

ABLE ELECTRICAL & MECHANICAL SERVICES LIMITED - IN COMPULSORY LIQUIDATION

Liquidator's Annual Progress Report to Creditors and Members for the period 10th January 2015 to 9th January 2016

STATUTORY INFORMATION

Name of Company	ABLE ELECTRICAL & MECHANICAL SERVICES LIMITED
Registered Office	284 Clifton Drive South, Lytham St. Annes, Lancashire, FY8 1LH
Former Registered Office	7 Congress Gardens, St Helens, WA9 5TL
Registered Number	06935225
Court Name and Number	LIVERPOOL COUNTY COURT NO. 211 OF 2012
Liquidator's Name	James Richard Duckworth
Liquidator's Address	Freeman Rich, 284 Clifton Drive South, LYTHAM ST. ANNES, Lancashire FY8 1LH
Date of Winding-up Order	23rd January 2012
Liquidator's Date of Appointment	10th January 2014

SUMMARY OF LIQUIDATOR'S ACTIONS SINCE APPOINTMENT

Creditors will be aware from my previous Report that I had identified claims against the Director and had sent detailed instructions to solicitors

LIQUIDATOR'S ACTIONS SINCE LAST REPORT

This is my Second Annual Progress Report and should be read in conjunction with my previous Annual Progress Report

I have spent time in the reporting period as follows -

Preparing and issuing the last Annual Progress Report

Carrying out periodic reviews of the case

Completing statutory matters

Carrying out ongoing cashiery work

Enquiries into any Payment Protection Insurance and Interest Rate Hedging claims have been made

Since my last Report I have continued correspondence with solicitors who asserted claims to the Director. It was necessary to review the Company's records and further information was provided to solicitors. Following correspondence and further enquiries having been made with regard to the Director's financial position it was agreed to accept a payment in settlement of the claims raised against him by way of payment of £20,000. Payment was to be made by forty monthly payments of £500 with the entire balance being paid by the 28th November 2018.



Shortly after the agreement had been reached my solicitors learned from the Director that he had become ill and had asked for a period of six months to recover so that his earnings potential could resume. Following discussions with solicitors it was agreed to leave matters in abeyance until July 2016.

I will notify creditors of any developments at the time of my next Report.

RECEIPTS AND PAYMENTS ACCOUNT

My Receipts & Payments Account for the period from 10th January 2015 to 9th January 2016 is attached. All amounts in the Receipts & Payments Account are shown net of VAT.

ASSETS

The Official Receiver's Report to Creditors identified the following assets -

Details	Amount
Cash at Bank/Building Society	£6,706 Realised by Official Receiver

Payment Protection Insurance ("PPI") and Interest Rate Hedging Claims ("IRH")

Enquiries have been made to identify any potential PPI/IRH claims however these enquiries have been concluded and there is no redress due.

LIABILITIES

Secured Creditors

An examination of the Company's mortgage register held by the Registrar of Companies, showed that the Company has no current Charges over its assets.

The legislation requires that if the Company has created a floating charge after 15th September 2003, a prescribed part of the Company's net property (i.e. the money that would otherwise be available to the charge holder) should be ring-fenced for distribution to unsecured creditors. In this case there were no creditors secured by a floating charge such that the prescribed part provisions do not apply.

Unsecured Creditors

The Official Receiver's Report to Creditors included unsecured creditors with an estimated total liability of £141,769.61. My previous Report included a typographical error and referred to claims having been received in the sum of £241,140.61 which should have read £24,140.64. To date I have received claims from 9 creditors totalling £161,631.13 having now received the claim from the petitioning creditor.

DIVIDEND PROSPECTS

On present information it is unlikely that a dividend will be paid in this matter.

LIQUIDATOR'S REMUNERATION

My remuneration was previously authorised by creditors following a Postal Resolution obtained on 18th February 2014.

My remuneration has been fixed by reference to the time properly given in attending to matters arising in the liquidation.

No remuneration has been drawn in this period.

A copy of 'A Creditor's Guide to Liquidator's Fees' published by the Association of Business Recovery Professionals, together with an explanatory note which shows my firm's fee policy has been sent to you previously, however if you require an additional copy please contact this office. A copy of 'A Creditor's Guide to Liquidator's Fees' can also be viewed online at <https://www.r3.org.uk/index.cfm?page=1591>

Time charged on all cases is in 5 minute units and hourly billing rates for the periods since the date of my appointment are as follows (plus VAT) -

	From April 2011	
See note below	A	B
Insolvency Practitioners	255 00	425 00
Chartered Accountants	240 00	320 00
Insolvency Solicitor	240 00	320 00
Associates	220 00	330 00
Managers	175 00	175 00
Supervisors	150 00	225 00
Trainee Insolvency Practitioner	120 00	180 00
Cashier	100 00	
Assistants/Support Staff	85 00	120 00

A Basic Charge out rates

B Charge out rates for special investigation work undertaken in complex cases

The Guide to Insolvency Practitioner's Fees previously sent out to creditors has now been amended. The charge out rates should more clearly have been identified as rates A and B as set out above.

A schedule of the time costs incurred in this period is shown in the analysis below -

	IP Hours	Associate Hours	Other Snr Prof Hours	Cashier Hours	Support Staff Hours	Total Hours	Total Costs £	Avg Hrly Rate £
Administration and Planning								
Statutory	0 00	1 00	0 42	0 00	1 33	2 75	407 91	
Maintenance of Records	0 25	0 00	0 00	0 00	2 74	2 99	305 79	
General Admin	0 00	0 00	0 08	0 00	2 75	2 83	248 30	
VAT & TAX	0 00	0 00	1 08	0 00	0 00	1 08	162 50	
Review	0 17	1 08	0 00	0 00	0 67	1 92	340 84	
	0 42	2 08	1 58	0 00	7 49	11 57	1,465 34	127
Investigations								
Bank Enquiries	0 00	0 00	0 00	0 00	0 33	0 33	30 00	
Instructing Solicitors/Notes to Assist	6 66	0 00	0 00	0 00	0 00	6 66	2,776 66	
	6 66	0 00	0 00	0 00	0 33	6 99	2,806 66	402
Realisation of Assets								
Directors Loan Accounts	0 00	1 67	0 00	0 00	0 00	1 67	366 67	
PPI	0 00	0 00	0 00	0 00	1 17	1 17	99 17	
	0 00	1 67	0 00	0 00	1 17	2 84	465 84	164
Creditors								
Agreeing Creditors Claims	0 00	0 00	0 00	0 00	0 33	0 33	30 00	
General Correspondence	0 00	0 83	0 00	0 00	0 08	0 91	190 83	
	0 00	0 83	0 00	0 00	0 41	1 24	220 83	178
Cashiering								
	0 00	0 00	0 00	0 83	0 08	0 91	90 81	
	0 00	0 00	0 00	0 83	0 08	0 91	90 81	100
Total Hours	7 08	4 58	1 58	0 83	9 48	23 55		
Total Costs (£)							5,049 48	214

A schedule of the time costs incurred since my appointment is shown in the analysis below -

	IP Hours	Associate Hours	Other Snr Prof Hours	Cashier Hours	Support Staff Hours	Total Hours	Total Costs £	Avg Hrly Rate £
Administration and Planning								
Open	0 00	1 83	0 00	0 00	3 33	5 16	703 33	
Statutory	0 00	1 00	0 92	0 00	1 33	3 25	495 41	
Maintenance of Records	0 33	0 67	0 00	0 00	5 33	6 33	695 34	
General Admin	0 00	0 00	0 33	0 00	8 49	8 82	780 80	
VAT & TAX	0 00	0 00	2 33	0 00	1 83	4 16	505 83	
Review	0 42	1 08	0 00	0 00	1 09	2 59	442 09	
	0 75	4 58	3 58	0 00	21 40	30 31	3,622 80	120
Investigations								
Initial Investigation	0 00	2 33	0 00	0 00	0 00	2 33	770 00	
HMLR Enquiries/Searches	0 00	0 00	0 00	0 00	7 75	7 75	658 75	
Bank Enquiries	0 00	0 83	0 00	0 00	0 33	1 16	305 00	
Books and Records	2 75	0 25	0 00	0 00	1 50	4 50	1,351 25	
Antecedent Transactions	0 00	0 75	0 00	0 00	0 00	0 75	247 50	
Enquiry Financial Advisors	0 00	0 67	0 00	0 00	0 00	0 67	220 00	
Instructing Solicitors/Notes to Assist	20 74	0 00	0 00	0 00	0 00	20 74	7,727 91	
	23 49	4 83	0 00	0 00	9 58	37 90	11,280 41	298
Realisation of Assets								
Directors Loan Accounts	0 00	1 67	0 00	0 00	0 00	1 67	366 67	
PPI	0 00	0 00	0 00	0 00	1 17	1 17	99 17	
	0 00	1 67	0 00	0 00	1 17	2 84	465 84	164
Creditors								
Agreeing Creditors Claims	0 00	0 00	0 00	0 00	1 08	1 08	97 50	
General Correspondence	0 00	1 08	0 00	0 00	0 41	1 49	275 83	
	0 00	1 08	0 00	0 00	1 49	2 57	373 33	145
Cashiering								
	0 00	0 00	0 00	3 08	0 08	3 16	319 11	
	0 00	0 00	0 00	3 08	0 08	3 16	319 11	101
Total Hours	24 24	12 16	3 58	3 08	33 72	76 78		
Total Costs (£)							16,061 49	209

A description of the routine work undertaken is as follows -

Administration and Planning

- Preparing the documentation and dealing with the formalities of appointment
- Statutory notifications and advertising
- Preparing documentation required
- Dealing with all routine correspondence
- Maintaining physical case files and electronic case details on IPS
- Case bordereau
- Case planning and administration
- Preparing reports to members and creditors
- Convening and holding meetings of creditors, where applicable
- Ensuring statutory lodgements and tax lodgement obligations are met

Investigations

- Conducting investigations into any suspicious transactions
- Review and storage of books and records where applicable and other documentation to identify any transactions or actions a liquidator may take against a third party in order to recover funds for the benefit of creditors
- Detailed bank analysis

- Detailed instructions to solicitors
- H M Land Registry Searches

Realisation of Assets

- Corresponding with accountants and solicitors regarding the recovery of potential claims
- Enquiries relating to Payment Protection Insurance
- Interest Rate Hedging Enquiries

Creditors

- Dealing with creditor correspondence and telephone conversations
- Preparing reports to creditors
- Maintaining creditor information on IPS
- Reviewing and adjudicating on proofs of debt received from creditors
- Finalising claims and distribution of dividends

Cashiering

- Maintaining and managing the liquidator's cashbook and bank account

LIQUIDATOR'S DISBURSEMENTS

Category 1 Disbursements

My expenses to date amount to £197 50 of which £90 was incurred during this period, £107 50 has been paid

The following expenses have been incurred -

Type of Expense	Amount incurred in this period £	Amount incurred to date £	Amount unpaid £
H M Land Registry Charges	-	3 00	-
Bordereau	90 00	120 00	90 00
Advertising	-	74 50	-

The following agents or professional advisors have been utilised in this matter -

Professional Advisor	Nature of work	Fee Arrangement
Clarke Mairs LLP	Solicitors	Time Costs on informal/formal Conditional Fee Arrangement
Chenery Maher	Solicitors	Time Costs

The choice of professionals was based on my perception of their experience and ability to perform this type of work, the complexity and nature of the assignment and the basis of my fee arrangement with them. Clarke Mairs LLP have been instructed to advise on and assist in recoveries against the Director. They have estimated their time costs up to issuing proceedings would be in the region of £3,000 to £5,000. If proceedings are required the estimated costs would increase to £15,000 with an uplift of 50%. The costs incurred to date amount to £3,030. The fees charged have been reviewed and I am satisfied that they are reasonable in the circumstances of this case.

Chenery Maher Solicitors were also instructed in connection with obtaining information from the Company's bankers. The costs incurred in this matter were £980. Those fees were previously reviewed and I am satisfied that they were reasonable in the circumstances of this case.

Category 2 Disbursements

The Guide to Insolvency Practitioner's Fees previously sent to creditors has now been amended. The Category 2 Disbursements were previously described as Administration Costs.

The following category 2 disbursements have been incurred and will be paid, if sufficient funds are available, at the finalisation of my administration -

Type of Category 2 Disbursement	Amount incurred in this period £	Amount incurred to date £	Amount unpaid £
Storage	32 40	64 80	64 80

A policy decision has been made not to charge postage

FURTHER INFORMATION

An unsecured creditor may, with the permission of the court or with the concurrence of 5% in value of the unsecured creditors (including the creditor in question) request further details of the Liquidator's remuneration and expenses, within 21 days of receipt of this report. Any secured creditor may request the same details in the same time limit.

An unsecured creditor may, with the permission of the court or with the concurrence of 10% in value of the creditors (including the creditor in question), apply to court to challenge the amount and/or basis of the Liquidator's fees and the amount of any proposed expenses or expenses already incurred, within 8 weeks of receipt of this report. Any secured creditor may make a similar application to court within the same time limit.

SUMMARY

The liquidation will remain open until such time as my enquiries and investigations are concluded and any claims have been settled, I shall then proceed to finalise the liquidation and my files will be closed.

COMPLAINTS PROCEDURE

At Freeman Rich we always strive to provide a professional and efficient service. However, we recognise that it is in the nature of insolvency proceedings for disputes to arise from time to time. As such, should you have any comments or complaints regarding the administration of this case, then in the first instance you should contact me at the address given in this Report.

If you consider that I have not dealt with your comments or complaint appropriately you may then put details of your concerns in writing to our complaints officer, Jonathan Turley, at this office. This will formally invoke our complaints procedure and we will endeavour to deal with your complaint under the supervision of a senior member of staff unconnected with the appointment.

Most disputes can be resolved amicably either through the provision of further information or following negotiations. However, in the event that you have exhausted our complaints procedure and you are not satisfied that your complaint has been resolved or dealt with appropriately, you may complain to the regulatory body that licences the insolvency practitioner concerned. Any such complaints should be addressed to The Insolvency Service, IP Complaints, 3rd Floor, 1 City Walk, Leeds, LS11 9DA, and you can make a submission using an on-line form available at www.gov.uk/complain-about-insolvency-practitioner, or you can e-mail insolvency.enquiryline@insolvency.gsi.gov.uk, or you may phone 0300 678 0015.

Should you have any queries regarding this report, or the liquidation in general, please contact either myself or Mrs Morris at this office.

Dated this 17th day of February 2016



J R DUCKWORTH
Liquidator

**Able Electrical & Mechanical Services Limited
(In Liquidation)**

LIQUIDATOR'S RECEIPTS AND PAYMENTS ACCOUNT

	Statement of affairs £	From 10/01/2015 To 09/01/2016 £	From 23/01/2012 To 09/01/2016 £
RECEIPTS			
Deposit on Petition		0 00	1,165 00
Cash at Bank - realised by O R	6,706 00	0 00	6,809 18
Bank Interest Gross		6 73	40 62
		<u>6 73</u>	<u>8,014 80</u>
PAYMENTS			
HM Land Registry charges		0 00	3 00
O R Disbursements		0 00	2,390 00
ISA Banking Fees		88 00	176 00
DTI Cheque Fees		0 00	2 20
Secretary of State Fees		30 21	3,028 80
Petitioners Costs		1,995 00	1,995 00
Bordereau		90 00	120 00
Advertising		0 00	74 50
Legal Fees		0 00	980 00
Corporation Tax		1 34	8 12
		<u>2,204 55</u>	<u>8,777 62</u>
Net Receipts/(Payments)		<u>(2,197 82)</u>	<u>(762 82)</u>
MADE UP AS FOLLOWS			
Liquidator's Expenses account		(90 00)	(90 00)
Insolvency Services Account		83 18	1,322 18
Petitioning Creditor's Costs		(1,995 00)	(1,995 00)
VAT Receivable / (Payable)		(196 00)	0 00
		<u>(2,197 82)</u>	<u>(762 82)</u>