

AM10

Notice of administrator's progress report



Companies House

TUESDAY



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27/10/2020

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COMPANIES HOUSE

1 Company details

Company number 0 7 1 0 2 6 6 9

Company name in full Ratcliffe Building & Maintenance Ltd

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

2 Administrator's name

Full forename(s) Jeremy Nicholas

Surname Bleazard

3 Administrator's address

Building name/number Premier House

Street Bradford Road

Post town Cleckheaton

County/Region West Yorkshire

Postcode B D 1 9 3 T T

Country

4 Administrator's name ①

Full forename(s)

Surname

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

5 Administrator's address ②

Building name/number

Street

Post town

County/Region

Postcode

Country

② Other administrator
Use this section to tell us about
another administrator.

Notice of administrator's progress report

7	Progress report <input checked="" type="checkbox"/> I attach a copy of the progress report
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AM10

Notice of administrator's progress report



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

Company name

Address

Post town

County/Region

Postcode

Country

DX

Telephone



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

Administrator's Progress Report

**Ratcliffe Building & Maintenance Ltd
In Administration**

For the period from 25 April 2020 to 24 October 2020

RATCLIFFE BUILDING & MAINTAINANCE LTD - IN ADMINISTRATION

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THE ADMINISTRATOR'S PROGRESS REPORT

1 Introduction

- 1.1 I was appointed Administrator of Ratcliffe Building & Maintenance Ltd ("**the Company**") on 25 October 2019. The appointment was made by Ryan David Ratcliffe of Allerton Bywater Network Centre, Castleford, WF10 2DB.
- 1.2 This Administration is being handled by XL Business Solutions Limited at Premier House, Bradford Road, Cleckheaton, BD19 3TT. The Administrator's contact details are by phone on 01274 870101 or via email at enquiries@xlbs.co.uk. The Administration is registered in the High Court of Justice, Business and Property Courts in Leeds, Insolvency and Companies List (ChD), reference number 1166 of 2019.
- 1.3 As Administrator, I am required to provide a progress report covering the period of six months commencing from the date the Company entered Administration and every subsequent period of six months. This progress report covers the period from 25 April 2020 to 24 October 2020 (**the Period**) and should be read in conjunction with my earlier proposals report and any previous progress reports which have been issued.
- 1.4 Information about the way that we will use, and store personal data on insolvency appointments can be found in our Privacy Notice at www.xlbs.co.uk.
- 1.5 The trading address of the Company was Unit 4, Allerton Bywater Network Centre, Allerton Bywater, Castleford, WF10 2DB.
- 1.6 The registered office of the Company is Premier House, Bradford Road, Cleckheaton, BD19 3TT and its registered number 07102669.
- 1.7 As you may be aware an Administration automatically comes to an end after 12 months unless an extension is requested. I can advise that on 15 September 2020 I wrote to creditors requesting an extension to the Administration for a further period of 12 months to 24 October 2021. As no objections were received from creditors the extension was granted by Deemed Consent on 6 October 2020. The reason for the extension was to allow the Administrator to continue to pursue the Company's outstanding work in progress and retentions, finalise the Company's Pension Scheme, discharge the costs of the Administration, request and obtain vat and tax clearance and to issue his final progress report in order to complete the necessary closure procedures.

2 Progress of the Administration

- 2.1 You may recall that the statutory objective being pursued in the Administration was realising property in order to make a distribution to one or more of the Company's secured and or preferential creditors. In addition to the pursuance of this statutory objective, the Administrator has duties imposed by insolvency and other legislation, some of which may not provide any financial benefit to creditors.
- 2.2 This section of the report provides creditors with an update on the progress made in the Period, both in terms of the achievement of the statutory objective, but also work which is required of the Administrator under other related legislation.
- 2.3 At Appendix A is my Receipts and Payments Account covering the period of this report together with a cumulative Receipts and Payments Account from the date of my appointment as Administrator to 24 October 2020.
- 2.4 Attached at Appendix B is a time analysis outlining the time spent by the Administrator and his staff during the Period together with a cumulative time analysis covering the period since my appointment at Appendix C.

RATCLIFFE BUILDING & MAINTAINANCE LTD - IN ADMINISTRATION

- 2.5 Further information about the basis of remuneration agreed in this case and the Administrator's fees estimate can be found in section 4 of this report, together with any relevant information about revisions to my initial estimate, where applicable.

Administration (including statutory compliance & reporting)

- 2.6 As noted above, the Administrator must comply with certain statutory obligations under the Insolvency Act 1986 and other related legislation. Details about the work that I anticipated would need to be done in this area was outlined in my initial fees estimate/information.
- 2.7 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 Administrator.
- 2.8 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.

Investigations

- 2.9 You may recall from my first progress report to creditors that some of the work the Administrator 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 can be pursued for the benefit of creditors.
- 2.10 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 period of the Administration and is confidential.
- 2.11 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.

Realisation of Assets

Work In Progress

- 2.12 As you are aware from my previous progress report, the Company has outstanding work in progress which holds a book value of approximately £468,585 and an estimated to realise value of £46,858. The estimated to realise value was based on 10% of the overall value of the work in progress. Cooper & Hall Limited Chartered Quantity Surveyors ("Cooper & Hall") have been instructed to assist in the collection of the outstanding retentions.
- 2.13 The majority of the outstanding contracts are JCT contracts and just prior to the Company entering Administration a number of the Company's customers have issued payless notices. As a result, realisations were anticipated to be significantly lower than the book value.
- 2.14 Cooper & Hall has advised that there have been significant counter claims from the debtors due to the Company leaving site prior to completion of the contracts. As a result, clients have had to instruct further contractors to complete the works which has resulted in claims being made against the Company. Accordingly, the estimated to realise value has been reduced to £10,000 for the purpose of this report. To date no funds have been received.

Retentions

- 2.15 As you are aware from previous reports, the Company was owed a number of retentions which hold a book value of approximately £204,756 and an estimated to realise value of £51,189. I can advise that I have instructed Cooper & Hall Limited to assist in the collection of the outstanding retentions.

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- 2.16 However, as previously advised a number of clients are putting significant obstacles in the way of the collection exercise and in view of this it was concluded that the realisation level would be lower than that initially advised to creditors and this has now been reduced to £25,000.
- 2.17 I have been advised by Cooper & Hall that a number of clients are claiming defects to the work done and are therefore, declining to pay the outstanding retention. Cooper & Hall has requested proof of the defect work in order to confirm that no payment is due however, in the majority of cases this has yet to be forthcoming. The remaining outstanding retentions are continued to be pursued by Cooper & Hall. To date realisations from retentions amounts to £2,164.
- 2.18 I have agreed a fee with Cooper & Hall of 25% of realisations from work in progress and retentions. No fees have been paid to date.
- 2.19 All other asset realisations remain as previously reported.
- 2.20 It is considered that the work the Administrator and his staff have undertaken to date will 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)

- 2.21 Further information on the anticipated outcome for creditors in this case can be found at section 5 of this report. An Administrator 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.
- 2.22 Claims from preferential creditors typically involve employee claims and payments made on behalf of the Company by the Redundancy Payments Service following dismissal.
- 2.23 The above work will not necessarily bring any financial benefit to creditors generally, however an Administrator 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 Administrator in dealing with those claims.
- 2.24 I consider the following matters worth noting in my report to creditors at this stage:
- There are approximately 154 of unsecured creditor claims in this case with a value per the director(s) statement of affairs of £1,203,187
 - Dealing with the claims of 23 employees
 - I anticipate claims from preferential creditors totalling £44,787

What remains to be done in the Administration

- 2.25 This case will remain open in order for Cooper & Hall to complete the collection exercise regarding the outstanding work in progress and retentions and for me as Administrator to finalise the position as regards the Company's pension scheme.
- 2.26 Should sufficient funds become available, the Administrator will review and admit the Company's preferential creditors and arrange payment of a first and final dividend however, current indications are that this will be unlikely.

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- 2.27 Once the above has been completed the Administrator will discharge the costs of the Administration and request tax and VAT clearance.
- 2.28 Once clearance has been received I will issue my final report to creditors and file a notice at Court and the Registrar of Companies for the dissolution of the Company.

3 Pre-administration Costs

- 3.1 There are no pre-administration costs in this case.

4 Administrator's Remuneration

- 4.1 The basis of the Administrator's fees has been fixed in the Administration by reference to the time properly spent by him and his staff in managing the Administration. 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.
- 4.2 A copy of that estimate is reproduced below:

Category of work	Estimated Number of Hours	Average blended charge out rate £	Estimated cost £
Administration (inc statutory compliance & reporting)	110.00	203.64	22,400.00
Investigations	20.00	220.00	4,400.00
Realisation of assets	50.00	210.00	10,500.00
Trading (where applicable)	0.00	0.00	0.00
Creditors (claims & distributions)	30.00	196.67	5,900.00
Case specific matters (where applicable)	0.00	0.00	0.00
Total estimated fees	210.00	£205.71	£Enter total

- 4.3 My time costs for the Period are £4,246. This represents 22.30 hours at an average rate of £190.38 per hour. Attached at Appendix B is a Time Analysis which provides details of the activity costs incurred by staff grade during the Period in respect of the costs fixed by reference to time properly spent in managing the Administration.
- 4.4 Also attached at Appendix C is a cumulative Time Analysis for the period from 25 October 2019 to 24 October 2020 which provides details of my time costs since my appointment. The cumulative time costs incurred to date are £26,326 and this represents 130.70 hours at an average rate of £201.40 per hour.
- 4.5 To date, £5,500 plus disbursements of £238.70 has been drawn on account.
- 4.6 A copy of 'A Creditors' Guide to Administrators' Fees' is available on request or can be downloaded from www.insolvency-practitioners.org.uk under the heading Regulation and Guidance, Creditor Guides.
- 4.7 Attached at Appendix D is additional information in relation to the Administrator's fees, expenses and disbursements, including where relevant, information on the use of subcontractors and professional advisers.

5 Estimated Outcome for Creditors

- 5.1 An Estimated Outcome Statement as at 24 October 2020 is attached at Appendix E.

Preferential Creditors

- 5.2 A summary of preferential claims is detailed below.

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Preferential claim	Agreed Claim £	Statement of Affairs Claim £	Dividend paid p in the £1
Department for Business, Energy & Industrial Strategy (BEIS)	32,003.98	44,797.10	Nil

- 5.3 Due to the reduction in the level of potential realisations, it is currently unlikely that a dividend will be paid to the Company's preferential creditors. However, I will update creditors in my next progress report.

Unsecured Creditors

- 5.4 I have received claims totalling £1,407,653 from 95 creditors. I have yet to receive claims from 74 creditors whose debts total £480,293 as per the Company's statement of affairs.
- 5.1 I would confirm that it is anticipated there will be insufficient funds realised after defraying the expenses of the Administration to pay a dividend to unsecured creditors.

6 Ending the Administration

Dissolution of the Company

- 6.1 Based on present information, the Administrator does not think that a distribution will be available to the unsecured creditors. Accordingly, once all matters within the Administration have been finalised a notice will be filed at Court and with the Registrar of Companies with the Administrator's final report, for the dissolution of the Company. A copy of these documents will be sent to the Company and its creditors.
- 6.2 The Administrator will be discharged from liability under Paragraph 98(3) of Schedule B1 to the Insolvency Act 1986 immediately upon his appointment as Administrator ceasing to have effect.

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 Administrator provide further information about his remuneration or expenses (other than pre-administration costs) 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 Administrator's remuneration is inappropriate and/or the remuneration charged or the expenses incurred by the Administrator, as set out in this progress report, are excessive.

8 Next Report

- 8.1 The Administrator is required to provide a progress report within one month of the end of the next six months of the Administration or earlier if the Administration has been finalised or he wishes to extend it.

For and on behalf of
Ratcliffe Building & Maintainance Ltd


N Bleazard
Administrator

RATCLIFFE BUILDING & MAINTAINANCE LTD - IN ADMINISTRATION

Appendix A

Receipts and Payments Account from 25 April 2020 to 24 October 2020 and cumulative to 24 October 2020

Ratcliffe Building & Maintenance Ltd
(In Administration)

Summary of Receipts & Payments

RECEIPTS	Statement of Affairs (£)	From 25/10/2019 To 24/04/2020 (£)	From 25/04/2020 To 24/10/2020 (£)	Total (£)
Plant & Machinery	2,000.00	1,461.00	0.00	1,461.00
Furniture & Equipment	1,000.00	1,141.00	0.00	1,141.00
Stock		239.00	0.00	239.00
Retentions	51,189.00	2,163.69	0.00	2,163.69
Cash at Bank	10,500.00	9,097.81	0.00	9,097.81
Refund of college fees		180.00	0.00	180.00
		14,282.50	0.00	14,282.50
PAYMENTS				
Office Holders Fees		0.00	5,500.00	5,500.00
Office Holders Disbursements		238.70	0.00	238.70
Insurance of Assets		112.00	0.00	112.00
Bank Charges		12.80	22.45	35.25
		363.50	5,522.45	5,885.95
Net Receipts/(Payments)		13,919.00	(5,522.45)	8,396.55
MADE UP AS FOLLOWS				
Current A/c - Bank 1		14,872.20	(7,575.65)	7,296.55
Vat Control Account		47.74	1,052.26	1,100.00
		14,919.94	(6,523.39)	8,396.55

Note:

All estate accounts with less than £250,000 are held on non interest bearing.

RATCLIFFE BUILDING & MAINTAINANCE LTD - IN ADMINISTRATION

Appendix B

Time Analysis for the Period from 25 April 2020 to 24 October 2020

SIP 9 - Time & Cost Summary

Period: 25/04/20..24/10/20

Time Summary

Classification of work function	Hours					Time Cost (£)	Average hourly rate (£)
	Partner	Manager	Other Senior Professionals	Assistants & Support Staff	Total Hours		
Administration & planning	1.00	15.00	3.80	0.00	19.80	3,745.50	189.17
Investigations	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Realisations of assets	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Trading	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Creditors	0.00	2.50	0.00	0.00	2.50	500.00	200.00
Case specific matters	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Total Hours	1.00	17.50	3.80	0.00	22.30	4,245.50	190.38
Total Fees Claimed						0.00	

RATCLIFFE BUILDING & MAINTAINANCE LTD.- IN ADMINISTRATION

Appendix C

Cumulative Time Analysis for the Period from 25 October 2019 to 24 October 2020

SIP 9 - Time & Cost Summary

Period: 25/10/19..24/10/20

Time Summary

Hours						Time Cost (£)	Average hourly rate (£)
Classification of work function	Partner	Manager	Other Senior Professionals	Assistants & Support Staff	Total Hours		
Administration & planning	14.50	53.10	10.10	0.00	77.70	15,473.50	199.14
Investigations	8.50	0.00	1.00	0.00	9.50	2,180.00	229.47
Realisations of assets	7.00	6.00	0.00	0.00	13.00	2,880.00	221.54
Trading	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Creditors	8.00	12.00	10.50	0.00	30.50	5,790.00	189.84
Case specific matters	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Total Hours	38.00	71.10	21.60	0.00	130.70	26,323.50	201.40
Total Fees Claimed						0.00	

RATCLIFFE BUILDING & MAINTAINANCE LTD - IN ADMINISTRATION

Appendix D

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

1 Staff Allocation and the Use of Sub-Contractors

- 1.1 The general approach to resourcing our assignments is to allocate staff with the skills and experience to meet the specific requirements of the case.
- 1.2 The constitution of the case team will usually consist of a Director, a Senior 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.
- 1.3 I am not proposing to utilise the services of any sub-contractors in this case.

2 Professional Advisors

- 2.1 On this assignment I have used the professional advisors listed below. I have also indicated alongside, the basis of my 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)	Hourly rate and disbursements
Marsh UK Limited (insurance)	Fixed fee
Walker Singleton (valuation and disposal advice)	Hourly rate and disbursements
Cooper & Hall Limited (legal advice)	25 percent of realisations

- 2.2 My choice 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.

3 Administrator's Expenses & Disbursements

- 3.1 The estimate of expenses (including disbursements) which were anticipated at the outset of the Administration was provided to creditors in the Administrator's Proposals Report a copy of which is set out below:

Expense	Estimated cost £
Agents' costs	3,500
Solicitors' costs	5,000
Quantity surveyor's costs	21,500
Statutory advertising	85
Specific penalty bond	120
Category 2 disbursements charged by the company:	
Business mileage @ 45p per mile	Nil
Storage boxes @ £2.50 per box (10 boxes)	25.00
Box storage charged @ £10 per box per annum (or part thereof) 10 boxes 2 years	

Current position of Administrator's expenses

- 3.2 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:

RATCLIFFE BUILDING & MAINTAINANCE LTD - IN ADMINISTRATION

	Paid in prior period £	Paid in the period covered by this report £	Incurred but not paid to date £	Total anticipated cost £
Agents' costs	Nil	Nil	3,500.00	3,500.00
Solicitors' costs	Nil	Nil	5,000.00	5,000.00
Quantity surveyor's costs	Nil	Nil	541.00	8,750.00
Insurance	112.00	Nil	Nil	112.00
Bank charges	12.80	22.45	Nil	35.25
Category 1 disbursements				
Statutory advertising	84.50	Nil	Nil	84.50
Specific penalty bond	120.00	Nil	Nil	120.00
Category 2 disbursements				
Business mileage @ 45p per mile	34.20	Nil	Nil	34.20

3.3 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.

3.4 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 in the Administrator's Proposals Report and approved by creditors. Any Category 2 disbursements incurred are specifically highlighted in the tables of expenses above.

4 Charge-Out Rates

4.1 XL Business Solutions Limited's current charge-out rates are detailed below. It should be noted that my company's charge out rates may increase periodically. If any such increase applies, creditors will be notified accordingly.

4.2 Please note this firm records its time in minimum units of 6 minutes.

Grade	(Per hour) £
Partner / Director	240
Senior Manager	200
Manager	175
Experienced Senior	155
Senior	140
Administrator	105
Assistant	90

RATCLIFFE BUILDING & MAINTAINANCE LTD - IN ADMINISTRATION

Appendix E

Estimated Outcome Statement as at 24 October 2020

Estimated Outcome Statement as at 24 October 2020

	£000
Assets	
Plant and machinery	1,461
Furniture and equipment	1,141
Stock	239
Work in progress	10,000
Retentions	25,000
Cash at bank	9,098
Refund of college fees	180
	47,119
Less: Costs of Administration	
Administrator's fees	29,418
Administrator's disbursements	239
Agent's fees	3,500
Legal fees	5,000
Quantity surveyor fees	8,750
Insurance of assets	112
Other sundry costs	100
Available to preferential creditors	Nil
Preferential creditors	(32,004)
Deficit to preferential creditors	(32,004)
Available to unsecured creditors	Nil
Unsecured creditors	(1,283,289)
Deficit to unsecured creditors	(1,283,289)