

LIQ03

Notice of progress report in voluntary winding up



Companies House

SATURDAY



A8ZCATGQ

A14

22/02/2020

#254

COMPANIES HOUSE

1 Company details

Company number 0 6 5 1 8 3 2 0

Company name in full Nationwide Construction London Ltd

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

2 Liquidator's name

Full forename(s) Stephen

Surname Penn

3 Liquidator's address

Building name/number Unit 2

Street Railway Court

Post town Ten Pound Walk

County/Region Doncaster

Postcode D N 4 5 F B

Country

4 Liquidator's name ①

Full forename(s)

Surname

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

5 Liquidator's address ①

Building name/number

Street

Post town

County/Region

Postcode

Country

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

LIQ03

Notice of progress report in voluntary winding up

6 Period of progress report

From date	d	0	d	3	m	0	m	2	y	2	y	0	y	1	y	9
To date	d	0	d	2	m	0	m	2	y	2	y	0	y	2	y	0

7 Progress report

☐ The progress report is attached

8 Sign and date

Liquidator's signature

Signature

X

X

Signature date

d	1	d	9	m	0	m	2	y	2	y	0	y	2	y	0
---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---

LIQ03

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.

Contact name **Danielle Jones**Company name **Absolute Recovery Limited**Address
Unit 2
Railway CourtPost town **Ten Pound Walk**County/Region **Doncaster**Postcode

	D	N	4		5	F	B
--	---	---	---	--	---	---	---

Country

DX **info@absrecovery.co.uk**Telephone **01302 572701****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

Liquidator's Annual Progress Report to Creditors & Members

**Nationwide Construction London Ltd
- In Liquidation**

18 February 2020

NATIONWIDE CONSTRUCTION LONDON LTD - IN LIQUIDATION

CONTENTS

- 1** Introduction and Statutory Information
- 2** Receipts & Payments
- 3** Progress of the Liquidation
- 4** Creditors
- 5** Liquidator's Remuneration
- 6** Creditors' Rights
- 7** Next Report

APPENDICES

- A** Receipts and Payments Account for the Period from 3 February 2019 to 2 February 2020
Cumulative Receipts and Payments Account for the Period since the Liquidator's Appointment
- B** Additional information in relation to Liquidator's Fees, Expenses & Disbursements

NATIONWIDE CONSTRUCTION LONDON LTD - IN LIQUIDATION

1 Introduction and Statutory Information

- 1.1 I, Stephen Penn of Absolute Recovery Limited, Unit 2, Railway Court, Ten Pound Walk, Doncaster, DN4 5FB, was appointed as Liquidator of Nationwide Construction London Ltd (the **Company**) on 3 February 2017. This progress report covers the period from 3 February 2019 to 2 February 2020 (**the Period**) and should be read in conjunction with any previous progress reports which have been issued.
- 1.2 Information about the way that we will use, and store personal data on insolvency appointments can be found at <http://www.absolute-recovery.co.uk/privacypolicy.html>. If you are unable to download this, please contact us and a hard copy will be provided to you.
- 1.3 There has been no change in office holder since the date of Liquidation.
- 1.4 The principal trading address of the Company was 15 Forest Road, Barkingside, Ilford, Essex, IG6 3HA.
- 1.5 The registered office of the Company has been changed to Unit 2, Railway Court, Ten Pound Walk, Doncaster, DN4 5FB and its registered number is 06518320.

2 Receipts and Payments

- 2.1 At Appendix A is my Receipts and Payments Account covering the Period of this report. Also attached, is a cumulative Receipts and Payments Account for the period from the date of my appointment as Liquidator to the end of the Period covered by this report.
- 2.2 *In Section 3 below, you will find an update on the progress made during the Period in realising the Company's assets and dealing with its affairs.*

3 Progress of the Liquidation

- 3.1 This section of the report provides creditors with an update on the progress made in the liquidation during the Period and an explanation of the work done by the Liquidator and his staff.
- 3.2 Following on from my last annual progress report I can confirm that the Statutory Demand was issued to the last known service address of the third party but the agent was unable to personally serve it on the person in question due to not being present at the address. It was confirmed by our agent that the address provided was in fact the mothers address of the third party.
- 3.3 It was confirmed to my agent that the third party does attend the property but did not live at the address, therefore following advice from my solicitors a tracing agent was instructed.
- 3.4 The results from the tracing agent confirmed that the third party did reside at the mother's address, therefore it seemed to me that the third party was avoiding his duties to me as liquidator and trying to evade responsibilities.
- 3.5 After further discussions with Walker Morris LLP it was agreed that my solicitors would petition for Bankruptcy against the third party on my behalf in November 2019.
- 3.6 The bankruptcy hearing is listed for Thursday 5 March 2020 at 10:00am.

Administration (including statutory compliance & reporting)

- 3.7 An office holder must comply with certain statutory obligations under the Insolvency Act 1986 and other related legislation. Details about the work I anticipated would need to be done in

NATIONWIDE CONSTRUCTION LONDON LTD - IN LIQUIDATION

this area was outlined to creditors in my initial fees estimate/information. For ease of reference and for the benefit of creditors the work anticipated included:

- Notifying creditors of the liquidator's appointment and other associated formalities including statutory advertising and filing relevant statutory notices at Companies House
- Preparing and issuing annual progress reports to members and creditors
- Lodging periodic returns with the Registrar of Companies for the liquidation
- Complying with statutory duties in respect of the liquidator's specific penalty bond
- Creation and update of case files on the firm's insolvency software
- Redirection of the Company's mail to the liquidator's office
- Establishing and holding periodic meetings of the liquidation committee and associated filing formalities (if a committee is appointed)
- Securing the Company's books and records
- Pension regulatory reporting and auto-enrolment cancellation
- Completion and filing of the notice of the Company's insolvency to HMRC
- Initial assessment required by Statement of Insolvency Practice 2 and the Company Directors Disqualification Act 1986 (CDDA) including the review of the Company's books and records and the identification of potential further asset realisations which may be pursued in the liquidation
- Submitting a statutory report to the Insolvency Service under the CDDA
- Periodic case progression reviews (typically at the end of Month 2, Month 9 and every 6 months thereafter)
- Opening, maintaining and managing the liquidation estate cashbook and bank account(s)
- Dealing with all post-appointment VAT and corporation tax compliance
- Closing the liquidation and preparing and issuing the liquidator(s) final account to prescribed parties

- 3.8 Where the costs of statutory compliance work or reporting to creditors exceeds the initial estimate, it will usually be because the duration of the case has taken longer than anticipated, possibly due to protracted asset realisations, which have in turn placed a further statutory reporting requirement on the Liquidator.
- 3.9 As noted in my initial fees estimate/information, this work will not necessarily bring any financial benefit to creditors but is required on every case by statute.

Realisation of Assets

Assets Realised

3.10 Bank Interest Gross

Upon my appointment I opened an interest-bearing current account for the purpose of the liquidation and to date interest totalling £66.97 has accrued.

- 3.11 It is considered that the work the Liquidator and his staff have undertaken to date may bring a financial benefit to creditors. This may be a distribution to secured creditors of the Company only (from which a Prescribed Part fund may be derived for the benefit of unsecured creditors) or may, depending on realisations and the extent of any 3rd party security, result in a distribution to the preferential and unsecured creditors of the Company.

Creditors (claims and distributions)

- 3.12 Further information on the anticipated outcome for creditors in this case can be found at section 3 of this report. A Liquidator is not only required to deal with correspondence and claims from unsecured creditors (which may include retention of title claims), but also those of any secured and preferential creditors of the Company. This may involve separate reporting to any secured creditor and dealing with distributions from asset realisations caught under their security, most typically a debenture.

NATIONWIDE CONSTRUCTION LONDON LTD - IN LIQUIDATION

- 3.13 Claims from preferential creditors typically involve employee claims and payments made on behalf of the Company by the Redundancy Payments Service following dismissal.
- 3.14 The above work will not necessarily bring any financial benefit to creditors generally, however a Liquidator is required by statute to undertake this work. Similarly, if a distribution is to be paid to any class of creditor, work will be required to agree those claims and process the dividend payments to each relevant class of creditor. The more creditors a company has, the more time and cost will be involved by the Liquidator in dealing with those claims.

Investigations

- 3.15 You may recall from my first progress report to creditors that some of the work the Liquidator is required to undertake is to comply with legislation such as the Company Directors' Disqualification Act 1986 (**CDDA 1986**) and Statement of Insolvency Practice 2 – Investigations by Office Holders in Administration and Insolvent Liquidations and may not necessarily bring any financial benefit to creditors, unless these investigations reveal potential asset recoveries that the Liquidator can pursue for the benefit of creditors.
- 3.16 My report on the conduct of the Directors of the Company to the Department for Business, Energy & Industrial Strategy under the CDDA 1986 was submitted during the first year of the liquidation and is confidential.
- 3.17 Since my last progress report I would advise that no further asset realisations have come to light that may be pursued by me for the benefit of creditors.

Matters still to be dealt with

- 3.18 The administration of the Liquidation will continue to address the matters detailed earlier in this report and I will review the matters upon the appointment of a trustee for the Bankruptcy unless the third party defends the application.

4 Creditors

Secured Creditors

- 4.1 The company has no secured creditors.

Preferential Creditors

- 4.2 The company has no preferential creditors.

Unsecured Creditors

- 4.3 I have received claims totalling £1,146,028.82 from 3 creditors. I have yet to receive claims from 1 creditor whose debts total £13,624.00 as per the Company's statement of affairs.
- 4.4 At this moment in time I would confirm that it is unknown if there will be sufficient funds realised after defraying the expenses of the liquidation to pay a dividend to unsecured creditors, unless realisations are made from the points raised in the investigation.
- 4.5 Unsecured creditors who have not yet submitted a claim are encouraged to do so using the proof of debt form uploaded on the portal (access to which is provided in the letter circulating notice of this report being available) and provide documentary evidence in support.

NATIONWIDE CONSTRUCTION LONDON LTD - IN LIQUIDATION

5 Liquidator's Remuneration

- 5.1 The Creditors approved that the basis of the Liquidator's remuneration be fixed as a set amount. My fees estimate/information was originally provided to creditors when the basis of my remuneration was approved and was based on information available to me at that time.
- 5.2 The Liquidator has drawn £17,500 against the total set fee agreed of £17,500 approved by creditors.
- 5.3 I now consider that the fee estimate I previously provided for the liquidation is insufficient to complete my duties as a result of:
- The Company's affairs requiring more extensive investigation than previously anticipated. This is due to the large amount of transactions that have occurred and the discovery that the director named at Companies House was a shadow director and a third party was in control of the company.
 - Extensive correspondence with my solicitors has been timelier than expected along with reviewing the bankruptcy petition and providing the necessary information and documentation required for the petition.
 - The duration of the case has taken longer than anticipated, due to protracted asset realisations, which have in turn placed a further statutory reporting requirement on me as Liquidator.
 - The work carried out to date may bring a financial benefit to creditors in that a dividend may be payable if realisations can be made from the third party. The current claim I have against this third party is in excess of £800,000.

As a result, my revised fees estimate is set out below and I am seeking approval by correspondence from the creditors to increase this estimate. Further details can be found on the letter which accompanies this report.

- 5.4 I do not anticipate that any further approval will be necessary following the revision of my estimate below, in order to conclude the liquidation.

Liquidator's Revised Fee Estimate

- 5.5 A set amount for Statutory Compliance work to include adjudication of creditor claims if a dividend is to be paid to any class of creditor and further work as may be required for the investigation and bankruptcy petition. The new revised amount requested is £35,000 plus VAT and 10% of any realisations made.
- 5.6 In considering the reasonableness of the above fee proposals, I would draw your attention to the charges imposed by The Insolvency Service where a company is wound up by the courts following a creditors' petition to wind-up a company. The Insolvency Service where the Official Receiver acts as liquidator and realises company assets a charge of 15% is levied on all asset realisations. My proposed fee percentage is lower than that charged by the Insolvency Service.
- 5.7 A copy of 'A Creditors' Guide to Liquidators' Fees' is available on request or can be downloaded from:
- <https://www.icaew.com/-/media/corporate/files/technical/insolvency/creditors-guides/2017/liquidations-creditor-fee-guide-6-april-2017.ashx?la=en>
- 5.8 Attached as Appendix B is additional information in relation to the Liquidator's fees, expenses and disbursements, including where relevant, information on the use of subcontractors and professional advisers.

NATIONWIDE CONSTRUCTION LONDON LTD - IN LIQUIDATION

6 Creditors' Rights

- 6.1 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.
- 6.2 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.

7 Next Report

- 7.1 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 account.
- 7.2 If you have any queries in relation to the contents of this report, I can be contacted by telephone on 01302 572701 or by email at info@absrecovery.co.uk.

Yours faithfully


Stephen Penn
Liquidator

Nationwide Construction London Ltd
(In Liquidation)
Liquidator's Summary of Receipts and Payments

	Statement of affairs £	From 03/02/2019 To 02/02/2020 £	From 03/02/2017 To 02/02/2020 £
RECEIPTS			
Cash at Bank		0.00	58,085.92
Bank Interest Gross		66.97	100.25
		<u>66.97</u>	<u>58,186.17</u>
PAYMENTS			
Preparation of S. of A.		0.00	3,000.00
Office Holders Fees		0.00	17,500.00
Corporation Tax		5.86	5.86
Tracing Agent Fee		72.00	72.00
Trade & Expense Creditors	(23,124.00)	0.00	0.00
Directors	(3,600.00)	0.00	0.00
Customs & Excise	(278,205.60)	0.00	0.00
Ordinary Shareholders	(100.00)	0.00	0.00
Vat Receivable		0.00	4,100.00
		<u>77.86</u>	<u>24,677.86</u>
BALANCE - 02 February 2020		<u>(10.89)</u>	<u>33,508.31</u>
MADE UP AS FOLLOWS			
Bank 1 Current		(10.89)	33,508.31
		<u>(10.89)</u>	<u>33,508.31</u>

NATIONWIDE CONSTRUCTION LONDON LTD - IN LIQUIDATION

Appendix B

Additional Information in Relation to the Liquidator's Fees, Expenses & Disbursements

8 Staff Allocation and the Use of Sub-Contractors

- 8.1 The general approach to resourcing our assignments is to allocate staff with the skills and experience to meet the specific requirements of the case.
- 8.2 The constitution of the case team will usually consist of a Partner, a Manager, and an Administrator or Assistant. The exact constitution of the case team will depend on the anticipated size and complexity of the assignment and the experience requirements of the assignment.
- 8.3 We are not proposing to utilise the services of any sub-contractors in this case.

9 Professional Advisors

- 9.1 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
Walker Morris LLP (legal advice and pursue director)	Hourly rate and disbursements

- 9.2 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.

10 Liquidator's Expenses & Disbursements

- 10.1 The estimate of expenses (including disbursements) which were anticipated at the outset of the liquidation was provided to creditors when the basis of my fees were approved, a copy of which is set out below:

Expense	Estimated cost
Category 1 disbursements charged by the firm:	
Statutory advertising	88.00 per advert
Specific penalty bond	48.00
External meeting room hire	40.00 per hour
Re-direction of the Company's mail	175.00
Case related travel & subsistence	150.00
Postage	13.20
Category 2 disbursements charged by the firm:	
Business mileage	0.45 per mile
Printing & Copying	0.10 per sheet
Envelopes	0.10 per envelope
Storage	5.00 per box per calendar quarter

NATIONWIDE CONSTRUCTION LONDON LTD - IN LIQUIDATION

Current position of Liquidator's expenses

- 10.2 An analysis of the expenses paid to the date of this report, together with those incurred but not paid at the date of this report is provided below:

	Paid in prior periods	Paid in the period covered by this report	Incurred but not paid at the date of this report	Total
Category 1 disbursements				
Statutory advertising	Nil	Nil	176.00	176.00
Specific penalty bond	Nil	Nil	432.00	432.00
Re-direction of the Company's mail	Nil	Nil	175.00	175.00
Tracing Agent Fee	Nil	72.00	Nil	72.00
Postage	Nil	Nil	16.72	23.17
Category 2 disbursements				
None				

- 10.3 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. These disbursements are included in the tables of expenses above.
- 10.4 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. Details of Category 2 disbursements charged by this firm (where appropriate) were provided at the time the Liquidator's fees were approved by creditors. Any Category 2 disbursements incurred are specifically highlighted in the tables of expenses above.

NOTICE OF DECISION(S) BEING SOUGHT BY CORRESPONDENCE (A DECISION PROCEDURE)

Pursuant to S246ZE of the Insolvency Act 1986 and Rule 15.8 of Part 15 of the Insolvency (England and Wales) Rules 2016 (**the Rules**).

NATIONWIDE CONSTRUCTION LONDON LTD (the Company) - In Creditors' Voluntary Liquidation
Registered Number - 06518320

THE PROPOSED DECISION(S)

The following decisions are proposed by the Liquidator (**the Convener**) as decisions to be made by the Company's creditors by correspondence:

1. Increase the original set amount for Statutory & compliance work to £35,000 plus VAT for the reasons set out in the annual progress report dated 18 February 2020.
2. 10% of any realisations.
3. Whether a liquidation committee should be established if sufficient creditors are willing to be members of a committee and if so, who the creditors' wish to nominate for membership of the committee.

ENSURING YOUR VOTES ON THE PROPOSED DECISIONS ARE COUNTED

In order for votes on the Proposed Decisions to be counted, a creditor must have delivered the **Voting Form** accompanying this Notice, together with a proof of debt in respect of their claim to the Convener (unless already submitted), whose contact details are below, on or before **11 March 2020** (**the Decision Date**), failing which their votes will be disregarded.

Appeal of Convener's decision

Pursuant to Rule 15.35 of the Rules, any creditor may apply to the court to appeal a decision of the Convener. However, an appeal must be made within 21 days of the Decision Date.

Creditors' committee - nominations

Although creditors did not make the decision to establish a liquidation committee on my appointment, I am required under insolvency legislation to invite creditors to decide whether one should be established each time I seek a decision from them.

A decision on this matter is therefore included on the Voting Form. Any nominations for membership of the committee must be received by the Convener on or before the Decision Date and will only be accepted if the Convener is satisfied as to the nominee's eligibility to be a member of such committee under Rule 17.4 of the Rules. Please note that nominations for membership can also be made on the Voting Form accompanying this notice.

Under Rule 17.4, a creditor is eligible to be a member of such a committee if the creditor has proved for a debt, the debt is not fully secured and the proof has not been wholly disallowed for voting purposes or wholly rejected for the purpose of distribution or dividend. Please note that a person cannot be a member as both a creditor and a contributory and whilst a body corporate may be a member of a creditors' committee, it can only act through a representative appointed under Rule 17.17.

Creditors with a small debt

Any creditor whose debt is treated as a small debt (less than £1,000 inclusive of VAT) must still deliver a proof of debt in respect of their claim with their Voting Form if they wish to vote on the Proposed Decisions.

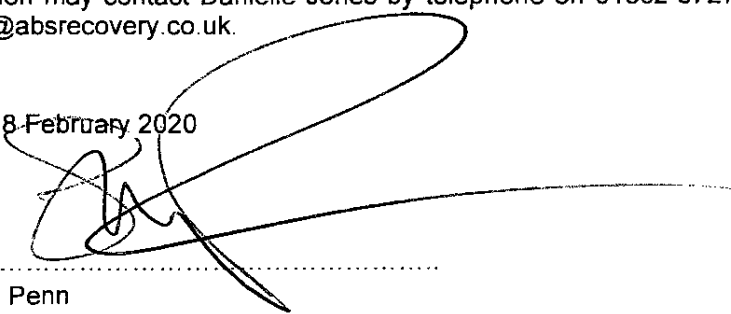
Request for a physical meeting

Insolvency legislation also provides that creditors who meet certain thresholds, namely 10% in value of creditors, 10% in number of creditors or 10 creditors, may require a physical meeting to be held to consider the Proposed Decisions. Such a request must be made in writing to the Convener by no later than 5 business days after the date of delivery of this notice and should be accompanied by a proof of debt (unless already submitted).

Contact details

Documents required to be delivered to the Convener pursuant to this notice can be sent by post to the Liquidator at Absolute Recovery Limited, Unit 2, Railway Court, Ten Pound Walk, Doncaster, DN4 5FB or alternatively by email to decisions@absrecovery.co.uk. Any person who requires further information may contact Danielle Jones by telephone on 01302 572701 or alternatively by e-mail at d.jones@absrecovery.co.uk.

Dated: 18 February 2020

Signed: 
Stephen Penn
Liquidator

Voting Form (Creditors' Voluntary Winding Up)

Name of Company

Nationwide Construction London Ltd

Company number

06518320

Please indicate whether you are in favour or against each of the decisions set out below and return this form with a proof of debt (if not already submitted) to Absolute Recovery Limited, Unit 2, Railway Court, Ten Pound Walk, Doncaster, DN4 5FB, on or before **11 March 2020** (the **Decision Date**) in order that approval may be determined.

		In Favour	Against
1	Increase the original set amount for Statutory & Compliance work to £35,000 plus VAT for the reasons set out in the annual progress report dated 18 February 2020		
2	10% of any realisations made		

Liquidation Committee

The Insolvency Rules require that where a decision is sought from creditors, it is necessary to invite creditors to decide on whether a liquidation committee should be established. The Insolvency Rules also state that where the creditors decide that a creditors' committee should be established, it cannot be established unless it has at least three (and no more than five) members. Therefore, if you believe a liquidation committee should be established, please nominate below a member who is prepared to represent you as a member of the committee.

I am seeking that a liquidation committee be established

YES / NO*

*delete as applicable

I wish to nominate _____ (insert name)

Representing _____ (insert name of creditor)

to be a member of the committee

Please complete the section below before returning the form

Name of Creditor	
Signature on behalf of creditor	
Position with creditor or relationship to creditor or other authority for signature - please indicate	
Is the signatory the sole member of a body corporate?	YES / NO
Date of signing	