In accordance with Rule 18.7 of the Insolvency (England & Wales) Rules 2016 and Sections 92A, 104A and 192 of the insolvency Act 1986.

LIQ03 Notice of progress report in voluntary winding up



For further information, please refer to our guidance at www.gov.uk/companieshouse

	Company details	
Company number	0 5 3 7 8 9 3 8	Filling in this form Please complete in typescript or in
Company name in full	Crushers Incorporated Ltd	bold black capitals.
		_
2	Liquidator's name	
Full forename(s)	Laurence George	
Surname	Russell	-
3	Liquidator's address	•
Building name/number	Goodwood House	
Street	Blackbrook Park Avenue	-
Post town	Taunton	-
County/Region	Somerset	
Postcode	T A 1 2 P X	
Country		-
4	Liquidator's name ●	
Full forename(s)		Other liquidator
Surname		Use this section to tell us about another liquidator.
5	Liquidator's address o	
Building name/number		Other liquidator
Street		 Use this section to tell us about another liquidator.
		-
Post town		-
County/Region		-
Postcode		
Country		-
·		

LIQ03 Notice of progress report in voluntary winding up

6	Period of progress report
From date	0 5 1 0 2 0 2 0
To date	0 4 1 0 2 0 2 1
7	Progress report
	☑ The progress report is attached
8	Sign and date
Liquidator's signature	X pmm fmm x
Signature date	

LI003

Notice of progress report in voluntary winding up

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. Caroline.Harris Albert Goodman LLP Address **Goodwood House** Blackbrook Park Avenue **Taunton** County/Region Somerset Postcode T Country Telephone 01823 286096 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 laurence.russell@albertgoodman.douthe 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

Email: Our Ref: caroline.harris@albertgoodman.co.uk

LR/CH/CG/190211/PF7

Your Ref:

CHARTERED ACCOUNTANTS,

TAX CONSULTANTS & FINANCIAL PLANNERS

When telephoning, please call Caroline Harris on 01823 250796

2 December 2021

PRIVATE AND CONFIDENTIAL

ALL MEMBERS AND CREDITORS

Dear Sir/Madam

CRUSHERS INCORPORATED LIMITED - IN LIQUIDATION Previously trading as South West Construction and Crushers 4 Hire Previously trading from Willis Farm, Bickleigh, Tiverton, Devon EX16 8RH Registered number: 05378938

I refer to my appointment as liquidator of the above company on 5 October 2017 and I am pleased to report on my acts and dealings and the conduct of the winding up to 4 October 2021. This report should be read in conjunction with my previous reports as it will only deal in detail with the conduct of the liquidation for the year to that date.

1. Progress during the year

I attach my receipts and payments account to 4 October 2021 incorporating an estimated outcome statement and would comment further as follows:-

Receipts

1.1. Book debts (estimated to realise £9,000)

At the time of my appointment there were eleven debtors with a total book value of £54,456 due to the company, although these were only estimated to realise £9,000 after provision for known and potential bad debts.

Two debts totalling £612 have previously been recovered and four debts totalling £40,703 had been written off.

Two of the remaining debts totalling £10,325 are disputed and during the year I have continued to liaise with the director and the debtors to agree the position. However, one debtor of £1,327 has been in correspondence by email only and his current whereabouts are unknown and so, a Court claim cannot be served on him.

Of the final three debtors totalling £2,816, during the year I issued Court claims in respect of two totalling £1,449. The claim in respect of one debt of £489 was returned gone away and the second debt of £960 has subsequently been disputed and I am in correspondence with the debtor in this respect.

A Court claim has been issued against the last debt of £1,367 in the period after that covered by this report.

For the purpose of this report, I have shown future recoveries as uncertain in respect of these remaining debts.





Goodwood House Blackbrook Park Avenue Taunton TA1 2PX

T: 01823 286096

www.albertgoodman.co.uk

Albert Goodman is the trading name of Albert Goodman LLP. a limited liability partnership registered in England No.OC 353677

Registered Office: Goodwood House, Blackbrook Park Avenue, Taunton TA1 2PX, A full list of members is available at this address.

Laurence Russell is licensed as an insolvency practitioner in the UK by the Institute of Chartered Accountants in England and Wales. He subscribes to this firm's privacy policy, which can be found at: https://albertgoodman.co.uk/wp/wp-content/uploads/AG1192-Privacy-Notice1.pdf

> Registered to carry on audit work in the UK and regulated for a range of investment business activities by the Institute of Chartered Accountants in England and Wales

1.2. Other receipts

These have been detailed in my previous reports and all are shown in the attached receipts and payments account.

Payments

1.3. Legal fees

Court fees of £35 have been paid during the year which brings the total amount paid in respect of legal fees to £127.

1.4. Storage of books and records

The amount of £582 has been paid during the year in respect of the storage of the company's books and records, which brings the total amount paid in this regard to £1,737.

1.5. Other payments

These have been detailed in my previous reports or are self-explanatory and all are also shown in the attached receipts and payments account.

2. Expenses incurred

In addition to the payments set out in the attached receipts and payments account, I have incurred further storage costs totalling £420 and a Land Registry fee of £3 which had not been paid at the anniversary date.

3. Liquidator's fees

I drew general remuneration of £3,013 during the year, bringing the total such fees drawn to £35,507 at 4 October 2021 on a time cost basis in accordance with the resolution passed by creditors on 24 December 2018.

In addition, I also drew a fee of £2,288 in respect of the sale of the land with the agreement of the fixed chargeholder.

I had outstanding time costs of £7,062 at 4 October 2021, having written off £1,784 in respect of the excess time costs incurred in dealing with the sale of the land.

My time costs are higher than those shown in the estimate dated 4 November 2018 due to the additional time taken to deal with outstanding debtors and my investigations, which have been hampered by the failure of the director to respond to my requests for further information. However, this may prove academic if insufficient funds are available for further fees to be drawn.

Details of this remuneration and the associated time costs are given in the attached appendix 2.

Creditors may, under Rule 18.9 of the Insolvency (England and Wales) Rules 2016 and within 21 days of receipt of this report, make a request in writing for further information about the remuneration or expenses set out in it. Such a request may be made by either of the following:-

- (a) a secured creditor, or
- (b) an unsecured creditor with the concurrence of at least 5% in value of unsecured creditors including that creditor or with the permission of the Court.

A secured creditor, or an unsecured creditor with either the concurrence of at least 10% in value of unsecured creditors including that creditor or the permission of the Court, may under Rule 18.34 of the Insolvency (England and Wales) Rules 2016 apply to Court for an order on the grounds that:—

- (a) the remuneration charged by the liquidator, or
- (b) the basis fixed for the liquidator's remuneration, or
- (c) the expenses incurred by the liquidator

is or are, in all the circumstances, excessive or, in the case of an application under sub-paragraph (b), inappropriate.

A Guide to Liquidators Fees can be downloaded at https://www.r3.org.uk/technical-library/england-wales/technical-guidance/fees and is also available free of charge on request from this office.

4. Investigations

I have remained in correspondence with a director in respect of the progress on my investigations and matter she raised.

I concluded my review during the year of two cheque payments made by the company, with no further action required.

My investigation work regarding the following issues is continuing:-

- examining transactions with connected parties
- reconciling the position with regard to the physical assets owned by the company
- confirming the position in respect of work in progress at the time the company ceased to trade

In addition, the following investigation matters remain to be concluded:-

- the examination of the reduction in stock levels in the period leading up to the liquidation
- reviewing the application of sales cut-off upon cessation of trading
- reviewing the circumstances surrounding insurance claims made prior to the liquidation

It is uncertain at this stage whether there will be any recoveries as a result of this work.

5. Creditors' claims

5.1. Secured creditors

Santander UK Plc were believed to be owed £58,264 in respect of an overdraft facility at the time of my appointment. The debt due to the bank was secured by a fixed and floating charge over the assets of the company dated 28 May 2015 and was also personally guaranteed by the directors.

The bank was previously settled in full in the amount of £46,929 upon the sale of the company's development land, which fell under the bank's fixed charge.

5.2. Preferential creditors

I have previously received preferential claims totalling £2,726 in respect of employees' arrears and holiday pay.

This is lower than anticipated in the statement of affairs as a result of the amounts due to one director being set against the amount due from her in respect of her overdrawn loan account and the other director's claim not being processed by the Redundancy Payments Service as they were waiting for further information from him.

Based on current information, I do not anticipate that preferential creditors will receive a dividend as floating charge realisations are likely to be insufficient to cover liquidation costs in full.

5.3. <u>Unsecured creditors</u>

I have received 20 unsecured claims totalling £244,178. There remain 13 creditors with expected claims totalling £44,525 who have yet to submit details. Total unsecured claims are therefore anticipated to be £288,703.

The dividend prospects for unsecured creditors are dependent upon the final levels of realisations and liquidation costs and are currently uncertain as it is not clear whether the former will exceed the latter. Accordingly, no work has been undertaken to agree the claims received.

From April 2017 I have had the discretion to admit amounts due to creditors under £1,000 without receiving a claim. However, I can confirm that no amounts have been admitted under these small claims provisions.

5.4. Prescribed part fund for unsecured creditors

Where a company has granted a floating charge after 15 September 2003 and funds are available under that floating charge, the liquidator must make part of the company's net property available for the satisfaction of unsecured debts.

As there is no net property anticipated to be available for the prescribed part, this is academic in this case.

6. Matters remaining to be done

The following matters remain to be concluded:-

- the collection of the outstanding book debts as referred to in paragraph 1.1 above
- my investigations as detailed in section 4 above

I shall report again following the next anniversary of my appointment or as soon as I am in a position to close this case.

Should you have any queries regarding this report, please do not hesitate to contact this office.

Further information about insolvency processes is available at www.creditorinsolvencyguide.co.uk

Yours faithfully For and on behalf of Crushers Incorporated Limited

LAURENCE RUSSELL (IP No. 9199)

fummlumm

Liquidator

Enc

CRUSHERS INCORPORATED LIMITED - IN LIQUIDATION

RECEIPTS AND PAYMENTS ACCOUNT INCORPORATING AN ESTIMATED OUTCOME STATEMENT

AT 4 OCTOBER 2021

	Note	Forec total 04/10/	at	A1 04/10/		In period from 05/10/2020 to 04/10/2021	At 04/10/2021	Anticipated	Forecast total at 04/10/2021
Receipts		£	£	€	£	£	£	£	£
Assets subject to fixed charge									
Land Less: agents' fees legal fees liquidator's fees irrecoverable VAT insurance due to Santander UK Pic			75,000 (5,310) (1,063) (2,286) (1,733) (1,109) (46,928)		75,000 (5,310) (1,063) (2,288) (1,733) (1,109) (46,928)	- - - - -	75,000 (5,310) (1,063) (2,288) (1,733) (1,109) (46,928)		75,000 (5,310) (1,063) (2,288) (1,733) (1,109) (46,928)
Surplus c/d		_	16,569		16,569		16,569	-	16,569
Assests specifically pledged									
Caterpillar 299D compact track loader Less: due to Caterpillar Financial Services (UK) Ltd Surplus		16,27 4 (7,950)	8,324	16,274 (7,950)	8,324		8,324		8,324
Thwaites swivel dumper Rhino crusher			0,021		F36,0	•	0,324	-	0,324
Yanmar digger Takeuchi skid steer Less: due to Close Brothers Ltd	2 2	11,946		11,946					
Surplus		(7,722)	4,225	(7,722)	4,225	-	4,225		4,225
JCB Fastrac 4DW tractor Less: due to Lombard North Central Pic Surplus		11,946 (5,724)	6,222	11,946 (5,724)	6,222		6,22 2		6,222
Assets subject to floating charge			VALL		0,121,	<u>-</u>	0,222	•	0,222
Plant and machinery	2		19,858		19,858		19,858		19,858
Office equipment Motor vehicle			452 1,100		452 1,100	-	452 1,100		452 1,100
Tools			438		438		438	-	438
Book debts Employee loan			612		612	-	612	uncertain	612
Insurance refund			500 487		500 487	-	500 487	•	500 487
Supplier refund			461		461		461		461
Funds held in solicitors' client account			14		14	-	14	-	14
Director's loan account - R Way		_	uncertain		•		-		
Payments			42,693		42,693	•	42,693	uncertain	42,693
Agents' fees			(1,285)		(1,285)		(1,285)		(1,285)
Legal fees			(92)		(92)	(35)	(127)	-	(127)
Trace fees			(45)		(45)	•	(45)	-	(45)
Pre-liquidation costs Liquidator's fees			(9,500) (42,000)		(9,500)	(5.040)	(9,500)		(9,500)
Storage of books and records			(42,000)		(32,494) (1,155)	(3,013) (582)	(35,507) (1,737)	(6,310) (1,154)	(41,817) (2,901)
Accountants' fees			(1,300)		(1,300)	()	(1,300)	(1,15-5)	(1,300)
Petitioner's costs			(920)		(920)	•	(920)	-	(920)
Redirection of mail insolvency bond			(612)		(612)	-	(612)	-	(612)
Accounting package fees			(312) (260)		(312) (260)		(312) (260)		(312) (260)
Statutory advertising			(161)		(181)	-	(181)	-	(181)
Land Registry fee			•		•	-		(3)	(3)
Surplus/(deficit) available for preferential creditors Less: preferential creditors			(16,559)	_	(5,463)	(3,629)	(9,092)	(7.477)	(16,569)
Surplus/(deficit) available for unsecured creditors c/d		_	(16,569)		(5,463)	(3,629)	(9,092)	(7,477)	(16,569)
Fixed charge surplus b/d Unsatisfied liquidation costs b/d			16,569 (16,569)		16,569 (5,463)	(3,629)	16,569 (9,092)	(7,477)	15,569 (16,569)
		_	-	_	11,106	(3,629)	7,477	(7,477)	(10,358)
Less: unsecured creditors		_	<u> </u>		11,106	(3,629)	7,477	(7,477)	
Estimated dividend re preferential creditors		103	0%		0%	0%	0%	0%	0%
Estimated dividend re unsecured creditors			0%		0%	0%	0%	0%	0%
Represented by: Non-interest bearing current account - LR Re	Crushers In	c Lid T/A SW Co	ns Inliq			=	7,477		

Appendix 2 (i)

APPENDIX REGARDING INSOLVENCY PRACTITIONER'S REMUNERATION

Case name	Crushers Incorporated Limited
Office holder	Laurence Russell
Firm	Albert Goodman LLP
Address	Goodwood House Blackbrook Park Avenue Taunton Somerset TA1 2PX
Telephone	01823 286096
Reference	LR/CH/CG/190211
Type of appointment	Liquidator
Date of appointment	5 October 2017

1 OVERVIEW OF THE CASE

This has been provided in the body of the report to which this appendix has been attached.

I can advise that my fees generally were set on a time cost basis subject to a fee estimate of £38,051 by creditors through a decision by correspondence on 24 December 2018.

In addition, the fixed chargeholder approved my fee of £2,288 for dealing with the sale of the land subject to its charge.

2 EXPLANATION OF INSOLVENCY PRACTITIONER'S CHARGING AND DISBURSEMENT RECOVERY POLICIES

All staff who work specifically on this assignment have their time costed and charged to it, including secretarial and cashiering time.

CHARGEOUT RATES

The current charge out rates of the grades of staff likely to work on this assignment are as follows:-

Insolvency Practitioner

£245 per hour

Senior Manager

£137 per hour

Administrators

£61 to £98 per hour

Assistant and Support Staff

£48 per hour

INCREASES IN CHARGE OUT RATES

It is the policy of this firm to review staff charging rates periodically and increases have been implemented during the administration of this case as follows:-

Insolvency Practitioner	26%
Manager/Senior Manager	14%
Administrators	0 - 9%
Assistant and Support Staff	12%

DISBURSEMENTS POLICY

Disbursements are split into two categories as follows:-

Category 1: These are specific costs met by this firm which relate to a particular insolvency case. Such items of expenditure include the redirection of mail, accountancy package fees, tracing fees, the external storage costs of the company's records, the insolvency bond and statutory advertising. Approval is not required for category 1 disbursements.

Category 2: These are expenses which are paid or are payable to an insolvency practitioner's firm or to any other party in which he / she or his / her firm have an interest and primarily relate to the non-case specific recovery of overhead costs. Creditors' approval is required before a category 2 disbursement can be drawn by an insolvency practitioner. It is this firm's policy that the only disbursements recharged to an assignment are the simple reimbursement of actual payments made to third parties relating to a particular case, which are category 1, except for mileage. Mileage is charged at standard rates which comply with H M Revenue and Customs limits. There are no disbursements levied in respect of the recovery of overhead costs.

3 NARRATIVE DESCRIPTION OF WORK CARRIED OUT

Appendix 2(ii) outlines the time costs incurred in relation to activities undertaken during the year, which can be summarised as follows. Staff of different levels were involved in the activities shown depending upon the experience required and, where significant, further information is provided. In this respect, the senior manager has dealt with the case on a day to day basis following the departure of the case administrator in 2018, which avoided the inevitable costs associated with transferring the case to a new administrator.

Administration and planning

Case planning is necessary to ensure that the case is dealt with in a timely and efficient manner, which therefore keeps costs to a minimum. In addition, there are various administrative tasks that are undertaken in order to comply with current rules, regulations and best practice guides, which have no financial benefit to creditors. The following activities have been undertaken:-

- Maintaining the case records and bank account
- Cashiering
- VAT and corporation tax administration
- · Progress reviews of the case
- Production of the annual report to members and creditors
- · Statutory filing in this respect

Realisation of assets

Please refer to the main body of the report, but in summary the following activities have been undertaken in order to generate funds to cover the costs of the liquidation as far as possible:-

- Debt collection including corresponding with a director and his advisor to progress
- Drafting and filing Court claims including corresponding with the Court
- Undertaking a trace in respect of one debtor

Investigations

The following activities have been undertaken in order for me to comply with my obligations generally, which may result in further recoveries that could be put towards liquidation costs and give rise to a dividend being paid to creditors, although the latter is not currently envisaged:-

- Corresponding with a director and his advisor in respect of work in progress potentially due to the company, transactions with a connected party and reconciling the fixed asset register
- Reviewing two cheque payments made by the company and concluding no further action necessary
- · Corresponding with the other director regarding various investigation issues

Appendix 2 (i)

Creditors

The following activities have been undertaken in order to receive and record creditors' claims, and to comply with rules, regulations and best practice guides which provide no financial benefit to creditors:-

- Communicating with a director in respect of a wages claim
- Maintaining a list of creditors' claims

4 TIME AND CHARGE OUT SUMMARY

A summary of the time spent on this assignment and the costs charged to it as a result is provided at appendix 2(ii).

I can advise that I drew general remuneration of £3,012.56 during the year, which brings the total such remuneration drawn to £35,506.74 in respect of the above time costs and in accordance with the approved basis of my remuneration detailed in section 1 above.

In addition, I drew a fee of £2,288 as agreed with the chargeholder in respect of the sale of the land subject to their charge and wrote off excess time costs of £1,783.77.

I had unbilled time costs of £7,062.45 at 4 October 2021.

5 CATEGORY 2 DISBURSEMENTS

In accordance with the disbursements policy shown in section 2 above, no category 2 disbursements have been charged to this assignment in respect of general overheads or mileage.

6 SUPPORTING DOCUMENTS

A receipts and payments account for this assignment is provided as part of the report to which this appendix is attached.

I also enclose a copy of the resolution passed dealing with the approval of my remuneration.

7 FURTHER INFORMATION

A Guide to Liquidators Fees can be downloaded at https://www.r3.org.uk/technical-library/england-wales/technical-guidance/fees and is also available free of charge on request from this office.

Crushers Incorporated Limited Creditors' voluntary liquidation Time cost analysis at 4 October 2021

	AS PER PREV	AS PER PREVIOUS REPORT	TIMI	TIME COSTS IN	CURRED FR	NCURRED FROM 05/10/2020 TO 04/10/2021	0 TO 04/10/2	1021	TOTAL SI	TOTAL SINCE APPOINTMENT	NTMENT	AS PE	AS PER FEE ESTIMATE	AATE
	Hours	3			Hours			3	F	TO 04/10/2021	_	DATED	DATED 4 NOVEMBER 2018	R 2018
Work type			Insolvency	Senior	Administrators	Assistant & support staff	Total hours	Time cost	Total hours	Total cost	Average	Total bours	Total cost	Average
:														
Administration/planning	115.8	14,501.86	4.1	8.8	1.0	2.4	16.3	2,283.75	132.1	16,785.61	127.07	88.9	10,681.40	120.15
Realisation of assets	149.4	19,099.35	2.0	7.0	0.0	0.5	9.5	1,423.65	158.9	20,523.00	129.16	127.9	16,076.95	125.70
Investigations	44.4	5,016.80	0.8	0.2	3.9	0.0	6.4	571.95	49.3	5,588.75	113.36	39.1	4,526.10	115.76
Creditors	34.5	3,675.90	0.1	0.2	0.0	4.0	4.3	67.70	38.8	3,743.60	96.48	61.5	5,339.50	86.82
Closure	0.0	0.00	0.0	0.0	0.0	0.0	0.0	0:00	0.0	00'0	00:0	14.5	1,427.00	98.41
Total hours	344.1		7.0	16.2	4.9	6.9	35.0		379.1		123.03	331.9	38,050.95	114.65
Total costs		42,293.91						4,347.05		46,640.96				
Fees drawn										35,506.74				
Fees drawn re fixed charge										2,288.00				
Time written off										1,783.77				
Outstanding time costs									I	7,062.45				

CRUSHERS INCORPORATED LIMITED – IN LIQUIDATION Previously known as South West Construction and Crushers 4 Hire Registered number: 05378938

NOTICE TO CREDITORS OF THE RESULTS OF DECISIONS BY CORRESPONDENCE

Pursuant to Rule 1.33 of The Insolvency (England And Wales) Rules 2016

The following decisions by correspondence were made by creditors on 24 December 2018:-

	DECISION	FOR	AGAINST
1	That a Liquidation Committee be established	Nil	2,566.00
2	That the liquidator's remuneration be drawn on a time cost basis with authority to draw fees on account, subject to the increased fee estimate of £38,050.95		Nil

Attached to this record is a list of creditors with their respective values and how they voted on the decisions.

Dated 24 December 2018

mmmmm

LAURENCE RUSSELL

Liquidator

VOTING RECORD - DECISION BY CORRESPONDENCE

Re: Crushers Incorporated Ltd ("the Company") Creditors' Voluntary Liquidation ("CVL") Previously known as: South West Construction and Crushers 4 Hire Registered number: 05378938

DECISION DATE: 24 December 2018

VENUE: Mary Street House, Mary Street, Taunton, Somerset, TA1 3NW

RESOLUTIONS CONSIDERED:

1. That a liquidation committee be established

2. That the liquidator 's remuneration be drawn on a time cost basis with authority to draw fees on account, subject to the increased fee estimate of £38,050.95

	Creditor	Date & Time Received	Claim £	Resolution 1	Resolution 1 Resolution 2
-	1 SMV Associates Limited	20/12/2018 at 9.38am	£2,566.00	Reject	Agree
2					
က					
9			The state of the s		
7					
	Final decision			Reject	Agree

Dated 24December 2018

igned:

iquidate