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**T Diabie Roofing Limited  
("the Company") – In Liquidation**

**Liquidator's First Progress Report  
for the Year from Appointment  
on 17 August 2011 to 16 August 2012**

**Issued on: 31 August 2012**

TUESDAY



A18 \*A1GS10NK\* 04/09/2012 #83  
COMPANIES HOUSE

## **T Diable Roofing Limited ("the Company") – In Liquidation**

### **LIQUIDATOR'S FIRST PROGRESS REPORT**

Nigel Ian Fox was appointed Liquidator of the Company on 17 August 2011 and this is his first progress report to the creditors and members of the Company, showing how the liquidation has been conducted. The report covers the period from 17 August 2011 to 16 August 2012.

#### **1. Statutory Information**

Statutory information relating to the Company is attached at **Appendix I**.

#### **2. Liquidator's Receipts and Payments Account**

A summary of the Liquidator's receipts and payments relating to the Company from commencement to 16 August 2012 is attached at **Appendix II**. No realisations have been made to date.

#### **3. Action taken by the Liquidator since Appointment**

A Winding Up Order was made on 14 June 2011 in the Great Grimsby County Court. Nigel Ian Fox was appointed Liquidator by the creditors at a meeting held on 17 August 2011.

The only asset in the Company is an outstanding director's loan account in the amount of £62,045. The director of the Company has indicated that he intends to propose an individual voluntary arrangement ("IVA") to his creditors in order to repay the balances due by him. No proposals have been received to date, and the Liquidator is in contact to ensure that the director is serious about his intention to propose an IVA.

#### **4. Future Actions of the Liquidator**

The Liquidator will continue to monitor the progress of the director's IVA proposals, and if none are forthcoming, will consider taking legal action for recovery of the debt due to the Company.

#### **5. Liabilities and Dividends**

The Liquidator is holding insufficient funds to enable a distribution to be made at present. Any future distribution will depend upon the level of funds received in respect of the director's loan account.

#### **6. Liquidator's Remuneration, Disbursements and Expenses**

##### **Basis of remuneration and disbursements**

A meeting of creditors was convened on 7 October 2011 to determine the basis of the Liquidator's remuneration. However, there were no attendees at this meeting, either in person or by proxy, and therefore no resolution has been passed in this regard.

A further meeting of creditors has been convened on 8 October 2012 to give creditors an opportunity to elect a Liquidation Committee, and if no Committee is elected to set the basis of the Liquidator's fees and disbursements. You can attend the meeting in person and vote. If you cannot or do not wish to attend the meeting, please complete and return the proxy form at the rear of this report. You can either nominate a person to attend on your behalf, or you may nominate the chairman of the meeting, who will be the Liquidator or a nominated member of his staff, to vote on your behalf. If you have not already submitted a proof of debt form, would you please complete

the enclosed form and return it to me, together with the relevant supporting documentation. Your proxy cannot be admitted for voting purposes without a completed proof of debt form.

### Remuneration charged in the period

The Liquidator's time costs were charged (exc VAT) as follows

	Incurring
For the period from appointment on 17 August 2011 to 16 August 2012	£5,144.50

In accordance with Statement of Insolvency Practice 9, attached at **Appendix III** is a breakdown of these time costs

### Disbursements incurred

The Liquidator's disbursements incurred are summarised below. Details are in the attached **Appendix III**.

	Incurring
Category 1 disbursements for the period from appointment on 17 August 2011 to 16 August 2012	£187.01
Category 2 disbursements for the period from appointment on 17 August 2011 to 16 August 2012	£3.68
<b>Total</b>	<b>£190.69</b>

### Creditors' Guide to Fees and Statement of Creditors' Rights


Creditors have a right to request further information from the Liquidator and additionally have a right to challenge the Liquidator's remuneration and expenses. Time limits apply. Details can be found in the document 'Remuneration Guidelines Liquidation (post 6 April 2010)' which you can access and download at <http://www.rsmtenton.com/creditorsguide>. Alternatively a copy is available free of charge upon request from the address above.

### 7. Conclusion of the liquidation

As detailed above, the Liquidator is currently seeking to recover the amount due in respect of the director's loan account, and the case will not be closed until this matter has been finalised.

### 8 Further information

For further information on this case, or if you have any queries, please contact Kirren Keegan on 02380 646 438 or [kirren.keegan@rsmtenton.com](mailto:kirren.keegan@rsmtenton.com)



**Nigel Fox**  
Liquidator

*Licensed in the United Kingdom to act as an insolvency practitioner by the Institute of Chartered Accountants in England & Wales*

## **Statutory Information**

### **Company Information**

Company Name	T Diable Roofing Limited
Previous Name	None
Company Number	04610948
Date of Incorporation	6 December 2002
Trading Address	36 Hardys Road, Cleethorpes, Lincolnshire, DN35 0DW
Current Registered Office	Highfield Court, SO53 3TZ
Former Registered Office	36 Hardys Road, Cleethorpes, Lincolnshire, DN35 0DW
Principal Trading Activity	Erection of roof coverings

### **Appointment Details**

Liquidator's name and address	Nigel Ian Fox of RSM Tenon, Highfield Court, Tollgate, Chandlers Ford, Eastleigh, Hampshire SO53 3TZ
Commencement of liquidation	14 June 2011
Court	Great Grimsby County Court, number 158 of 2011
Date of appointment	17 August 2011
Appointment made by	Creditors

**T Diable Roofing Limited**  
**(In Liquidation)**  
**Liquidator's Abstract of Receipts & Payments**  
**To 16/08/2012**

S of A £		£	£
	ASSET REALISATIONS		
	Petition deposit	1,000 00	
Uncertain	Director's Loan Account	NIL	
			1,000 00
	COST OF REALISATIONS		
	OR's Fees & Expenses	2,235 00	
	Bank Charges	72 00	
			(2,307 00)
	UNSECURED CREDITORS		
(23,362 00)	Trade & Expense Creditors	NIL	
(78,000 00)	National Westminster Bank plc	NIL	
(24,559 00)	HM Revenue & Customs	NIL	
			NIL
<b>(125,921.00)</b>			<b>(1,307.00)</b>
	REPRESENTED BY		
	Insolvency Services A/c		(1,307 00)
			<b>(1,307.00)</b>

## **Appendix III**

### **Information relating to the Liquidator's Fees and Expenses**

## Information relating to the Liquidator's Fees and Expenses

### 1. Explanation of Liquidator's charging and disbursement recovery policies

#### 1.1. Time recording

Work undertaken on cases 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. The current hourly charge-out rates are

	£
Director and Associate Director	350 – 435
Senior Manager, Manager and Supervisor	235 – 310
Other Senior Professionals	130 – 195
Administration Staff	105

#### 1.2. Disbursement recovery

Disbursements are categorised as either Category 1 or Category 2

Category 1 disbursements will generally comprise external supplies of incidental services specifically identifiable to the case. Where these have initially been paid by RSM Tenon Recovery and then recharged to the case, approval from creditors is not required. The amount recharged is the exact amount incurred.

Examples of Category 1 disbursements include postage, case advertising, specific bond insurance, company search fees, case management software system, invoiced travel and properly reimbursed expenses incurred by personnel in connection with the case, (including business mileage up to HMRC approved rate for cases commenced before 1 November 2011). Also included will be services specific to the case where these cannot practically be provided internally such as printing, room hire and document storage.

Category 2 disbursements include elements of shared or allocated costs incurred by RSM Tenon Recovery and recharged to the estate, they are not attributed to the estate by a third party invoice and/or they may include a profit element. These disbursements are recoverable in full, subject to the basis of the disbursement charge being approved by creditors in advance. Examples of Category 2 disbursements are photocopying, all business mileage (for cases commencing on or after 1 November 2011), internal room hire and internal storage. The costs recharged are based upon the actual cost of the materials used or the costs which would have been incurred if that service had been sourced externally.

The current levels of disbursements recovered by RSM Tenon Recovery are as follows

Category	Cost	Basis
Stationery	4p, 3p, 35p	Per envelope, letterhead or label
Photocopying	5p	Per page
Faxes	50p	Per page
Storage	£7 20p	Per box per year
Room hire	£100	Fixed charge
Car Mileage	45p	Per mile
Other Travelling		Actual

## 2. Time and charge out summary

For the full period from 17 August 2011 to 16 August 2012, a total of 26.9 hours have been spent at an average charge out rate of £191.25 bringing the total cost to £5,144.50

A summary table is shown overleaf

## 3. Disbursements

Disbursements incurred from appointment to 16 August 2012 are detailed below

	£
<i>Category 1</i>	
Statutory advertising	63.50
Specific penalty bond	120.00
Postage	3.51
<b>Total</b>	<b>187.01</b>
 <i>Category 2</i>	
Photocopying	2.70
Stationery	0.98
<b>Total</b>	<b>3.68</b>

The above costs exclude VAT



## SIP9 Summary

## RSM Tenon

7740043      T Diabie Roofing Limited      Compulsory Liquidation/Post Appt

17/08/2011 to 16/08/2012

SIP9 SubCategory	Director and Associate Director	Manager	Other Senior Professional	Assistant and Support Staff	Total Hours	Charge £	AvgRate
Administration and planning	1 20	0 50	9 80	1 00	12 50	2,356 50	188 52
Creditors	0 30	0 20	0 70	1 30	2 50	445 00	178 00
Investigations	0 00	0 00	0 00	0 00	0 00	0 00	NaN
Realisation of assets	1 40	0 00	10 20	0 30	11 90	2,343 00	196 89
Trading	0 00	0 00	0 00	0 00	0 00	0 00	NaN
Hours	2 90	0 70	20 70	2 60	26 90		
Charge	1,261 50	169 50	3,404 00	309 50		5,144 50	

**T DIABLE ROOFING LIMITED**

IN THE GREAT GRIMSBY COUNTY COURT NO 158 OF2011

**NOTICE OF A MEETING OF CREDITORS**

A meeting of creditors has been summoned for the purpose of appointing a Liquidation Committee and, should a Committee not be appointed, to consider the following resolution

"That the Liquidator's fees will be charged by reference to the time properly spent by him and his staff in dealing with the matters relating to the liquidation and he is permitted to charge category 2 expenses The Liquidator's time will be charged at the hourly charge out rate of the grade of staff undertaking the work at the time the work is undertaken "

The meeting will be held as follows -

Date - 8 October 2012

Time - 3 30pm

Place - Highfield Court, Tollgate, Chandlers Ford, Eastleigh, Hampshire SO53 3TZ

A Proxy Form is enclosed which must be lodged with me not later than 12 noon on the business day prior to the above meeting date in order to entitle you to vote by Proxy at the meeting I also enclose a Proof of Debt Form, which, if you have not already completed one, you must also lodge with me if you want to vote at the meeting

Dated this 31st day of August 2012



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Nigel Ian Fox  
Liquidator

**Rule 8.1 Insolvency Act 1986  
Proxy (Compulsory Liquidation)**

**Form 8.4(a)**

**In the Great Grimsby County Court County Court No 158 of 2011**

Notes to help  
completion of the  
form

**In Liquidation**

**Re T Diabile Roofing Limited**

Please give full name of  
person (who must be  
18 or over) or the  
"Chairman" if  
you wish to provide  
for alternative proxy-  
holders in the  
circumstances that  
your first choice is  
unable to attend  
please state the  
name(s) of the  
alternatives as well

**Name of creditor** \_\_\_\_\_

**Address** \_\_\_\_\_

**Name of proxy- holder** \_\_\_\_\_

**1.** \_\_\_\_\_

**2.** \_\_\_\_\_

**3.** \_\_\_\_\_

Please delete words in  
brackets if the proxy-  
holder is only to vote as  
directed i.e. he has  
no discretion

**I appoint the above person to be my/the creditor's proxy-holder at the meeting of  
creditors to be held on 8 October 2012 or at any adjournment of that meeting. The  
proxy-holder is to propose or vote as instructed below (and in respect of any  
resolution for which no specific instruction is given, may vote or abstain at  
his/her discretion).**

**Voting instructions for resolutions:**

*\* please delete as appropriate*

For a Liquidation Committee to be formed

**For / Against\***

The following person is my/our authorised representative to act on the Committee

\_\_\_\_\_  
*Print name*

Any other resolutions  
which the proxy-  
holder is to propose  
or vote in favour of or  
against should be set  
out in numbered  
paragraphs in the  
space provided below  
paragraph 2. If more  
room is required  
please use the other  
side of this form

**In the event that no Committee is elected these resolutions are proposed:**

That the Liquidator be remunerated by reference to time properly spent in dealing with  
matters relating to the liquidation, such time to be charged at the hourly charge out rate  
of the grade of staff undertaking the work at the time it was undertaken

**For / Against\***

That the Liquidator be authorised to charge Category 2 disbursements in accordance  
with the policy provided to creditors

**For / Against\***

This form must be  
signed

**Signature** \_\_\_\_\_ **Date** \_\_\_\_\_

**Name in CAPITAL LETTERS** \_\_\_\_\_

Only to be completed  
if the creditor  
has not  
signed in person

**Position with creditor or relationship or other authority for signature**

**PROOF OF DEBT - GENERAL FORM****In the matter of****T Diable Roofing Limited - In Liquidation****and in the matter of The Insolvency Act 1986**

Liquidation Date – 14 June 2011

1	Name of Creditor	
2	Address of Creditor	
3	Total amount of claim, including any Value Added Tax and outstanding uncapitalised interest as at the date the company went into liquidation (see note)	£
4	Details of any document by reference to which the debt can be substantiated [Note the liquidator may call for any document or evidence to substantiate the claim at his discretion]	
5	If the total amount shown above includes Value Added Tax, please show -  (a) amount of Value Added Tax (b) amount of claim NET of Value Added Tax	£ £
6	If total amount above includes outstanding uncapitalised interest please state amount	£
7	If you have filled in both box 3 and box 5, please state whether you are claiming the amount shown in box 3 or the amount shown in box 5(b)	
8	Give details of whether the whole or any part of the debt falls within any (and if so which) of the categories of preferential debts under section 386 of, and schedule 6 to, the Insolvency Act 1986 (as read with schedule 3 to the Social Security Pensions Act 1975)	Category  Amount(s) claimed as preferential £
9	Particulars of how and when debt incurred	
10	Particulars of any security held, the value of the security, and the date it was given	£
11	Signature of creditor or person authorised to act on his behalf	
	Name in BLOCK LETTERS	
	Position with or relation to creditor	
	Date	