

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

To the Registrar of Companies

Company Number

05674869

Name of Company

Ashtree Recycling Limited

/ We

Ian Pankhurst  
12a Church Street  
Warwick  
CV34 4ABJeremy Bowden  
12a Church Street  
Warwick  
CV34 4ABthe liquidator(s) of the company attach a copy of ~~my~~our Progress Report  
under section 192 of the Insolvency Act 1986

The Progress Report covers the period from 03/05/2012 to 02/05/2013

Signed



Date 17 MAY 2013

Cobalt  
12a Church Street  
Warwick  
CV34 4AB

Ref ASHT001/IMP/JYB/POD/KC

WEDNESDAY



\*A28Y5GMT\*

A41

22/05/2013

#103

COMPANIES HOUSE

**Ashtree Recycling Limited**  
**(In Liquidation)**  
**Joint Liquidators' Abstract of Receipts & Payments**

Statement of Affairs		From 03/05/2012 To 02/05/2013
	<b>ASSET REALISATIONS</b>	
3,000 00	Plant & Machinery	2,000 00
1,000 00	Funds Held on Trust	1,000 00
	Bank Interest Net of Tax	0 57
		<u>3,000 57</u>
	<b>COST OF REALISATIONS</b>	
	Preparation of S of A	2,000 00
	Agents/Valuers Fees (1)	250 00
	Hire Of Room for Meeting	55 00
	Statutory Advertising	229 50
		<u>(2,534 50)</u>
	<b>UNSECURED CREDITORS</b>	
(251,310 00)	Trade & Expense Creditors	NIL
(30,000 00)	C Foster Loan	NIL
(5,000 00)	Lloyds TSB Bank Plc	NIL
(83,356 00)	HM Revenue & Customs (PAYE/NIC)	NIL
(139,405 00)	HM Revenue & Customs (VAT)	NIL
		<u>NIL</u>
	<b>DISTRIBUTIONS</b>	
(70,000 00)	Ordinary Shareholders	NIL
		<u>NIL</u>
<b>(575,071.00)</b>		<u><b>466.07</b></u>
	<b>REPRESENTED BY</b>	
	Vat Receivable	350 00
	Bank 1 Current	116 07
		<u><b>466.07</b></u>



**Business Support  
and Restructuring**

12A Church Street  
Warwick  
CV34 4AB

T 01926 476530  
F 01926 409603  
E. office@cobaltbusiness.co.uk  
W cobaltbusiness.co.uk

**TO ALL KNOWN MEMBERS AND CREDITORS**

17 May 2013

**When telephoning please ask for:**  
Peter Odell

Our ref CVL522/ASHT001/IP/POD/20

Your ref

Dear Sir or Madam

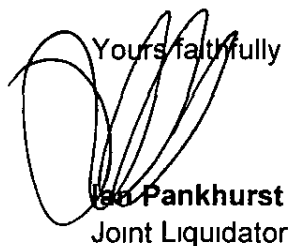
**Ashtree Recycling Limited  
IN CREDITORS' VOLUNTARY LIQUIDATION ("THE COMPANY")**

Please find attached a copy of my progress report on the conduct of the liquidation for the year ended 2 May 2013

By way of reminder, I, together with my partner Jeremy Bowden, was appointed as Joint liquidator to the Company pursuant to paragraph 83 of Schedule B1 of The Insolvency Act 1986 on 3 May 2012. I am licensed to act in the United Kingdom as an insolvency practitioner by the IPA. Jeremy Bowden is licensed to act in the United Kingdom as an insolvency practitioner by the SRA.

If you have any queries regarding this report, please contact Peter Odell

Yours faithfully



**Ian Pankhurst**  
Joint Liquidator

Enc

**Cobalt is the new trading name of Senate Recovery**

# **Joint Liquidators' Annual Progress Report to Creditors & Members**

**Ashtree Recycling  
Limited - In Liquidation**

**17 May 2013**

## **CONTENTS**

- 1 Introduction and Statutory Information
- 2 Realisation of Assets
- 3 Investigations
- 4 Creditors
- 5 Joint Liquidators Remuneration
- 6 Joint Liquidators Expenses
- 7 Creditors' Rights
- 8 Next Report

## **APPENDICES**

- A Receipts and Payments Account from 3 May 2012 to 2 May 2013
- B Time Analysis for the period 3 May 2012 to 2 May 2013
- C Additional Information in relation to Liquidator's fees pursuant to Statement of Insolvency Practice No 9

## **1 Introduction and Statutory Information**

1 1 I, Ian Pankhurst, together with my partner Jeremy Bowden, of Cobalt, 12a Church Street, Warwick, CV34 4AB, was appointed as Joint Liquidator of Ashtree Recycling Limited (the **Company**) on 3 May 2012. This report provides an update on the progress in the liquidation for the year ended 2 May 2013.

1 2 The principal trading address of the Company was Laude Road, Tilton On The Hill, Leicester, Leicestershire, LE7 9DF.

1 3 The registered office of the Company has been changed to 12a Church Street, Warwick, CV34 4AB and its registered number is 05674869.

## **2 Realisation of Assets**

2 1 Attached at Appendix A is my Receipts and Payments Account for the period from 3 May 2012 to 2 May 2013.

### **Plant & Machinery**

2 2 As stated in the director's estimated Statement of Affairs, Plant & Machinery held by the Company had an estimated to realise value of £3,000. Agents were instructed to provide a valuation of these 'assets' taking into account costs of removal and sale by auction. The director, David Moxon, put an offer forward to my agents of £2,000 plus VAT which my agents advised me to accept. To date, I have received £2,000 with the balance of £400, being the VAT, still outstanding. I have been advised by Mr Moxon that payment is being made shortly.

### **Funds held on Trust**

2 3 The Director deposited the sum of £1,000 from personal funds to Cobalt's client account prior to my appointment which was transferred to the liquidation account following my appointment to assist with the costs of the liquidation.

2 4 In accordance with Statement of Insolvency Practice No 13 (SIP13), I would advise you that the following assets were sold to a director of the Company:

Date of transaction	Asset involved and nature of transaction	Consideration Paid and Date	Sold to	Relationship
27 June 2012	Purchase of plant & machinery	£2,000 paid on 29 October 2012	D Moxon	Director

### **3 Investigations**

- 3 1 In accordance with the Company Directors Disqualification Act 1986 I have submitted a report on the conduct of the Directors of the Company to the Department for Business Innovation & Skills (**BIS**). As this is a confidential report, I am not able to disclose the contents
- 3 2 Shortly after appointment, I made an initial assessment of whether there could be any matters that might lead to recoveries for the estate and what further investigations may be appropriate. This assessment took into account information provided by creditors either at the initial meeting or as a response to my request to complete an investigation questionnaire. My investigations revealed the following issues
- 3 3 Following further investigation into the Company's last set of accounts for the year ended 31 January 2011 and following correspondence with the Company's accountants, loan accounts outstanding to the Company have been identified. Further detailed analysis of the Company's bank statements for the period from 1 February 2011 to 2 May 2012 have shown further payments being made to the parties involved. I believe that the sums potentially recoverable amount to £427,245
- 3 4 As a consequence solicitors have been instructed to review my findings and provide me with advice on taking steps to recover these monies due to the Company. I should advise that no funds are available at present to take such action needed. However, I am looking into my solicitors agreeing to a Conditional Fee Agreement where solicitor's costs are paid from any successful realisations taken from any recovery action. Realisation of any funds is wholly dependent on a debtor's ability to repay any sums due. I shall report any further progress and/or confirmation of funds received in my next annual progress report

### **4 Creditors**

#### *Secured Creditors*

- 4 1 There are no secured creditors in this matter

#### *Preferential Creditors*

- 4 2 There are no preferential creditors in this matter

### *Unsecured Creditors*

- 4 3 I have received claims totalling £414,265 70 from 28 creditors I have yet to receive claims from 66 creditors whose debts total £150,940 62 as per the director's statement of affairs
- 4 4 The Company did not grant any floating charges to a secured creditor Accordingly, there is no requirement to create a fund out of the Company's net floating charge property for unsecured creditors, which only applies where a floating charge was created after 15 September 2003
- 4 5 It is not yet known whether funds will be available for a dividend to unsecured creditors as this will be dependent on successful recovery of loans due to the Company and the costs of the liquidation

### **5 Joint Liquidators Remuneration**

- 5 1 At a meeting of creditors held on 3 May 2012 the creditors approved that the basis of the Joint Liquidators remuneration be fixed by reference to the time properly spent by them and their staff in managing the Liquidation
- 5 2 My time costs for the period from 3 May 2012 to 2 May 2013 are £22,871 80 This represents 93 01 hours at an average rate of £245 91 per hour Attached at Appendix B is a Time Analysis which provides details of the activity costs incurred by staff grade during this period in respect of the costs fixed by reference to time properly spent by me in managing the Liquidation To date, no funds have been drawn against these time costs
- 5 3 Of the time costs detailed at Appendix B, creditors will note that, for example, 8 50 hours have been spent under the category "Administration and Planning" by the case manager This category of time spent consists of formalities such as reviewing the working file to ensure all statutory and compliance requirements are adhered to and monitoring of case progression All other codes as noted at Appendix B, all relate to costs incurred in progressing the matter
- 5 4 A copy of 'A Creditors' Guide to Liquidators' Fees' is available on request or can be downloaded from [www.thecreditorgateway.co.uk](http://www.thecreditorgateway.co.uk), entering the password SIP9
- 5 5 Attached as Appendix C is additional information in relation to this firm's policy on staffing, the use of subcontractors, disbursements and details of our current charge-out rates by staff grade



5 6 Since the date of appointment no Category 2 disbursements have been incurred or reimbursed

5 7 At the meeting of creditors held on 3 May 2012 it was resolved that Cobalt's fee for assisting the director with the formalities associated with placing the Company into Creditors Voluntary Liquidation, including the convening of the statutory meetings, be £5,000 plus disbursements plus VAT. This was subsequently ratified at that meeting. I can confirm to date, I have drawn £2,000 against these costs

## 6 Joint Liquidators' Expenses

6 1 The following expenses have been incurred since my appointment as Liquidator

Supplier/ Service Provider	Nature of expense incurred	Amount incurred to date £	Paid to date £	Amount Outstanding £
MGR Appraisals	Valuation of the Company's assets	250	250	Nil

## 7 Creditors' rights

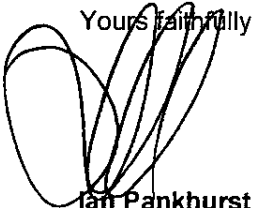
7 1 Within 21 days of the receipt of this report, a secured creditor, or an unsecured creditor (with the concurrence of at least 5% in value of the unsecured creditors) may request in writing that the Liquidator provide further information about his remuneration or expenses which have been itemised in this progress report

7 2 Any secured creditor, or an unsecured creditor (with the concurrence of at least 10% in value of the unsecured creditors) may within 8 weeks of receipt of this progress report make an application to court on the grounds that, in all the circumstances, the basis fixed for the Liquidator's remuneration is inappropriate and/or the remuneration charged or the expenses incurred by the Liquidator, as set out in this progress report, are excessive

## **8 Next Report**

- 8.1 I am required to provide a further report on the progress of the liquidation within two months of the next anniversary of the liquidation, unless I have concluded matters prior to this, in which case I will write to all creditors with my final progress report ahead of convening the final meeting of creditors

Yours faithfully



**Ian Pankhurst**  
Joint Liquidator

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**Cobalt is the new trading name of Senate Recovery**

## **Appendix A**

### **Receipts and Payments Account for the period 3 May 2012 to 2 May 2013**

**Ashtree Recycling Limited  
(In Liquidation)**

**Summary of Receipts & Payments  
03 May 2012 to 02 May 2013**

<b>RECEIPTS</b>	<b>Total (£)</b>
Plant & Machinery	2,000 00
Funds Held on Trust	1,000 00
Bank Interest Net of Tax	0 57
Vat Control Account	145 90
	<hr/>
	<b>3,146 47</b>
	<hr/>
<b>PAYMENTS</b>	
Preparation of S of A	2,000 00
Agents/Valuers Fees (1)	250 00
Hire Of Room for Meeting	55 00
Statutory Advertising	229 50
Vat Receivable	495 90
	<hr/>
	<b>3,030.40</b>
<b>Balance In Hand</b>	<b>116.07</b>
	<hr/>
	<b>3,146 47</b>
	<hr/>

# Time Entry - SIP9 Time & Cost Summary

ASHT001 - Ashtree Recycling Limited  
Project Code POST  
From 03/05/2012 To 02/05/2013

Classification of Work Function	Partner	Manager	Other Senior Professionals	Assistants & Support Staff	Total Hours	Time Cost (£)	Average Hourly Rate (£)
Administration and Planning	7.00	8.50	11.25	4.80	31.55	6,926.50	219.54
Case Specific Matters	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Creditors	0.00	0.80	3.51	1.50	5.81	776.30	133.61
Investigations	7.00	23.70	0.10	0.00	30.80	8,810.50	286.06
Realisation of Assets	3.30	19.35	1.70	0.50	24.85	6,358.50	255.88
Trading	0.00	0.00	0.00	0.00	0.00	0.00	0.00
<b>Total Hours</b>	<b>17.30</b>	<b>52.35</b>	<b>16.56</b>	<b>6.80</b>	<b>93.01</b>	<b>22,871.80</b>	<b>245.91</b>
<b>Total Fees Claimed</b>						<b>0.00</b>	
<b>Total Disbursements Claimed</b>						<b>0.00</b>	

## Appendix C

### ADDITIONAL INFORMATION IN RELATION TO LIQUIDATOR'S FEES

#### PURSUANT TO STATEMENT OF INSOLVENCY PRACTICE 9 (SIP9)

##### 1 Policy

Detailed below is Cobalt's policy in relation to

- Staff allocation and the use of subcontractors
- Professional advisors
- Disbursements

##### 1.1 *Staff allocation and the use of subcontractors*

Our general approach to resourcing our assignments is to allocate staff with the skills and experience to meet the specific requirements of the case

The constitution of the case team will usually consist of a Partner, Manager, Administrator and/or an Assistant. The exact constitution of the case team will depend on the anticipated size and complexity of the assignment and additional staff may be allocated to meet the demands of the case

We are not proposing to utilise the services of any sub-contractors in this case

##### 1.2 *Professional advisors*

On this assignment we have used the professional advisors listed below. We have also indicated alongside, the basis of our fee arrangement with them, which is subject to review on a regular basis

Name of Professional Advisor	Basis of Fee Arrangement
Boyes Turner (legal advice)	Conditional fee agreement
MGR Appraisals (valuation and disposal advice)	Fixed fee and disbursements

Our choice was based on our perception of their experience and ability to perform this type of work, the complexity and nature of the assignment and the basis of our fee arrangement with them

13 *Disbursements*

Category 1 disbursements do not require approval by creditors. The type of disbursements that may be charged as a Category 1 disbursement to a case generally comprise of external supplies of incidental services specifically identifiable to the case, such as postage, case advertising, invoiced travel and external printing, room hire and document storage. Also chargeable will be any properly reimbursed expenses incurred by personnel in connection with the case.

Category 2 disbursements do require approval from creditors. These are costs which are directly referable to the appointment in question but are not payments which are made to an independent third party and may include shared or allocated costs that can be allocated to the appointment on a proper and reasonable basis such as internal room hire, document storage or business mileage.

We would confirm that this firm does not seek to charge any Category 2 disbursements.

**2 Charge-out rates**

A schedule of Cobalt's charge-out rates was issued to creditors at the time the basis of the Joint Liquidators remuneration was approved. There have been no material increases in charge-out rates since that date.