

WU07

Notice of progress report in a winding-up by the court



Companies House

SATURDAY



A15 *A8DH2XKH* 07/09/2019 #95
COMPANIES HOUSE

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nieshouse

1 Company details

Company number 0 5 2 7 1 1 5 7

Company name in full P & R Construction Managers Limited

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

2 Liquidator's name

Full forename(s) Michael Robert

Surname Fortune

3 Liquidator's address

Building name/number 1580 Parkway

Street Solent Business Park

Post town Whiteley, Fareham

County/Region Hampshire

Postcode P O 1 5 7 A G

Country

4 Liquidator's name ①

Full forename(s) Carl Derek

Surname Faulds

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

5 Liquidator's address ②

Building name/number 1580 Parkway

Street Solent Business Park

Post town Whiteley, Fareham

County/Region Hampshire

Postcode P O 1 5 7 A G

Country

② Other liquidator
Use this section to tell us about
another liquidator.

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6 Period of progress report

From date	^d 1	^d 2	^m 0	^m 7	^y 2	^y 0	^y 1	^y 8
To date	^d 1	^d 1	^m 0	^m 7	^y 2	^y 0	^y 1	^y 9

7 Progress report

☒ The progress report is attached

8 Sign and date

Liquidator's signature

Signature

X



X

Signature date

^d 0	^d 4	^m 0	^m 9	^y 2	^y 0	^y 1	^y 9
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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 **Carl Derek Faulds**

Company name **Portland Business & Financial
Solutions**

Address **1580 Parkway
Solent Business Park**

Post town **Whiteley, Fareham**

County/Region **Hampshire**

Postcode **P O 1 5 7 A G**

Country

DX

Telephone **01489 550 440**



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 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



1580 Parkway
Solent Business Park
Whiteley
Fareham
Hampshire
PO15 7AG

Telephone: 01489 550 440
Fax: 01489 550 499
Email: post@portbfs.co.uk
Web: www.portbfs.co.uk
4th September 2019

MF/CF/SIG/SW/DJM/SH/AJ/P8869

TO ALL CREDITORS

Annual progress report to members and creditors

P & R Construction Managers Limited in liquidation

Supervising court	High Court of Justice Business & Property Courts of England & Wales Insolvency & Companies List	Court reference number	002358 of 2017
Full registered name	P & R Construction Managers Limited	Registered office	1580 Parkway Solent Business Park Whiteley Fareham Hampshire PO15 7AG
Registered number	05271157	Trading address	New Barn Office Flatbrooks Pound Lane Newport PO30 4JX
Other trading names	None		
Name of liquidators and their licensing bodies	Michael Robert Fortune	Insolvency Practitioners Association	
	Carl Derek Faulds	Insolvency Practitioners Association	
Liquidators' address	1580 Parkway, Solent Business Park, Whiteley, Fareham, Hampshire, PO15 7AG E-mail creditors@portbfs.co.uk		
Date of appointment	12 th July 2017	Appointed by	High Court of Justice Business & Property Courts of England & Wales Insolvency & Companies List
Period of account	12 th July 2018 to 11 th July 2019		

A winding up order was made against the above-named company on 22nd May 2017.

Michael Robert Fortune and Carl Derek Faulds were appointed as joint liquidators on 12th July 2017.



South West Office
Discovery Court, 551-553 Wallisdown Road,
Poole, Dorset BH12 5AG
Tel: 01202 712 810

London Office
90 Long Acre, Covent Garden,
London WC2E 9RZ
Tel: 020 7925 2651
Fax: 020 7925 2652



Progress to date in realising assets

We enclose a summary of our receipts and payments account. We have provided comparisons of the realisations with the original statement of affairs in the Official Receiver's report, which we hope you will find helpful.

Since our last report to creditors in July 2018 we have received bank interest of £337 bringing total realisations in respect of bank interest to £824.

As reported previously, we have achieved significant realisations during the winding up, these are summarised below.

Petition deposit

The petition deposit of £1,600 was transferred to us upon our appointment. This was later repaid to the petitioning creditor as an expense of the liquidation.

Cash in client account and cash at bank

At the outset of our appointment there was cash held in our client account of £181,267. Following our appointment we arranged for these funds to be transferred to a dedicated Insolvency Services bank account.

We also sought the recovery of the cash held in the company's bank account which we believed could be as much as £4,000. It transpired that these funds were actually held in a personal account of the deceased director as the company did not appear to have its own bank account. We therefore corresponded with the administrator of his estate to seek recovery of the funds.

We reviewed whether the company funds could specifically be identified in order that they could be returned. Unfortunately we were unable to obtain sufficient evidence to identify the company funds in the director's personal bank account and therefore the amount owed to the company formed a claim in the deceased estate. We eventually received a distribution of £568 from the estate.

Insurance policy refunds

Upon our appointment we were aware of insurance policy refunds due to the company. We wrote to the insurers concerned and successfully recovered £13,685.

Book debts

The company records reported book debts due to the company totalling £83,597 in respect of two contracts. We reviewed the position in respect of these debts and were informed by the debtors that they considered that the company had not performed the required works under the contracts and that they could have counter claims against the company. With the assistance of independent quantity surveyors Leslie Keats, we undertook a review of the information available in the company's records and the information provided by the customers.

In respect of one of these contracts, we found that there were a number of credit notes that were agreed in respect of over charges but had not been issued by the company. The net position was that the customer was a creditor of the company and a claim was received in this regard.

The other debt that was shown as outstanding in the company's records was in respect of a company which was placed in to administration in March 2017. We reviewed the paperwork available and corresponded with the administrators of the company in an attempt to establish the correct position. The administrators advised that they considered there could be a counter claim against P&R Construction but did not provide any details of this.

As there appeared to be no dividend available to unsecured creditors from the administration of the customer we did not pursue this debt further as it would not provide any financial benefit for creditors of P&R Construction.

Potential claim against LPA Receiver

Whilst it is not shown on the estimated financial position provided to creditors at the outset of the liquidation, a review of the company records highlighted an outstanding historical claim against a LPA Receiver. However, upon further investigation it was found that the company never fully justified their claim. We reviewed the possibility of completing the work to submit the claim as well as trying to make contact with the LPA Receiver to confirm whether there would be any recovery possible. Unfortunately

it was found that the company was dissolved and we were unable to obtain any further information to establish the possibility of recovery.

VAT refund

We were advised at the outset that there was a potential VAT refund due to the company. Upon review we found that the company's VAT records were in a poor condition and there were a number of discrepancies on returns that had been previously submitted to HM Revenue & Customs (HMRC). A full review was undertaken from the information we had available to reconcile the company's records to the returns submitted to HMRC. Unfortunately due to missing information we were unable to fully re-produce the previous returns to establish their accuracy and as such we were unable to submit amended returns to HMRC. We concluded that further work would not result in a cost effective return to creditors.

Creditors' claims and outcome for creditors

A summary of the creditors' claims and the dividends paid is set out below:-

	Creditor totals			Dividend totals	
	Statement of affairs £	Claims received £	Claims admitted £	Total £	%
Secured claims	--	--	--	--	--
Preferential claims	--	--	--	--	--
Unsecured creditors (by virtue of s176A)	--	--	--	--	--
Unsecured creditors (not by virtue of s176A)	390,400	319,659	316,635	149,048	47

We comment further as follows:-

- As anticipated at the outset there were no secured or preferential creditors within the liquidation.
- We have verified the claims by those connected with the company to ensure that they are valid and accurately stated.
- As outlined earlier in this report, we were advised of potential counter claims by former customers. Formal notice requiring the customers to provide us with details and evidence of their claims were sent but only one claim was received. We reviewed the position in respect of the counter claim submitted by the customer and established the correct position based on the information we had available. Their claim was agreed and admitted for dividend purposes.
- We took steps to reject a creditor claim that we considered was not valid. No appeal against the rejection was received.
- The claims of the unsecured creditors were estimated at £390,400 and these have been agreed at £316,635.
- Since our last report to creditors we have undertaken the claim agreement process and a first and final distribution to the unsecured creditors of 47.07p in the £ was declared on 17th October 2018.
- As part of the liquidation we also corresponded with the petitioning creditor in respect of their costs and arranged for these to be settled as an expense of the liquidation.
- In a compulsory liquidation there are fees due to the Official Receiver in respect of their general fee and administration fee which have been paid as an expense of the liquidation.

Liquidators' fees, disbursements and expenses

We are required to agree the basis of our remuneration and disbursements with the creditors. The agreement was given on 31st August 2017 by creditors.

It was resolved that our remuneration and disbursements be fixed as follows:-

- For services provided in the period up to the date of despatch of the draft final progress report to creditors on the basis allowed by reference to the time properly given by the office holders and their staff in attending to matters arising in the liquidation. This is analysed below:-

	From 12/07/2018 to 11/07/2019 (£)	From 12/07/2017 to 11/07/2019 (£)	Budgeted total (£)
Time costs	11,680	29,825	40,050
Average hourly rate	188	187	181
Fees drawn	--	17,000	--

- For services in the period from the following day for the remainder of the liquidation, a set amount of £2,000. Whilst this work provides no financial benefit to the creditors it is required by statute.
- Out of pocket expenses incurred in accordance with the schedule of rates for disbursements and out pocket expenses published by the liquidators.

In the attached analysis, we have recorded time in the following categories of work that we have handled:-

- Asset realisations** – Taking appropriate measures to realise the assets of the company, as more fully explained under the heading 'Progress to date in realising assets'.

This work has provided a financial benefit to the creditors as sufficient funds are available from the realisations to enable a distribution to creditors.

- Administration and planning** - Internal management of the case to ensure it is completed in an efficient manner and in accordance with good practice. Maintaining the estate accounts and ensuring compliance and statutory filing requirements.

Whilst this work provides no financial benefit to the creditors it is required by statute.

- Reporting** – Communicating with creditors about initial appointment; and preparing and distributing reports.

Whilst this work provides no financial benefit to the creditors it is required by statute.

- Creditors' claims** – Corresponding with creditors about their claims, as more fully described under the 'Creditor claims and dividends' above.

Where work was undertaken to agree claims in order to distribute funds to creditors this was for the financial benefit of the creditors. Whilst the other work provided no financial benefit to the creditors it was required by statute.

We have also instructed agents to handle certain aspects of the liquidation on our behalf where it was either more cost-effective for them to do so or where they have a particular expertise that was required. A summary of the name of agents, the work handled, the basis of the fees paid and the amounts paid is given below.

Name and profession	Nature of work handled	Basis of fees and estimate provided (£)	Paid and accrued to date £
Rapid Despatch Logistics Ltd - Courier	Courier costs to collect the books and records of the company.	Fixed fee No estimate provided at the outset	127
Millbank Document Storage – external storage	Storage of the company's books and records	Fixed monthly fee No estimate provided at the outset	77
Leslie Keats Quantity surveyors	Undertaking a reviewing of the two contracts and providing a report on the likely recovery of debts shown as outstanding in the company records.	Time cost An estimate of £15k provided at the outset due to the possibility that recovery action would need to be taken	350

Creditors' requests for further information

In accordance with rule 18.9 Insolvency (England and Wales) Rules 2016 the following may make a written request to us for further information about remuneration or expenses set out in this report:-

- A secured creditor.
- An unsecured creditor with the concurrence of at least 5% in value of the unsecured creditors (including the creditor in question).
- Any unsecured creditor with the permission of the court.

A request, or an application to the court for permission, must be made, or filed with the court (as applicable) within 21 days of the receipt of this report.

In accordance with rule 18.34 the following may make an application that the remuneration charged is in all circumstances excessive or the basis is inappropriate or the expenses incurred are excessive:-

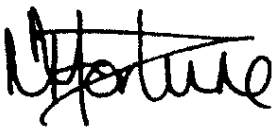
- A secured creditor.
- An unsecured creditor with the concurrence of at least 10% in value of the unsecured creditors (including the creditor in question).
- Any unsecured creditor with the permission of the court.

The application to the court must be made no later than eight weeks after the receipt of this report.

Further information regarding liquidators' fees can be found by visiting the following website link <https://www.r3.org.uk/what-we-do/publications/professional/fees>

Conclusion

We hope the contents of this account have provided you with a clear and detailed explanation of the conduct of the winding up. If you have any queries or require further explanations or further information, please do not hesitate to contact us.



Michael Fortune
Joint Liquidator

Attachments

- Summary of receipts and payments
- SIP9 (from 12/07/2018 to 11/07/2019)
- SIP9 (total)
- Schedule of charge out rates

P & R Construction Managers Limited
(In Liquidation)

JOINT LIQUIDATORS' RECEIPTS AND PAYMENTS ACCOUNT

	Estimated financial position at the outset £	From 12/07/2018 To 11/07/2019 £	From 12/07/2017 To 11/07/2019 £
RECEIPTS			
Petition deposit	1,600.00	-	1,600.00
Cash at bank	4,000.00	-	567.74
Book debts	Uncertain	-	-
VAT refund	Uncertain	-	-
Insurance policy refunds	Uncertain	-	13,560.17
Cash in client account	181,267.00	-	181,267.39
Insurance refund	-	-	125.00
ISA interest	-	337.05	824.18
	<hr/> 186,867.00	<hr/> 337.05	<hr/> 197,944.48
PAYMENTS			
Official Receiver's general fee		-	6,000.00
Official Receiver's administration fee		-	5,000.00
ISA banking fees		110.45	199.20
Petitioners deposit		-	1,600.00
Petitioners costs		-	2,224.60
Specific bond		-	660.00
Joint liquidators' remuneration		-	17,000.00
Joint liquidators' disbursements		-	357.57
Corporation tax		159.94	257.36
Storage costs		73.64	76.58
Courier fee		-	127.05
Advertising in London Gazette		77.10	151.60
Quantity Surveyors' fees		350.00	350.00
Payment to creditors:-			
Trade and expense creditors	(294,705.00)	149,047.96	149,047.96
Corporation tax	(25,666.00)		
Construction Industry Scheme	(70,029.00)		
Customer counter claims	Uncertain		
	<hr/> (390,400.00)	<hr/> 149,819.09	<hr/> 183,051.92
REPRESENTED BY			
VAT receivable			(2,991.90)
ISA NIB			17,884.46
			<hr/> 14,892.56

Note:-

A first and final dividend of 47.07p in the £ was declared on 17th October 2018 to unsecured creditors claims totalling £316,634.87.

Time Entry - SIP9 Time & Cost Summary

P8869 - P & R Construction Managers Limited
Project Code: POST
From: 12/07/2018 To: 11/07/2019

Classification of Work Function	Partner	Manager	Other Senior Professionals	Assistants & Support Staff	Total Hours Rate (£)	Time Cost (£)	Average Hourly
Administration & planning	0.60	0.10	0.50	2.90	4.10	632.00	154.15
Advice	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Creditors	0.10	12.00	13.00	11.90	37.00	7,142.00	193.03
Fixed charge	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Investigations	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Realisation of assets	0.20	0.00	1.50	1.10	2.80	472.00	168.57
Reporting	0.90	1.00	14.20	2.10	18.20	3,433.50	188.65
Statement of affairs and decision of liquidator	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Trading	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Total Hours	1.80	13.10	29.20	18.00	62.10	11,879.50	188.08

Time Entry - SIP9 Time & Cost Summary

P8869 - P & R Construction Managers Limited
All Post Appointment Project Codes
From: 12/07/2017 To: 11/07/2019

Classification of Work Function	Partner	Manager	Other Senior Professionals	Assistants & Support Staff	Total Hours	Time Cost (£)	Average Hourly Rate (£)
Administration & planning	2.20	6.80	1.10	14.50	24.60	4,333.00	176.14
Advice	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Creditors	0.10	18.10	25.20	25.90	69.30	12,555.00	181.17
Fixed charge	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Investigations	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Realisation of assets	0.20	16.90	13.30	9.70	40.10	8,053.50	200.84
Reporting	0.90	4.50	15.30	5.10	25.80	4,883.50	189.28
Statement of affairs and decision of liquidator	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Trading	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Total Hours	3.40	46.30	54.90	55.20	159.80	29,825.00	186.64

P & R Construction Managers Limited

SIP9 disbursements

Category 2 Disbursements		Accrued 12/07/2018 to 11/07/2019 £	Paid 12/07/2018 to 11/07/2019 £	Accrued 12/07/2017 to 11/07/2019 £	Paid 12/07/2017 to 11/07/2019 £	Total estimated £
Postage and stationery	3 times postage	177.90	-	260.07	96.82	150.00
Photocopying and printing	10p per copy	41.90	-	76.40	51.45	181.00
Mileage	HM Revenue & Customs agreed rate	-	-	68.40	34.30	145.00
Room hire	£120 per meeting	-	-	-	-	-
Storage (Portland archive)	£50 per box per year	-	-	175.00	175.00	100.00
Facsimile	£1 per page	-	-	-	-	12.00
Company searches	2 times cost	-	-	-	-	10.00
Virtual meeting/conference call	£20 per meeting or call	-	-	-	-	-
Banking fee	£10 per case	-	-	-	-	-
Debt collection fees	X% of realisations	-	-	-	-	-
		219.80	-	579.87	357.57	598.00

Portland Business & Financial Solutions

Fees and disbursements policies

Fee policy

In line with most practices, we normally calculate our fees on the basis of the time spent by each member of staff. We are prepared to calculate fees as a percentage of realisations or as a fixed fee by special arrangement only where the circumstances warrant it. Where the assignment relates to an insolvency appointment, we are normally required to obtain a resolution from creditors approving the basis of calculation.

Staff of the appropriate grades, are allocated to each task on each assignment, according to the size and complexity of the matter, and they record their time in six minute units. Where the fee is to be calculated on the basis of time spent, cost rates for each grade are then used to evaluate the fee. The effectively hourly rates are currently as follows:-

	Cost per hour	
	Current rate from 1 Dec 2017	1 Oct 2014 to 30 Nov 2017
	£	£
Director / office holder	340	325
London Principal	340	325
Associate	310	325
Client director / Senior manager	280	265
Case manager	220	210
Senior insolvency administrator	185	175
Case administrator	145	
Administrator	115	110
Cashiers	115	110
Support staff	80	75

The rates are reviewed periodically, typically every 1-2 years, and could therefore increase during any particular assignment.

Disbursement policy

Category 1 – no approval required

Where expenses are incurred through third parties specifically in respect of the assignment, they are recharged to the case as incurred, for example statutory advertising, external room hire, fidelity bond, rail travel and external storage. These are defined as category 1 disbursements in SIP9 and approval is not required.

Category 2 – approval required

Other expenses can be recharged to the assignment based on a share or allocation of a cost that Portland incurs centrally. These are defined as category 2 disbursements in SIP 9 and approval is required. Typically such expenses and the method of allocation are as follows:-

Postage and stationery	-	Three times postage cost
Photocopying and printing	-	10p per copy
Facsimile	-	£1 per page
Mileage	-	HM Revenue and Customs agreed rate
Room hire	-	£120 per meeting
Storage (Portland archive)	-	£50 per box per year
Company searches	-	Two times cost
Virtual meeting/conference call	-	£10 per meeting/call
Banking fee	-	£10 per case
Debt collection fees*	-	Details below

* Portland Legal Debt Collection Limited, trading as Debtcol, is an associated company of Portland Business & Financial Solutions. Where it is deemed appropriate, having considered the cost effectiveness and expertise required this firm may be instructed to pursue outstanding debts. Commercial fees will be agreed on a percentage of realisation basis taking into account the complexity and age of the debt. Rates will be agreed on a commercial basis and will range between 5-25%. Specific recharges for necessary disbursements are recharged at cost.