In accordance with Rule 18.7 of the Insolvency (England & Wales) Rules 2016 and Sections 92A, 104A and 192 of the Insolvency Act 1986.

LIQ03

Notice of progress report in voluntary winding up

Companies House

THURSDAY

A9GPØZQP

A18 29/10/2020 #47

COMPANIES HOUSE

1 Company details

Company number	0 4 1 9 8 1 8 3
Company name in full	04198183 Limited (Formerly Con-Form Contracting Limited)

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

2 Liquidator's name

Full forename(s)	Asher
Surname	Miller

3 Liquidator's address

Building name/number	Pearl Assurance House
Street	319 Ballards Lane
Post town	London
County/Region	
Postcode	N 1 2 8 L Y
Country	

4 Liquidator's name ❶

Full forename(s)	Henry
Surname	Lan

❶ **Other liquidator**
Use this section to tell us about another liquidator.

5 Liquidator's address ❷

Building name/number	Pearl Assurance House
Street	319 Ballards Lane
Post town	London
County/Region	
Postcode	N 1 2 8 L Y
Country	

❷ **Other liquidator**
Use this section to tell us about another liquidator.

LIQ03

Notice of progress report in voluntary winding up

6 Period of progress report

From date	d 2 d 0	m 0 m 1	y 2 y 0 y 1 y 9
To date	d 1 d 9	m 0 m 1	y 2 y 0 y 2 y 0

7 Progress report

☑ The progress report is attached

8 Sign and date

Liquidator's signature	Signature X	X
Signature date	d 1 d 7	m 0 m 3 y 2 y 0 y 2 y 0

LIQ03
Notice of progress report in voluntary winding up

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: Eveline Tipping
Company name: David Rubin & Partners
Address: Pearl Assurance House
319 Ballards Lane
Post town: London
County/Region:
Postcode: N12 8LY
Country:
DX: Finchley 1
Telephone: 020 8343 5900

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

IN THE MATTER OF

04198183 LIMITED (FORMERLY CON-FORM CONTRACTING LIMITED) - IN LIQUIDATION

AND

THE INSOLVENCY ACT 1986

THE JOINT LIQUIDATORS ANNUAL PROGRESS REPORT PURSUANT TO SECTION 104A OF THE INSOLVENCY ACT 1986 AND PART 18 OF THE INSOLVENCY (ENGLAND AND WALES) RULES 2016 FOR THE YEAR ENDED 19 JANUARY 2020

04198183 LIMITED (FORMERLY CON-FORM CONTRACTING LIMITED) - IN LIQUIDATION
Annual Progress Report pursuant to Section 104A of the Insolvency Act 1986

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a. Introduction

b. Statutory information

c. Joint Liquidators' name and address

d. Any Change in the Office Holder

e. Details of progress during the period and summary account of receipts and payments

f. Joint Liquidators remuneration and expenses

g. Creditors and distributions

h. Details of what remains to be done

i. Other information of relevance to creditors

j. Next report

APPENDICES

A. Receipts and Payments Account for the period from 20 January 2012 to 19 January 2020

B. Time Analysis for the period from 20 January 2018 to 19 January 2020

B. Cumulative Time Analysis for the period from 20 January 2012 to 19 January 2020

04198183 LIMITED (FORMERLY CON-FORM CONTRACTING LIMITED) - IN LIQUIDATION
Annual Progress Report pursuant to Section 104A of the Insolvency Act 1986

(a) Introduction

The Company entered into Administration on 16 February 2011 pursuant to an application filed at The High Court of Justice, Chancery Division. The appointment was made by the Directors of the Company pursuant to paragraph 22 of Schedule B1 to the Insolvency Act 1986. The Company was subsequently moved into Liquidation on 20 January 2012, pursuant to paragraph 83(7)(a) of the Insolvency Act 1986.

The Liquidation of the Company concluded on 23 February 2017 and the Company was subsequently dissolved at Companies House.

The Company was owed a substantial debt by Les Taylor Contractors Ltd ("LTC") which was also in a formal insolvency procedure and following correspondence with the duly appointed Liquidators it was not anticipated that there would be a return from this debt. Accordingly the liquidation was closed as outlined above.

In October 2018, it came to light that a dividend was being paid to the creditors of LTC and in order to benefit from this dividend, I took steps to reinstate the Company. I instructed Apex Company Services Limited t/a eformations, to assist in the formalities of restoring the Company to the register. This was successfully achieved on 28 February 2019 and the Company was restored as 04198183 Limited.

This report provides an update on the progress for the year ended 19 January 2020.

Rule 18.3: Progress Report

(b) Statutory information

Company name:	04198183 Limited (Formerly Con-Form Contracting Limited)
Registered office:	Pearl Assurance House, 319 Ballards Lane, London, N12 8LY
Company number:	04198183
Trading address:	Reigate Barn, Langford Road, Wickham Bishops, Essex, CM8 3JG

(c) Liquidator's name and address:

In the Joint Administrators' formal proposals, made under Schedule B1, Paragraph 49, creditors approved that the Joint Administrators, Henry Lan and myself, both of David Rubin & Partners, Pearl Assurance House, 319 Ballards Lane, London, N12 8LY, become the Joint Liquidators of the Company. Upon the restoration of the Company, the Joint Liquidators were re-appointed.

(d) Any changes in the Office Holder

There has not been a change in the Office Holder since the original appointment date.

(e) Details of progress during the period and summary account of Receipts and Payments under review and cumulatively:

Following the successful restoration of the Company as set out in section (a) above, I have begun the process of requesting creditors to submit details of their claims in the Liquidation.

A Receipts and Payments Account is attached at Appendix A, which is further explained below. Also, attached at Appendix A is a cumulative Receipts and Payments Account for the period from 20 January 2012 to 19 January 2020.

1.1 Funds transferred from the Administration

As previously reported, the total funds transferred from the Administration were £35,972.13.

1.2 Book debts

The Company's book debts and work in progress were sold by way of an ASA dated 31 March 2011. The ASA divided the book debts and work in progress into two schedules, the second of which ("Schedule II") contained the Company's bad and doubtful debts, which the Company remained the beneficial owner of.

Total book debt realisations are £6,750.46. This relates to funds received from a Schedule II debtor, namely CMS Developments and a dividend received from Dow Contracts Limited – in Liquidation.

1.3 Unclaimed preferential dividends

I have received the amount of £24.31 in respect of an unclaimed preferential dividend. Despite several attempts to make contact with the former employee, I have been unable to do so.

1.4 Trade debtors

As set out in paragraph (a) above, the Company was reinstated to receive a dividend of £77,251.96 in respect of the Liquidation of LTC.

1.5 Bank interest gross

The funds in hand are held in an interest bearing account with a High Street bank in the Joint Liquidators' name.

Interest earned on the funds in hand amounts to £127.06.

2. <u>Payments</u>

2.1 Statutory advertising

This represents the costs for the publishing of statutory advertising in the London Gazette in respect of the notice of the appointment of the Joint Liquidators and to creditors to submit their claims in the Liquidation.

2.2 Book debt collection costs

In accordance with the terms of the ASA, the recovery of Schedule II debts was conducted by AQS Holdings Limited ("AQS"). The ASA states that AQS is entitled to 20 percent of whatever money it collects and all its reasonable costs and expenses. AQS has been paid £1,301.42 in respect of the CMS Developments receipt as discussed in my previous reports.

2.3 Storage Costs

My firm uses a commercial archiving company for storage facilities for the Company's records and papers. This is recharged at the rate of £10 per box per quarter and includes a small charge to cover the administration costs of archiving and retrieval of documents. I am also required to keep my working papers for 6 years from the conclusion of the liquidation.

2.4 Unclaimed preferential dividends

The amount of £24.31 was paid to the Insolvency services in respect of an unclaimed preferential dividend. Despite several attempts to make contact with the former employee I was unable to do so.

2.5 Joint Administrators' remuneration

The amount of £22,925.50 has been paid in respect of the Joint Administrators' unbilled time costs.

2.6 Joint Liquidators' remuneration

To date, £63,000 has been paid in respect of the Joint Liquidators' unbilled time costs. This is discussed further in section (f) below.

(f) Joint Liquidator's Remuneration and Expenses

1. ***Basis of remuneration***

In accordance with Rule 2.106 of the Insolvency Rules 1986, creditors approved for the Joint Administrators' fees to be fixed by reference to the time properly given by them and their staff in attending to matters arising in the administration and to draw fee as and when funds were available.

Where the Administrators become the Liquidators, the basis of remuneration fixed under Rule 2.106 continues to apply in the liquidation as specified by Rule 4.127(5A).

In accordance with the provisions of Statement of Insolvency Practice 9 ("SIP 9"), a schedule of my firm's charge-out rates was issued to creditors at the time the basis of our remuneration as the Joint Administrators was approved.

My firm's current hourly chargeout rates exclusive of VAT, which are charged in units of 6 minutes, are as follows:-

	Previous	Current
	£	£
Senior / Managing Partners	450	550
Partners/Office holders	300 - 395	495
Managers / Senior Managers	250 - 295	350 - 395
Senior Administrators	180 - 220	220 - 295
Administrators	130 - 160	160 – 200
Cashiers and Assistants	120 - 160	150 - 295
Supports	110 - 120	120 - 150

Chargeout rates are normally reviewed annually and are adjusted to reflect such matters as inflation, increases in direct wage costs, and changes to indirect costs such as Professional Indemnity Insurance.

2. ***Staff allocation and the use of subcontractors***

Our general approach to resourcing our assignments is to allocate staff with the skills and experience to meet the specific requirements of the case. The constitution of the case team will usually consist of a Partner, Manager, Senior Administrator and two Administrators. The exact constitution of the case team will depend on the anticipated size and complexity of the assignment and additional staff may be allocated to meet the demands of the case.

We have not utilised the services of any subcontractors in this case.

3. ***Joint Liquidator's remuneration***

My time costs for the period under review are £27,027. This represents 106 hours at an average rate of £254.97 per hour.

I have also reviewed my cumulative time costs for the period from 20 January 2012 to 19 January 2020 and would report that my total time costs are £72,693.50 for 345:30 hours, which equates to an average cost of £210.40 per hour. A breakdown of my time charges is also set out in Appendix B.

To view an explanatory note concerning Liquidators' remuneration issued by the Joint Insolvency Committee, please visit the Publications folder on our website at www.drpartners.com/cases, using the following log-on details:

USERNAME: C481@drco.co.uk PASSWORD: 184Cem*!

Alternatively, please contact this office to arrange for a copy to be sent to you.

I attach as Appendix B a Time Analysis which provides details of the activity during the year, analysed by staff grade. Included in the work undertaken by my staff and I, is the following:-

i) Recovering the Company's cash at bank and obtaining closure of all the bank accounts in the Company's name.

ii) Publishing the necessary statutory advertisements in respect of the Liquidation proceedings.

iii) Calculating the Insolvency Practitioner's bond and submitting the bordereau in accordance with Section 390(3) of the Insolvency Act 1986.

iv) Instructing e-formations with regard to the reinstatement of the Company, reviewing witness statements and related documents with regard to the court application.

v) Providing written notice to the creditors regarding the reinstatement of the Company and attending to related queries.

vi) Settling all expenses in relation to the reinstatement of the Company to the Register.

vii) Carrying out quarterly bond reviews to ensure the correct level of bond required.

viii) Carrying out regular case reviews to monitor case progression.

ix) Carrying out all necessary investigations, including the examination of the company's statutory books and books of accounts and records in order to enable me to prepare and submit a Liquidator's report on the conduct of the directors pursuant to the requirements of the Company Directors Disqualification Act 1986.

x) Dealing with creditors' enquiries both by correspondence and by telephone and noting their claims. Plus we have started inviting and collating claims per dividend consideration

xi) Dealing with all matters relating to book debts, including correspondence and telephone attendances with the debtors. In particular, liaising with the Liquidators of both Dow Contracts Limited ("Dow Contracts") and Les Taylor Contractors Limited ("Les Taylor").

xii) Correspondence, emails and telephone attendance with regard to the professional negligence claim, which is discussed further at (g) below.

xiii) Obtaining an initial "in principle" review from an independent firm of solicitors, Shakespeare Martineau, to establish the Company's legal position and effect on the Liquidation in relation to the claim mentioned at (ix) above.

xiv) Preparing for submission to HM Revenue & Customs ("HMRC") form VAT 769 to advise them of the Liquidation.

xv) Preparing for submission the VAT 426 and VAT 833 forms.

xiii) Preparation and circulation of my annual progress reports and Receipts and Payments Account to creditors pursuant to S104A of the Insolvency Act 1986 and submission of same to the Registrar of Companies.

xv) Cashiering time in relation to the allocation of funds, payments and bank reconciliations.

xvi) Settling expenses incurred in the Liquidation as and when received.

4. ***Joint Liquidator's expenses***

Expenses incurred in the liquidation are explained at (e) above in my comments on the Receipts and Payments Accounts.

5. Creditors' rights – Rule 18.9 and Rule 18.34

i) Within 21 days of the receipt of this report, a secured creditor, or an unsecured creditor (with the concurrence of at least 5% in value of the unsecured creditors) may request in writing that the Liquidator provides further information about his remuneration or expenses which have been itemised in this progress report.

ii) Any secured creditor, or an unsecured creditor (with the concurrence of at least 10% in value of the unsecured creditors) may within 8 weeks of receipt of this progress report make an application to court on the grounds that the basis fixed for the Liquidator's remuneration, the remuneration charged or the expenses incurred by the Liquidator as set out in this progress report are excessive.

(g) Creditors and Distributions

(i) (a) Secured creditors

HSBC Bank Plc ("HSBC") held a fixed and floating charge over the Company's assets which was created on 11 July 2006 and registered at Companies House on 13 July 2006. However, the Company was not indebted to HSBC upon its entering into Administration and a Form MG02 Statement of Satisfaction was filed with Companies House on 8 April 2011.

AQS holds a fixed and floating charge over the Company's assets which was created on 8 July 2010 and registered at Companies House on 13 July 2010. AQS submitted a claim in the Administration in the sum of £942,767, which is concurrent with the Company's books and records. The sum of £93,000 was paid to AQS by the Joint Administrators in respect of its secured claim against the Company. No further payments have been paid to AQS during the course of the Liquidation.

There are insufficient funds available to enable a further distribution to AQS in respect of its secured claim. AQS was also placed into Liquidation on 7 September 2012 and the Liquidation has since been closed on 28 August 2015.

(b) Prescribed Part

Section 176A of the Act provides for a prescribed part of the Company's net property to be retained from distribution to the floating charge holder, where the debenture was created on or after 15 September 2003, and made available for the satisfaction of unsecured debts.

Creditors may recall that the Joint Administrators originally envisaged a small dividend being available to the unsecured creditors from the funds set aside under the Prescribed Part as AQS's charge was created after 15 September 2003. Accordingly steps were taken to establish in principle the claims of the Company's unsecured creditors in preparation for formal adjudication in the Liquidation.

During the progression of this task, it became apparent that the Company was subject to a plethora of complex and contentious counterclaims upon its entering into Administration, which has severely prolonged the process of adjudicating creditors' claims. The costs incurred in connection with this work, in accordance with Rule 12.2(2) of the Rules, have been borne by the Prescribed Part. These consequential costs have depleted the Prescribed Part fund and accordingly, there are insufficient funds to enable the aforementioned dividend to be paid.

(ii) Preferential creditors

The Company's preferential creditors were paid in full during the course of the Administration.

(iii) Unsecured creditors

The claims of 160 unsecured creditors totalling £3,750,423.78 have been received. Based on current information, it is likely that a small dividend will be payable to the unsecured non-preferential creditors. However, to date creditors claims have proved quite complex to agree and formally adjudicate in view of the length of time which has passed since the Company entered into Administration.

(h) Details of what remains to be done

I have written to creditors requesting the submission of their claims in the Liquidation. Upon receipt of these, I shall review and adjudicate all claims received.

(i) Other information of relevance to creditors:

Investigations

1.1 In accordance with the Company Directors Disqualification Act 1986 I have submitted a report on the conduct of the Directors of the Company to the Department for Business Innovation & Skills (**BIS**). As this is a confidential report, I am not able to disclose the contents.

1.2 Shortly after my appointment, I made an initial assessment of whether there could be any matters that might lead to recoveries for the estate and what further investigations may be appropriate. This assessment took into account information provided by creditors either at the initial meeting or as a response to my request to complete an investigation questionnaire. My investigations have not revealed any issues requiring further report.

(J) Next report

I am required to provide a further report on the progress of the liquidation within two months of the end of the next anniversary of the liquidation, unless I have concluded matters prior to that, in which case I will write to all creditors with my Final Account which will conclude my administration of the Liquidation.

I trust you will find this report adequate for your purposes but should you require any further information, please do not hesitate to contact in the first instance either my Senior Manager, Eveline Tipping, or her assistant, Shanice Kearns at this office.

ASHER D MILLER FCA - JOINT LIQUIDATOR

DATE: 17 MARCH 2020

APPENDIX A

04198183 LIMITED (FORMERLY CON-FORM CONTRACTING LIMITED) - IN CREDITORS' VOLUNTARY LIQUIDATION

JOINT LIQUIDATORS' RECEIPTS AND PAYMENTS ACCOUNT

FROM 20 JANUARY 2012 TO 19 JANUARY 2020

	Realised to-date £	Y/E 19/Jan/20 £
Balance brought forward		393.78
Receipts		
Funds transferred from Administration	35,972.13	-
Book debts	6,750.46	-
Unclaimed preferential dividends	24.31	-
Trade debtors	77,251.96	77,251.96
Bank interest	127.06	100.26
	120,125.92	77,746.00
Payments		
Statutory advertising	237.60	84.60
Book debt collection costs	1,301.42	-
Storage costs	284.87	284.87
Unclaimed preferential dividends	24.31	24.31
Joint Administrators' remuneration	22,925.50	-
Joint Liquidators' remuneration	63,000.00	45,000.00
	87,773.70	45,393.78
Receipts less Payments	32,352.22	32,352.22

Represented by:-	
Balance at bank	32,352.22

APPENDIX B

04198183 LIMITED (FORMERLY CON-FORM CONTRACTING LIMITED)
- IN CREDITORS' VOLUNTARY LIQUIDATION

JOINT LIQUIDATORS TIME COSTS
FOR THE PERIOD FROM 20 JANUARY 2019 TO 19 JANUARY 2020
SIP 9 TIME SUMMARY

Classification of work function	Hours					Total Cost £	Average hourly rate £
	Partners	Manager / Senior Manager	Admin / Senior Admin	Cashiers	Total hours		
Statutory compliance, admin and planning							
IPS set up & maintenance	00:00	00:06	00:24	00:00	00:30	90.50	181.00
Statutory filings,circulars, notices, etc.	02:36	08:12	05:36	00:00	16:24	5,083.00	309.94
Case planning, strategy & control	09:36	04:36	00:00	00:00	14:12	6,219.00	437.96
Taxation: PAYE, C/Tax & VAT	00:00	00:00	00:18	00:00	00:18	39.00	130.00
Accounting & Cashiering	00:00	00:00	00:42	06:00	06:42	1,013.00	151.19
Case reviews & Diary maintenance	00:00	00:36	04:42	00:00	05:18	849.00	160.19
Statutory reporting and compliance	00:18	15:36	31:36	00:00	47:30	10,127.50	213.21
Realisation of assets							
Book debts collection	00:00	00:12	00:42	00:00	00:54	171.00	190.00
Tangible assets	00:00	00:06	00:24	00:00	00:30	84.50	169.00
Creditors							
Unsec'd Creditors: correspondence & claims	00:36	06:18	06:48	00:00	13:42	3,350.50	244.56
Total hours and costs	13:06	35:42	51:12	06:00	106:00	27,027.00	254.97

JOINT LIQUIDATORS CUMULATIVE TIME COSTS
FOR THE PERIOD FROM 20 JANUARY 2012 TO 19 JANUARY 2020
SIP 9 TIME SUMMARY

Classification of work function	Hours					Total Cost £	Average hourly rate £
	Partners	Manager / Senior Manager	Admin / Senior Admin	Cashiers	Total hours		
Statutory compliance, admin and planning							
IPS set up & maintenance	00:00	00:36	02:00	00:00	02:36	491.00	188.85
Statutory filings,circulars, notices, etc.	03:06	10:18	30:36	00:00	44:00	9,369.50	212.94
Case planning, strategy & control	09:36	04:36	00:00	00:00	14:12	6,219.00	437.96
Taxation: PAYE, C/Tax & VAT	00:30	00:12	07:48	00:00	08:30	1,527.50	179.71
Accounting & Cashiering	00:00	00:30	01:00	22:36	24:06	3,500.50	145.25
Case reviews & Diary maintenance	04:24	03:54	33:30	00:00	41:48	8,028.50	192.07
Statutory reporting and compliance	00:18	23:00	78:18	00:00	101:36	19,887.50	195.74
Investigations							
CDDA preparation & reporting	00:00	02:42	09:36	00:00	12:18	2,413.50	196.22
SIP2 assessment and financial review	00:00	00:00	00:12	00:00	00:12	26.00	130.00
Realisation of assets							
Book debts collection	04:30	05:54	20:48	00:00	31:12	6,383.00	204.58
Tangible assets	00:00	01:36	04:48	00:00	06:24	1,250.00	195.31
Creditors							
Secured creditors	01:00	00:12	00:00	00:00	01:12	454.00	378.33
Unsec'd Creditors: correspondence & claims	07:00	18:48	30:48	00:00	56:36	12,990.00	229.51
Preferential creditors & employees	00:00	00:18	00:30	00:00	00:48	153.50	191.88
Total hours and costs	30:24	72:36	219:54	22:36	345:30	72,693.50	210.40

RECEIVED
26 OCT 2020

RECEIVED
03 APR 2020