

# WU15

## Notice of final account prior to dissolution in a winding up by the court



Companies House

THURSDAY



\*A8CES408\*

A25

22/08/2019

#130

COMPANIES HOUSE

### 1 Company details

Company number 0 4 6 1 0 9 4 8

Company name in full T Diable Roofing Limited

#### → Filling in this form

Please complete in typescript or in  
bold black capitals.

### 2 Liquidator's name

Full forename(s) Nigel

Surname Fox

### 3 Liquidator's address

Building name/number Highfield Court

Street Tollgate

Post town Chandlers Ford

County/Region Eastleigh

Postcode S O 5 3 3 T Y

Country

### 4 Liquidator's name ①

Full forename(s)

Surname

#### ① Other liquidator

Use this section to tell us about  
another liquidator.

### 5 Liquidator's address ②

Building name/number

Street

Post town

County/Region

Postcode

Country

#### ② Other liquidator

Use this section to tell us about  
another liquidator.

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**6 Liquidator's release**

Did any of the creditors object to the liquidator's release?

☐ Yes

☒ No

**7 Date of final account**

Date 

d	2	d	0	m	0	m	6	y	2	y	0	y	1	y	9
---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---

**8 Final account**

☒ The final account is attached

**9 Sign and date**

Liquidator's signature

Signature

X



X

Signature date

d	2	d	1	m	0	m	8	y	2	y	0	y	1	y	9
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**In the matter of**

**T Diable Roofing Limited In Liquidation  
(‘the Company’)**

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

**Liquidator’s final account**

**17 August 2018 to 20 June 2019**

**Nigel Fox  
Liquidator**

**RSM Restructuring Advisory LLP  
Highfield Court, Tollgate  
Chandlers Ford  
Eastleigh  
SO53 3TY  
Tel: 023 8064 6437  
Email: [lisa.duell@rsmuk.com](mailto:lisa.duell@rsmuk.com)**

## Sections

1. Conduct of the winding-up
2. Creditors' claims and dividend information
3. Receipts and payments
4. Liquidator's remuneration, expenses and disbursements
5. Creditors' right to information and ability to challenge remuneration and expenses
6. Closure of liquidation

## Appendices

- A. Statutory and other information
- B. Dividend information
- C. Summary of receipts and payments
- D. RSM Restructuring Advisory LLP charging, expenses and disbursements policy statement
- E. RSM Restructuring Advisory LLP Southampton current charge out and category 2 disbursement rates
- F. Statement of expenses incurred by the Liquidator in the period from 17 August 2018 to 20 June 2019
- G. Liquidator's time cost analysis for the period from 17 August 2018 to 20 June 2019
- H. Notice that company's affairs are fully wound up

This final account has been prepared in accordance with insolvency legislation to provide creditors with information relating to the progress of the Compulsory in the period from 17 August 2018 to 20 June 2019. This final account should be read in conjunction with any previous reports that have been issued, copies of which are available on request.

This final account has been prepared solely to comply with the requirements of the relevant legislation. It has not been prepared for use in respect of any other purpose, or to inform any investment decision in relation to any debt or financial interest in the Company.

Neither the Liquidator nor RSM Restructuring Advisory 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.

## **1 Conduct of the winding-up**

### **1.1 Realisation of assets**

The Liquidator is obliged to collect in the Company's property and maximise realisations. In some cases this does not result in sufficient realisations to enable a financial return to creditors, after taking into account the costs and expenses of realisation and dealing with the legislative requirements of administering the case. Details of the realisations made are set out below, with information relating to dividends, if any, contained within Appendix B

#### **1.1.1 Director's Loan Account**

At the commencement of the liquidation it was anticipated that a dividend of £11,646, 19p in the £, would be recovered under the terms of the director's Individual Voluntary Arrangement ("IVA") Proposal

Recent correspondence from the IVA Supervisor shows that the estimated dividend has been reduced to 10p in the £. This means that the estimated recovery for the liquidation estate has reduced from £11,646 to £6,129

The sum of £5,776 has been received to date, of which £1,165 has been received in the current reporting period, leaving potential future realisations of just £353.

Given the petition costs and Liquidator's time costs outstanding, the current and future recoveries will not result in any financial return to creditors.

Therefore, the liquidation is being brought to a close

### **1.2 Administration and planning**

Certain aspects of the work that the Liquidator undertakes are derived from the legal and regulatory framework for cases of this nature. This work, which does not usually result in any direct financial return to creditors, is a necessary aspect of ensuring that the Liquidator is complying with his legislative and best practice responsibilities. It includes matters such as:

- Periodic case reviews, ongoing case planning and strategy
- Maintaining and updating computerised case management records
- Dealing with routine correspondence not attributable to other categories of work
- Ongoing consideration of ethical and anti-money laundering regulations
- General taxation matters, including seeking tax clearance from HMRC
- Preparation of receipts and payments accounts, maintenance of cashing records
- Preparing, reviewing and issuing final report to creditors and other parties
- Filing of final documentation at Companies House, Court and other relevant parties
- General administrative matters in relation to closing the case

## **2 Creditors' claims and dividend information**

Creditors' claims as set out in the Statement of Affairs totalled £125,922

No dividend will be distributed as insufficient funds have been realised. Please see Appendix B

The Liquidator is obliged to deal with a number of matters in relation to creditors to comply with legislative and best practice requirements. Creditors would only derive an indirect financial return from this work on cases where a dividend has been paid. Such matters include:

- Preparation and issue of progress reports and associated documentation
- Maintenance of schedules of preferential and unsecured creditors' claims
- Dealing with correspondence and telephone calls
- Where necessary, consideration of creditors' claims; acceptance or rejection of claims and complying with legislative obligations in relation to adjudication of creditors' claims generally for voting and, if applicable, dividend purposes

## **2.1 Prescribed part**

There are no creditors secured by charges over the assets and undertakings of the Company. There is therefore no requirement to estimate the amount of the prescribed part of the assets under Section 176A of the Insolvency Act 1986.

## **3 Receipts and payments**

I attach a summary of my receipts and payments for the period from 17 August 2018 to 20 June 2019 at Appendix C. I have reconciled this account with that which is held by the Secretary of State in respect of the liquidation.

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

## **4 Liquidator's remuneration, expenses and disbursements**

### **4.1 Authority**

The Liquidator obtained the following resolutions on 8 October 2012 from creditors:-

"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."

and

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

However, there have been insufficient realisations to draw any remuneration or disbursements.

### **4.2 Time costs incurred and paid in the period from 17 August 2018 to 20 June 2019 and since appointment**

The Liquidator is required to report remuneration 'charged' to the case in the current period. I have incurred time costs of £4,521 in respect of work done in the current period, a summary of which is attached at Appendix G. Total time costs of £24,420 have been incurred since appointment, all of which remains unpaid

The work that I do as Liquidator is derived from the responsibilities placed upon me by the legal and regulatory framework for work of this nature in general. The actual matters with which I have dealt are set out briefly in my earlier reports to creditors and this final account.

I believe this case generally to be of average complexity and accordingly no extraordinary responsibility has to date fallen upon me as Liquidator. The underlying basis of charging has been RSM Restructuring Advisory LLP standard charge out rates. RSM Restructuring Advisory LLP charge out rates have been reviewed periodically.

### **4.3 Expenses and disbursements**

Attached is the Liquidator's charging, expenses and disbursement policy statement, together with the current rates. Details of the expenses (including category 1 and category 2 disbursements) that the Liquidator has incurred in the period of the report are also attached. No expenses have been paid in the period

## **5 Creditors' right to information and ability to challenge remuneration and expenses**

In accordance with the provisions of rule 18.9 Insolvency (England and Wales) Rules 2016 creditors have a right to request further information about remuneration or expenses and to challenge such remuneration or expenses under rule 18.34.

If you wish to make a request for further information then it must be made within 21 days of receipt of this report in writing by either

- (i) any secured creditor, or
- (ii) an unsecured creditor with the concurrence of at least 5% in value of the unsecured creditors.

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 on the grounds 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 or final account which first discloses the charging of remuneration or incurring of the expenses in question.

A Guide to Liquidators Fees, which provides information for creditors in relation to the remuneration of a Liquidator, can be accessed at <http://rsm.insolvencypoint.com> under 'general information for creditors'. A hard copy can be requested from my office by telephone, email or in writing.

## **6 Closure of liquidation**

### **6.1 Notice that the company's affairs are fully wound up**

Please see attached notice, which explains creditors' rights in respect of the closure of the liquidation. In addition to setting out creditors' rights, the notice explains how the Liquidator will vacate office and obtain his release under the relevant legislation.

### **6.2 Release of Liquidator**

I can advise that my release as Liquidator will be effective on the filing with the Registrar of Companies and with the court of a copy of my final account and statement whether any of the company's creditors objected to the Liquidator's release. Further details are given in the notice that the company's affairs are fully wound up.

### **6.3 Dissolution of the Company**

The Company will be dissolved automatically (cease to exist) three months after I file my final account and statement with the Registrar of Companies.

Should you have any further queries please do not hesitate to contact Lisa Duell of my office.



**Nigel Fox**

RSM Restructuring Advisory LLP

## Appendix A

### Statutory and other information

Company Information	
Company name	T Diable Roofing Limited
Company number	04610948
Date of incorporation	06/12/2002
Previous company names	None
Trading name	None
Trading address	36 Hardys Road, Cleethorpes, Lincolnshire DN35 0DW
Principal activity	Erection of roof coverings
Registered office	Highfield Court, Tollgate, Chandlers Ford, Eastleigh SO53 3TY
Previous registered office	36 Hardys Road, Cleethorpes, Lincolnshire DN35 0DW

Liquidation information	
Liquidator	Nigel Fox
Date of appointment	17 August 2011
Court & reference	Great Grimsby County Court No.158 of 2011
Appointment by	Court Order
Correspondence address & contact details of case manager	Lisa Duell 023 8064 6437 RSM Restructuring Advisory LLP, Highfield Court, Tollgate, Chandlers Ford, Eastleigh SO53 3TY
Name, address & contact details of Liquidator	Nigel Fox RSM Restructuring Advisory LLP Highfield Court, Tollgate, Chandlers Ford, Eastleigh SO53 3TY 023 8064 6437 IP Number 8891



## Appendix B

### Dividend information

	Owed*	Paid	Date paid
Secured creditor	N/A	N/A	N/A
Preferential creditors	N/A	N/A	N/A
Unsecured creditors	£125,922	NIL	N/A
Estimated net property	N/A		
Prescribed part for unsecured creditors	N/A		

\* Per Statement of affairs

**T Diabile Roofing Limited**  
**(In Liquidation)**  
**Liquidator's Summary of Receipts & Payments**

Statement of Affairs £	From 17/08/2018 To 20/06/2019 £	From 17/08/2011 To 20/06/2019 £
ASSET REALISATIONS		
Bank Interest Gross	NIL	1 23
Director's Loan Account	1,164.60	5,776.20
Petition deposit	NIL	1,000 00
	1,164.60	6,777.43
COST OF REALISATIONS		
Agents/Valuers Fees	NIL	90 00
Bank Charges	22.00	22 00
DTI Ad Valorem Fees	873.45	2,801.57
DTI Cheque Fees	0.15	0 15
ISA Quarterly Charges	44 00	644.00
OR's Fees & Expenses	NIL	2,235.00
Petitioners Costs	NIL	966 47
Tax deducted at source	NIL	0.24
VAT - Irrecoverable	NIL	18.00
	(939.60)	(6,777.43)
UNSECURED CREDITORS		
(125,921 62) Trade & Expense Creditors	NIL	NIL
	NIL	NIL
<b>(125,921.62)</b>	<b>225.00</b>	<b>(0.00)</b>
REPRESENTED BY		
		<b>NIL</b>

Note

- 1 Funds have been held in an interest bearing account with The Insolvency Service
- 2 The Company was VAT registered and amounts shown are net of VAT.

## Appendix D

### RSM Restructuring Advisory 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 RSM Restructuring Advisory 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.
- RSM Restructuring Advisory 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 being drawn from the insolvency estate. These are known as 'category 2' disbursements.
- A decision regarding the approval of category 2 disbursements at the rates prevailing at the time the cost is incurred to RSM Restructuring Advisory LLP Southampton will be sought from 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 E

### RSM Restructuring Advisory LLP Southampton current charge out and disbursement rates

Hourly charge out rates	
	Current rates £
Partner	460 to 655
Directors / Associate Directors	415 to 575
Assistant Managers	265 to 310
Administrators	175 to 225
Support staff	135

Category 2 disbursement rates	
Internal room hire	£100 per hour
Subsistence	£25 per night
Travel (car)	42 5p per mile
'Tracker' searches	£10 per case

## Appendix F

Statement of expenses incurred by the Liquidator in the period from 17 August 2018 to 20 June 2019

	Incurred in period	Paid to date	Unpaid
<b>EXPENSES (EXCLUDING CATEGORY 2 DISBURSEMENTS)</b>			
Sub Total	NIL	NIL	NIL
<b>CATEGORY 2 DISBURSEMENTS</b>			
Sub Total	NIL	NIL	NIL
Total	NIL	NIL	NIL



## **Appendix H**

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

**T Diabie Roofing Limited In Liquidation**

**Company No: 04610948**

**Nigel Fox appointed as Liquidator to the above company on 17 August 2011**

**Notice delivered to the creditors on: 24 June 2019**

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**Notice that company's affairs are fully wound up**

**Rule 7.71 Insolvency (England and Wales) Rules 2016**

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**Notice is hereby given** to the creditors of the above named company of the following matters:

- a) The company's affairs are fully wound up
- b) Creditors have the right under rule 18.9 Insolvency (England and Wales) Rules 2016 to make a written request to the office-holder for further information about remuneration or expenses set out in the final account.
- c) If you wish to make a request for further information then it must be made in writing within 21 days of receipt of this report by either by (i) any secured creditor or (ii) an unsecured creditor with the concurrence of at least 5% in value of the unsecured creditors or with the permission of the court.  
  
Creditors have the right to challenge the Liquidator's remuneration and expenses under rule 18.34 Insolvency (England and Wales) Rules 2016. 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 on the grounds that the remuneration charged or expenses incurred by the Liquidator is in all the circumstances excessive, or that the basis fixed for the office holder's remuneration is inappropriate.  
  
Any such challenge must be made no later than eight weeks after receipt of the progress report or final account which first discloses the charging of remuneration or incurring of the expenses in question.
- d) Creditors may object to the release of the Liquidator by giving notice in writing to the Liquidator before the end of the later of:
  - (i) eight weeks after delivery of this notice, or
  - (ii) the final determination of any request for information under rule 18.9, or any application to the court under rule 18.34.
- e) The Liquidator will vacate office under section 172(8) Insolvency Act 1986 (as amended) as soon as the Liquidator have complied with section 146(4) of that Act by filing with the court and delivering to the registrar of companies the final account and statement required by section 146(4)(b) of whether any creditors have objected to the Liquidator's release.
- f) The Liquidator will be released under section 174(4)(d)(ii) at the same time as vacating office unless any of the creditors objected to the release.

### **Name, address & contact details of Liquidator**

#### **Primary Office Holder**

Nigel Fox  
RSM Restructuring Advisory LLP  
Highfield Court, Tollgate, Chandlers Ford,  
Eastleigh, SO53 3TY  
Tel 023 8064 6437  
Email: lisa.duell@rsmuk.com  
IP Number: 8891

# WU15

Notice of final account prior to dissolution in a winding up by the court



## 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 **RSM Restructuring Advisory LLP**

Address

**Highfield Court, Tollgate**

**Chandlers Ford**

Post town

**Eastleigh**

County/Region

Postcode

**S O 5 3 3 T Y**

Country

DX

Telephone

**02380 646 464**



## 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](http://www.gov.uk/companieshouse) or email [enquiries@companieshouse.gov.uk](mailto: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](http://www.gov.uk/companieshouse)**