

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

6041151

Name of Company

The Wooden Window Company (Sales) Ltd

I / We

Kevin J Hellard, 30 Finsbury Square, London, EC2P 2YU

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 08/03/2016 to 07/03/2017

Signed

Date

15/03/17.

Grant Thornton UK LLP
30 Finsbury Square
London
EC2P 2YU

Ref: T00565/KJH/TPB/HOB/LKG

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COMPANIES HOUSE

Our Ref KJH/TPB/HOB/LKG/T00565/
Your Ref

To the creditors and members

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15 March 2017

Dear Sirs

The Wooden Window Company (Sales) Ltd - In Liquidation

1 Introduction

- 1.1 As previously advised, I was appointed as joint liquidator of the above company together with Mr Stephen Hunt of Griffins by Order of the High Court of Justice dated 8 March 2013, in place of Mr Costas Morfakis of Axiom Recovery LLP, who was originally appointed as liquidator on 19 May 2011. Mr Hunt resigned as joint liquidator by Order of the High Court of Justice on 27 November 2013.
- 1.2 Rule 4 49C-CVL of the Insolvency Rules 1986 sets out the periods for which a liquidator must produce a progress report. Rule 4 49C – CVL(3) covers the period when a liquidator ceases to act and states the prescribed period for which the liquidator must produce a progress report ends on the date of that liquidator's ceasing to act.
- 1.3 In accordance with section 104A of the Insolvency Act 1986 I now report on the progress of the liquidation for the year ended 7 March 2017 and attach
 - Appendix A, an account of our receipts and payments for the year ended 7 March 2017 and also for the whole liquidation to date
 - Appendix B, a statement of the remuneration charged by the liquidators in the period 8 March 2013 to 7 March 2017 and a statement of expenses incurred in the period
 - Appendix C, an analysis of time costs as required by Statement of Insolvency Practice 9
 - Appendix D, an extract from the Insolvency Rules 1986 relating to creditors' rights to request additional information from the liquidator (rule 4 49E)
 - Appendix E, an extract from the Insolvency Rules 1986 relating to creditors' rights to challenge the liquidator's remuneration or expenses if excessive (rule 4 131).
- 1.4 I am licensed by the Insolvency Practitioner's Association to act as an insolvency practitioner and I am bound by the Insolvency Code of Ethics when carrying out all professional work relating to an insolvency appointment.

2 Statutory information

- 2.1 The company's statutory details are as follows:

Registered number

6041151

Registered office

30 Finsbury Square, London, EC2P 2YU

3 Progress report

Assets and Investigations

- 3.1 According to the Section 98 report, sworn by the director, Philip Budgen, the following assets were available for creditors.

Asset	Book Value (£)	Estimated to Realise (£)	Amount Realised Under Asset Sale Agreement 3.2 (£)
Goodwill	60,908	25,000	12,000
Leasehold Property	Uncertain	Uncertain	-
Office Equipment & Furniture	1,500	1,000	1,000
Stock	5,000	2,000	2,000
Work in Progress	24,632	12,300	-
Cash at Bank	123	123	126
Total	92,163	40,423	15,126

- 3.7 As previously advised, the assets of the Company were sold to Wooden Windows Limited (WWL), a Company associated by way of common director, for £15,000. WWL entered Creditor's Voluntary Liquidation on 26 November 2013. The sale consideration has been received in full.

- 3.8 Since my appointment I have investigated the trading and financial activities of the Company. My investigations are now complete and unfortunately did not result in any further realisations.

Bond Claim

- 3.9 It is a statutory duty that all practising licensed insolvency practitioners have suitable insurance in place to protect the creditors in the event of fraud and dishonesty by the practitioner. This is commonly known as a bond. It is a requirement that there should be both a specific bond, in relation to the specific assets of each individual case and a general bond in relation to a practitioner's whole portfolio of cases.
- 3.10 I have submitted a claim against the previous liquidator's insolvency bonding. This may result in further recoveries, but at present it is too early to estimate the likelihood of this occurring. At this stage no finding has been made in respect of fraud and dishonesty.

4 Creditors and Dividend Prospects

- 4.1 There are no preferential creditors in this matter.
- 4.2 Total unsecured creditors were estimated at £516,864. I have received claims totalling £675,423 to date.

- 4.3 There have been no distributions to creditors. The prospect of a dividend is dependent on the outcome of the bond claim.

5 Joint Liquidators' Remuneration and Disbursements

- 5.1 Office holders are obliged to provide creditors with information pertaining to fees and expenses drawn from the estate over which they are appointed.
- 5.2 At a meeting of creditors held on 30 April 2014, the following resolution was approved by creditors:
- "That the basis of the liquidators' remuneration be agreed by reference to the time properly given by the joint liquidators and their staff in attending to matters arising in the liquidation."
- 5.3 You will note from the SIP 9 table attached at Appendix C that my time costs to date are £65,713.70, representing 270.27 hours at an average hourly rate of £243.14 and from the receipts and payments account attached at Appendix A, that I have not drawn any fees to date. Time costs of £3,192.20, representing 13.02 hours at an average hourly rate of £245.18 incurred in the period but not drawn as remuneration to date are disclosed in Appendix B.
- 5.4 Time is charged in units of 6 minutes. Background information regarding the fees of liquidators can be found at https://www.t3.org.uk/media/documents/publications/professional/Guide_to_Liquidators_Fees_Oct_2015.pdf. Alternatively I will supply this information by post on request.
- 5.5 In addition, I have outstanding expenses as set out in Appendix B, which will be taken once I am in receipt of sufficient funds.
- 5.6 Griffin did not incur any time costs or expenses prior to Mr Hunt's resignation.

6 Other Expenses

- 6.1 Mr Morfakis had outstanding expenses totalling £77.50 which were paid to Axiom Recovery LLP's supervisor during the period of this report.
- 6.2 If further information or clarification is required please contact Holly Barlow on the details below.

Yours faithfully
for and on behalf of The Wooden Window Company (Sales) Ltd



pp Kevin J Hellard
Liquidator

T: 0161 214 6360
E: holly.o.bazlow@uk.gt.com

A Abstract of the liquidators' receipts and payments

	Statement of affairs Estimated to realise £	Former Liquidator	Current Liquidators	
		From	From	From
		19/05/2011	08/03/2016	08/03/2013
		to 08/03/2013	to 07/03/2017	to 07/03/2017
		£	£	£
Receipts				
Goodwill	25,000 00	12,000 00	0 00	0 00
Leasehold Property	Uncertain	0 00	0 00	0 00
Office Furniture & Equipment	1,000 00	1,000 00	0 00	0 00
Stock	2,000 00	2,000 00	0 00	0 00
Work in Progress	12,300 00	0 00	0 00	0 00
Cash at Bank	122 85	126 05	0 00	0 00
Funds received Pre-Appointment	-	4,500 00	0 00	0 00
Bank Interest Gross	-	0 75	0 00	0 02
Funds recovered from former Liquidator	-	-	0 00	16 83
VAT Refund	-	-	0 00	170 00
	40,422 85	19,626 80	0 00	186 85
Payments				
Specific Bond	-	90 00	0 00	0 00
Preparation of S of A	-	3,750 00	0 00	0 00
Former Liquidator's Fees	-	15,599 97	0 00	0 00
Former Liquidator's Expenses	-	-	0 00	77 50
VAT Receivable	-	170 00	0 00	15 50
	-	19,609 97	0 00	93 00
Balance	-	16 83	0 00	93 85

B Remuneration charged and expenses incurred by the liquidator in the period

	Charged/incurred in period 08/03/2016 to 07/03/2017	Cumulative charged/incurred to 07/03/2017	Of which paid to 07/03/2017
	£	£	£
Grant Thornton UK LLP	3,192.20	65,713.70	Nil
Liquidator's fees:			
Time costs			
Grant Thornton UK LLP			
Expenses:			
Bonding	Nil	5.00	Nil
Land Registry Searches	Nil	99.00	Nil
Courier costs	Nil	86.92	Nil
storage costs	Nil	3.12	Nil
Statutory Advertising	Nil	101.52	Nil
Other	Nil	15.00	Nil
Former Liquidator expenses	Nil	77.50	77.50
Total:	3,192.20	66,101.76	77.50

C SIP 9 information

Transaction period 08/03/2016 to 07/03/2017

Standard	Partner		Manager		Executive		Administrator		Total	
	Hrs	£ Avg Hrly Rate	Hrs	£ Avg Hrly Rate	Hrs	£ Avg Hrly Rate	Hrs	£ Avg Hrly Rate	Hrs	£ Avg Hrly Rate
Administration and Planning	0.59	294.4	14	482	11	289.8	4	840	7.07	1892.20
Creditors					37	1038	0.16	24	3.85	1080
Hiatus period										
Investigations							0.2	32	0.2	32
Pensions										
Realisation of Assets										
Taxation			0.4	80	0.31	84	12	144	19	408
Trading										
Total	0.58	294.4	1.8	542	5.11	1,409.80	5.66	846	13.02	3,192.20

Total fees billed to date (Time) : £

Transaction period 08/03/2013 to 07/03/2017

Standard	Partner		Manager		Executive		Administrator		Total	
	Hrs	£ Avg Hrly Rate	Hrs	£ Avg Hrly Rate	Hrs	£ Avg Hrly Rate	Hrs	£ Avg Hrly Rate	Hrs	£ Avg Hrly Rate
Administration and Planning	4.41	2,388.45	20	7,228	6.65	1822.80	5.09	9,244.45	83.02	26,491.20
Creditors			0.21	78	4	120	2.5	488.5	6.7	1658.50
Hiatus period										
Investigations			4.12	14,204.50	29.6	8,408	80.2	17,441	130.55	40,051.50
Pensions							0.05	7.75	0.05	7.75
Realisation of Assets							1	87.5	1	87.5
Taxation			3.31	1,380	1.1	301	14.55	1,599.25	19.95	3,279.25
Trading										
Total	4.41	2,388.45	24.7	22,888.50	40.9	11,449.60	180.26	18,977.46	270.27	86,713.70

Total fees billed to date (Time) : £

The day to day conduct of the liquidation is under the control of partners and staff of Grant Thornton UK LLP. The routine administration of the case will be at the level of administrator, who is responsible to a manager is experienced in insolvency matters and, together with the appointed partner who is licensed to act as an insolvency practitioner will deal with technical complex matters as they arise. The extent to which time will be incurred by managers and partners will depend on issues which arise as our investigations continue. Details of the hourly rates are made available to creditors or creditor's committees at the time of fixing the basis of our fees. Personnel carrying the Treasury, secretarial and filing functions are charged separately to the professional staff on the case based on the time they work on it.

My charge out rates are as follows -

Grant Thornton UK LLP		From	From	From	From	From
Grade		1/7/12	1/7/13	1/7/14	1/7/15	1/7/16
Partners	£/hour	465-580	£/hour 480-600	£/hour 495-615	£/hour 495-615	£/hour 495-615
Directors		440-480	455-500	470-515	470-515	470-515
Managers		270-440	280-455	290-470	290-470	290-470
Other Senior Professionals		220-285	230-295	240-305	240-305	240-305
Administrator		150-210	160-220	160-230	160-230	160-230
Support Staff		140-165	145-170	150-175	150-175	150-175

Disbursements

Out of pocket expenses are charged at cost. Mileage is charged at standard rates which comply with HM Revenue & Customs limits or AA recommended rates. VAT is added to disbursement charges as necessary.

D An extract from the Insolvency Rules 1986 relating to creditors' rights to request additional information from the liquidator

Rule 4.49E edited for application to a progress report in a creditors' voluntary liquidation

- (1) If
 - (a) within the period mentioned in paragraph (2)
 - (i) a secured creditor, or
 - (ii) an unsecured creditor with the concurrence of at least 5% in value of the unsecured creditors (including the creditor in question), or
 - (b) with the permission of the court upon an application made within the period mentioned in paragraph (2), any unsecured creditor makes a request in writing to the liquidator for further information about remuneration or expenses set out in the progress report, the liquidator must, within 14 days of receipt of the request, comply with paragraph (3) except to the extent that the request is in respect of a matter which was previously included in a progress report.
- (2) The period referred to in paragraph (1)(a) is 21 days of receipt of the progress report.
- (3) The liquidator complies with this paragraph by either -
 - (a) providing all of the information asked for, or
 - (b) so far as the liquidator considers that
 - (i) the time or cost of preparation of the information would be excessive, or
 - (ii) disclosure of the information would be prejudicial to the conduct of the liquidation or might reasonably be expected to lead to violence against any person, or
 - (iii) the liquidator is subject to an obligation of confidentiality in respect of the information,
 giving reasons for not providing all of the information.
- (4) Any creditor, who need not be the same as the creditor who requested further information, may apply to the court within 21 days of -
 - (a) the giving by the liquidator of reasons for not providing all of the information asked for, or
 - (b) the expiry of the 14 days provided for in paragraph (1),
 and the court may make such order as it thinks just.
- (5) Without prejudice to the generality of paragraph (4), the order of the court under that paragraph may extend the period of 8 weeks provided for in Rule 4.131(1B) by such further period as the court thinks just.

E An extract from the Insolvency Rules 1986 relating to creditors' rights to challenge the liquidator's remuneration or expenses if excessive

Rule 4 131

- (1) Any secured creditor, or any unsecured creditor with either the concurrence of at least 10% in value of the creditors (including that creditor) or the permission of the court, may apply to the court for one or more of the orders in paragraph (4).
- (1A) Application by a creditor may be made on the grounds that -
 - (a) the remuneration charged by the liquidator,
 - (b) the basis fixed for the liquidator's remuneration under Rule 4.127, or
 - (c) 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
- (1B) The application must, subject to any order of the court under Rule 4.49E(5), be made no later than 8 weeks (or in a case falling within Rule 4.108, 4 weeks) after receipt by the applicant of the progress report or the draft report under Rule 4.49D, which first reports the charging of the remuneration or the incurring of the expenses in question ("the relevant report").
- (2) The court may, if it thinks that no cause is shown for a reduction, dismiss the application, but it shall not do so unless the applicant has had an opportunity to attend the court for a hearing, of which he has been given at least 5 business days' notice, but which is without notice to any other party.
If the application is not dismissed under this paragraph, the court shall fix a venue for it to be heard, and give notice to the applicant accordingly.
- (3) The applicant shall, at least 14 days before the hearing, send to the liquidator a notice stating the venue and accompanied by a copy of the application, and of any evidence which the applicant intends to adduce in support of it
- (4) If the court considers the application to be well-founded, it must make one or more of the following orders -
 - (a) an order reducing the amount of remuneration which the liquidator was entitled to charge
 - (b) *an order fixing the basis of remuneration at a reduced rate or amount*
 - (c) an order changing the basis of remuneration
 - (d) an order that some or all of the remuneration or expenses in question be treated as not being expenses of the liquidation
 - (e) an order that the liquidator or the liquidator's personal representative pay to the company the amount of the excess of remuneration or expenses or such part of the excess as the court may specify
 and may make any other order that it thinks just, but an order under sub-paragraph (b) or (c) may be made only in respect of periods after the period covered by the relevant report.
- (5) Unless the court orders otherwise, the costs of the application shall be paid by the applicant, and are not payable as an expense of the liquidation

Liquidator's ref : KJH/TPB/HOB/LKG/T00565/7
Claimant's ref :

The Wooden Window Company (Sales) Ltd - In Liquidation

Creditor's Claim Form

Name and address of creditor: _____

Amount claimed in the liquidation £ _____

Particulars of any security held _____

Value of security: £ _____

Signature _____

Name and position of signatory
(if not personally the creditor): _____

Telephone: _____

E-mail: _____

Date: _____

Please provide appropriate documentation in support of your claim

If you are registered for VAT the amount claimed should include VAT even if VAT bad debt relief has been claimed under the Value Added Tax Act 1994.

Please return this form when you have completed it to

Kevin J Hellard
4 Hardman Square, Spinningfields, Manchester, M3 3EB