

**The Insolvency Act 1986****Liquidator's Progress  
Report****S.192****Pursuant to Sections 92A and 104A  
of the Insolvency Act 1986**

For Official Use

To the Registrar of Companies

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Company Number

05013273

Name of Company

The Merton Window Company Limited

I / ~~We~~

Martin C Armstrong FCCA FABRP MIPA  
Allen House  
1 Westmead Road  
Sutton  
Surrey  
SM1 4LA

the liquidator~~s~~ of the company attach a copy of my/~~our~~ progress report  
under section 192 of the Insolvency Act 1986

Signed



Date

26.4.12

Turpin Barker Armstrong  
Allen House  
1 Westmead Road  
Sutton  
Surrey  
SM1 4LA

Ref XT125/AB/NJ

For Official Use



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11/05/2012

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COMPANIES HOUSE

V05E

**The Merton Window Company Limited**  
**(In Liquidation)**  
**Liquidator's Abstract of Receipts & Payments**

<b>Statement of Affairs</b>		<b>From 20/04/2011 To 19/04/2012</b>
	<b>HP ASSETS</b>	
4,000 00	Motor Vehicle	NIL
(6,894 00)	Lombard Finance	NIL
		<u>NIL</u>
	<b>ASSET REALISATIONS</b>	
150 00	Tangible Assets	150 00
7,500 00	Goodwill	7,500 00
	Gross Bank Interest	18 62
		<u>7,668 62</u>
	<b>COST OF REALISATIONS</b>	
	Agents'/Valuers' Fees	550 00
		<u>(550 00)</u>
	<b>COST OF ADMINISTRATION</b>	
	Preparation of S of A	5,000 00
	Statutory Advertising	225 37
	Corporation Tax	3 71
	Bordereau	30 00
		<u>(5,259 08)</u>
	<b>PREFERENTIAL CREDITORS</b>	
(419 00)	Employees' Wage Arrears	NIL
(483 00)	Employees' Holiday Pay	NIL
		<u>NIL</u>
	<b>UNSECURED CREDITORS</b>	
(35,809 00)	Trade & Expense Creditors	NIL
(1,337 00)	Employees	NIL
(31,390 00)	The Merton Window Company (Londo	NIL
(7,845 00)	Director	NIL
(16,291 00)	Natwest Bank plc	NIL
(7,965 00)	HM Revenue & Customs - CIS	NIL
(1,972 00)	HM Revenue & Customs - CT	NIL
(7,366 00)	HM Revenue & Customs - VAT	NIL
		<u>NIL</u>
	<b>DISTRIBUTIONS</b>	
(2 00)	Ordinary Shareholders	NIL
		<u>NIL</u>
<b>(106,123.00)</b>		<u><b>1,859.54</b></u>
	<b>REPRESENTED BY</b>	
	Input VAT	1,051 07
	Bank - Current a/c	808 47
		<u><b>1,859.54</b></u>



Martin C Armstrong FCCA FBRP MIPA  
Liquidator



**turpin barker armstrong**

Corporate Recovery and Insolvency

Allen House  
1 Westmead Road  
Sutton, Surrey SM1 4LA  
Tel 020 8661 7878  
Fax 020 8661 0598  
E-mail tba@turpinba.co.uk  
Internet www.turpinba.co.uk  
Also at Sevenoaks

**To all known creditors**

**Our Ref NJ/AB/MCA/XT125**

**30<sup>th</sup> April 2012**

Dear Sirs

**The Merton Window Company Limited (In Creditors' Voluntary Liquidation)**

This is my report to members and creditors following the end of the 1<sup>st</sup> year of the liquidation. My report follows and should be read in conjunction with my report of 26<sup>th</sup> April 2012.

**FURTHER INFORMATION**

An unsecured creditor may, with the permission of the court or with the concurrence of 5% in value of the unsecured creditors (including the creditor in question) request further details of the Liquidator's remuneration and expenses, within 21 days of receipt of this report. Any secured creditor may request the same details in the same time limit.

An unsecured creditor may, with the permission of the court or with the concurrence of 10% in value of the creditors (including the creditor in question), apply to court to challenge the amount and/or basis of the Liquidator's fees and the amount of any proposed expenses or expenses already incurred, within 8 weeks of receipt of this report. Any secured creditor may make a similar application to court within the same time limit.

If members or creditors have any queries regarding this report or the conduct of the liquidation in general, they should contact Natalie Jack on 0208 661 7878.

Yours faithfully

**Martin C Armstrong FCCA FABRP FIPA MBA  
Liquidator**

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We are pleased to support



M C Armstrong FCCA FABRP FIPA MBA, A W Payne FFA DipPFS, D C Clark FCCA, J E Patchett FCCA FABRP  
D A Payne BA (Hons) ACA B I Suckling BSc (Hons) FCCA  
Consultant J S Penfold FCA  
The firm is registered to conduct audit work in the United Kingdom and M C Armstrong is registered as an Auditor in the United Kingdom by the Association of Chartered Certified Accountants  
M C Armstrong and J E Patchett are licensed to act as Insolvency Practitioners in the United Kingdom by the Association of Chartered Certified Accountants

Also at The Old Town Jail, 14-18 London Road, Sevenoaks, Kent TN13 1AJ Tel 01732 450251



**The Merton Window Company Limited  
Liquidator's Annual Report to Members and Creditors  
For the year ending 19<sup>th</sup> April 2012**

**STATUTORY INFORMATION**

Company name	The Merton Window Company Limited
Registered office	Allen House 1 Westmead Road Sutton Surrey SM1 4LA
Former registered office	Dalton House 60 Windsor Avenue London SW19 2RR
Registered number	05013273
Liquidator's name	Martin C Armstrong FCCA FABRP FIPA MBA
Liquidator's address	Allen House 1 Westmead Road Sutton Surrey SM1 4LA
Liquidator's date of appointment	20 <sup>th</sup> April 2011

**RECEIPTS AND PAYMENTS ACCOUNT**

My Receipts & Payments Account for the period from 20<sup>th</sup> April 2011 to 19<sup>th</sup> April 2012 is attached

**ASSETS**

Goodwill

As stated in the s98 report the company's goodwill was attributed a going concern value of £7,500, according to the independent desktop valuation provided by Messrs James Owen & Co. A connected party, The Merton Window Company (London) Limited ("TMWCLL"), of which John McGearty is a director, expressed an interest in acquiring the company's goodwill, which included the company name, client lists, telephone numbers and company website

However, at the meeting of creditors held on 20<sup>th</sup> April 2011, a number of the company's creditors requested that a formal valuation of the company's assets take place. Therefore, James Owen & Co performed a formal valuation of the company's goodwill and a revised value of £11,000 was provided in this respect

I have received payment in monthly instalments, with the first instalment received on 25<sup>th</sup> May 2011 and the sixth received on 2<sup>nd</sup> November 2011 from TMWCLL. £7,500 has been received to date in this regard. It is understood that the purchaser has been independently



advised

However, as stated previously, a revised valuation of £11,000 was received from James Owen & Co and the balance between the sum paid to date and this amount (£3,500) has been requested from TMWCLL. At this time, it is uncertain if any further realisations will be made in this regard and discussions with the purchasers are ongoing.

#### Encumbered Motor Vehicle

For the purposes of the Estimated Statement of Affairs, Messrs James Owen & Co were instructed to provide an independent desktop valuation of the company's motor vehicle, a Ford Transit van (registration number WIINDW). This vehicle was subject to a finance agreement and was attributed a value of £4,000. The outstanding balance due on the finance agreement was approximately £6,894; therefore for the purposes of the estimated Statement of Affairs it was stated that there is no equity in the vehicle.

As the finance exceeded the value of the vehicle the Liquidator had no interest in the vehicle. Therefore, no realisations were made in this regard.

#### Tangible Assets

According to the desktop valuation provided by Messrs James Owen & Co, the company's negligible tangible assets, namely a computer and fax machine, were attributed a value of £150 for the purposes of the Estimated Statement of Affairs. A connected party, TMWCLL, of which John McGearry is a director, expressed an interest in acquiring these assets.

However, as stated above, a number of the company's creditors requested that a formal valuation of the company's assets take place. Therefore, James Owen & Co performed a formal valuation of the company's tangible assets and a revised value of £250 was provided in this respect.

The sum of £150 has been received on 25<sup>th</sup> November 2011 from TMWCLL in this regard. It is understood that the purchaser has been independently advised.

However, as stated previously, a revised valuation of £250 was received from James Owen & Co and the balance between the sum paid to date and this amount (100) has been requested from TMWCLL. At this time, it is uncertain if any further realisations will be made in this regard and discussions with the purchasers are ongoing.

### **LIABILITIES**

#### Secured Liabilities

A search of the Register at Companies House has revealed that no security has been granted over the company's assets.

#### Preferential Creditors

The statement of affairs anticipated £902 was owed to the company's preferential creditors. However, to date no claims have been submitted by the company's employees.

#### Crown Creditors

The statement of affairs included £17,303 owed to HM Revenue and Customs, detailed as follows:

<b>Liability</b>	<b>Period</b>	<b>Amount</b>
CIS	June 2010 – February 2011	£ 7,965
Corporation Tax	31 <sup>st</sup> December 2010	£ 1,972
VAT	April 2010 – March 2011	£ 7,366
		<hr/> £17,303

HM Revenue and Customs' claim of £12,397 89 has been received, which can be broken down as follows

<b>Liability</b>	<b>Period</b>	<b>Amount</b>
PAYE and related penalty	2009/2010 – 2010/2011	£ 8,632 50
Corporation Tax	y/e 31/03/2010	£ 1,972 11
VAT	March 2011 – June 2011	£ 1,775 00
Interest Accrued	N/A	£ 18 28
		<hr/> £12,397 89

#### Unsecured Creditors

The statement of affairs included twelve unsecured creditors with an estimated total liability of £92,672 I have received claims from thirteen creditors at a total of £100,790 81 To date I have received claims from all creditors plus one additional creditor, who submitted a claim of £2,899 81

#### **LIQUIDATOR'S ACTIONS SINCE APPOINTMENT**

Since appointment I have sought to get in the assets of the company and investigated what assets can be realised and what other recoveries could be made The creditors' committee requested that a number of matters be investigated and therefore a significant amount of time has been spent dealing with investigating the company's affairs A creditors' committee was formed on 2<sup>nd</sup> June 2011 and therefore a large amount of time has also been spent dealing with queries, reporting to the committee and other related matters

In addition, myself and my staff have spent significant time dealing with general administration and statutory tasks during the liquidation

#### **INVESTIGATION INTO THE AFFAIRS OF THE COMPANY**

I undertook an initial investigation into the company's affairs to establish whether there were any potential asset recoveries or conduct matters that justified further investigation, taking account of the public interest, potential recoveries, the funds likely to be available to fund an investigation, and the costs involved

I took the following action where I considered that further investigation was justified

- 1 During the course of my investigations we have reviewed the company's historic debtor ledger and pursued any that remain outstanding From this review we have identified additional potential debtors that were originally not included on the debtors list provided. We are currently seeking to obtain contact details for all these clients in order to pursue any monies due.
- 2 Since my appointment we have reviewed the company's financial records and assessed the receipts and payments of the company A number of transactions have been identified that require further clarification from the directors and this information is presently being sought from him

Within six months of my appointment as liquidator, I am required to submit a confidential report to the Secretary of State to include any matters which have come to my attention during the course of my work which may indicate that the conduct of any past or present director would make him unfit to be concerned with the management of the company. I would confirm that my report has been submitted.

## **PRE-APPOINTMENT REMUNERATION**

The creditors previously authorised the payment of a fee of £5,000 plus VAT for assistance with preparing the statement of affairs, producing and circulating the notices for the meetings of members and creditors prior to my appointment at a meeting held on 20<sup>th</sup> April 2011. The fee for the statement of affairs and meetings was paid from first realisations on appointment and is shown in the enclosed receipts and payments account.

## **LIQUIDATOR'S REMUNERATION**

My remuneration was previously authorised by creditors at a meeting held on 20<sup>th</sup> April 2011 to be drawn on a time cost basis. My total time costs to 19<sup>th</sup> April 2012 amount to £17,119, which have been charged at an average charge out rate of £123.42. I have not been able to draw any remuneration in this matter. A schedule of my time costs incurred to date is attached.

A description of the routine work undertaken in the liquidation to date is as follows:

- 1     Administration and Planning
  - Preparing the documentation and dealing with the formalities of appointment
  - Statutory notifications and advertising
  - Preparing documentation required
  - Dealing with all routine correspondence
  - Maintaining physical case files and electronic case details on IPS
  - Review and storage
  - Case bordereau
  - Case planning and administration
  - Preparing reports to members and creditors
  - Convening and holding meetings of members and creditors
  
- 2     Cashiering
  - Maintaining and managing the liquidator's cashbook and bank account
  - Ensuring statutory lodgements and tax lodgement obligations are met
  
- 3     Creditors
  - Dealing with creditor correspondence and telephone conversations
  - Preparing reports to creditors
  - Maintaining creditor information on IPS
  - Reviewing and adjudicating on proofs of debt received from creditors.
  - Dealing with the creditors' committee and related matters
  
- 4     Investigations
  - Review and storage of books and records
  - Prepare a return pursuant to the Company Directors Disqualification Act
  - Conduct investigations into suspicious transactions



- Review books and records to identify any transactions or actions a liquidator may take against a third party in order to recover funds for the benefit of creditors

## 5 Realisation of Assets

- Liaising with the company's bank regarding the closure of the account
- Liaising with the director regarding purchase of assets

A copy of 'A Creditors Guide to Liquidators' Fees' published by the Association of Business Recovery Professionals and 'A Statement of Insolvency Practice 9 (Revised)' together with an explanatory note which shows Turpin Barker Armstrong's fee policy are available at the link <http://www.turpinba.co.uk/services/insolvency/fees.htm>. Please note that there are different versions for cases that commenced before or after 6 April 2010 and in this case you should refer to the post-April 2010 version. A hard copy of both the Creditors Guide and my practice's fee policy can be obtained on request from the address below.

## **LIQUIDATOR'S EXPENSES**

My expenses to 19<sup>th</sup> April 2012 amount to £275.37 in respect of bordereau (£50), statutory advertising (£225.37). I have drawn £255.37 to date.

The following agents or professional advisors have been utilised in this matter:

Professional Advisor	Nature of Work	Fee Arrangement
Messrs James Owen & Co	Valuer/Auctioneer	Time costs

The choice of professionals was based on my perception of their experience and ability to perform this type of work, the complexity and nature of the assignment and the basis of my fee arrangement with them. The fees charged have been reviewed and I am satisfied that they are reasonable in the circumstances of this case.

## **FURTHER INFORMATION**

An unsecured creditor may, with the permission of the court or with the concurrence of 5% in value of the unsecured creditors (including the creditor in question) request further details of the Liquidator's remuneration and expenses, within 21 days of receipt of this report. Any secured creditor may request the same details in the same time limit.

An unsecured creditor may, with the permission of the court or with the concurrence of 10% in value of the creditors (including the creditor in question), apply to court to challenge the amount and/or basis of the Liquidator's fees and the amount of any proposed expenses or expenses already incurred, within 8 weeks of receipt of this report. Any secured creditor may make a similar application to court within the same time limit.

## **DIVIDEND PROSPECTS**

### Preferential creditors

Although no claims have been received, there is no prospect of a dividend payment to preferential creditors. It is expected that any funds realised will be allocated for defraying the costs of the liquidation.

### Ordinary unsecured creditors

There is no prospect of a dividend payment to unsecured creditors. It is expected that any funds realised will be allocated for defraying the costs of the liquidation.



As there are no charges registered over the company, Section 176 of the Insolvency Act 1986 which states that the duly appointed liquidator is obliged to make a prescribed part of the company's net property available for the satisfaction of the unsecured debts of the company will not apply

#### **SUMMARY**

The liquidation will remain open until it has been ascertained if any further realisations can be made in respect of the purchase of the company's assets, debtors and further investigations. It is estimated that this should take a further six months. Once this issue has been dealt with the liquidation will be finalised and our files will be closed.

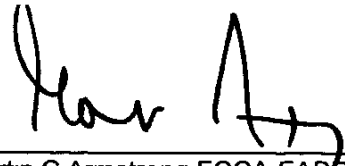
Should you have any queries regarding this matter please contact Natalie Jack on 0208 661 7878



**Martin C Armstrong FCCA FABRP FIPA MBA**  
**Liquidator**

**The Merton Window Company Limited**  
**(In Liquidation)**  
**Liquidator's Abstract of Receipts & Payments**  
**To 19/04/2012**

S of A £		£	£
	<b>HP ASSETS</b>		
4,000 00	Motor Vehicle	NIL	
(6,894 00)	Lombard Finance	NIL	
			NIL
	<b>ASSET REALISATIONS</b>		
150 00	Tangible Assets	150 00	
7,500 00	Goodwill	7,500 00	
	Gross Bank Interest	18 62	
			7,668 62
	<b>COST OF REALISATIONS</b>		
	Agents'/Valuers' Fees	550 00	
			(550 00)
	<b>COST OF ADMINISTRATION</b>		
	Preparation of S of A	5,000 00	
	Statutory Advertising	225 37	
	Corporation Tax	3 71	
	Bordereau	30 00	
			(5,259 08)
	<b>PREFERENTIAL CREDITORS</b>		
(419 00)	Employees' Wage Arrears	NIL	
(483 00)	Employees' Holiday Pay	NIL	
			NIL
	<b>UNSECURED CREDITORS</b>		
(35,809 00)	Trade & Expense Creditors	NIL	
(1,337 00)	Employees	NIL	
(31,390 00)	The Merton Window Company (Londo	NIL	
(7,845 00)	Director	NIL	
(16,291 00)	Natwest Bank plc	NIL	
(7,965 00)	HM Revenue & Customs - CIS	NIL	
(1,972 00)	HM Revenue & Customs - CT	NIL	
(7,366 00)	HM Revenue & Customs - VAT	NIL	
			NIL
	<b>DISTRIBUTIONS</b>		
(2 00)	Ordinary Shareholders	NIL	
			NIL
<b>(106,123.00)</b>			<b>1,859.54</b>
	<b>REPRESENTED BY</b>		
	Input VAT		1,051 07
	Bank - Current a/c		808 47
			<b>1,859.54</b>



Martin C Armstrong FCCA FABRP MIPA  
Liquidator

# Time Entry - SIP9 Time & Cost Summary

XT125 - The Merton Window Company Limited  
To 19/04/2012

Classification of Work Function	Partner	Manager	Other Senior Professionals	Assistants & Support Staff	Total Hours	Time Cost (£)	Average Hourly Rate (£)
Administration & Planning	4.00	1.80	3.20	23.30	32.30	4,128.00	127.80
Case Specific Matters	0.20	0.00	0.00	6.40	6.60	627.00	95.00
Creditors	4.70	0.80	2.50	37.60	45.60	5,715.50	125.34
Investigations	5.60	1.40	0.20	34.60	41.80	5,472.00	130.91
Marketing	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Non Chargeable	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Realisation of Assets	0.50	0.20	0.00	11.40	12.10	1,152.50	95.25
Trading	0.00	0.00	0.00	0.30	0.30	24.00	80.00
<b>Total Hours</b>	<b>15.00</b>	<b>4.20</b>	<b>5.90</b>	<b>113.60</b>	<b>138.70</b>	<b>17,119.00</b>	<b>123.42</b>
<b>Total Fees Claimed</b>						<b>0.00</b>	
<b>Total Disbursements Claimed</b>						<b>0.00</b>	

**PROOF OF DEBT - GENERAL FORM**

<b>The Merton Window Company Limited</b>	
Date of Winding-Up Order / Resolution for voluntary winding 20 <sup>th</sup> April 2011	
1	Name of Creditor (If a company please also give company registration number)
2	Address of Creditor for correspondence
3	Total amount of claim, including any Value Added Tax and outstanding un-capitalised interest as at the date the company went into liquidation (see note)
4	Details of any documents by reference to which the debt can be substantiated [Note there is no need to attach them now but the Liquidator may call for any document or evidence to substantiate the claim at his discretion as may the chairman or convenor of any meeting]
5	If amount in 3 above includes outstanding un-capitalised interest please state amount £
6	Particulars of how and when debt incurred (If you need more space append a continuation sheet to this form)
7	Particulars of any security held, the value of the security, and the date it was given
8	Particulars of any reservation of title claimed in respect of goods supplied to which the claim relates
9	Signature of creditor or person authorised to act on his behalf
	Name in BLOCK LETTERS
	Position with or in relation to creditor  Address of person signing (if different from 2 above)
Admitted to vote for	Admitted for dividend for
£	£
Date	Date
Liquidator	Liquidator