

LIQ03

Notice of progress report in voluntary winding up



Companies House

THURSDAY



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12/12/2019

#108

COMPANIES HOUSE

1 Company details

Company number 0 4 3 8 1 5 4 8

Company name in full A & D Construction & Scaffolding Limited

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

2 Liquidator's name

Full forename(s) Kevin

Surname Lucas

3 Liquidator's address

Building name/number 2 Pacific Court

Street Atlantic Street

Post town Altrincham

County/Region Cheshire

Postcode W A 1 4 5 B J

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	d	1	d	0	m	1	m	0	y	2	y	0	y	1	y	8
To date	d	0	d	9	m	1	m	0	y	2	y	0	y	1	y	9

7 Progress report

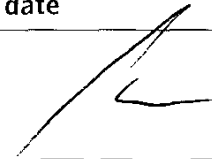
☒ The progress report is attached

8 Sign and date

Liquidator's signature

Signature

X



X

Signature date

d	0	d	9	m	1	m	2	y	2	y	0	y	1	y	9
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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

Company name **Lucas Johnson Limited**

Address
2 Pacific Court
Pacific Road

Post town **Atlantic Street**

County/Region

Postcode **A l t r i n c h**

Country

DX

Telephone **0161 929 8666**



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

A & D CONSTRUCTION & SCAFFOLDING LIMITED - IN LIQUIDATION

**Liquidator's Fifth Annual Progress Report pursuant to Section 104A of the Insolvency Act 1986
For the period from 10 October 2018 to 9 October 2019**

**A & D CONSTRUCTION & SCAFFOLDING LIMITED - IN LIQUIDATION
FOR THE PERIOD FROM 10 OCTOBER 2018 TO 9 OCTOBER 2019**

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**A & D CONSTRUCTION & SCAFFOLDING LIMITED - IN LIQUIDATION
FOR THE PERIOD FROM 10 OCTOBER 2018 TO 9 OCTOBER 2019**

1. STATUTORY INFORMATION

Date of Winding Up Resolution:	10 October 2014
Name of Liquidator:	Kevin Lucas of Lucas Johnson Limited, 2 Pacific Court, Pacific Road, Atlantic Street, Altrincham, Cheshire WA14 5BJ
Date of Appointment:	10 October 2014
Company Name:	A & D Construction & Scaffolding Limited ("the Company")
Trading Styles:	N/A
Registered Number:	04381548
Registered Office:	2 Pacific Court, Pacific Road, Atlantic Street, Altrincham, Cheshire, WA14 5BJ
Changes in Office Holder:	N/A

2. INTRODUCTION

- 2.1 A resolution to wind up the above Company was passed on 10 October 2014, when Kevin Lucas was appointed Liquidator.
- 2.2 This is the fifth annual progress report to creditors and covers the period from 10 October 2018 to 9 October 2019 and is issued pursuant to Section 104A of the Insolvency Act to provide creditors with an update on the progress of the Liquidation. This report should be read in conjunction with the Liquidator's previous reports.
- 2.3 References in this report to rules and sections are, unless expressly provided otherwise, respectively references to the rules of the Insolvency (England & Wales) Rules 2016 and to sections of the Insolvency Act 1986.

3. PROGRESS OF THE LIQUIDATION DURING THE REPORTING PERIOD

- 3.1 The only realisation in the period has been a minimal amount of bank interest.

Investigations

- 3.2 As previously reported, investigations into the Company's affairs prior to the commencement of the Liquidation have revealed a number of matters that require further investigation. Turner Parkinson Solicitors (now Knights LLP) have been instructed to assist with these investigations.

Future Actions

- 3.3 Solicitors are continuing to assist in the investigations which remain ongoing; until the conclusion thereof the Liquidator is unable to provide any further details in order not to prejudice the position. Creditors will be provided with an update in the next report.

**A & D CONSTRUCTION & SCAFFOLDING LIMITED - IN LIQUIDATION
FOR THE PERIOD FROM 10 OCTOBER 2018 TO 9 OCTOBER 2019**

4. RECEIPTS AND PAYMENTS ACCOUNT

- 4.1 A Receipts and Payments Account for the period is attached at Appendix 1.

5. LIQUIDATOR'S REMUNERATION, DISBURSEMENTS AND EXPENSES

Remuneration

- 5.1 The basis upon which the Liquidator charges remuneration was agreed by creditors at the meeting held pursuant to Section 98 of the Insolvency Act on 10 October 2014. Creditors agreed that the Liquidator could draw remuneration based on the time spent by the Liquidator and his staff in attending to matters arising in the Liquidation, plus VAT and disbursements.
- 5.2 The Liquidator's time costs for the period 10 October 2018 to 9 October 2019 are £1,420.00 and are shown in more detail in Appendix 2. This represents 6.7 hours at an average hourly rate of £211.94. Time has been spent on Admin and Planning; below is further guidance on the work involved:

Category	Description of work undertaken
Admin & Planning	Time has been incurred through preparing the Annual Progress Report to Creditors, completing case reviews to progress the Liquidation. This category also covers general maintenance of case records and files as well as dealing with any other matters which arise in connection with the case.

- 5.3 The Liquidator's total time costs to date since the commencement of the Liquidation are £61,102.75. This represents 260.43 hours at an average hourly rate of £234.62.
- 5.4 The Liquidator has drawn remuneration of £3,000 in the period of this report.

Disbursements

- 5.5 Disbursements incurred by the Liquidator are split into two categories:
- Category 1 disbursements are items of specific expenditure that are directly related to the case, where exact costs can be ascertained and recharged without profit and are usually referable to an independent external supplier's invoice.
 - Category 2 disbursements are additional items of incidental expenditure that relate to the estate but are either not directly attributable or include an element of shared or allocated cost and which are based on a reasonable method of calculation. These have been previously approved by creditors at the meeting of creditors and details of rates can be seen at Appendix 3.
- 5.6 No Category 1 disbursements have been incurred or recharged in the period.
- 5.7 *Category 2 disbursements incurred are shown at Appendix 2. As required by Statement of Insolvency Practice Number 9, a schedule of the Liquidator's charge out rates and disbursement charging policies is shown at Appendix 3.*
- 5.8 During the period Category 2 disbursements of £280 plus VAT have been drawn.

**A & D CONSTRUCTION & SCAFFOLDING LIMITED - IN LIQUIDATION
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- 5.9 A copy of 'A Creditors' Guide to Liquidators' Fees' which provides guidance on creditors' rights on how to approve and monitor a Liquidator's remuneration and on how the remuneration is set is available at <http://www.lucasjohnson.co.uk/downloads/fee-guides/>. Alternatively, if you require a hard copy of the Guide, please contact the Liquidator's office.

Expenses

- 5.10 No Liquidator's expenses have been incurred or paid during the reporting period.

6. OTHER MATTERS AND INFORMATION TO ASSIST CREDITORS

Outcome for Secured Creditors

- 6.1 The S of A did not include any secured creditors. However, a search of the information held at Companies House revealed a fixed and floating charge in favour of National Westminster Bank plc ("NatWest") dated 5 July 2005. It is not believed that any monies are owed to NatWest under their debenture, and they have not submitted a claim in the Liquidation to date.

Outcome for Preferential Creditors

- 6.2 There are no preferential creditors in this matter.

Prescribed Part pursuant to Section 176A of the Act

- 6.3 Under Section 176A of the Act a Liquidator is required to set aside a proportion of the realisations for unsecured creditors where there is a secured creditor who holds a qualifying floating charge created on or after 15 September 2003. This is known as the Prescribed Part.

- 6.4 The prescribed part of a company's net property is calculated as follows:

- 50% of the first £10,000 of net property;
- 20% of net property thereafter;
- to a maximum amount to be made available of £600,000

- 6.5 However, a Liquidator is not required to set aside the prescribed part if:

- the net property is less than £10,000 and the Liquidator thinks that the cost of distributing the prescribed part would be disproportionate to the benefit; (Section 176A(3)) or
- the Liquidator applies to the court for an order on the grounds that the cost of distributing the prescribed part would be disproportionate to the benefit and the court orders that the provision shall not apply (Section 176A(5)).

- 6.6 Although there is a qualifying floating charge registered at Companies House dated 05 July 2005, as it is believed no monies are owed to NatWest, the Prescribed Part under Section 176A of the Act is not applicable in this case.

Outcome for Unsecured Creditors

- 6.7 The S of A detailed unsecured creditors of £164,900. As at the date of this report, claims totalling £331,082 have been received from unsecured creditors.

**A & D CONSTRUCTION & SCAFFOLDING LIMITED - IN LIQUIDATION
FOR THE PERIOD FROM 10 OCTOBER 2018 TO 9 OCTOBER 2019**

- 6.8 At this stage it is not possible to confirm whether or not it is likely that there will be funds available to distribute to unsecured creditors as this is dependent on the outcome of the Liquidator's investigations.

Creditors' rights

- 6.9 In accordance with Rule 18.34 of the Rules, any secured creditor, or any unsecured creditor with either the concurrence of at least 10% in value of the creditors or the permission of the court, may, where it is believed the basis or quantum of remuneration or expenses charged by the Liquidator are, in all the circumstances, excessive or inappropriate, apply to the court within the prescribed period for an order adjusting the remuneration or expenses.
- 6.10 In accordance with Rule 18.9 of the Rules a secured creditor, or an unsecured creditor with either the concurrence of at least 5% in value of the unsecured creditors or the permission of the court has the right to make a request in writing to the Liquidator for further information about remuneration or expenses set out in this progress report. If no response is received within 14 days any creditor has the right to apply to court within the subsequent 21 day period for the court to make such order as it thinks just.

Next Report to Creditors

- 6.11 The next report to creditors will be sent out to creditors following the next anniversary of the Liquidation or the conclusion of the winding up, whichever may be sooner.

**Kevin Lucas
Liquidator**

6 December 2019

APPENDIX 1 – RECEIPTS AND PAYMENTS ACCOUNT

A & D CONSTRUCTION & SCAFFOLDING LIMITED - IN LIQUIDATION

RECEIPTS AND PAYMENTS ACCOUNT FOR THE PERIOD 10 OCTOBER 2018 TO 9 OCTOBER 2019

A & D Construction & Scaffolding Limited
(In Liquidation)
Liquidator's Summary of Receipts & Payments

Statement of Affairs £		From 10/10/2018 To 09/10/2019 £	From 10/10/2014 To 09/10/2019 £
	ASSET REALISATIONS		
	Bank Interest Gross	0.04	37.27
24,680.00	Book Debts	NIL	NIL
	Cash at Bank	NIL	18,666.90
	Contribution to Costs	NIL	1,300.00
3,500.00	Motor Vehicles	NIL	3,500.00
		0.04	23,504.17
	COST OF REALISATIONS		
	Insurance	NIL	500.00
	Legal fees	NIL	1,000.00
	Liquidators Disbursements	280.00	727.60
	Liquidators Fees	3,000.00	13,000.00
	Petitioners Costs	NIL	920.00
	Specific Bond	NIL	144.00
	Statement of Affairs Fee	NIL	5,500.00
	Stationery & Postage	NIL	100.00
		(3,280.00)	(21,891.60)
	UNSECURED CREDITORS		
(30,000.00)	A S Humphreys	NIL	NIL
(30,000.00)	D C Humphreys	NIL	NIL
(65,000.00)	HM Revenue & Customs - PAYE/NIC	NIL	NIL
(39,900.00)	Trade & Expense Creditors	NIL	NIL
		NIL	NIL
	DISTRIBUTIONS		
(100.00)	Ordinary Shareholders	NIL	NIL
		NIL	NIL
(136,820.00)		(3,279.96)	1,612.57
	REPRESENTED BY		
	Bank 1 Current		956.57
	Vat Receivable		656.00
			1,612.57

APPENDIX 2 – SIP 9 TIME ANALYSIS AND CATEGORY 2 DISBURSEMENTS

A & D CONSTRUCTION & SCAFFOLDING LIMITED - IN LIQUIDATION

TIME ANALYSIS FOR THE PERIOD 10 OCTOBER 2018 TO 9 OCTOBER 2019

Time Entry - SIP9 Time & Cost Summary

A0022 - A & D Construction & Scaffolding Limited
From: 10/10/2018 To: 09/10/2019

Classification of Work Function	Partner	Manager	Other Senior Professionals	Assistants & Support Staff	Total Hours	Time Cost (£)	Average Hourly Rate (£)
Admin & Planning	1.80	0.00	2.40	2.50	6.70	1,420.00	211.94
Case Specific Matters	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Creditors	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Investigations	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Pre Appointment	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Realisation of Assets	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Trading	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Total Hours	1.80	0.00	2.40	2.50	6.70	1,420.00	211.94
Total Fees Claimed						3,000.00	
Total Disbursements Claimed						280.00	

Time Entry - SLP9 Time & Cost Summary

Category 2 Disbursements

A0022 - A & D Construction & Scaffolding Limited
From: 10/10/2018 To: 09/10/2019

Other amounts paid or payable to the office holders firm or to party in which the office holder or his firm or any associate has an interest.

Transaction Date	Type and Purpose	Disbursement Category	Amount
15/10/2018	Photocopying and Stationery: Photocopying and stationary cost - 10 X 7 = 70	Category 2	70.00
Total			70.00

APPENDIX 3 – OFFICE HOLDER'S FEES AND DISBURSEMENTS POLICY

Fees based on Time Properly Given and the Estimation of Fees

Each member of staff involved with the case will time charge on an individual basis. The hourly cost of each member of staff shall be calculated in accordance with their experience and resultant grade within the practice.

Recording of Fees

Time is formally recorded in prescribed categories in units of 6 minutes. All units of time properly spent, shall be recorded on a formal time management system and retained throughout appointment, irrespective of the basis of fees.

Charge Out Rates

A table of current hourly charge out rates is provided below:

Charges for usual cases	(£)
Partner/Director/Consultant	350
Manager/Senior Manager	250-275
Assistant Manager	225
Administrator/Senior Administrator	150-200
Cashier(#)	100
Junior and Support Staff	100

A table of hourly charge out rates prior to 31 December 2015 is provided below:

Charges for usual cases	(£)
Partner/Director/Consultant	300
Manager/Senior Manager	200-250
Assistant Manager	190
Administrator/Senior Administrator	125-175
Cashier(#)	75
Junior and Support Staff	75

(#) Please note that time charged by our cashiers relates only to accounting matters relevant to the case.

The basis upon which the Office Holder determines the appropriate charge out rate on the complexity of the case is detailed in the respective independent creditors' guides to fees, available to download from our company website or by email from this office.

The Office Holder reserves the right to uplift both the hourly rates and category 2 disbursements periodically without further recourse to the creditors. By law, such increases must be disclosed to creditors within each statutory report. Where such increases affect the total fees incurred and take these over the totality of any fee resolution proposed previously, an additional fee resolution will be sent to creditors for their consideration.

Support Staff

In an effort to minimise costs to the case, it is necessary to use support staff to undertake certain matters. Support staff time is charged in the same manner as technical staff on the rates outlined above.

VAT

Services provided by Insolvency practitioners are subject to VAT, except when acting as Nominee or Supervisor of an estate.

Our fees will be subject to VAT at the appropriate rate.

Where the case is not registered for VAT, VAT shall be shown as an irrecoverable expense of the estate.

Expenses and Disbursements

Every case dealt with will incur expenses in addition to fees. These expenses will often also be referred to as disbursements.

Expenses will cover a number of areas, such as advertising, insolvency practitioner insurance and legal fees.

Where the Office Holder or his firm pays these out of their own funds (e.g. the firm's office account) these will be classed as Disbursements. The Office Holder is required to explain the amount and nature of such disbursements whenever a formal abstract of accounts is produced.

Regulations require that we separate Category 1 and 2 disbursements for your information. An explanation of which is as follows:

Category 1 Disbursements:

Category 1 disbursements are expenses directly attributable to the case, where exact costs can be ascertained and recharged without profit. These can, but are not limited to, include insolvency bonds, advertising, company searches, post redirection orders, postage, external room hire, external storage as well as public transport and accommodation costs incurred by staff whilst attending to the administration of the estate.

Category 2 Disbursements

Category 2 disbursements are additional overheads that relate to the estate but are either not directly attributable to it, or the exact cost is not ascertainable and therefore cannot be precisely recharged. These expenses include, inter alia, stationery, photocopying and storage costs.

Any authorised category 2 disbursements which have been charged shall be shown in the statutory abstract of accounts.

The following is a current schedule of category 2 disbursements which may (*) be charged by Lucas Johnson

- Mileage shall be recharged at 50pence per mile;
- Storage of books and records at £30 per box per annum;
- Fixed charge to cover all and any circulars/correspondence at £10 per relevant party (creditors, employees, directors, members) per annum;
- Internal meeting room (where required) charged at £50 per hour or part thereof.

(*) Lucas Johnson does not ordinarily recover all category 2 disbursements, but reserves the right to do so, where such disbursements are substantial and appropriate sanction has been obtained.

The following items of expenditure will normally be treated as general office overheads by the Office Holder and will not be charged to the case:

- Telephone and facsimile;
- Printing and photocopying;
- Stationery;
- Email addresses or telephone numbers set up and used exclusively for the case;

Code of Ethics

I am required to advise that I am bound by the Code of Ethics of my regulator, ICAEW. The Code of Ethics can be located directly from the ICAEW at <https://www.icaew.com/membership/regulations-standards-and-guidance/ethics/code-of-ethics-d>