

AM03

Notice of administrator's proposals



Companies House

FRIDAY



A65BWRWQ

A13

28/04/2017

#114

COMPANIES HOUSE

1 Company details

Company number 0 4 4 0 4 0 7 8

Company name in full Astley Facades Limited

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

2 Administrator's name

Full forename(s) Peter John

Surname Harold

3 Administrator's address

Building name/number West Lancashire Investment Centre

Street White Moss Business Park

Post town Skelmersdale

County/Region

Postcode L a n c s W N 8

Country

4 Administrator's name ①

Full forename(s)

Surname

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

5 Administrator's address ①

Building name/number

Street

Post town

County/Region


Postcode

Country

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

AM03

Notice of Administrator's Proposals

6		Statement of proposals	
		<input checked="checked" type="checkbox"/> I attach a copy of the statement of proposals	
7		Sign and date	
Administrator's Signature	<div>Signature</div> <div>✕  ✕</div>		
Signature date	<div><div>^d2^d5</div><div>^m0^m4</div><div>^y2^y0^y1^y7</div></div>		

AM03

Notice of Administrator's Proposals



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	Peter John Harold
Company name	Refresh Recovery Limited
Address	West Lancashire Investment Centre White Moss Business Park
Post town	Skelmersdale
County/Region	
Postcode	L a n c s W N 8
Country	
DX	
Telephone	01695 711200



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 and dated 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

refresh recovery

Report to Creditors

**ASTLEY FACADES LIMITED
(COMPANY NUMBER: 04404078)**

**ADMINISTRATOR'S REPORT TO CREDITORS AND STATEMENT OF PROPOSALS
IN ACCORDANCE WITH PARAGRAPH 49 OF SCHEDULE B1
OF THE INSOLVENCY ACT 1986**

25 April 2017

IN HIGH COURT OF JUSTICE LIVERPOOL DISTRICT REGISTRY

COURT NUMBER 115 OF 2017

**REFRESH RECOVERY LIMITED
WEST LANCASHIRE INVESTMENT CENTRE
MAPLE VIEW
WHITE MOSS BUSINESS PARK
SKELMERSDALE
LANCASHIRE
WN8 9TG**

Contents

1. Glossary
2. Introduction
3. Statutory Information
4. Background and Events Leading to the Administrator's Appointment
5. Progress of the Administration
6. Financial Position
7. Receipts and Payments
8. Investigation
9. EC Regulation
10. The Administrator's Proposals
11. Agreement of Proposals
12. Administrator's Fees and Disbursements
13. Agreement of Remuneration, Disbursements and Discharge
14. Creditors' Committee
15. Conclusion of the Administration

Appendices

1. Statutory Information
2. Creditors' List
3. Receipts and Payments Account
4. Administrator's Schedule of Fees and Expenses
5. Proof of Debt Form

ASTLEY FACADES LIMITED
ADMINISTRATOR'S REPORT TO CREDITORS AND STATEMENT OF PROPOSALS
25 APRIL 2017

1. Glossary

the Company	Astley Facades Limited (registration number 04404078)
the Administrator	Peter John Harold of Refresh Recovery Limited, West Lancashire Investment Centre, Maple View, White Moss Business Park, Skelmersdale, Lancashire, WN8 9TG
Refresh Recovery	Refresh Recovery Limited
the Appointment Date	3 March 2017 being the date of appointment of the Administrator
the Appointor	Shaun Maclean
the Directors	Shaun Maclean Martin Holmes Stephen McGowan
the Bank	The Royal Bank of Scotland, the Company's bankers
the Valuers	JPS Chartered Surveyors
the Solicitors	Goldsmith Bowers Solicitors
Prescribed Part	Pursuant to Section 176A of the Act where a floating charge is created after 15 September 2003 a designated amount of the Company's property (floating charge assets less costs of realisation) shall be made available to the non-preferential unsecured creditors.
QFC	Qualifying Floating Charge
the QFCH	Shaun Maclean, Inter Alia and Duality Group Limited
CVA	Company Voluntary Arrangement
SoA	Statement of Affairs

ASTLEY FACADES LIMITED
ADMINISTRATOR'S REPORT TO CREDITORS AND STATEMENT OF PROPOSALS
25 APRIL 2017

RPS	Redundancy Payments Service
TUPE	The Transfer of Undertaking (Protection of Employment) Regulations 2006
BEIS	The Department of Business, Energy and Industrial Strategy
IPA	Insolvency Practitioners Association
the Act	the Insolvency Act 1986 (as amended)
the Rules	the Insolvency (England and Wales) Rules 2016
EC Regulation	EC Regulation on Insolvency Proceedings 2000
Category 1 Disbursements	The Administrator's firms external supplies of incidental services specifically identifiable to the case.
Category 2 Disbursements	The Administrator's firms internal costs and expenses in dealing with the Administration that comprises a cost allocation
SIP 9	Statement of Insolvency Practice 9 (E & W), Remuneration of Office Holders
SIP 13	Statement of Insolvency Practice 13 (E & W), Acquisition of assets of insolvent companies by directors.
SIP 15	Statement of Insolvency Practice 15 (E & W), Reporting and providing information on their functions to Committees in formal insolvencies.

2. Introduction

Peter John Harold was appointed Administrator of Astley Facades Limited in High Court of Justice, Liverpool District Registry on 3 March 2017 under Court administration number 115 of 2017.

The appointment was made by Shaun Maclean, a holder of a Qualifying Floating Charge over the Company ("the Appointor"), in accordance with Paragraph 14 of Schedule B1 of the Insolvency Act 1986.

The purpose of Administration, as defined under the provisions of the Enterprise Act 2002, as it amends the Act 1986, is for the Administrator to perform his functions with the following three objectives:

- Rescue the Company as a Going Concern;
- Achieve a better result for the Company's creditors as a whole than would be likely if the Company were wound up;
- Realise property in order to make a distribution to one or more secured creditors or preferential creditors;

In accordance with Paragraph 49 of Schedule B1 of the Act, the Administrator now reports to creditors and set out his proposals for achieving the purpose of Administration and for the conduct of the Administration.

This report also includes certain information required to be provided to creditors in accordance with Rule 3.35 and 3.36 of the Rules, which will be treated as delivered to creditors on creditors on 27 April 2017.

3. Statutory Information

A summary of the Company's statutory information, as shown at Companies House is set out in Appendix 1.

4. Background and Events leading to the Administrator's Appointment

Important Note: The information contained in this section has been provided by the Directors of the Company.

ASTLEY FACADES LIMITED
ADMINISTRATOR'S REPORT TO CREDITORS AND STATEMENT OF PROPOSALS
25 APRIL 2017

The Company was incorporated on 23 May 2002 and was originally part of the Gentoo Group of Companies. The Company was the holding company for the group structure which subsidiaries provided building facade restorations mainly for commercial buildings. This involved the provision of external envelope and facade solutions for both new build construction and refurbishments projects. The business was set up by Mr Ian Lawrence who had experience in the industry and the necessary contacts to develop the business. Mr Ian Haynes was later appointed to the board of Directors and acted as projects manager for the Company. Over the years additional Directors have been appointed to the board and resigned until the current line-up of Directors which comprises Mr Maclean, Mr Holmes and Mr McGowan.

Although the Company was based in Wigan the Company undertook projects throughout the UK initially with each subsidiary completing projects within specific regions of the UK. A decision was taken however to consolidate the trading operations to one of the trading companies.

The Group traded successfully in the early years and reported profits to its shareholders but experienced financial difficulties when there was a downturn in the economy. The Group struggled to secure contracts and began to report losses. The then Directors attempted to reduce costs to the business where possible but without funds available to inject into the Group a decision was made to market the Group for sale.

Following negotiations with Entu (UK) plc ("Entu") a sale of the Group was agreed on 26 March 2015 for £200,000. After eighteen months of trading however Entu attempted to sell the Group. Entu had confirmed that although it had grown the order book during this time the disposal of the group was a strategic business decision.

Mr Maclean, through his business Duality Group Ltd, had initially expressed an interest in purchasing the business but later withdrew his offer. The Company continued to struggle and without further interest from any other party negotiations with Mr Maclean recommenced. A sale of £1 was eventually agreed as it was clear that the Group would require immediate cash investment to enable it to continue to trade. It was hoped that with the support of the Duality Group Ltd the financial prospects of the Group could be improved.

The decision was taken that the holding company would become the main trading entity and therefore any new contracts were undertaken in the Company name and the process of transferring employees was commenced.

ASTLEY FACADES LIMITED
ADMINISTRATOR'S REPORT TO CREDITORS AND STATEMENT OF PROPOSALS
25 APRIL 2017

Although with this investment the Company has been able to reduce its liabilities, following reviews of Group's financial position it was evident that the Group was not producing sufficient profits to meet its ongoing liabilities without third party support. Certain contracts, which had expected to generate realisations for the Company, had been subject to substantial counter claims. There was little prospect of recovery even if further costs were expended in challenging the counter claims. In the circumstances the Directors therefore sought advice and informed the QFCH of the Company's financial position. The QFCH made the decision, in order to protect its position, to appoint an Administrator.

On 1 March 2017 the proposed Administrator was approached by the QFCH and following a discussion regarding the Company's financial affairs consented to the appointment.

The Administrator considered the position prior to accepting the appointment and, having regard to the IPA's ethical guidelines, considered that there were no circumstances preventing him from accepting the appointment. The Administrator was therefore subsequently appointed on the Appointment Date. It should be noted that the Administrator is bound by the Insolvency Code of Ethics when carrying out all professional work relating to an insolvency appointment.

5. Progress of the Administration

Following my appointment, the strategy for the Administration was carefully assessed to ensure that a coherent planned process for the case could be achieved. This work will, where appropriate, have included liaison with solicitors to deal with any legal considerations surrounding the Company's insolvency to assess the validity of charges and liaising with valuation agents about the most appropriate means of realising the value in the Company's business and assets.

I have also dealt with a number of statutory formalities which are required of me under related legislation. This includes issuing and filing all appointment notices with creditors and the Registrar of Companies and also advertising my appointment in the London Gazette.

Other statutory duties performed are outlined in further detail in the Administrator's Schedule of Fees and Expenses which can be found at Appendix 5. Please note that much of this work will have been performed to comply with statutory requirements and as such may not necessary add any value to the insolvent estate.

5.1 Purpose of the Administration

In accordance with the purpose of Administration, as outlined in Section 2, the initial objective of an Administration is to rescue the Company as a going concern. The Company had ceased to

trade shortly prior to the Administrator's appointment and therefore it was concluded that this objective was a not feasible option.

In accordance with the purpose of Administration, as outlined in Section 2, the objective of this Administration is to achieve a better result for the Company's creditors as a whole than would be likely if the Company were wound up. After reviewing the financial affairs of the Company and its assets however, the Administrator did not believe that the assets would realise a sufficient value that would enable a better realisation to creditors as a whole than would be available in Liquidation. This objective was therefore not considered achievable.

The Administrator did however believe that the third objective was achievable which is to realise property in order to make a distribution to one or more secured creditors or preferential creditors. The purpose has largely been achieved but in order that the purpose of the Administration may be fully accomplished the Administrator proposes to remain in office to conclude the realisation of the Company's assets.

5.2 Asset Realisations

The work undertaken by the Administrator and his staff to date in realising the Company's assets has been necessary in order to maximise the likelihood of a return to creditors being made. Where assets remain to be realised, these will be dealt with as the Administration progresses and further updates will be provided to creditors in my progress reports.

5.2.1 Chattel Assets

Upon appointment the Valuers reviewed the asset register provided by the Company accountant. The assets consisting of office equipment, office improvements and stock but the Valuers concluded the assets they had minimal realisable value. The Director of one of the group companies, Mr Stephen McGowan, made an offer for some of the office equipment in the sum of £1,560. The Valuers recommended the acceptance as it was not anticipated that a higher offer could be obtained from an alternative purchaser.

A number of the Company laptops and mobiles have been collected by the Administrator from the premises which have been deemed to have minimal resalable value.

The Valuers concluded that it would be uneconomical to arrange collection and subsequent sale at auction of the remaining assets at the premises, due to the age. These assets were therefore abandoned.

The motor vehicles utilised by the Company were all leased through agreements where no equity accrued. The leasing companies have therefore been contacted and requested that they collect their vehicles. Although some have been collected there are some vehicles that are yet to be collected and the Administrator is continuing to liaise with the leasing companies regarding this matter.

5.2.2 Book Debts and Retentions

At the Appointment Date, the Company had outstanding book debts and retentions totalling approximately £213,620. After allowing for bad and doubtful debts it is expected that they will realise £6,000 on a best case scenario and £2,000 on a worst case basis.

The book debts and retention have been referred to a book debt collection agent specialising in construction debts. It is anticipated that the agent will be remunerated on a percentage basis expected at twenty percent of realisations.

5.2.3 Bank Fee Refund

The bank has confirmed that the Company paid a sum of £25,002 complex fees which were eligible for a refund. The Administrator has applied for the refund and the funds are expected shortly.

5.2.4 Cash at Bank

Upon my appointment, instructions were given to the Bank to hold the balance remaining in the Company's bank accounts to my order. The Bank has yet to confirm the amount, if any, held in this respect.

5.3 Creditors

5.3.1 Employees and Preferential Creditors

Upon my appointment, the Company had eight employees excluding its Directors. Shortly prior to my appointment five employees were made redundant and upon my appointment a further two employees were made redundant on economic grounds. One employee was retained for a period of one week to assist the Administrator in collating the information required to progress the Administration.

ASTLEY FACADES LIMITED

ADMINISTRATOR'S REPORT TO CREDITORS AND STATEMENT OF PROPOSALS
25 APRIL 2017

A claim has not yet been received from the Redundancy Payments Office as employee claims have not yet been processed. It is estimated that employees are owed a sum of £12,682 in respect of unpaid wages and accrued holiday pay.

Based on current information, it is likely that a dividend payment will be made to preferential creditors.

5.3.2 Secured Creditors

Following a review of the Register of Mortgages and Charges, held at Companies House on the 15 November 2016 a fixed and floating charge was granted to the QFCH and this was registered at Companies House on 21 November 2016. An estimated sum of £731,857 is owed to the QFCH under this charge and it is not expected to be settled in full from the realisations.

The Company has no further secured creditors.

5.3.3 Unsecured Creditors

The trade and expense creditors are estimated at £483, 755, a schedule of creditors is attached at Appendix 2.

Based on current information, it is unlikely that there will be sufficient funds available in the Administration to enable a dividend to be paid to this class of creditor.

5.4 Prescribed Part

In accordance with Rule 3.35(6)(a)(i) of the Rules, the Administrator must estimate the amount of funds available to unsecured creditors in respect of the Prescribed Part. This provision applies where the Company has granted a floating charge to a creditor after 15 September 2003. The Company has granted a floating charge to the QFCH registered on 21 November 2017. Based on the realisations and after deducting costs and preferential claims there are no net realisation and therefore the Prescribed Part will not apply. Similarly, the provisions of Section 176A(3) and 176A(5) will not apply.

5.5 Limitation Act

It should be noted that the Limitation Act 1980 continues to apply to all debts due from the Company. Case law indicates that where a company is in Administration, time does not stop running for limitation purposes pursuant to the Limitation Act 1980. *If you have any concerns in*

ASTLEY FACADES LIMITED
ADMINISTRATOR'S REPORT TO CREDITORS AND STATEMENT OF PROPOSALS
25 APRIL 2017

relation to your claim against the Company becoming time-barred during the course of the Administration, we strongly recommend that you seek independent legal advice on the options available to you to prevent this.

6. Financial Position

A Statement of the Company's Affairs has not yet been received Directors uncertainty of the value of the Company's assets and the exact balance due to the Company's creditors. A summary of the Estimated Financial Position of the Company as at 3 March 2017 together with a list of creditors' names and addresses along with details of their debts (including details of any security held by them) has been forwarded to creditors.

7. Receipts and Payments

A Receipts and Payments account to date is attached as Appendix 4.

8. Investigation

As required under SIP 2 an investigation into the affairs of the Company will be conducted to consider if there are any additional assets which would give rise to further recoveries, this will include reviewing the Company's records for antecedent transactions. The Administrator's initial assessment will be disclosed in the next progress report.

The Administrator also has a statutory obligation to carry out a preliminary review of the conduct of the Directors or Shadow Director of the Company at any time in the three years immediately preceding the Administrator's appointment and complete an online questionnaire for submission to the Directors Disqualification Unit of the BEIS. This online questionnaire has to be submitted within 3 months of the Administrator's appointment. Further information can be provided to BEIS after this date as and when it is received or determined as relevant.

If you are aware of any matters in connection with the conduct of the Directors, or have any concerns regarding the way in which the Company's business has been conducted or potential recoveries for the estate, which you think may be relevant to the investigations, please contact the Administrator in writing without delay. This request forms part of the usual investigation procedures and does not imply any criticism of the Directors.

9. EC Regulation

It is the Administrator's view that the EC Regulations apply and that these proceedings are the main proceedings as defined by Article 3 of the Regulation. The centre of main interest of the Company is in England.

10. The Administrator's Proposals

The Administrator's proposals are as follows:

1. It is proposed that the Administrator will continue to manage the affairs of the Company in order to achieve the objective of the Administration which has been outlined above.
2. The first objective under the Administration regime is based on the survival of the existing Company through a Company Voluntary Arrangement (CVA) or a Scheme of Arrangement under Section 425 of the Companies Act. The Administrator therefore proposes taking any action he considers necessary with a view to the approval of a CVA.
3. If the survival of the existing Company is not achievable or any proposals for a CVA put to creditors are not accepted, the Administrators will pursue the second objective and if appropriate take any action he considers necessary to achieve a sale of the Company as a going concern.
4. When it is anticipated that no further realisations will be made in the Administration than would be available in a winding up, to take the necessary steps to put the Company into Creditors' Voluntary Liquidation should funds permit a distribution to creditors other than the Prescribed Part (subject to 5 below).
5. If Creditors' Voluntary Liquidation is deemed appropriate, the Administrator be permitted to seek the appointment of Peter John Harold as Liquidator of the Company, without further recourse to creditors. In accordance with paragraph 83(7) of the Act and Rule 3.60(6) of the Rules, creditors may nominate a different person as the proposed Liquidator, provided that the nomination is made after the receipt of these Proposals and before these Proposals are approved.
6. To seek an extension to the Administration period if deemed necessary by the Administrator.

ASTLEY FACADES LIMITED
ADMINISTRATOR'S REPORT TO CREDITORS AND STATEMENT OF PROPOSALS
25 APRIL 2017

7. If, in accordance with Paragraph 84(1) of Schedule B1 of the Act, the Company has no property which would permit distribution to creditors other than the Prescribed Part, the Administrator is permitted to move the Company from Administration to dissolution (Subject to 6 above).
8. For the Company to be placed into Compulsory Liquidation should the Administrator deem it necessary.
9. *Without prejudice to the provisions of Schedule B1 of the Enterprise Act 2002, the Administrator may carry out all other acts that they may consider to be incidental to the proposals above in order to assist in his achievement of the stated purposes of the Administration Order or any variation thereto.*

11. Agreement of Proposals

On the basis of current information, the Company has insufficient property to enable it to make a distribution to its unsecured creditors. As a result and in accordance with Paragraph 52 (1) (b) of Schedule B1 of the Insolvency Act 1986, I am not required to seek a decision from the Company's unsecured creditors. Under Rule 3.38 of the Rules the Proposals are deemed approved if no creditors or a group of creditors representing at least 10% of the total debt of the Company request a decision be sought from the unsecured creditors as to whether to approve my Proposals. If you wish to request that a decision be sought in this manner, your request must be delivered to my office in writing by **10 May 2017**. The request must include details of the purpose of the proposed decision and include details of the value of your claim and also any other creditors concurring with your request, together with their confirmation of concurrence. A deposit for costs would be required from the requisitioning creditors.

Please note that in the absence of any such request by the above date, my Proposals will be deemed approved.

I do not propose to seek the formation of a creditors' committee and unless creditors request that I seek a decision to approve my Proposals, I am not obliged to invite creditors to consider forming a committee at this stage.

12. Administrator's Fees and Disbursements

12.1 Administrator's Pre- Appointment Fees and Disbursements

Pre-administration costs are defined as:

(i) Fees charged, and

(ii) Expenses incurred

by the Administrator, or another person qualified to act as an insolvency practitioner before the company entered Administration (but with a view to its doing so), and "unpaid pre-administration costs" are pre-administration costs which had not been paid when the company entered Administration.

12.2 Administrator's Pre- Appointment Fees

The Administrator's pre-appointment costs were minimal and have therefore been written off.

12.3 Administrator's Pre-Appointment Disbursements

The Solicitors were instructed to prepare and lodge the appointment documentation. Their costs amounted to £1,500 plus VAT. These costs remain outstanding.

Approval for the unpaid costs of the Solicitors will be sought from the secured and preferential creditors.

12.4 Administrator's Fees

The proposals for the Administrator's fees are set out in detail in the Schedule of Fees and Expenses for Administrators which is attached at Appendix 5. Prior to the Administrator agreeing the basis of his remuneration, details of the work proposed to be done and the expenses it is considered will be, or are likely to be, incurred in dealing with a company's affairs must be provided to creditors.

In addition, where the Administrator proposes to take all or any part of this remuneration based on the time he and his staff will spend dealing with the affairs of the insolvent company, a fees estimate must also be provided. This will outline the anticipated cost of that work, how long it is anticipated the work will take and whether any further approvals may be needed from creditors in due course.

In this case, I am not proposing to agree the basis of my remuneration as Administrator based on time spent dealing with the Company's affairs, therefore am not required to provide creditors with a fees estimate. As creditors will note, it is proposed that the Administrator will be remunerated based upon a fixed fee and percentage of realisations basis. Discussions

ASTLEY FACADES LIMITED
ADMINISTRATOR'S REPORT TO CREDITORS AND STATEMENT OF PROPOSALS
25 APRIL 2017

regarding the proposed Administrator's fees will be sought from the secured and preferential creditors. The fee will be drawn as and when funds permit.

12.5 Administrator's Disbursements

Details of the proposals for the Administrator's disbursements including an estimate of the costs to be incurred during the course of the Administration are set out in detail in the Schedule of Fees and Expenses for Administrators which is attached at Appendix 5. The following expenses have also been incurred to date and paid to date are shown net of VAT:

Supplier	Work Undertaken	Costs incurred	Costs paid	Total costs incurred	Total costs paid	Estimated total costs
Courts Advertising	Advertising	£84.60	£0	£84.60	£0	£84.60
Refresh Recovery Limited	Photocopying	£30.75	£0	£30.75	£0	£135.00
Refresh Recovery Limited	Postage	£32.93	£0	£32.93	£0	£175.00
Willis	Bordereau	£196.00	£0	£196.00	£0	£196.00

Category 1 disbursements will be drawn as and when funds permit. Approval of Category 2 disbursements will be sought from the secured and preferential creditors. The disbursements will be drawn as and when funds permit.

12.6 Creditors' Guide to Fees

A full copy of a Creditors' Guide to Fees for Administrators can be downloaded from the following site:

<https://www.r3.org.uk/what-we-do/publications/professional/fees>

If you would like to receive a hard copy please contact this office and one will be sent to you.

13. Approval of Remuneration, Disbursements and Discharge

Agreement to the basis of the Administrator's remuneration, including pre-administration costs, his disbursements and the discharge from liability of the Administrator upon his ceasing to act will be sought from the secured and preferential creditors.

14. Creditors' Committee

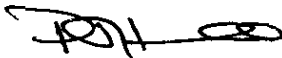
In accordance with the requirements of SIP15, the creditors shall have a right to establish a Creditors' Committee consisting of a minimum of 3 creditors and a maximum of 5 creditors, if it thinks it appropriate.

The purpose of the Creditors' Committee is to represent the interests of the creditors as a whole, not just the interests of its individual members. In addition to its statutory functions, which are set out in the guidance note SIP15, it may also serve to assist the Administrator generally and act as a sounding board for him to obtain views on matters pertaining to the Administration. A copy of SIP15 can be downloaded from the following site:-

<http://www.refreshrecovery.com/images/resources/R3-Guide-to-Creditors-Committees.pdf>

16. Conclusion of the Administration

As it is currently predicted that no funds are available for distribution to the unsecured creditors within this Administration, in accordance with Paragraph 84(1) of Schedule B1 of the Insolvency Act 1986, it is proposed that the Company is moved from Administration to dissolution upon the conclusion of the Administrator's duties.



Peter John Harold
Administrator

Appendix 1 – Statutory Information

ASTLEY FACADES LIMITED
ADMINISTRATOR'S REPORT TO CREDITORS AND STATEMENT OF PROPOSALS
25 APRIL 2017

Astley Facades Limited
(Company number 04404078)
Statutory Information

Company number	04404078
Date of Incorporation	26 March 2002
Nature of Business	Other Specialised Construction Activities
Current Director	Shaun Maclean Martin Holmes
Registered Office	
Currently:	c/o Refresh Recovery Limited Maple View White Moss Business Park Skelmersdale Lancashire WN8 9TG
Previously:	Unit 19 Hurricane Court Hurricane Drive Liverpool International Business Park Liverpool L24 8RL
Issued Share Capital	100 Ordinary Shares at £1 each
Shareholders	Duality Group Limited - 100 Ordinary Shares

Appendix 2 – Creditors' List

Refresh Recovery Limited
Astley Facades Limited
B - Company Creditors

Key	Name	Address	£
CA0000	AA Gardening	5 Cemetry Road, Ince, Wigan, WN3 4NL	130.00
CA01	AFI Uplift Limited	Diamond House, Thornes Moor Road, Wakefield, WF2 8PT	433.62
CA03	Astley Facades Small Self Administered Scheme	32c Kenilworth Road, Bridge of Allan, Stirling, FK9 4EH	166,616.00
CC0000	Concept (AC&R) Maintenance Limited	60 Firs Lane, Leigh, Lancashire, WN7 4SB	203.82
CE0000	Enterprise Flex-E-Rent	Flex-E-Rent House, Knights Way, Battlefield Enterprise Park, Shrewsbury, SY1 3AB	527.04
CE01	Ejot UK Limited	Hurricane Close, Sherburn Enterprise Park, Sherburn in Elmet, LS25 6PB	63.83
CE02	Encon Insulation Limited	Brunswick House, 1 Deighton Close, Wetherby, West Yorkshire, LS22 7GZ	10,862.76
CF0000	Facelift (GB) Limited	Westside, London Road, Hickstead, West Sussex, RH17 5LZ	498.00
CF01	Fixings North West	Unit 2, Glebelands Court, Glebelands Road, Sale, Cheshire, M33 6LB	25,738.76
CG00	Gaskells Waste Services	17-21 Foster Street, Bootle, Liverpool, L20 8EX	60.00
CH00	H M Revenue & Customs - VAT	Insolvency Claims Handling Unit, Benton Park View, Longbenton, Newcastle, NE98 1ZZ	50,000.00
CI00	HM Revenue & Customs - PAYE & NIC	Insolvency Claims Handling Unit, Benton Park View, Longbenton, Newcastle, NE98 1ZZ	50,000.00
CI0001	Inca	6-8 Bonhill Street, London, EC2A 4BX	1,928.40
CJ0000	Jean Juvinier Limited	Unit 26, Graphite Way, Hadfield, Glossop, Derbyshire, SK13 1QH	1,468.80
CJ01	Jewson Limited	PO Box 7357, Glasgow, G51 9AB	975.74
CK00	K & S Aluminium	Unit 2, The Saw Mill, East Street, Bury, BL9 0RU	240.26
CL0000	Lex Autolease Limited	Heathside Park, Heathside Park Road, Stockport, SK3 0RB	1,000.00
		Account Type: Hire Purchase	
CL01	Lancashire Brick & Tile	Orlando House, 67 Manchester Road, Bolton, BL2 1ES	8,860.08
CL02	Leyland Packaging Company Limited	92-93 Clydesdale Place, Moss Side Industrial Estate, Leyland, Lancashire, PR26 7QS	304.68
CM00	Metsec Plc	Framing Division, Broadwell Road, Oldbury, West Midlands, B69 4HF	26,039.21
CN0000	Nationwide Waste Solutions Limited	Imperial House, New Road, New Inn, Pontypool, Torfaen, NP4 0TL	204.00
CO00	Obex Protection Limited	Severn House, Bromyard Road, Crown East, Worcester, WR2 5TR	716.83
CP0001	Pier Consulting Limited	The Business Centre, Cardiff Road, Vale of Glamorgan, CF63 2AW	9,611.96
CP02	Prestige Fire Rated Building Systems Limited	Unit 5 B/C New Mill, Wellington Mill, Quebec Street, Eiland, HX5 9AS	276.00
CR00	Roofing and Cladding Materials Limited	Units 25 & 26 Rosevale Road, Parkhouse Industrial Estate West, Newcastle, Staffordshire, ST5 7EF	96.00
CS0000	Sharp Copiers and Servicing Limited	46 Queensway, Wigan, WN1 2HR	1,745.79
CS01	Speedy Asset Services Limited	Chase House, 16 The Parks, Newton Le Willows, WA12 0JQ	183.91
CT00	Terry's Timber Limited	35 Regent Road, Kirkdale, Liverpool, L5 9SR	173.70

Refresh Recovery Limited
Astley Facades Limited
B - Company Creditors

Key	Name	Address	£
CT01	Trueline	Parkers Place, Firs Industrial Estate, Kidderminster, Worcester, DY11 7QN	5,990.00
CU0000	United Utilities Water Limited	PO Box 11249, Harlow, CM20 9NN	209.17
CV00	Vivalda Manchester	Unit 48, Parkway 4, Trading Estate, Alba Way, Trafford Park, Manchester, M22 0TL	28,978.24
31 Entries Totalling			394,136.60

Appendix 3 – Receipts and Payments Account

Astley Facades Limited
(In Administration)

Income and Expenditure Account
03 March 2017 to 25 April 2017

INCOME	Total (£)
Plant & Machinery, Furniture & Equipment	1,560.00
	<hr/>
	1,560.00
	<hr/>
EXPENDITURE	
Wages & Salaries	979.89
PAYE & NI	117.38
	<hr/>
	1,097.27
	<hr/>
Balance	462.73
	<hr/>
MADE UP AS FOLLOWS	
Bank 2 Current (Interest Bearing)	462.73
	<hr/>
	462.73
	<hr/>

Note:
All Estate Bank Accounts are Interest Bearing

Appendix 4 – Administrator's Schedule of Fees and Expenses

REFRESH RECOVERY LIMITED'S FEE AND EXPENSES FOR ADMINISTRATORS

1. TIME COST AND CHARGES OUT RATES

Although a resolution for the Administrator's fees is not being sought on a time costs basis, it should be noted that the current charge out rates for this Firm are as follows:-

Grade of Staff	(£ per hour)
Insolvency Practitioner/Partner	335
Senior Manager	280
Manager	250
Case Supervisor	180
Senior Case Administrator	140
Case Administrator	100

All charge out rates are subject to periodic review. Any material amendments to charge out rates shall be advised to Creditors (or the Creditors' Committee, if appropriate) in subsequent statutory report. 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 out 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 0.10 of an hour (i.e. 6 minute units).

The expected work involved in this assignment will mainly relate to the following:

Administration and Planning

Administration and planning - This represents the work that is involved in the routine administrative functions of the case by the office holder and his staff, together with the control and supervision of the work done on the case by the office holder. 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 regulation. Tasks under this heading will include inter alia:

- Case Planning
- Administrative set up including creation of files on firm's insolvency software
- Maintenance of records
- Opening, maintaining and managing the Estate accounts
- Post appointment VAT compliance
- Liaison with secured creditors, obtaining charge documents and validating security
- Post appointment Corporation Tax compliance
- Securing and Scheduling company's books and records
- Undertaking case progression reviews (typically at the end of month 1 and every six months thereafter) and general management of case
- Routine correspondence and e-mails

Investigation

The insolvency legislation gives the office holder powers to take recovery action in respect of what are known as antecedent transactions, where assets have been disposed of prior to the commencement of the insolvency procedure (and also in respect of matters such as misfeasance and wrongful trading). The office holder is required by the Statements of Insolvency Practice to undertake an initial investigation in all cases to determine whether there are potential recovery actions for the benefit of creditors. If potential recoveries or matters for further investigation are identified then the office holder will need to investigate them in detail and to bring recovery actions where necessary. Such recovery actions will be for the benefit of the creditors. The office holder is also required by legislation to report to the Department for Business, Innovation and Skills on the conduct of the directors and the work to enable them to comply with his statutory obligations is of no direct benefit to the creditors, although it may identify potential recovery actions. Tasks under this heading will include inter alia:

- Recovering the books and records and reviewing the same
- Review and compliance with Statement of Insolvency (SIP 2)

ASTLEY FACADES LIMITED
ADMINISTRATOR'S REPORT TO CREDITORS AND STATEMENT OF PROPOSALS
25 APRIL 2017

- Sending out questionnaires to Director(s) and reviewing the same once completed.
- Review and identify potential asset recoveries by seeking and obtaining information from relevant third parties, such as banks, accountants, solicitors etc
- Taking actions for recovery if any potential assets are identified
- Report to the Department of Business, Innovation and Skills in accordance with the Company Directors Disqualification Act 1986 ("CDDA").

Realisation of assets

This is the work that needs to be undertaken to realise the known assets in the case. If this work is undertaken, the office holder anticipates that the assets will realise the estimated to realise amounts provided to creditors. Such realisations will be for the benefit of the creditors. Tasks under this heading will include inter alia:

- Review statement of affairs, accounts and books and records together with communications with directors and other third parties to identify the assets of the company
- Insurance of assets and regular monitoring on its continued suitability
- Corresponding with debtors and attempting to collect outstanding book debts
- Instructing solicitors to assist in the realisation of book debts, if necessary
- Liaising with agents to realise assets as detailed in the attached report.
- Dealing with Reservation of Title claims
- Liaising with secured creditors over the realisation of the assets subject to a mortgage or other charge

Creditors

Employees - The office holder needs to deal with the ex-employees in order to ensure that their claims are processed appropriately by the Redundancy Payments Office ("RPO"). That work will include dealing with queries received from both the ex-employees and the RPO to facilitate the processing of the claims. The office holder is required to undertake this work as part of his statutory functions. **Claims of creditors** - the office holder needs 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. The office holder will also have to deal with correspondence and queries received from creditors regarding their claims and dividend prospects as they are received. The office holder is required to undertake this work as part of his statutory functions. **Dividends** - the office holder has to undertake certain statutory formalities in order to enable him to pay a dividend to preferential creditors. This include writing to preferential creditors who have not lodged proofs of debt and reviewing the claims and supporting documentation lodged by creditors in order to formally agree their claims, which may involve requesting additional information and documentation from the creditors. Tasks under this heading will include inter alia:

- Communication with creditors by email, post or telephone
- Processing preferential creditors' claims and maintaining up to date creditor information (including employees and any preferential creditors)
- Requesting additional information from creditors in support of their proof of debt
- Liaison with Redundancy Fund
- Dealing with pre-appointment taxation issues relating to VAT, PAYE/NI, CIS and Corporation tax

Statutory Matters

The office holder is obliged follow various statutory and regulatory obligations. 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. Tasks under this heading will include inter alia:

- Notifying creditors of the office holder's appointment and filing statutory appointment documents at Companies House
- Arranging statutory advertising in London Gazette
- Notifications to HM Revenue & Customs re appointment and submission of VAT 769
- Obtaining a specific penalty bond and quarterly reviews
- Preparation of Proposals to be put to creditors
- Filing statutory documents at Companies House following approval or rejection of Proposals

ASTLEY FACADES LIMITED
ADMINISTRATOR'S REPORT TO CREDITORS AND STATEMENT OF PROPOSALS
25 APRIL 2017

- Establishing and holding periodic meetings of Creditors' Committee and associated filing formalities (if a Committee is formed)
- Submission of interim and final draft progress reports to members and creditors
- Submission of progress report and return to Companies House
- Submission of final return to Companies House

Fee Proposal

In the absence of a Creditors' Committee, approval of the Administrator's fee will be sought from the secured and preferential creditors. Where this is calculated on a fixed fee basis, consideration has been given both to the work to be undertaken as set out above and time cost incurred in similar Administrations dealt with by Refresh Recovery. In addition to the normal compliance matters, Administrations with more realisable assets involve considerable additional work both in dealing with the realisation of those assets and also with dealing with creditors which are generally of a higher value and volume. Therefore it is considered that the proposed fixed fee and 20% realisations fee after deduction of the fixed fee is an appropriate, reasonable and commensurate reflection of the work likely to be carried out by the Administrator. The fixed fee will be drawn as soon as funds allow after payment of the Pre-Appointment fees and disbursements and the Administrator's category 1 & 2 disbursements. The payment of the fee relating to the realisation of assets will, of course, be paid following the realisations having been achieved and will not be paid on estimated realisations.

A creditors' guide to Administrator's fees is attached. A full copy of this guide can be downloaded from the following site:-

<https://www.r3.org.uk/what-we-do/publications/professional/fees>

2. EXPENSES & DISBURSEMENT COSTS

Where the Insolvency Practitioner in the firm acts as office-holder of an insolvent estate, the firm will seek to re-charge these costs (plus VAT where applicable). In such cases to comply with Statement of Insolvency Practice 9 (SIP9), the standard disbursement cost and expense re-charge calculations will be based upon the firm's standard policy which is as follows:

Category 1 Disbursements

These costs will include, among other:-

Statutory Advertising:	As per advertisers/agents invoice currently £84.60 per advert
Statutory Bonding:	Charged at cost –see below
Postal Redirection:	Charged at cost – see below
Courier :	Charged at cost – see below
Postage:	First class postal charges based on the weight of the circular.
Storage:	Pro rata per number of boxes per storage charge invoice. An external storage provider provides this facility to the firm. Current charges are £2.50 for the box and £4.08 per box per annum for the storage
Room Hire:	No charge is made for meeting within the firm's office but charges made by others (including charges by the Landlord for rooms at West Lancashire Investment Centre) are charged at cost
Land Registry Searches:	As per Land Registry invoice
Companies House Search:	As per Companies House invoice
Travel:	Charged at costs for public transport, taxis and car parking
Legal Costs:	As per agreed rates – see below
Valuers' fee	Valuation and Asset realisation fee as per agreed rates – see below
Book Debt collection agents	As per agreed rates – see below

ASTLEY FACADES LIMITED
ADMINISTRATOR'S REPORT TO CREDITORS AND STATEMENT OF PROPOSALS
25 APRIL 2017

Category 2 Disbursements

This relates to expenditure which may be directly related to the insolvent estate, or where the costs is apportioned or allocated over a number of such cases and estimates are used in the calculation. Such disbursements require creditor approval.

Photocopier/Paper: £0.15 per sheet – irrespective of size. Based on average costs of machine consumables (toner cartridges, maintenance etc) and paper
Travel: 45p per mile which is the cost reimbursed to staff

All the above costs are subject to periodic review. Any material amendments to costs shall be advised to Creditors (or the Creditors' Committee, if appropriate) in subsequent statutory reports.

The estimated disbursements (plus VAT where applicable) in respect of this case are as follows:

Category 1 Disbursements

Statutory Advertising:	£84.60
Statutory Bonding:	£196.00
Postage:	£175.00
Storage:	£750.00
Legal Costs:	£3,500.00
Valuers' fee	£750.00
Book Debt collection agents	£1,200.00

Category 2 Disbursements

Photocopier/Paper:	£135.00
Travel:	£45 (based on an assumed 100miles)
Total Estimated Disbursements	£6,835.60

Appendix 5 – Proof of Debt

ASTLEY FACADES LIMITED
ADMINISTRATOR'S REPORT TO CREDITORS AND STATEMENT OF PROPOSALS
25 APRIL 2017

Our Ref: A109/PJH/LMI/U

PROOF OF DEBT - GENERAL FORM

Astley Facades Limited - In Administration (Company Number: 04404078)	
Date of Administration: 3 March 2017	
1.	Name of Creditor (If a company please also give company registration number)
2.	Address of Creditor for correspondence
3.	Email address for creditor
4.	<div>Total amount of claim, including VAT and outstanding uncapitalised interest</div> <div>£</div> <div><i>Note: Any trade or other discounts (except discount for immediate or early settlement) which would have been available to the company but for the insolvency proceedings should be deducted from the above claim where relevant. Where any payment is made in relation to the claim or set-off applied after date of winding-up, this should be deducted</i></div>
5.	<div>If amount in 4 above includes outstanding uncapitalised interest please state amount</div> <div>£</div>
6.	Details of any documents by reference to which the debt can be substantiated (please attach copies)
7.	Particulars of how and when the debt was incurred by the Company
8.	<div>Particulars of any security held, the value of the security, and the date it was given</div> <div>Value = £</div> <div>Date given / /</div>
9.	Particulars of any reservation of title claimed in respect of goods supplied to which the claim relates.
10.	Signature of creditor or person authorised to act on his behalf
11.	Name in BLOCK LETTERS
12.	<div>Position with or in relation to creditor</div> <div>_____</div> <div>Address of person signing (if different from 2 above)</div>