

LIQ03

Notice of progress report in voluntary winding up



Companies House

TUESDAY



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17/09/2019

#77

COMPANIES HOUSE

1 Company details

Company number 0 4 3 0 1 1 7 5

Company name in full A & H Properties (UK) Limited

→ Filling in this form

Please complete in typescript or in
bold black capitals.

2 Liquidator's name

Full forename(s) Darren

Surname Edwards

3 Liquidator's address

Building name/number 40a Station Road

Street Upminster

Post town

County/Region Essex

Postcode R M 1 4 2 T R

Country

4 Liquidator's name

Full forename(s)

Surname

● Other liquidator

Use this section to tell us about
another liquidator.

5 Liquidator's address

Building name/number

Street

Post town

County/Region

Postcode

Country

● Other liquidator

Use this section to tell us about
another liquidator

LIQ03

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6 Period of progress report

From date	1	8	0	7	2	0	1	8
To date	1	7	0	7	2	0	1	9

7 Progress report

☒ The progress report is attached

8 Sign and date

Liquidator's signature

Signature

X



X

Signature date

^d

1

^d

3

^m

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9

^y

2

^y

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1

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9

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.

Darren Edwards

Aspect Plus Limited

40a Station Road

Upminster

Essex

Postcode

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DX

0800 988 1897



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
A & H PROPERTIES (UK) LIMITED - IN LIQUIDATION
AND
THE INSOLVENCY ACT 1986**

**THE LIQUIDATOR'S ANNUAL PROGRESS REPORT
PURSUANT TO SECTION 104A OF THE INSOLVENCY ACT 1986
FOR THE YEAR ENDED 17 JULY 2019**



Aspect Plus Limited
40a Station Road
Upminster
Essex
RM14 2TR

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(a) Introduction

The Company was placed into Liquidation by a Special Resolution of the members followed by a meeting of the creditors convened under Section 98 of the Insolvency Act 1986, on 18 July 2014. This report provides an update on the progress in the Liquidation for the fifth year ended 17 July 2019.

Rule 18.3: Progress Report

(b) Statutory Information

Company name:	A & H Properties (UK) Limited
Former trading name:	n/a
Registered office:	40a Station Road, Upminster, Essex RM14 2TR
Former registered office:	2 Orchard View, Robinson Road, Horndon on the Hill, Stanford Le Hope, SS17 8PU
Company number:	04301175
Trading address:	2 Orchard View, Robinson Road, Horndon on the Hill, Stanford Le Hope, SS17 8PU

(c) Liquidator's name and address

Liquidator name:	Darren Edwards
Liquidator firm:	Aspect Plus Limited
Liquidator address:	40a Station Road, Upminster, Essex RM14 2TR
Appointment date:	18 July 2014

(d) Basis of Liquidator's remuneration

Pre-appointment costs

I can advise that a fixed fee of £4,000.00 plus VAT and disbursements was agreed and paid prior to the S98 meeting of creditors by Paul John Hubbard, who is associated to the Company due to his appointment as a Director of the Company.

This fee relates to the assistance given to the Director of the Company in notifying and convening the members and creditors meetings under Section 98 of the Insolvency Act 1986; and the preparation of the Statement of Affairs and Directors' report to creditors. This fee was a fixed fee and was approved at the first meeting of creditors.

Basis of remuneration

At the meeting of Creditors on 18 July 2014, a resolution was passed approving that the basis of the remuneration of the Liquidator to be fixed by reference to the time properly spent by the Liquidator and his staff in attending to matters arising in the winding-up.

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

I can advise that there has been an increase in the charge-out rates during this appointment and current and previous rates are detailed at Appendix 3.

Staff allocation and the use of subcontractors

The general approach to this firm's 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 an Administrator. 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.

(e) Basis of Liquidator's remuneration (continued)

This firm's time costs for the year under review are £3,194.00. This represents 16.30 hours at an average rate of £195.95 per hour. I attach at Appendix 2 a Time Analysis which provides details of the activity during the year, analysed by staff grade.

The firm's time costs for the total period of the Liquidation are £14,650.00, representing 81.40 hours at an average hourly rate of £179.98. These time costs are also detailed at Appendix 2.

During the period under review, and to date during the Liquidation, no fees have been drawn representing the Liquidator's remuneration.

To view an explanatory note concerning Liquidators' remuneration issued by the Joint Insolvency Committee, please contact this office to arrange for a hard copy to be sent to you. Alternatively, you may view the guide to Liquidators' guide to fees online by copying the link below to your web browser:

<http://www.insolvency-practitioners.org.uk/regulation-and-guidance/guides-to-fees>

A copy of this firm's charge out rates and disbursement policy is attached at Appendix 3.

I can advise that R3, the Association of Business Recovery Professionals have a website for creditors which provides information to assist those creditors who are unfamiliar with the insolvency process. Please copy the following link in your web browser to access information: -

www.creditorinsolvencyguide.co.uk

Included in the work undertaken by me and my staff during this fifth year of the Liquidation is the following:-

- Dealing with creditors' enquiries both by correspondence and by telephone and noting their claims.
- Pursuing claims against the Directors and Shareholders of the Company.
- Liaising with solicitors, Causeway Law Solicitors ("Causeway"), to assist with reviewing the monies distributed to the respective shareholders and the recourse available to the Liquidator to recover the same.
- Undertaking my administrative functions in dealing with statutory obligations as part of the Liquidation.
- Preparation of my annual report to creditors and distribution creditors.

(f) Liquidator's expenses

Creditors have previously been provided with the definitions of Statement of Insolvency Practice 9 ("SIP 9"), Category 1 and Category 2 Disbursements. During the period under review, no further expenses have been incurred.

No expenses have been recovered as Category 1 or Category 2 disbursements during the period under review.

(g) Other professional costs

No other professionals have been instructed in the Liquidation during the period under review.

(h) Details of progress for the period under review

As previously advised, I have undertaken an investigation into the affairs of the Company and its officers to determine if there are any recovery actions which can be taken against the Director / third parties for the benefit of the estate.

Upon this review, transactions were identified which were subject to legal advice with regard to potential recovery actions. Such actions related to certain payments from the Company's bank account to connected parties, namely shareholders, prior to Liquidation which would have had an effect on the Company's ability to meet its liabilities.

A demand was made for repayment of the monies from the connected parties and a protracted response was received. Matters became further complicated insofar as investigations have revealed that two shareholders were sadly deceased and I have recently been informed that a *further shareholder representative has passed away*.

Solicitors, Causeway Law are instructed and have provided advice regarding recovery actions and have continued to correspond with the relevant parties.

I can advise that the shareholders and the representatives of their estate have instructed representation in order to seek to address matters. A without prejudice meeting has been organised with Causeway Law and the shareholders representative in order to ascertain whether an appropriate resolution to recovery actions can be obtained. I will advise creditors further in due course with regard to the outcome of the same.

A Receipts and Payments Account is attached at Appendix 1, which is further explained below. It should be noted that all figures in the Receipts and Payment Account are shown net of VAT.

Receipts

There have been no realisations during the period under review.

Payments

No payments were made during the period under review.

(i) Details of any assets that remain to be realised and outstanding matters

Considering the recovery actions with solicitors against the respective shareholders, the surviving members of the Hubbard family, as referred to above.

If necessary, the agreement of creditors' claims will be carried out in due course to enable the preparation of a distribution to creditors.

Subject to the above and prior to finalising the Liquidation, the final tax position is to be confirmed and statutory matters concluded

(j) Investigations

As previously reported, in accordance with the Company Directors Disqualification Act 1986 a report/return on the conduct of the Directors of the Company has been submitted to the Department for Business Innovation & Skills.

Whilst this is a confidential report/return, the content of which cannot be disclosed, it should be noted that on 2 August 2016, a Disqualification Order was made against Paul John Hubbard for a period of 6 years.

Shortly after appointment, an initial assessment was made 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.*

The investigations have highlighted the potential recovery action referred to above

(k) Creditors' rights to request information and their right to challenge the Liquidator's remuneration and expenses

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.

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.

(l) Any other relevant information:

Prescribed Part

As Liquidator, I have a duty to advise whether the prescribed part applies in respect of the amount of funds available for unsecured creditors. *This provision only applies where the Company has granted a floating charge to a secured creditor on or after 15 September 2003.* I can advise that the Company has not granted any charges and therefore there is no prescribed part in this instance.

Secured creditors

There are no secured creditors.

Preferential creditors

The Liquidator has not received any preferential claims.

Unsecured creditors

Unsecured creditors' claims in the sum of £119,319.00 have been received and noted.

Based on current information, a dividend payable to the unsecured creditors, is dependent upon a successful outcome from the action referred to above. The quantum and timing is not known at present.

(m) EC Regulations (Whether Proceedings Are Main Proceedings Or Territorial)

The Company's centre of main interest was in 2 Orchard View, Robinson Road, Horndon on the Hill, Stanford Le Hope, SS17 8PU and therefore it is considered that the EC Regulations will apply. These proceedings are main proceedings as defined in Article 3 of the EC Regulation.

(n) Next report

The administration of the Liquidation will currently be continuing in order to finalise recovery action detailed earlier in this 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 this date and issued my final account.

COMPLAINTS

Every endeavour will be made to try to resolve any issues that may arise, however, if any matter is not dealt with to your satisfaction your complaint should be made to the Insolvency Service whose website address for complaints is <http://www.bis.gov.uk/insolvency/contact-us/IP-Complaints-Gateway>. Alternatively you may contact the Insolvency Service in writing, by email or by telephone as follows: -

By Email	ip.complaints@insolvency.gsi.gov.uk
By Post	The Insolvency Service, IP Complaints, 3rd Floor, 1 City Walk, Leeds LS11 9DA;
By telephone	0845 602 9848 - calls are charged at between 1p and 10.5p per minute from a land line; for mobiles, between 12p and 41p per minute if you're calling from the UK.

A & H PROPERTIES (UK) LIMITED - IN CREDITORS' VOLUNTARY LIQUIDATION
Annual Progress Report pursuant to Section 104A of the Insolvency Act 1986
12 September 2019

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 Livia Schmidt at this office.



Darren Edwards
Liquidator of A&H Properties (UK) Limited

Date: 12 September 2019



Aspect Plus Limited

Appendix 1

A & H Properties (UK) Limited - In Creditors Voluntary Liquidation
Liquidator's Abstract of Receipts & Payments

From 18 July 2018 To 17 July 2019

S of A £		As Previously Reported	18/07/18 to 17/07/19	Total £
RECEIPTS				
NIL	Cash at Bank	61.79	NIL	61.79
NIL	Bank Interest Gross	0.06	NIL	0.06
NIL		61.85	NIL	61.85
PAYMENTS				
NIL	Sundry	(28.00)	NIL	(28.00)
NIL	Bank Charges	(3.85)	NIL	(3.85)
NIL	Specific Bond	(30.00)	NIL	(30.00)
0		(61.85)	NIL	(61.85)
0	CASH IN HAND	NIL	NIL	NIL





Appendix 2

Liquidator's Remuneration Schedule
A & H Properties (UK) Limited
Between 18 July 2018 and 17 July 2019

Classification of work function	Partner/ Director	Manager	Other Senior Professionals	Assistants & Support Staff	Total Hours	Time Cost	Average Hourly Rate
Administration & Planning	1.00	0.30	0.10	6.90	8.30	1,394.00	167.95
Investigations	1.80	0.00	0.00	5.00	6.80	1,610.00	236.76
Realisation of Assets	0.00	0.00	0.40	0.00	0.40	96.00	240.00
Trading	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Creditors	0.00	0.00	0.10	0.70	0.80	94.00	117.50
Case Specific Matters	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Total hours	2.80	0.30	0.60	12.60	16.30		
Time costs	985.00	75.00	134.00	2,000.00		3,194.00	
Average hourly rate	351.79	250.00	223.33	158.73			195.95

Description	Total Incurred £	Total Recovered £
None	NIL	NIL
Totals	NIL	NIL

Summary of Fees

Time spent in administering the Assignment	Hours	16.30
Total value of time spent to 17 July 2019	£	3,194.00
Total Liquidator's fees charged to 17 July 2019	£	0.00



A & H PROPERTIES (UK) LIMITED - IN CREDITORS' VOLUNTARY LIQUIDATION
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12 September 2019

Liquidator's Remuneration Schedule
A & H Properties (UK) Limited
Between 18 July 2014 and 17 July 2019

Classification of work function	Partner/ Director	Manager	Other Senior Professionals	Assistants & Support Staff	Total Hours	Time Cost	Average Hourly Rate
Administration & Planning	6.20	11.50	2.20	26.40	46.30	7,400.00	159.83
Investigations	4.50	19.10	0.50	5.00	29.10	6,192.00	212.78
Realisation of Assets	0.00	0.80	0.60	0.00	1.40	322.00	230.00
Trading	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Creditors	0.00	2.10	1.70	0.80	4.60	736.00	160.00
Case Specific Matters	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Total hours	10.70	33.50	5.00	32.20	81.40		
Time costs	3,316.00	6,779.00	723.00	3,832.00		14,650.00	
Average hourly rate	309.91	202.36	144.60	119.01			179.98

Description	Total Incurred £	Total Recovered £
	0.00	NIL
Totals	0.00	NIL

Summary of Fees

Time spent in administering the Assignment	Hours	81 40
Total value of time spent to 17 July 2019	£	14,650.00
Total Liquidator's fees charged to 17 July 2019	£	0.00



Appendix 3

Aspect Plus Ltd Disbursement Policy

Charge-out rates

Work undertaken by staff is recorded in 6 minute units in an electronic time recording system. Time properly incurred on cases is charged at the hourly rate of the grade of staff undertaking the work that applies at the time the work is done. Details of charge-out rates effective from 1 January 2019, together with those previously charged are as follows:

Charge Out Rates from 01/01/2019		Charge Out Rates Prior to 01/01/2019	
Partners	£400	Partners	£325
Managers	£300	Managers	£250
Senior Administrators	£240	Senior Administrators	£190
Administrators	£190	Administrators	£150
Junior Administrators	£100	Junior Administrators	£90

Expenses

Below is an outline of the expenses that may be incurred during the assignment.

Agents and Valuers	There will be a fixed fee for valuations estimated from £150 to £1,000 plus VAT. Marketing will be on a percentage basis from 2% to 20%. Costs incurred will depend on the size and complexity of the assets to be realised
Debt collection Agents	It is anticipated that the agent will be paid a percentage of debtor realisations. This percentage will vary from approximately 5% to 25% depending upon the age and complexity of the debt
Solicitors	If Solicitors are instructed then this will normally be on a time costs basis which will be monitored by the office holder and disclosed to creditors in future progress reports. Where possible, "no win, no fee" type arrangements will be sought to minimise risk to the assignment.
ERA specialists	Time cost basis which would be monitored by the office holder and disclosed to creditors in future progress reports

Disbursements

Category 1 disbursements are payments to independent third parties where there is specific expenditure directly referable to the case. Specific approval from creditors to draw these expenses incurred is not required and the amount recharged to the case is the exact amount incurred.

Examples of Category 1 disbursements include postage, case advertising, specific bond insurance, company search fees, travel and properly reimbursed expenses incurred by personnel in connection with the case. Also included will be services specific to the case where these cannot practically be provided by Aspect Plus Limited, such as printing and room hire.

Category 2 disbursements are expenses that are directly referable to an insolvency assignment but not paid to an independent third party and include elements of shared or allocated costs incurred by Aspect Plus Limited and recharged to the estate. Category 2 disbursements may be drawn if they have been approved in the same manner as an office holder's remuneration. Examples of Category 2 disbursements are photocopying, all business mileage, internal room hire and internal storage.



A & H PROPERTIES (UK) LIMITED - IN CREDITORS' VOLUNTARY LIQUIDATION
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Further information

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<http://www.insolvency-practitioners.org.uk/regulation-and-guidance/guides-to-fees>



Aspect Plus Limited

Appendix 4

Detailed list of work undertaken for A & H Properties (UK) Limited in Creditors' Voluntary Liquidation for the review period 18/07/2018 to 17/07/2019

Below is detailed information about the tasks undertaken by the Liquidator.

General Description	Includes
Statutory and General Administration	
Statutory/advertising	Filing of documents to meet statutory requirements including annual receipts and payments accounts Annual corporation tax returns Quarterly VAT returns Advertising in accordance with statutory requirements
Document maintenance/file review/checklist	Filing of documents Periodic file reviews documenting strategy Periodic reviews of the application of ethical, anti-money laundering and anti-bribery safeguards Maintenance of statutory and case progression task lists/diaries Updating checklists
Bank account administration	Bank account reconciliations Correspondence with bank regarding specific transfers Maintenance of the estate cash book Banking remittances and issuing cheques/BACS payments
Planning / Review	Discussions regarding strategies to be pursued Meetings with team members and independent advisers to consider practical, technical and legal aspects of the case
Books and records / storage	Dealing with records in storage
Reports	Preparing annual progress report, investigation, meeting and general reports to creditors
Investigations	
Litigation / Recoveries	Strategy meeting regarding litigation Liaising with Causeway Law re recovery actions Reviewing terms of solicitors' conditional fee agreements Preparing brief to solicitors/Counsel Attending to negotiations Attending to settlement matters
Creditors and Distributions	
Creditor Communication	Receive and follow up creditor enquiries via telephone Review and prepare correspondence to creditors and their representatives via facsimile, email and post
Processing proofs of debt	Preparation of correspondence to potential creditors inviting submission of POD Receipt of POD Request further information from claimants regarding POD