

LIQ03

Notice of progress report in voluntary winding up



Companies House

For further information, please
refer to our guidance at
www.gov.uk/companieshouse

1

Company details

Company number 0 3 9 8 4 3 0 5
Company name in full Northbank Demolition Company Limited

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

2

Liquidator's name

Full forename(s) Rob
Surname Sadler

3

Liquidator's address

Building name/number Devonshire House
Street 32-34 North Parade
Post town Bradford
County/Region West Yorkshire
Postcode B D 1 3 H Z
Country

4

Liquidator's name ①

Full forename(s)
Surname

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

5

Liquidator's address ②

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

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

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Period of progress report

From date	d 2	d 8	m 0	m 2	y 2	y 0	y 2	y 1
To date	d 2	d 7	m 0	m 2	y 2	y 0	y 2	y 2

7

Progress report

☒ The progress report is attached

8

Sign and date

Liquidator's signature

Signature

X R Sadtler**X**

Signature date

d 1	d 2	m 0	m 4	y 2	y 0	y 2	y 2
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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

David Hodgson

Company name

Auker Rhodes Accounting Limited

Address

Devonshire House

32-34 North Parade

Post town

Bradford

County/Region

West Yorkshire

Postcode

B D 1 3 H Z

Country

DX

Telephone

01274 299499

**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

**NORTHBANK DEMOLITION COMPANY LIMITED
(IN CREDITORS' VOLUNTARY LIQUIDATION)**

LIQUIDATOR'S PROGRESS REPORT

**THE LIQUIDATOR'S SECOND PROGRESS REPORT IN ACCORDANCE WITH
SECTION 104A OF THE INSOLVENCY ACT 1986**

AND

RULE 18.3 OF THE INSOLVENCY (ENGLAND AND WALES) RULES 2016

11 APRIL 2022

Presented by:



**Auker Rhodes
Accounting**

Insolvency Practitioners & Business Advisers

**Devonshire House
32-34 North Parade
Bradford
BD1 3HZ**

Tel: 01274 299499

APPOINTMENT OF LIQUIDATOR

Date of Liquidation:	28 February 2020	
Date of Liquidator's appointment	Robert Sadler	28 February 2020

Creditors should note that:

- the Liquidator was appointed by way of shareholders' resolution on 28 February 2020 and by the deemed consent of creditors on 13 March 2020.
- On 15 October 2020, John Paul Sugden was removed as Joint Liquidator of the Company by an Order of the Court. The Order was advertised in the London Gazette on 10 November 2020.
- Under the terms of the Order, John Paul Sugden was granted his release, or discharge from liability, as appropriate, 21 days after the publication of the Order.

INTRODUCTION

The Liquidator's Progress Report¹ provides creditors with an update on the Liquidation since the date of appointment on 28 February 2020. The Report covers the period 28 February 2021 to 27 February 2022 ("the Period").

This report is private and confidential and is for the sole purpose of providing creditors of the Company with the information that the Liquidator is required to do by the Act and Rules. No part of this report may be reproduced or quoted from, referred to or used for any other purpose without the express permission of the Liquidator.

PROGRESS DURING THE PERIOD OF THIS REPORT

The Liquidator has continued to pursue outstanding debtors with the assistance of Lupton Fawcett solicitors. The sum of £80,874 has been recovered during the Period.

Lupton Fawcett has advised that the collection process has now completed and no further realisations are expected to be received.

The Liquidator has also continued to investigate payments made by the Company prior to the Liquidation and has identified several payments that will require further information to determine if there is any recourse for repayment.

The Liquidator is unable to comment on the likely timing or quantum of any such recoveries.

During the Period a distribution to the Redundancy Payments Service totalling £7,971 has been paid in respect of the preferential element of its claim. A refund of £374 has also been made to the purchaser of a piece of equipment to which the Company did not hold title.

WHAT REMAINS TO BE DONE BY THE LIQUIDATOR

The Liquidator will continue to investigate and review the payments made prior to the Liquidation and, where applicable, will pursue their recovery. It may be necessary for the Liquidator to instruct solicitors to assist.

The Liquidator has received notification that the information previously received in respect of the Company's pension scheme was incorrect and, therefore, a further claim for the outstanding payments will be submitted to the Redundancy Payments Service via Courts Trustees who are instructed to deal with pension matters by the Liquidator.

¹ Section 104A of the Insolvency Act 1986 ("the Act") and Rule 18.3 Insolvency (England and Wales) Rules 2016 ("the Rules")

A dividend to unsecured creditors is expected to be paid and the Liquidator will continue to agree claims prior to declaring a distribution.

THE LIQUIDATOR'S RECEIPTS AND PAYMENTS ACCOUNT

Attached at Appendix A is the Liquidator's Receipts and Payments Account for the Period.

During the Period £80,529 has been received. £374 was returned to Sanderson Weatherall in respect of an asset previously sold unknowingly belonging to another party.

The following payments have been made during the Period:

- Legal fees totalling £8,676 in respect of the assistance provided in collecting book debts.
- Mileage expenses totalling £396, which are Category 2 disbursements.
- £3 has been paid in respect of a HM Land Registry search.
- Storage costs of £28 in respect of the storage of Company books and records.
- £359 for the utility costs in the period between appointment and the sale of assets in which the Liquidator utilised the Company's premises.

During the period a refund was issued by Lupton Fawcett in respect of court fees paid in the prior reporting period totalling £31.

THE ESTIMATED OUTCOME FOR CREDITORS

Secured creditors:

All creditors who hold registered charges against the Company at Companies House were repaid prior to the Liquidation.

Preferential creditors:

A preferential claim was received from the Redundancy Payments Service totalling £7,971 which has been paid in full.

Further preferential claims are expected in relation to employee claims over the statutory limit, however, they are yet to be calculated. All further preferential claims will also be paid in full.

Unsecured creditors:

Creditor claims totalling £848,746 have been received to date, of which £675,273 have been admitted. I believe that claims of £845,592, are still yet to be received. I would encourage those creditors who have not yet proved for their debts to submit their claims to me as soon as possible. A proof of debt form is enclosed for that purpose.

It is anticipated that a distribution to unsecured creditor will be paid however the timing and quantum of the distribution is not known at this time.

THE LIQUIDATOR'S REMUNERATION, EXPENSES & DISBURSEMENTS

A decision procedure by way of correspondence vote was convened for 8 June 2020 to consider the following decisions:

1. To the extent not already paid, the Liquidator shall be entitled to draw their pre-appointment fee in the sum of £7,500 plus VAT and disbursements.
2. The Liquidator shall be remunerated by way of a fixed fee of £62,000 plus VAT in respect of his staff in attending to the administration of the Liquidation.
3. The Liquidator shall be entitled to 20% of gross realisations from all debts and claims recovered for the benefit of creditors.
4. The Liquidator shall be entitled to draw their own company's costs and expenses, described as Category 2 Disbursements, when funds allow.

The above decisions were duly approved.

The Liquidator's remuneration is restricted to £62,000 fixed fee together with 20% of gross realisations.

The sum of £16,100.57 has been paid to the Liquidator in the Period and can be seen on the attached Receipts and Payments account at Appendix A.

In accordance with Statement of Insolvency Practice 9, attached at Appendix D is a summary of the Liquidator's time costs for the Period and, at Appendix E, to date.

The analysis for the Period shows time costs incurred of £18,477.50 representing 106.80 hours at an average rate of £173.01 per hour. Total time costs incurred to date amount to £57,247.50 representing 286.90 hours at an average rate of £199.54 per hour.

Attached at Appendix B is a breakdown of expenses incurred and paid for the Period and for the Liquidation as a whole. A guide to Auker Rhodes Accounting - Expenses and Charge out Rates can be found at Appendix C.

CREDITORS' RIGHTS

The following may make a written request to the Liquidator² for further information with regard to their remuneration, expenses or disbursements.

- A secured creditor
- A non-preferential, unsecured creditor with the concurrence of at least 5% in value of the non-preferential, unsecured creditors, including the creditor raising the request.
- Any non-preferential, unsecured creditor with the permission of the Court.

The request must be made within 21 days of receipt of this report and the Liquidator must reply within 14 days of receipt of the request.

If the Liquidator does not respond within the specified 14 days or do not provide all the requested information, the creditors may have recourse to the Court within 21 days of the Liquidator's reply or the 14 days expiring.

The following have a right to challenge the Liquidator's remuneration or expenses³.

- A secured creditor
- A non-preferential, unsecured creditor with the concurrence of at least 10% in value of the non-preferential, unsecured creditors, including the creditor making the challenge.
- Any non-preferential, unsecured creditor with the permission of the Court.

The challenge is to be made by an application to Court on the grounds that the remuneration charged or the expenses incurred are excessive. Alternatively, the challenge can assert that the fee basis is inappropriate.

The application to Court must be made no later than eight weeks after receipt of the report to creditors where the charging of the remuneration or the incurring of the expenses being objected to is set out.

A Creditors Guide to Liquidator's Fees can be accessed at <https://www.r3.org.uk/technical-library/england-wales/technical-guidance/fees/more/29114/page/1/liquidation-a-guide-for-creditors-on-insolvency-practitioner-fees/>. A hard copy of the Guide can be requested from the Liquidator's office.

EU EXIT REGULATIONS


Part 1 of the Schedule to Regulation 2 of the Insolvency (Amendment) (EU Exit) Regulations 2019 ("EU Exit Regulations") applies to the Company's Liquidation. In accordance with section 4 of Part 1 of the Schedule to Regulation 2 of the EU Exit Regulations, these proceedings are COMI proceedings because they are in the place where the Company conducts the administration of their interests on a regular basis and which is ascertainable by third parties.

² Rule 18.9 of the Rules

³ Rule 18.34 of the Rules

OTHER MATTERS

Should creditors have any questions arising from this Progress Report they should contact the Liquidator.

A handwritten signature in black ink, appearing to read 'Rob Sadler', followed by a long horizontal line extending to the right.

ROBERT SADLER
Liquidator

APPENDIX A

NORTHBANK DEMOLITION COMPANY LIMITED
(in Creditors' Voluntary Liquidation)

THE LIQUIDATOR'S SUMMARY OF RECEIPTS AND PAYMENTS FROM 28 FEBRUARY 2021 TO 27 FEBRUARY 2022

	Statement of Affairs £	From 28/02/20 to 27/02/21 £	From 28/02/21 to 27/02/22 £	Total £
RECEIPTS				
Plant & machinery	60,000.00	325,282.00	(373.75)	324,908.25
Plant & machinery (EU Member States)	-	21,965.00	-	21,965.00
Book debts	160,830.66	30,458.26	80,874.17	111,332.43
Vehicle tax refund	-	3,653.29	-	3,653.29
Administration charge refund	-	160.72	-	160.72
Cash at bank	17,751.54	11,861.52	-	11,861.52
Bank interest	-	151.72	28.63	180.35
		<u>393,532.51</u>	<u>80,529.05</u>	<u>474,061.56</u>
PAYMENTS				
Liquidator's bond		720.00	-	720.00
Statement of Affairs fee		7,500.00	-	7,500.00
Liquidator's remuneration		68,091.65	16,100.57	84,192.22
Milage expenses		32.20	396.00	428.20
Agents' fees		12,000.00	-	12,000.00
Agents' disbursements & expenditure		24,645.92	-	24,645.92
Legal fees		1,445.00	8,675.99	10,120.99
Legal disbursements		1,910.00	(31.49)	1,878.51
Postage fees		4.25	-	4.25
HM Land Registry search		-	3.00	3.00
Storage costs		-	27.62	27.62
Statutory advertising		176.00	-	176.00
Other property expenses		-	358.82	358.82
Insurance of assets		247.94	-	247.94
Wages & salaries		9,200.00	-	9,200.00
Employee arrears & holiday pay		-	7,971.30	7,971.30
		<u>125,972.96</u>	<u>33,501.81</u>	<u>159,474.77</u>
Balance		<u>267,559.55</u>	<u>47,027.24</u>	<u>314,586.79</u>
MADE UP AS FOLLOWS				
VAT receivable				7,976.63
Current account				<u>306,610.16</u>
				<u>314,586.79</u>

APPENDIX B

NORTHBANK DEMOLITION COMPANY LIMITED
(in Creditors' Voluntary Liquidation)

EXPENSES INCURRED BY THE LIQUIDATOR

Expense	Supplier	Category	Incurred in the prior period from 28 February 2020 to 27 February 2021	Incurred in the current period from 28 February 2021 to 27 February 2022	Total incurred to date	Paid in the prior period from 28 February 2020 to 27 February 2021	Paid in the current period from 28 February 2021 to 27 February 2022	Total paid to date	Total outstanding to date
Liquidators' bond premiums	Insolvency Risk Solutions	Category 1	720.00	-	720.00	720.00	-	720.00	-
Statutory advertising	EPE Reynell	Category 1	176.00	-	176.00	176.00	-	176.00	-
Agent's fees	Sanderson Weatherall	Category 1	12,000.00	-	12,000.00	12,000.00	-	12,000.00	-
Agent's disbursements	Sanderson Weatherall	Category 1	24,645.92	-	24,645.92	24,645.92	-	24,645.92	-
Legal fees	Lupton Fawcett	Category 1	2,328.00	7,792.99	10,120.99	1,445.00	8,675.99	10,120.99	-
Legal disbursements	Lupton Fawcett	Category 1	1,910.00	(31.49)	1,878.51	1,910.00	(31.49)	1,878.51	-
Postage costs	Auker Rhodes Accounting Limited	Category 1	4.25	-	4.25	4.25	-	4.25	-
Storage costs	Auker Rhodes Accounting Limited	Category 2	-	27.62	27.62	-	27.62	27.62	-
HM Land Registry search	Auker Rhodes Accounting Limited	Category 1	3.00	-	3.00	-	3.00	3.00	-
Mileage	Auker Rhodes Accounting Limited	Category 2	428.20	-	428.20	32.20	396.00	428.20	-
Utilities	Engle	Category 1	-	358.82	358.82	-	358.82	358.82	-
Insurance of assets	Insolvency Risk Solutions	Category 1	247.94	-	247.94	247.94	-	247.94	-
Wages & salaries	Employees	Category 1	9,200.00	-	9,200.00	9,200.00	-	9,200.00	-
			51,663.31	8,147.94	59,811.25	50,381.31	9,429.94	59,811.25	-

AUKER RHODES ACCOUNTING – EXPENSES & CHARGEOUT RATES

INTRODUCTION

This note applies where a licensed Insolvency Practitioner in the firm is acting as an office holder of an insolvent estate and seeks creditor approval to make a separate charge by way of expenses or disbursements to recover the cost of facilities provided by the firm. Required professional practice¹ states that such charges should be disclosed to those who are responsible for approving his remuneration, together with an explanation of how those charges are made up and the basis on which they are arrived at.

DEFINITIONS

Required professional practice classifies expenses into two broad categories:

- ❑ *Category 1 expenses (approval not required)* – specific expenditure that is directly related to a specific insolvency case, where the cost of the expense incurred is referable against an independent external supplier's invoice or published tariff of charges; and
- ❑ *Category 2 expenses (approval required)* – all other items of expenditure:
 - which cannot, or cannot easily, be directly related to a specific insolvency case because there is an element of shared or allocated cost; and / or
 - where the cost of the expense incurred is an estimated, utilised cost with the estimate based on external costs or opportunity cost.

EXPENSES

- ❑ *Category 1 expenses (approval not required)* – except for any items referred to below, all such items are re-charged to the case as they are incurred.
- ❑ *Category 2 expenses (approval required)*
 - (A) The following items of expenditure are re-charged as described:
 - Internal meeting room usage for the purpose of statutory meetings of creditors is re-charged at the rate of £100 per meeting;
 - Car mileage is re-charged at the rate of 45 pence per mile;
 - Storage of books and records (when not rechargeable as a *Category 1 expense*) is re-charged on the basis of £5 per box per year.
 - (B) The following items of expenditure will normally be treated as general office overheads not subject to a re-charge:
 - Telephone and facsimile
 - Printing and photocopying
 - Stationery

A re-charge may be made, however, where the precise cost to the case can be determined because the item satisfies the test of a *Category 1 expense*.

STANDARD CHARGEOUT RATES AND CHARGING POLICY

The rates applying as at the date of this report are as follows:

Grade of staff	Chargeout rate (£ per hour)
Officeholder	250
Manager	200
Senior Administrator	150
Administrator	125
Admin / support staff	75 – 125

Time spent by support staff for carrying out shorter tasks, such as typing or dealing with post, is not charged to cases but is carried as an overhead. Only where a significant amount of time is spent at one time on a case is a charge made for support staff.

Time is recorded in units of six minutes.

¹Statement of Insolvency Practice 9 (SIP 9) effective from 1 December 2015.

APPENDIX D

NORTHBANK DEMOLITION COMPANY LIMITED
(in Creditors' Voluntary Liquidation)

TIME COST SUMMARY
FOR THE PERIOD 28 FEBRUARY 2021 TO 27 FEBRUARY 2022

Classification of work	Officeholder	Manager	Other senior professional	Assistants & support staff	Total hours	Time cost (£)	Average hourly rate (£)
Case administration	7.20	22.90	0.30	5.40	35.80	6,965.00	194.55
Case specific matters	-	-	-	-	-	-	-
Closure	-	-	-	-	-	-	-
Creditors & shareholders	3.80	5.50	-	33.20	42.50	5,370.00	126.35
Employees	0.20	0.50	-	-	0.70	150.00	214.29
Investigations	-	0.40	-	-	0.40	80.00	200.00
Realisation of assets	8.50	18.10	0.30	-	26.90	5,812.50	216.08
Trading	-	0.50	-	-	0.50	100.00	200.00
Total hours	19.70	47.90	0.60	38.60	106.80	18,477.50	173.01
Total fees drawn in the period						16,100.57	

APPENDIX E

NORTHBANK DEMOLITION COMPANY LIMITED
(in Creditors' Voluntary Liquidation)

TOTAL TIME COST SUMMARY
28 FEBRUARY 2020 TO 27 FEBRUARY 2022

Classification of work	Officeholder	Manager	Other senior professional	Assistants & support staff	Total hours	Time cost (£)	Average hourly rate (£)
Case administration	28.70	76.20	0.30	5.60	110.80	23,025.00	207.81
Case specific matters	-	-	-	-	-	-	-
Closure	-	-	-	-	-	-	-
Creditors & shareholders	7.90	22.10	-	33.20	63.20	9,715.00	153.72
Employees	2.40	13.30	-	-	15.70	3,260.00	207.64
Investigations	0.40	9.70	-	-	10.10	2,040.00	201.98
Realisation of assets	35.60	50.70	0.30	-	86.60	19,107.50	220.64
Trading	-	0.50	-	-	0.50	100.00	200.00
Total hours	75.00	172.50	0.60	38.80	286.90	57,247.50	199.54
Total fees drawn						84,192.22	