of Assets:

- Corresponding with Director regarding the recovery and collection of the agreed settlement monies.
- Enquiries relating to Payment Protection Insurance.
- Interest Rate Hedging Enquiries.

Creditors:

- Dealing with creditor correspondence, emails and telephone conversations regarding their claims.
- Maintaining up to date creditor information on the case management system.
- Reviewing proofs of debt received from creditors, adjudicating on them and formally admitting them for dividend purposes.
- Requesting additional information from creditors in support of their proofs of debt in order to adjudicate on their claims.

LIQUIDATOR'S DISBURSEMENTS

Category 1 Disbursements

My expenses to date amount to £348.50, none of which were incurred during this period.

I have not been able to draw any expenses in this matter.

The following expenses have been incurred:-

Type of expense	Amount incurred in this period £	Amount incurred to date £	Amount unpaid £
H.M. Land Registry charges	-	15.00	15.00
Bordereau	-	60.00	60.00
Advertising	-	223.50	223.50
Enquiry Agent	-	50.00	50.00

The following agents or professional advisors have been utilised in this matter:-

Professional Advisor	Nature of work	Fee Arrangement
Falco Investigations	Enquiry Agent	Fixed Fee

Category 2 Disbursements

My expenses were approved by creditors at a Creditors Meeting held on 30th April 2015.

The following category 2 disbursements have been incurred and will be paid, if sufficient funds are available, at the finalisation of my administration:-

Type of Category 2 Disbursement	Amount incurred in this period £	Amount incurred to date £	Amount unpaid £
Room Hire	-	75.00	75.00
Storage	21.60	64.80	64.80

A policy decision has been made not to charge postage.

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.

SUMMARY

The liquidation will remain open until such time as my enquiries and investigations are concluded and any claims have been settled, I shall then proceed to finalise the liquidation and my files will be closed.

COMPLAINTS PROCEDURE

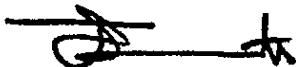
At Freeman Rich we always strive to provide a professional and efficient service. However, we recognise that it is in the nature of insolvency proceedings for disputes to arise from time to time. As such, should you have any comments or complaints regarding the administration of this case, then in the first instance you should contact me at the address given in this Report.

If you consider that I have not dealt with your comments or complaint appropriately you may then put details of your concerns in writing to our complaints officer, Jonathan Turley, at this office. This will formally invoke our complaints procedure and we will endeavour to deal with your complaint under the supervision of a senior member of staff unconnected with the appointment.

Most disputes can be resolved amicably either through the provision of further information or following negotiations. However, in the event that you have exhausted our complaints procedure and you are not satisfied that your complaint has been resolved or dealt with appropriately, you may complain to the regulatory body that licences the insolvency practitioner concerned. Any such complaints should be addressed to The Insolvency Service, IP Complaints, 3rd Floor, 1 City Walk, Leeds, LS11 9DA, and you can make a submission using an on-line form available at www.gov.uk/complain-about-insolvency-practitioner; or you can e-mail insolvency.enquiryline@insolvency.gsi.gov.uk; or you may phone 0300 678 0015.

Should you have any queries regarding this report, or the liquidation in general, please contact either myself or Mrs Morris at this office.

Dated this 20th day of July 2017



J.R. DUCKWORTH
Liquidator

Automation & Control Solutions Limited
(In Liquidation)
Liquidator's Summary of Receipts & Payments

Statement of Affairs £	From 10/07/2016 To 09/07/2017 £	From 17/11/2010 To 09/07/2017 £
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