4610948



IN THE MATTER OF

T DIABLE ROOFING LIMITED – IN LIQUIDATION ("THE COMPANY")

LIQUIDATOR'S PROGRESS REPORT FOR THE PERIOD FROM 17 AUGUST 2014 TO 16 AUGUST 2015

NIGEL FOX LIQUIDATOR

BAKER TILLY RESTRUCTURING AND RECOVERY LLP
HIGHFIELD COURT
TOLLGATE
CHANDLERS FORD
EASTLEIGH SO53 3TZ

COMPANIES HOUSE

ATURDAY

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05/09/2015

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1. PURPOSE OF REPORT

This report has been prepared in accordance with insolvency legislation to provide creditors and members of the Company with information relating to the progress of the liquidation in the period from 17 August 2014 to 16 August 2015. This report should be read in conjunction with any previous reports that have been issued, copies of which are available on request.

This report has been prepared solely to comply with the statutory requirements of Rule 4.49B of the Insolvency Rules 1986 (as amended). The purpose of the report is to provide creditors and members with information relating to the progress of the Winding Up in the period from 17 August 2014 to 16 August 2015. It has not been prepared for use in respect of any purpose, or to inform any investment decision in relation to any debt or financial interest in the company. Any estimated outcomes for creditors are illustrative and may be subject to significant change.

RSM Tenon Limited was acquired by Baker Tilly UK Holdings Limited in September 2013 and, following an internal restructuring, insolvency appointments such as this are now conducted on behalf of Baker Tilly Restructuring and Recovery LLP

Neither the Liquidator nor Baker Tilly Restructuring and Recovery LLP accept any liability whatsoever arising as a result of any decision or action taken or refrained from as a result of information contained in this report

2. LIQUIDATOR'S APPOINTMENT

Nigel Fox of Baker Tilly Restructuring and Recovery LLP, Highfield Court, Tollgate, Chandlers Ford, Eastleigh SO53 3TZ was appointed Liquidator of T Diable Roofing Limited on 17 August 2011 by a meeting of creditors

3. COMPANY DETAILS

I attach as Appendix A an extract of information from the Company's file held at Companies House

4. RECEIPTS AND PAYMENTS SUMMARY

Attached at Appendix B is a summary of my receipts and payments for the period from 17 August 2014 to 16 August 2015.

Receipts and payments are shown net of VAT, with any amount due to or from HM Revenue and Customs shown separately

5. CREDITORS' CLAIMS

Creditors' claims as set out in the Official Receiver's report to creditors totalled £122,901

The agreement of creditors' claims by the Liquidator is a separate matter and will be dealt with in due course, initially by reference to the proofs of debt lodged in the proceedings by creditors themselves. Creditors' claims will only be formally agreed if sufficient funds are realised to enable a distribution to be made

6. PRESCRIBED PART

The "Prescribed Part" is a statutory amount of the company's assets subject to a floating charge to be set aside for the benefit of the Company's non-preferential creditors

It is not anticipated that the net property of the company will be in excess of £10,000 and consequently the Liquidator considers that the cost of making a distribution to unsecured creditors would be disproportionate to the benefits. Hence there will be no prescribed part distribution to creditors

7. DIVIDEND PROSPECTS FOR CREDITORS

Based on present information it is not anticipated that there will be sufficient funds realised to enable a distribution to be made to creditors

8. CONDUCT OF THE WINDING UP IN THE PREVIOUS TWELVE MONTHS

As previously advised the director has entered into an Individual Voluntary Arrangement ("IVA") which was approved by creditors on 6 June 2013

Under the terms of the IVA Proposal it is anticipated that a distribution of £11,646 will be received. In the period of this report a first dividend of £735.54 has been received and further distributions are anticipated in due course.

9. ASSETS REMAINING TO BE REALISED

Other than the remaining balance due from the IVA (as detailed above) there are no further assets remaining to be realised

10. ADMINISTRATION AND PLANNING

The Liquidator has ensured that all statutory requirements have been adhered to and all other duties in relation to the management of the case have been completed. This includes, but is not limited to, the following activities

- Statutory duties associated with the appointment including the filing of relevant notices,
- Notification of the appointment to creditors, members, employees and other interested parties,
- Reviewing available information to determine appropriate strategy,
- Setting up and maintaining bank accounts;
- Setting up case files,
- Periodic progress review of the case.

11. LIQUIDATOR'S REMUNERATION AND DISBURSEMENTS

11.1. Basis of Remuneration

The basis of the Liquidator's remuneration was approved by creditors on 8 October 2012, when the following resolution was passed:

"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"

11.2. Remuneration and Disbursements incurred in the period from 17 August 2014 to 16 August 2015

In accordance with insolvency legislation we are required to report remuneration 'charged'. This reflects the time charged to the case and is the maximum that can be taken in fees by the Liquidator. It does not necessarily reflect the amount of remuneration that will ultimately be taken by the Liquidator in remuneration. If there are insufficient realisations to allow the Liquidator remuneration to be recovered in full, any balance will be written off. Details of any write off will be set out in the final report.

11.2.1. Liquidator's remuneration

I have incurred time costs of £2,128 in respect of work done in the current period (a summary of which is set out in Appendix G) Details of the sums drawn in respect of remuneration for the period covered by this report are set out in the receipts and payments account (Appendix B)

Attached are the following

- Appendix C: Baker Tilly LLP's Charging, Expenses and Disbursements Policy Statement
- Appendix D. Liquidator's Charge Out and Disbursement Rates,
- Appendix E Category 2 Disbursements Table,
- Appendix G. Liquidator's Time Cost Analysis for the period set out above,

11.2.2. Liquidator's disbursements

The basis of the Liquidator's drawing disbursements was approved by creditors on 8 October 2012, when the following resolution was passed:

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

Disbursements incurred in the period in accordance with the resolution above are detailed on Appendix F (Statement of Expenses)

11.3. Total remuneration incurred and paid to date since appointment

We have incurred time costs of £13,450 since the date of our appointment in accordance with the resolution set out above. No fees have been drawn to date due to the lack of realisations

Although the resolution approved by creditors entitles me to recover remuneration based upon time costs by reference to matters arising in the Winding Up it is unlikely that these costs will be recovered in full

Should you require any further information please do not hesitate to contact this office.

12. LIQUIDATOR'S STATEMENT OF EXPENSES

A statement of the expenses incurred during the period, is attached at Appendix F. This includes all expenses incurred by the Liquidator in the period of the report irrespective of whether they have been paid or not and may include estimated amounts where actual invoices have not been received. The receipts and payments abstract at Appendix B sets out the expenses actually paid in the period together with cumulative figures.

13. CREDITORS' RIGHT TO INFORMATION AND ABILITY TO CHALLENGE REMUNERATION AND EXPENSES

In accordance with the provisions of Rules 4 49E and 4 131 of the Insolvency Rules 1986 creditors have a right to request further information about remuneration or expenses and to challenge such remuneration or expenses.

A request for further information must be made in writing within 21 days of receipt of this report.

Any secured creditor, or any unsecured creditor with either the concurrence of at least 10% in value of the unsecured creditors (including that creditor) or the permission of the court, may apply to court that the remuneration charged, the basis fixed or expenses incurred by the Liquidator are in all the circumstances excessive.

Any such challenge must be made no later than eight weeks after receipt of the report which first discloses the charging of remuneration or incurring of the expenses in question

A Creditors' Guide to Liquidators' Fees, which provides information for creditors in relation to the remuneration of a Liquidator, can be accessed by following the links within our website. Please note that a hard copy of any document uploaded to our website can be requested

Should you have any further queries please do not hesitate to contact my office

Nigel Fox

Baker Tilly Restructuring and Recovery LLP

Liquidator

Nigel Fox is licensed to act as an Insolvency Practitioner in the UK by the Institute of Chartered Accountants in England and Wales

APPENDIX A

STATUTORY INFORMATION

COURT & REFERENCE:

In the Great Grimsby County Court No 158 of 2011

COMPANY NAME

T Diable Roofing Limited

PREVIOUS COMPANY NAMES:

None

COMPANY NUMBER

04610948

DATE OF INCORPORATION

06/12/2002

TRADING NAME

Not applicable

TRADING ADDRESS

36 Hardys Road, Cleethorpes, Lincolnshire, DN35 0DW

PRINCIPAL ACTIVITY

Erection of roof coverings

REGISTERED OFFICE

Highfield Court, Tollgate, Chandlers Ford, Eastleigh,

Hampshire SO53 3TZ

FORMER REGISTERED OFFICE

36 Hardys Road, Cleethorpes, Lincolnshire, DN35 0DW

Receipts and Payments Abstract: 7740043 - T Diable Roofing Limited In Liquidation

Bank, Cash and Cash Investment Accounts: From 17/08/2014 To: 16/08/2015

		17/08/2014 to :	L6/08/20 1 5	Total to 16/08/2015		
SOA Value £		£	£	£	£	
	ASSET REALISATIONS					
0 00	Director's Loan Account	735 54		1,485 54		
0 00	Petition deposit	0 00		1,000 00		
			735 54		2,485 54	
	COST OF REALISATIONS					
0 00	Agents/Valuers Fees	0 00		(90 00)		
0 00	ISA Quarterly Charges	(88 00)		(336 00)		
0 00	OR's Fees & Expenses	0 00		(2,235 00)		
			(88 00)		(2,661 00)	
	UNSECURED CREDITORS					
(24,559 00)	HM Revenue & Customs	0 00		0 00		
(78,000 00)	National Westminster Bank plc	0 00		0 00		
(23,362 00)	Trade & Expense Creditors	0 00	-	0 00		
			0 00		0 00	
(125,921 00)			647 54	_	(175 46)	
	REPRESENTED BY			_		
	Insolvency Services A/c			(193 46)		
	VAT Receivable (Payable)		- <u></u>	18 00		
					(175 46)	
					(175 46)	
				_	(175 10)	

BAKER TILLY RESTRUCTURING AND RECOVERY LLP

CHARGING, EXPENSES AND DISBURSEMENTS POLICY STATEMENT

Charging policy

- Partners, directors, managers, administrators, cashiers, secretarial and support staff are allocated an hourly charge out rate which is reviewed from time to time
- Work undertaken by cashiers, secretarial and support staff will be or has been charged for separately and such work will not or has not also been charged for as part of the hourly rates charged by partners, directors, managers and administrators.
- Time spent by partners and all staff in relation to the insolvency estate is charged to the estate
- Time is recorded in 6-minute units at the rates prevailing at the time the work is done
- The current charge rates for Baker Tilly Restructuring and Recovery LLP Southampton are attached
- Time billed is subject to Value Added Tax at the applicable rate, where appropriate.
- It is the office holder's policy to ensure that work undertaken is carried out by the appropriate grade of staff required for each task, having regard to its complexity and the skill and experience actually required to perform it
- Baker Tilly Restructuring and Recovery LLP's charge out rates are reviewed periodically

Expenses and disbursements policy

- Only expenses and disbursements properly incurred in relation to an insolvency estate are re-charged to the insolvency estate.
- Expenses and disbursements which comprise external supplies of incidental services specifically identifiable to the insolvency estate require disclosure to the relevant approving party, but do not require approval of the relevant approving party prior to being drawn from the insolvency estate. These are known as "category 1" disbursements
- Expenses and disbursements which are not capable of precise identification and calculation (for example any which include an element of shared or allocated costs) or payments to outside parties that the firm or any associate has an interest, require the approval of the relevant approving party prior to be being drawn from the insolvency estate. These are known as "category 2" disbursements
- A resolution to consider approving "category 2" disbursements at the rates prevailing at the time the cost is incurred to Baker Tilly Restructuring and Recovery LLP Southampton will be proposed to the relevant approving party in accordance with the legislative requirements
- General office overheads are not re-charged to the insolvency estate as a disbursement
- Any payments to outside parties in which the office holder or his firm or any associate has an interest will only be made with the approval of the relevant approving party
- Expenses and disbursements re-charged to or incurred directly by an insolvency estate are subject to VAT at the applicable rate, where appropriate

APPENDIX D

BAKER TILLY RESTRUCTURING AND RECOVERY LLP LIQUIDATOR'S CURRENT CHARGE OUT AND DISBURSEMENT RATES

Current rates						
	£					
Partner	395 to 506					
Director / Associate Director	275 to 375					
Manager	195 to 275					
Administrator	110 to 195					
Support staff	105					

"CATEGORY 2" DISBURSEMENT RATES							
Internal room hire	£100 per hour						
Subsistence	£25 per night (from 3 rd September 2013) £23 per night (up to 2 nd September 2013)						
Travel (car)	42.5p per mile						
"Tracker" searches	£10 per case						

APPENDIX E

BAKER TILLY RESTRUCTURING AND RECOVERY LLP LIQUIDATOR'S CATEGORY 2 DISBURSEMENTS TABLE

Amounts paid or payable to the Office Holder's firm or to any party in which the office holder or his firm or any associate has an interest This Period Cumulatively **Type** Incurred Paid **Incurred** Paid £0 00 £0 00 £1 68 £0 00 Stationery £0 00 £0 00 £2 70 £0 00 Photocopying £0.00 £0.00 £4.38 £0.00 Total

APPENDIX F

STATEMENT OF EXPENSES INCURRED BY THE LIQUIDATOR

Type and Purpose	This Pe	eriod	Cumulatively		
	Incurred	Paid	Incurred	Paid	
Debt Collection Fees	£0 00	£0 00	£90 00	£90 00	
Accountants Fees	£400 00	£0 00	£900 00	£0 00	
Specific Penalty Bond	£0 00	£0 00	£56 50	£0.00	
Postage	£0 00	£0 00	£8 11	£0 00	
Statutory Advertising	00 O3	£0 00	£63 50	£0 00	
Case Management Software	00 03	00 O£	£7 35	£0 00	
Report Hosting Website	00 03	£0 00	00 8£	£0 00	
Accountants Fees Preparation of CT returns	£0 00	£0 00	£3 00	£0 00	
Total	£400.00	£0.00	£1,136.46	£90.00	

LIQUIDATOR'S TIME COST ANALYSIS

FOR THE PERIOD FROM 17 AUGUST 2014 TO 16 AUGUST 2015

Notes to Appendix G

a) Administration and Planning

This includes dealing with the commencement of the case administration, statutory filing of appointment documents with Companies' House, requesting the submission of the Statement of Affairs and filing it at Companies' House, together with day-to-day case administration duties, maintenance of records and ongoing statutory obligations. These include but are not limited to handling receipts and payments, VAT and corporation tax issues such as the monthly VAT returns, pension queries and general correspondence. Other matters which are required to be dealt with as part of the appointment and which will fall under this heading include case planning and strategy, case reviews, bonding, obtaining company searches, maintenance and obtaining books and records, general meetings / correspondence, statutory and other advertising, insurance, redirected mail, statutory receipts and payments accounts, dealing with (including the winding up of) company pension schemes where applicable

b) Investigations

Where appropriate this will include such matters as investigation of pre-appointment transactions in accordance with the relevant Statement of Insolvency Practice (SIP 2), preparing reports / returns in accordance with the Company Directors' Disqualification Acts and the investigation of any potential antecedent transactions such as transactions at under value and preferences which may result in legal action resulting in a recoverable asset

c) Realisation of Assets

This includes dealing with all aspects of the realisation of assets including identifying, securing and insuring assets, and (where applicable), property, business and asset sales, retention of title claims and debt collection. Other matters dealt with during the case administration which will relate to asset realisation may commonly include effecting disclaimers, dealing with landlords, liaising with agents, undertaking inventories, meetings with purchasers / directors, arranging collection of leased assets, obtaining insurance, pursuing antecedent claims identified as part of the investigation work set out above. Details of the specific asset realisation work undertaken on this case are set out in the main body of the report. Asset realisation is considered to be a key aspect of the case administration.

d) Trading

Where the company has continued trading following the Liquidator's appointment our staff will have had to set up accounts with suppliers in order to trade on an ongoing basis. Payments to suppliers and general correspondence with these have been undertaken. Where trading has ceased, accounts will have been closed and final bills paid. Other matters will also have been dealt with in accordance with the usual trading obligations such as dealing with employees and payroll

e) Creditors

Queries from and correspondence with creditors and employees have been necessary aspects of the case administration process. The preparation of the Liquidator's proposals has been undertaken including the attendant aspects of providing and obtaining the required information, convening the creditors' meeting etc. A brief report on the outcome of the creditors' meeting and the report on the first six months of the administration period have both been prepared

f) Case Specific Matters

Any case specific matters will generally be set out in the body of the report but will commonly include meetings, correspondence and telephone calls relating to specific issues in the case which do not fall into any the categories set out above and are specific to the case in question. This may include work done in relation to litigation, general advice or other major issues

Restructuring & Recovery SIP9 Summary

T Diable Roofing Limited

1036471 / 702 - CCLQ002 - Compulsory Liquidation/Post Ap

For the period 17/08/2014 to 16/08/2015

Period	Hours Spent	Partners	Directors / Associate Directors	Managers	Assistant Managers	Administrators	Assistants & Support Staff	Total Hours	Total Time Costs	Average Rates
From	Administration and Planning	<u> </u>								
Jan 2003	Case Management	0.0	0 0	0.0	0 8 أ	0.7	0.0	1 5	£ 292 50	195 00
	Receipts and Payments	0.0	0 2	0.0	0.0	12	0.0	1 4	£ 263 80	188 43
	Tax Matters	00	0.0	0.0	0 0	12	0.0	1 2	£ 214 00	178 33
	Total	0.0	0.2	0.0	0.8	31	0.0	41	£ 770 30	187 88
	Creditors									
	1st creditors meetings and reports	0.5	0.0	0.0	0.0	0.0	0.0	0.5	£ 217 50	435 00
	Other Creditor Meetings and Reports	0.0	1 2	0.0	0.0	37	0.0	49	£ 1,087 50	221 94
F	Unsecured Creditors	0.0	0.0	0.0	0.0	0.5	0.0	05	£ 52 50	105 00
! !	Total	0.5	1 2	0.0	0.0	42	0.0	5 9	£ 1,357 50	230 08
! 	Total Hours (From Jan 2003)	0.5	14	00	0.8	73	0.0	10 0	£ 2,127 80	212 78
	Total Time Cost (From Jan 2003)	£ 217 50	£ 448 00	£000	£ 156 00	£ 1,306 30	£ 0 00	£ 2,127 80		
Total Hours		0.5	14	0.0	0.8	73	0.0	10 0	£ 2,127 80	212 78
Total Time Cost		£ 217 50	£ 448 00	£ 0 00	£ 156 00	£ 1,306.30	£ 0 00	£ 2,127 80		
Average Rates		435 00	320 00	0 00	195 00	178 95	0 00	212 78		

For the period 17/08/2011 to 16/08/2015

Penod I	Hours Spent	Partners	Associate Directors	Managers	Assistant Managers	Administrators	Assistants & Support Staff	Total Hours	Total Time Costs	Average Rates
From	Administration and Planning									
Jan 2003	Case Management	15	0.0	13	0.8	12 3	1 5	17 4	£ 3,426 50	196 93
	Receipts and Payments	00	02	0.0	0.0	49	0.0	5 1	£ 961 30	188 49
	Tax Matters	0 2	0.0	0.0	0.0	3 4	01	3 7	£ 736 50	199 05
1	Total	17	0 2	13	0.8	20 6	16	26 2	£ 5 124 30	195 58
	Realisation of Assets									
1	Assets - general/other	1 4	0.0	0.0	0.0	20 1	01	21 6	£ 4,242 37	196 41
	Stock and WIP	0.0	0.0	0 0	0.0	0.3	0.0	0 3	£ 31 50	105 00
1	Total	14	00	0.0	0 0	20 4	0 1	21 9	£ 4,273 87	195 15
	Creditors								 - -	
	1st creditors meetings and reports	0.5	0.0,	0.0	0.0	D 0	00,	0.5	£ 217 50	435 00
	Other Creditor Meetings and Reports	10	12	0.0	0.0	11 0,	0.0	13 2	£ 2,946 00	223 18
	Unsecured Creditors	0.0	0.0,	0 9	0.0		0.0	60	£ 888 00	148 00
	Total	15	1 2	0.9	0.0	16 1	0.0	19 7	£ 4,051 50	205 66
	Total Hours (From Jan 2003)	46,	1 4	2 2	0.8	57 1	17	67 8	£ 13,449 67	198 37
	Total Time Cost (From Jan 2003)	£ 2,001 00	£ 448 00	£ 609 00	£ 156 00	£ 10,040 80	£ 194 87	£ 13,449 67		
Total Hours		46	1 4	2 2	0.8	57 1	1 7	67.8	£ 13,449 67	198 37
Total Time Cost		£ 2,001 00	£ 448 00	£ 609 00	£ 156 00	£ 10,040 80	£ 194 87	£ 13 449 67		
Average Rates	 	435 00	320 00	276 82	195 00	175 85	114 63	198 37		