

# WU07

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



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A15

30/07/2019

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COMPANIES HOUSE

TUESDAY

For further information, please  
refer to our guidance at  
[www.gov.uk/companieshouse](http://www.gov.uk/companieshouse)

### 1 Company details

Company number	03774711	→ Filling in this form Please complete in typescript or in bold black capitals.
Company name in full	AUTOMATION & CONTROL SOLUTIONS LIMITED	

### 2 Liquidator's name

Full forename(s)	JAMES RICHARD	
Surname	DUCKWORTH	

### 3 Liquidator's address

Building name/number	284	
Street	CLIFTON DRIVE SOUTH	
Post town	LYTHAM ST. ANNES	
County/Region	LANCASHIRE	
Postcode	FY8 1LH	
Country		

### 4 Liquidator's name \*

Full forename(s)		① Other Liquidator. Use this section to tell us about another liquidator.
Surname		

### 5 Liquidator's address \*

Building name/number		② Other Liquidator. Use this section to tell us about another liquidator.
Street		
Post town		
County/Region		
Postcode		
Country		

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6

**Period of progress report**

From date

10/07/2018

To date

09/07/2019

7

**Progress report**

☒ The progress report is attached

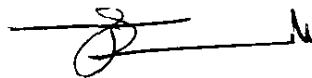
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**Sign and date**

Liquidator's signature

Signature

x








x

Signature date

29 07.2019

**WU07**

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 <b>Presenter information</b>	 <b>Important information</b>
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.	<b>All information on this form will appear on the public record</b>
Contact name <b>JAMES RICHARD DUCKWORTH</b>	 <b>Where to send</b>
Company name <b>FREEMAN RICH</b>	<b>You may return this form to any Companies House address, however for expediency we advise you to return it to the address below:</b>  The Registrar of Companies, Companies House, Crown Way, Cardiff, Wales, DF14 3UZ. DX 33050 Cardiff.
Address	
<b>284 CLIFTON DRIVE SOUTH</b>	
Post town <b>LYTHAM ST. ANNES</b>	
County/Region <b>LANCASHIRE</b>	
Postcode <b>FY8 1LH</b>	
Country <b>UK</b>	
DX	
Telephone <b>01253 712231</b>	
 <b>Checklist</b>	
<b>We may return forms completed incorrectly or with information missing.</b>	 <b>Further information</b>
<b>Please make sure you have remembered the following:</b>  <input type="checkbox"/> The company name and number match the information held on the public Register. <input type="checkbox"/> You have provided the new registered office address in section 2. <input type="checkbox"/> You have signed the form.	For further information, please see the guidance notes on the website at <a href="http://www.companieshouse.gov.uk">www.companieshouse.gov.uk</a> or email <a href="mailto:enquiries@companieshouse.gov.uk">enquiries@companieshouse.gov.uk</a>  <b>This form is available in an alternative format. Please visit the forms page on the website at <a href="http://www.gov.uk/companieshouse">www.gov.uk/companieshouse</a></b>

## **AUTOMATION & CONTROL SOLUTIONS LIMITED - IN COMPULSORY LIQUIDATION**

**Liquidator's Annual Progress Report to Creditors and Members for the period 10th July 2018 to 9th July 2019**

### **STATUTORY INFORMATION**

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

### **SUMMARY OF LIQUIDATOR'S ACTIONS SINCE APPOINTMENT**

Creditors will be aware from previous Reports that following enquiries and investigations I asserted a claim against the Director. A settlement agreement was reached with him following a review of his financial position. It was agreed to accept £25,000 in settlement of the claims asserted by way of a Time to Pay Arrangement over a five year period.

As I informed you in my previous Report the Director on a number of occasions has made no payments and he had been informed that I was to instruct Solicitors in this matter.

### **LIQUIDATOR'S ACTIONS SINCE LAST REPORT**

This is my fifth 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 cashiery work.
- Quarterly Bond reviews.
- Due Diligence requirements.
- Data Protection Notices.

During this period I have been continuing correspondence with the Director in respect of his payments which were resumed in July 2018 and had been maintained until May 2019, however in June I only received a partial payment. I have written to the Director for an explanation regarding this. If payments are not maintained and arrears brought up to date then I will instruct Solicitors who will consider further action in this matter.

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 2018 to 9th July 2019 is attached. All amounts in the Receipts & Payments Account are shown net of VAT.

The account attached to this Report has been reconciled with that which is held by the Secretary of State in respect of the winding up.

The balance of funds are held in an interest bearing account operated by the Insolvency Service.

## ASSETS

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

Details	Amount
Residual Stock	£500

## 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. 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. I am unable at this stage to comment any further on the prospects of a dividend.

## 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 to date.

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 Creditor's Guide to Liquidator's Fees' can be viewed online at <https://www.r3.org.uk/what-we-do/publications/professional/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	
See note below	A	B
Insolvency Practitioners	255.00	425.00
Chartered Accountants/Solicitor	240.00	320.00
Insolvency Solicitor	240.00	320.00
Associates	220.00	330.00
Managers	175.00	225.00
Senior Professionals	150.00	225.00
Administrators	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:-

	IP	Associate	Other Snr	Cashier	Assistants	Support	Total	Total	Avg. Hrlly.
	Hours	Hours	Prof. Hours	Hours	Hours	Staff Hours	Hours	Costs £	Rate £
<b>Administration and Planning - See Note A above</b>									
Statutory	0.00	2.33	0.00	0.00	2.33	0.00	4.66	723.33	
Maintenance of Records	0.17	0.00	0.00	0.00	1.33	0.00	1.50	162.50	
General Admin	0.00	0.00	0.00	0.00	2.24	2.50	4.74	415.00	
VAT & TAX	0.08	0.00	1.00	0.00	0.00	0.00	1.08	171.25	
Review	0.58	1.50	0.00	0.00	1.33	0.00	3.41	598.75	
Cashiering	0.00	0.00	0.00	2.42	0.00	0.00	2.42	241.65	
	0.83	3.83	1.00	2.42	7.23	2.50	17.81	2312.48	130
<b>Investigations - See Note B above</b>									
Enquiries & Searches	0.00	0.50	0.00	0.00	0.00	0.00	0.50	165.00	
	0.00	0.50	0.00	0.00	0.00	0.00	0.50	165.00	330
<b>Realisation of Assets - See Note A above</b>									
Director's Loan Accounts	0.00	2.00	0.00	0.00	0.00	0.00	2.00	439.96	
	0.00	2.00	0.00	0.00	0.00	0.00	2.00	439.96	220
<b>Creditors - See Note A above</b>									
General Correspondence	0.00	0.00	0.00	0.00	0.08	0.00	0.08	7.50	
	0.00	0.00	0.00	0.00	0.08	0.00	0.08	7.50	94
<b>Total Hours</b>	<b>0.83</b>	<b>6.33</b>	<b>1.00</b>	<b>2.42</b>	<b>7.31</b>	<b>2.50</b>	<b>20.39</b>	<b>2924.94</b>	
<b>Total Costs (£)</b>	<b>212.50</b>	<b>1448.29</b>	<b>150.00</b>	<b>241.65</b>	<b>660.00</b>	<b>212.50</b>		<b>2924.94</b>	<b>143</b>

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

	IP	Associate	Other Snr	Cashier	Assistants	Support	Total	Total	Avg. Hrly.
	Hours	Hours	Hours	Hours	Hours	Hours	Hours	£	Rate
<b>Administration and Planning - See Note A above</b>									
Open	0.00	0.75	0.00	0.00	3.67	0.00	4.42	495.00	
Planning	0.00	1.00	0.00	0.00	0.00	0.00	1.00	220.00	
Statutory	0.00	10.83	0.75	0.00	9.07	0.00	20.65	3332.08	
Maintenance of Records	0.83	0.33	0.00	0.00	9.01	0.00	10.17	1091.64	
General Admin	0.33	0.25	0.25	0.00	6.64	13.08	20.55	1893.33	
VAT & TAX	0.08	0.00	2.83	0.00	0.00	0.00	2.91	446.25	
Review	1.33	5.84	0.00	0.00	4.83	0.00	12.00	2058.34	
Cashiering	0.00	0.00	0.00	11.83	0.00	0.00	11.83	1183.24	
	2.57	19.00	3.83	11.83	33.22	13.08	83.53	10719.88	128
<b>Investigations - See Note B above</b>									
Initial Investigation	0.00	2.50	0.00	0.00	0.00	0.00	2.50	825.00	
Enquiries & Searches	0.00	0.50	0.00	0.00	0.33	0.00	0.83	193.33	
Bank Enquiries	0.00	2.66	0.00	0.00	1.92	0.00	4.58	1042.92	
Books and Records	0.00	0.00	0.00	0.00	2.50	0.00	2.50	213.33	
Enquiry Financial Advisors	0.00	0.75	0.00	0.00	0.00	0.00	0.75	247.50	
	0.00	6.41	0.00	0.00	4.75	0.00	11.16	2522.08	226
<b>Realisation of Assets - See Note A above</b>									
Director's Loan Accounts	0.00	11.25	0.16	0.00	0.00	0.00	11.41	2499.88	
PPI	0.00	0.00	0.00	0.00	3.25	0.00	3.25	292.50	
	0.00	11.25	0.16	0.00	3.25	0.00	14.66	2792.38	190
<b>Creditors - See Note A above</b>									
Agreeing Creditors' Claims	0.00	0.00	0.00	0.00	0.33	0.00	0.33	30.00	
General Correspondence	0.42	1.00	0.33	0.00	1.33	0.00	3.08	496.25	
	0.42	1.00	0.33	0.00	1.66	0.00	3.41	526.25	154
<b>Total Hours</b>	<b>2.99</b>	<b>37.66</b>	<b>4.32</b>	<b>11.83</b>	<b>42.88</b>	<b>13.08</b>	<b>112.76</b>	<b>16560.59</b>	
<b>Total Costs (£)</b>	<b>765.00</b>	<b>8992.38</b>	<b>675.00</b>	<b>1183.24</b>	<b>3832.89</b>	<b>1112.08</b>		<b>16560.59</b>	<b>147</b>

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

#### Administration:

This represents the work involved in the routine administrative functions of the case by me and my staff, together with the control and supervision of the work done on the case by me and my managers. It does not give direct financial benefit to the creditors, but has to be undertaken by the office holder to meet their requirements under the insolvency legislation and the Statements of Insolvency Practice, which set out required practice that office holders must follow.

- Maintaining physical case files.
- Maintaining the case on the practice's electronic case management system and entering data.
- Dealing with all routine correspondence and e-mails relating to the case.
- Cashiering – Maintaining and managing the office holder's cashbook.
- Logging and banking of estate receipts and payments.
- 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.
- Preparing and filing VAT Returns.
- Preparing and filing Corporation Tax Returns.

- Filing Reports at Companies House.
- Ongoing Due Diligence and consideration of threats to fundamental principles.
- Data Protection Notices.

#### Investigations:

- Further Search Enquiries.

#### Realisation of Assets:

- Corresponding with the Director regarding the recovery and collection of the agreed settlement monies.

#### Creditors:

Claims of Creditors - I need to maintain up to date records of the names and addresses of creditors, together with the amounts of their claims as part of the management of the case, and to ensure that notices and reports can be issued to the creditors.

### **LIQUIDATOR'S DISBURSEMENTS**

#### **Category 1 Disbursements**

My expenses to date amount to £432.50 none of which were incurred during this period but all of which have been drawn.

The following expenses have been incurred, and paid by me. Any which are outstanding will be reimbursed when sufficient funds are available, subject to any priority payments; These are shown on the attached Receipts and Payments account as Outstanding Category 1 disbs.

<b>Type of expense</b>	<b>Amount incurred in this period £</b>	<b>Amount incurred to date £</b>	<b>Amount outstanding £</b>
H.M. Land Registry charges	-	15.00	-
Bordereau	-	144.00	-
Advertising	-	223.50	-
Enquiry Agent	-	50.00	-

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

<b>Professional Advisor</b>	<b>Nature of work</b>	<b>Fee Arrangement</b>
Falco Investigations	Enquiry Agent	Fixed Fee

Falco Investigations are Enquiry Agents and they are experienced in providing the type of information that is required by me in dealing with various Liquidations.

#### **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:-

<b>Type of Category 2 Disbursement</b>	<b>Amount incurred in this period £</b>	<b>Amount incurred to date £</b>	<b>Amount outstanding £</b>
Room Hire	-	75.00	75.00
Storage	21.60	108.00	108.00



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.

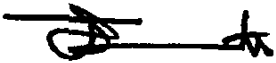
To comply with the Provision of Services Regulations, general information about this firm can be found in the attached summary sheet.

#### **SUMMARY**

The Liquidation will remain open until the Settlement Agreement with the Director has been concluded.

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 29th day of July 2019



J.R. DUCKWORTH  
Liquidator

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

Statement of Affairs £	From 10/07/2018 To 09/07/2019 £	From 17/11/2010 To 09/07/2019 £
	</	

**Note:**

All amounts in this Receipts and Payments Account are exclusive of VAT.

The Liquidator's Receipts and Payments Account has been reconciled with that held by the Secretary of State at the Insolvency Service.