

**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

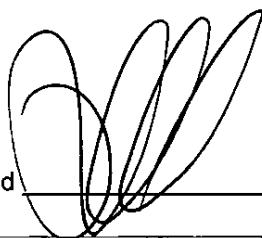
Ashtree Recycling Limited

I / We
Ian Pankhurst
Concorde House
Trinity Park
Solihull
B37 7UQ

the 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 03/05/2013 to 02/05/2014

Signed



Date 13 June 2014

Cobalt
Concorde House
Trinity Park
Solihull
B37 7UQ

Ref ASHT001/IMP/POD/KC

TUESDAY



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COMPANIES HOUSE

Ashtree Recycling Limited
(In Liquidation)
Liquidator's Abstract of Receipts & Payments

Statement of Affairs		From 03/05/2013 To 02/05/2014	From 03/05/2012 To 02/05/2014
	ASSET REALISATIONS		
3,000 00	Plant & Machinery	NIL	2,000 00
1,000 00	Funds Held on Trust	NIL	1,000 00
	Settlement of Directors loan account	10,000 00	10,000 00
	Director's Contribution towards costs	600 00	600 00
	Bank Interest Net of Tax	1 00	1 57
		<u>10,601 00</u>	<u>13,601 57</u>
	COST OF REALISATIONS		
	Preparation of S of A	2,150 00	4,150 00
	Office Holders Fees	4,000 00	4,000 00
	Agents/Valuers Fees (1)	NIL	250 00
	Legal Fees	3,000 00	3,000 00
	Legal disbursements	12 00	12 00
	Hire Of Room for Meeting	NIL	55 00
	Statutory Advertising	6 00	235 50
		<u>(9,168 00)</u>	<u>(11,702 50)</u>
	UNSECURED CREDITORS		
(251,310 00)	Trade & Expense Creditors	NIL	NIL
(30,000 00)	C Foster Loan	NIL	NIL
(5,000 00)	Lloyds TSB Bank Plc	NIL	NIL
(83,356 00)	HM Revenue & Customs (PAYE/NIC)	NIL	NIL
(139,405 00)	HM Revenue & Customs (VAT)	NIL	NIL
		<u>NIL</u>	<u>NIL</u>
	DISTRIBUTIONS		
(70,000 00)	Ordinary Shareholders	<u>NIL</u>	<u>NIL</u>
		NIL	NIL
<u>(575,071 00)</u>		<u>1,433.00</u>	<u>1,899 07</u>
	REPRESENTED BY		
	Vat Receivable		250 00
	Bank 1 Current		117 87
	Vat Control Account		1,531 20
			<u>1,899.07</u>



**Business Support
and Restructuring**

Concorde House
Trinity Park, Solihull
B37 7UQ

T 0121 647 7380
F 0121 635 5001

E. office@cobaltbusiness.co.uk
W cobaltbusiness.co.uk

TO ALL KNOWN MEMBERS AND CREDITORS

5 June 2014

When telephoning please ask for:

Laura South

laurasouth@cobaltbusiness.co.uk

Our ref CVL522/ASHT001/IP/PO/LS/20

Your ref

Dear Sir or Madam


Ashtree Recycling Limited – In Liquidation (the Company)

Please find attached a copy of my progress report on the conduct of the liquidation for the year ended 2 May 2014

By way of reminder, I was appointed as liquidator to the Company at a meeting of creditors held on 3 May 2012. I am licensed to act in the United Kingdom as an insolvency practitioner by the IPA.

If you have any queries regarding this report, please contact Laura South of this office

Yours faithfully



Ian Pankhurst
Liquidator

Liquidator's Annual Progress Report to Creditors & Members

**Ashtree Recycling
Limited - In Liquidation**

5 June 2014

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- 2 Realisation of Assets
- 3 Investigations
- 4 Creditors
- 5 Liquidator's Remuneration
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- 7 Creditors' Rights
- 8 Next Report

APPENDICES

- A Receipts and Payments Account from 3 May 2013 to 2 May 2014
- B Cumulative Receipts and Payments Account for Period from 3 May 2012 to 2 May 2014
- C Time Analysis for the period 3 May 2013 to 2 May 2014
- D Cumulative Time Analysis for the Period from 3 May 2012 to 2 May 2014
- E 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 of Cobalt, Concorde House, Trinity Park, Solihull, B37 7UQ, was appointed as Joint Liquidator of Ashtree Recycling Limited (the **Company**) on 3 May 2012. My colleague Jeremy Bowden was appointed as Joint Liquidator on the same date. I regret to advise that Mr Bowden passed away on 16 December 2013. I have acted as sole liquidator since that date. This report provides an update on the progress in the liquidation for the year ended 2 May 2014.

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 Concorde House, Trinity Park, Solihull, B37 7UQ 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 2013 to 2 May 2014. Attached at Appendix B is a cumulative Receipts and Payments Account for the period from 3 May 2012 to 2 May 2014.

Plant & Machinery

2 2 As reported in my previous annual progress report, the balance of £400 remained outstanding following the purchase of the Company's plant and machinery by the former director, Mr Moxon. I can confirm that this amount has been received during this period. No further sums are due.

Director's contribution towards Statement of Affairs fee

2 3 The director has contributed the sum of £600 towards the costs associated with placing the Company into liquidation.

Settlement of Director's Loan Account

- 2 4 As previously reported, my investigations into the Company's affairs had identified that loan accounts were outstanding to the Company due from David Moxon, Carl Foster, and Elaine Foster, amounting to £427,245. I instructed solicitors to provide advice on taking the necessary steps to recover these sums due.
- 2 5 Following correspondence between my solicitors and Mr Moxon, and after taking advice from my solicitors, including provision of future legal costs, and the ability of the debtor to pay, I agreed a full and final settlement of £10,000 against all claims due against Mr Moxon.

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 As you are aware, following my investigations into the Company's affairs, I identified loan accounts that were due to the Company from David Moxon, Carl Foster, and Elaine Foster amounting to £427,245. As advised in paragraph 2 5, I have agreed a full and final settlement with David Moxon in respect of his outstanding loan account. I am, with the assistance of my solicitors, still pursuing Carl and Elaine Foster in respect of these monies due to the Company.
- 3 4 After further detailed examination of the Company's books and records, I identified that the Company held additional assets that were not shown on the Company's statement of affairs. My investigations into these missing assets are on-going together with the assistance of my solicitors. Any future realisations will be reported 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
- 4 5 It is not known yet whether funds will be available for a dividend to be distributed to unsecured creditors as this will be dependent on successful recovery of monies due to the Company and the costs of the liquidation

5 Liquidator's Remuneration

- 5 1 At a meeting of creditors held on 3 May 2012 the creditors approved that the basis of the Liquidator's 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 2013 to 2 May 2014 are £19,841 25 This represents 77 10 hours at an average rate of £257 34 Attached as Appendix C 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, £4,000 has been drawn on account
- 5 3 Also attached as Appendix D is a cumulative Time Analysis for the period from 3 May 2012 to 2 May 2014 which provides details of my time costs since appointment
- 5 4 Of the time costs detailed at Appendix C, creditors will note that, for example, 11 10 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 5 A copy of 'A Creditors Guide to Liquidators' Fees' is available on request of can be downloaded from www.thecreditorgateway.co.uk, entering the password SIP9
- 5 6 Attached as Appendix E is additional information relating to this firm's policy on staffing, the use of subcontractors, disbursements and details of our current charge-out rates by staff grade
- 5 7 Since the date of appointment no Category 2 disbursements have been incurred or reimbursed
- 5 8 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 and VAT This was subsequently ratified at the meeting I can confirm to date, I have drawn £2,900 against these costs

6 Liquidator's Expenses

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

Supplier/ Service Provider	Name of expense incurred	Amount incurred to date	Exp to date	Amount Outstanding
MGR Appraisals	Valuation of the Company's assets	250	250	Nil
Boyes Turner	Legal fees and disbursements	3,012	3,012	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
Liquidator

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Appendix A

Receipts and Payments account 3 May 2013 to 2 May 2014

**Ashtree Recycling Limited
(In Liquidation)**

**Summary of Receipts & Payments
03 May 2013 to 02 May 2014**

RECEIPTS	Total (£)
Brought Forward	3,146 47
Settlement of Directors loan account	10,000 00
Director's Contribution towards costs	600 00
Bank Interest Net of Tax	1 00
Vat Payable	400 00
	<hr/>
	14,147 47
	<hr/>
PAYMENTS	
Brought Forward	3,030 40
Preparation of S of A	2,150 00
Office Holders Fees	4,000 00
Legal Fees	3,000 00
Legal disbursements	12 00
Statutory Advertising	6 00
Vat Receivable	1,831 20
	<hr/>
	14,029.60
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Balance In Hand	117.87
	<hr/>
	14,147.47
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Appendix B

**Cumulative Receipts & Payments account for 3 May 2012 to 2
May 2014**

**Ashtree Recycling Limited
(In Liquidation)**

**Summary of Receipts & Payments
03 May 2012 to 02 May 2014**

RECEIPTS	Total (£)
Plant & Machinery	2,000 00
Funds Held on Trust	1,000 00
Settlement of Directors loan account	10,000 00
Director's Contribution towards costs	600 00
Bank Interest Net of Tax	1 57
Vat Payable	400 00
Vat Control Account	145 90
	<hr/>
	14,147 47
	<hr/>
PAYMENTS	
Preparation of S of A	4,150 00
Office Holders Fees	4,000 00
Agents/Valuers Fees (1)	250 00
Legal Fees	3,000 00
Legal disbursements	12 00
Hire Of Room for Meeting	55 00
Statutory Advertising	235 50
Vat Receivable	2,327 10
	<hr/>
	14,029 60
	<hr/>
Balance In Hand	117.87
	<hr/>
	14,147.47
	<hr/>

Time Entry - SIP9 Time & Cost Summary

ASHT001 - Ashtree Recycling Limited
Project Code POST
From 03/05/2013 To 02/05/2014

Classification of Work Function	Partner	Manager	Other Senior Professionals	Assistants & Support Staff	Total Hours	Time Cost (£)	Average Hourly Rate (£)
Administration and Planning	0.90	11.10	0.00	2.95	14.85	3,370.00	226.94
Case Specific Matters	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Creditors	0.00	4.10	0.00	0.00	4.10	1,025.00	250.00
Investigations	0.00	10.40	0.00	2.00	12.40	2,760.00	222.58
Realisation of Assets	11.35	33.40	0.00	1.00	45.75	12,688.25	277.30
Trading	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Total Hours	12.15	59.00	0.00	5.95	77.10	19,841.25	257.34

Time Entry - SIP9 Time & Cost Summary

ASHT001 - Ashtree Recycling Limited
Project Code POST
From 03/05/2012 To 02/05/2014

Classification of Work Function	Partner	Manager	Other Senior Professionals	Assistants & Support Staff	Total Hours	Time Cost (£)	Average Hourly Rate (£)
Administration and Planning	7.80	19.70	11.25	7.75	46.50	10,321.50	221.97
Case Specific Matters	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Creditors	0.00	5.30	3.51	1.50	10.31	1,901.30	184.41
Investigations	7.00	34.10	0.10	2.00	43.20	11,570.50	267.84
Realisation of Assets	14.65	52.75	1.70	1.50	70.60	19,044.75	269.78
Trading	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Total Hours	29.45	111.85	16.56	12.75	170.61	42,838.05	251.09

Appendix E

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 arrangement
[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.

2 **Charge-out rates**

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