

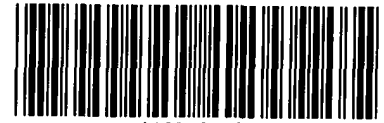
WU07

Notice of progress report in a winding-up
by the court



Companies House

SATURDAY



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22/08/2020

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COMPANIES HOUSE

1 **Company details**

Company number	07173581	→Filling in this form Please complete in typescript or in bold black capitals.
Company name in full	CCM SYSTEMS LIMITED	

2 **Liquidator's name**

Full forename(s)	JAMES RICHARD	
Surname	DUCKWORTH	

3 **Liquidator's address**

Building name/number	FLOOR D, MILBURN HOUSE	
Street	DEAN STREET	
Post town	NEWCASTLE UPON TYNE	
County/Region	TYNE & WEAR	
Postcode	NE1 1LE	
Country		

4 **Liquidator's name ***

Full forename(s)		1 Other Liquidator. Use this section to tell us about another liquidator.
Surname		

5 **Liquidator's address ***

Building name/number		2 Other Liquidator. Use this section to tell us about another liquidator.
Street		
Post town		
County/Region		
Postcode		
Country		

WU 07

Notice of progress report in a winding-up by the court

6

Period of progress report

From date

13/08/2019

To date

12/08/2020

7

Progress report

☒ The progress report is attached

8

Sign and date

Liquidator's signature

Signature

X








X

Signature date

21/08/2020

WU07

Notice of progress report in a winding-up by the court

	Presenter information		Important 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.		All information on this form will appear on the public record	
Contact name JAMES RICHARD DUCKWORTH			Where to send
Company name FREEMAN RICH		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, DF14 3UZ. DX 33050 Cardiff.	
Address FLOOR D, MILBURN HOUSE			
DEAN STREET			
Post town NEWCASTLE UPON TYNE			
County/Region TYNE & WEAR			
Postcode NE1 1LE			
Country UK			
DX			
Telephone 0191 2611839			
	Checklist		
We may return forms completed incorrectly or with information missing.			Further information
Please make sure you have remembered the following: <input type="checkbox"/> The company name and number match the information held on the public Register. <input type="checkbox"/> You have provided the new registered office address in section 2. <input type="checkbox"/> You have signed the form.		For further information, please see the guidance notes on the website at www.companieshouse.gov.uk 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	

CCM SYSTEMS LIMITED - IN COMPULSORY LIQUIDATION

Liquidator's Annual Progress Report to Creditors and Members for the period 13th August 2019 to 12th August 2020

STATUTORY INFORMATION

Name of Company:	CCM SYSTEMS LIMITED
Registered Office:	Floor D, Milburn House, Dean Street, Newcastle upon Tyne, NE1 1LE
Former Registered Office:	Unit 121 Cannon Workshops, Cannon Drive, London, E14 4AS
Registered Number:	07173581
Court Name and Number:	HIGH COURT OF JUSTICE NO 5010 OF 2013
Liquidator's Name:	James Richard Duckworth
Liquidator's Address:	Freeman Rich, Floor D, Milburn House, Dean Street, Newcastle upon Tyne, NE1 1LE
Contact Telephone Number:	0191 2611839
Date of Winding-up Order:	11th November 2013
Liquidator's Date of Appointment:	13th August 2014 – R A Upton 15th December 2015 – J R Duckworth *(See note below)

* As advised in the previous Annual Progress Report, Robin Andrew Upton ("Mr Upton") of Robin Upton Insolvency retired and I was appointed in his place by an Order of the Court on 15th December 2015.

SUMMARY OF LIQUIDATORS' ACTIONS SINCE APPOINTMENT

As advised in previous Reports, claims were identified against the Directors and solicitors were instructed to assist in recovery. The claims were asserted and a settlement of £30,000 was received from one of the Directors. An agreement was reached with the other Director to accept regular payments of £200 per month, subject to review and a potential settlement in the future, in respect of the claim against him of £108,498.

LIQUIDATOR'S ACTIONS SINCE LAST REPORT

This is the sixth Annual Progress Report and should be read in conjunction with the previous Annual Progress Reports.

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.
- Quarterly Bond reviews.
- Due Diligence requirements.

In addition to the statutory requirements above I have dealt with the assets in this period as follows:-

Mr Osenton is continuing to make payments of £200 per month in respect of the claim against him, although payments are sporadic. My solicitor is holding the sum of £8,000, of which £2,200 was received in this period.

I will provide a further update in my next Report.

RECEIPTS AND PAYMENTS ACCOUNT

My Receipts & Payments Account for the period from 13th August 2019 to 12th August 2020 is attached. All amounts in the Receipts & Payments Account are shown net of VAT.

The account attached to this Report has been reconciled with that which is held by the Secretary of State in respect of the winding up.

The balance of funds are held in an interest bearing account operated by the Insolvency Service.

ASSETS

There were no assets disclosed in this matter. The Official Receiver had not interviewed the Directors at the time the Report to Creditors was prepared.

LIABILITIES

Secured Creditors

According to Companies House there is a Debenture registered in favour of Barclays Bank plc dated 18th January 2012.

There are provisions of the insolvency legislation that require a Liquidator to set aside a percentage of a Company's assets for the benefit of the unsecured creditors in cases where the Company gave a "Floating Charge" over its assets to a lender on or after 15th September 2003. This is known as the "prescribed part of the net property" ("prescribed part"). A Company's net property is that left after paying the preferential creditors, but before paying the lender who holds a Floating Charge. Any costs of the liquidation that are payable before the Liquidator has reached a position to make a distribution to the Floating Charge Holder have to be deducted from Floating Charge realisations before arriving at an amount for the "net property" of the Company. As a result, the costs associated with realising Floating Charge assets, paying preferential claims in full, the general costs of winding-up and the costs of confirming the validity of the Floating Charge will have to be deducted before the "net property" is calculated. The prescribed part that the Liquidator then has to set aside for unsecured creditors is:

- 50% of the first £10,000 of the net property; and
- 20% of the remaining net property;

up to a maximum of £600,000.

As the Floating Charge was registered after 15th September 2003, the Liquidator will be required to make a prescribed part of the Company's net property available to the unsecured creditors. I do not yet know the full extent of the Company's assets and so therefore cannot comment any further on whether there will be a prescribed part of the Company's net property available to unsecured creditors. I will provide further information to creditors when I am able to.

Unsecured Creditors

The Official Receiver's Report to Creditors included unsecured creditors with an estimated total liability of £149,478.00. To date I have received claims from three creditors in the total sum of £211,184.22. I have not received claims from six creditors of an unknown amount.

The claims submitted by ASD Metal Services Ltd, C G & A Di Piazza and HM Revenue & Customs were significantly greater than the original estimated amounts.

DIVIDEND PROSPECTS

The payment of a dividend in this matter will be largely dependent upon the extent of realisations and the costs of realisation. I am unable at this stage to comment any further on the prospects of a dividend.

LIQUIDATORS' REMUNERATION

The Liquidator's remuneration was previously authorised by creditors at a Creditors' Meeting held on 29th October 2014. The remuneration has been fixed by reference to the time properly given in attending to matters arising in the liquidation, such remuneration to be drawn as and when required. The resolution covers the remuneration of Mr Upton and myself.

I have drawn £11,023.29 to date, none of which was drawn in this period.

Further information about creditors' rights can be obtained by visiting the creditors' information micro-site published by the Association of Business Recovery Professionals (R3) at <http://www.creditorinsolvencyguide.co.uk/>. A copy of 'A Creditor's Guide to Liquidator's Fees' can be viewed online at <https://www.r3.org.uk/technical-library/england-wales/technical-guidance/fees/>. There are different versions of these Guidance Notes and in this case please refer to the November 2011 version.

Time to be charged on all cases is in 5 minute units and hourly billing rates for the periods since the date of Mr Upton's appointment are as follows (plus VAT):-

	From April 2011	
See note below	A	B
Insolvency Practitioners	255.00	425.00
Chartered Accountants/Solicitor	240.00	320.00
Insolvency Solicitor	240.00	320.00
Associates	220.00	330.00
Managers	175.00	225.00
Senior Professionals	150.00	225.00
Administrators	120.00	180.00
Cashier	100.00	
Assistants	90.00	120.00
Support Staff	85.00	115.00

A Basic Charge out rates

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

I will continue to apply the same rates.

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

	Insolvency	Other Snr			Support		Total	Avg. Hrly.
	Practitioner	Prof.	Cashier	Assistants	Staff	Total	Costs	Rate
	Hours	Hours	Hours	Hours	Hours	Hours	£	£
Administration and planning - See Note A above								
Statutory	0.00	3.58	0.00	2.92	0.00	6.50	800.00	
Maintenance of Records	0.17	0.25	0.00	0.33	0.00	0.75	110.00	
General Admin	0.00	0.08	0.00	0.92	1.33	2.33	208.35	
VAT & TAX	0.00	0.50	0.00	0.00	0.00	0.50	75.00	
Review	0.67	1.50	0.00	0.00	0.00	2.17	395.00	
Cashiering	0.00	0.00	0.33	0.00	0.00	0.33	33.32	
	0.83	5.92	0.33	4.17	1.33	12.58	1621.67	129
Realisation of Assets - See Note A above								
Directors Loan Accounts	0.00	0.17	0.00	0.00	0.00	0.17	25.00	
	0.00	0.17	0.00	0.00	0.00	0.17	25.00	150
Creditors - See Note A above								
Agreeing Creditors Claims	0.00	0.00	0.00	0.58	0.00	0.58	52.50	
	0.00	0.00	0.00	0.58	0.00	0.58	52.50	90
Total hours	0.83	6.08	0.33	4.75	1.33	13.33		
Total Costs (£)	212.50	912.50	33.32	427.50	113.35		1699.17	127

A schedule of the time costs incurred since Mr Upton's appointment is shown in the analysis below:-

	Insolvency		Other Snr				Support		Total	Avg. Hrly.
	Practitioner	Associate	Prof.	Admin.	Cashier	Assistants	Staff	Total	Costs	Rate
	Hours	Hours	Hours	Hours	Hours	Hours	Hours	Hours	£	£
Administration and planning - See Note A above										
Open	0.00	0.00	0.00	0.00	0.00	3.50	0.00	3.50	315.00	
Planning	0.00	0.00	0.67	0.00	0.00	0.00	0.00	0.67	100.00	
Statutory	0.00	0.00	17.75	0.00	0.00	21.00	0.00	38.75	4579.58	
Maintenance of Records	1.33	0.17	1.33	0.00	0.00	2.83	0.08	5.75	839.16	
General Admin	0.17	0.50	5.75	0.00	0.00	27.00	5.58	39.00	3930.85	
VAT & TAX	0.17	0.00	4.83	0.00	0.00	0.00	0.00	5.00	767.50	
Review	2.17	0.00	18.42	0.00	0.00	1.67	0.00	22.25	3473.33	
Cashiering	0.00	0.00	0.00	0.00	5.58	0.00	0.00	5.58	558.20	
	3.83	0.67	48.75	0.00	5.58	56.00	5.67	120.50	14563.62	121
Investigations - See Note B above										
Initial Investigation	0.00	0.00	0.25	0.00	0.00	0.00	0.00	0.25	37.50	
Bank Enquiries	0.00	0.00	8.67	0.00	0.00	0.00	0.00	8.67	1318.75	
Books and Records	0.00	0.00	4.08	0.00	0.00	0.00	0.00	4.08	612.50	
Enquiry Financial Advisors	0.00	0.00	1.33	0.00	0.00	0.00	0.00	1.33	200.00	
Instructing Solicitors/Notes to assist	10.17	0.00	0.00	2.42	0.00	0.00	0.00	12.58	3082.50	
	10.17	0.00	14.33	2.42	0.00	0.00	0.00	26.92	5251.25	195
Realisation of Assets - See Note A above										
Directors Loan Accounts	1.67	0.00	4.67	0.00	0.00	0.17	0.00	6.50	1140.00	
PPI	0.00	0.00	0.00	0.00	0.00	2.75	0.00	2.75	247.50	
	1.67	0.00	4.67	0.00	0.00	2.92	0.00	9.25	1387.50	150
Creditors - See Note A above										
Agreeing Creditors Claims	0.00	0.00	0.00	0.00	0.00	1.58	0.00	1.58	142.50	
General Correspondence	0.00	0.00	2.50	0.00	0.00	1.17	0.00	3.67	480.00	
	0.00	0.00	2.50	0.00	0.00	2.75	0.00	5.25	622.50	119
Total hours	15.67	0.67	70.25	2.42	5.58	61.67	5.67	161.91		
Total Costs (£)	4195.00	146.66	10604.16	290.00	558.20	5548.75	482.10		21824.87	135

A description of the routine work undertaken in this period is as follows:-

Administration:

This represents the work involved in the routine administrative functions of the case by me and my staff, together with the control and supervision of the work done on the case by me and my managers. It does not give direct financial benefit to the creditors, but has to be undertaken by the office holder to meet their requirements under the insolvency legislation and the Statements of Insolvency Practice, which set out required practice that office holders must follow.

- Dealing with all routine correspondence and e-mails relating to the case.
- Cashiering – Creating, maintaining and managing the office holder's cashbook.
- Logging and banking of estate receipts and payments.
- Undertaking regular reconciliations of the bank account containing estate funds.
- Reviewing the adequacy of the specific penalty bond on a quarterly basis.
- Undertaking periodic reviews of the progress of the case.
- Overseeing and controlling the work done on the case by case administrators.
- Preparing, reviewing and issuing Annual Progress Reports to Creditors and Members.
- Preparing and filing Corporation Tax Returns.
- Filing reports at Companies House.
- Ongoing Due Diligence and consideration of threats to fundamental principles.

Realisation of Assets:

- Corresponding with solicitors regarding the collection of the agreed settlement monies.

Creditors:

Claims of creditors - I need to maintain up to date records of the names and addresses of creditors, together with the amounts of their claims as part of the management of the case, and to ensure that notices and reports can be issued to the creditors.

- Dealing with creditor correspondence, emails and telephone conversations regarding their claims.
- Maintaining up to date creditor information on the case management system.
- Reviewing proofs of debt received from creditors and adjudicating on them.
- Requesting additional information from creditors in support of their proofs of debt in order to adjudicate on their claims.

LIQUIDATORS' DISBURSEMENTS

Category 1 Disbursements

The expenses to date amount to £1,080.00, none of which were incurred during this period.

The sum of £1,080.00 was drawn in a previous period.

The following expenses have been incurred and paid by Mr Upton or myself and have been reimbursed:

Type of expense	Amount incurred in this period £	Amount incurred to date £	Amount outstanding £
HM Land Registry charges	0.00	15.00	0.00
Bordereau	0.00	916.00	0.00
Advertising	0.00	149.00	0.00

Category 2 Disbursements

The Category 2 Disbursements were approved by creditors at a Creditors Meeting held on 29th October 2014.

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 outstanding
	£	£	£
Room Hire	0.00	75.00	75.00
Storage (2 boxes)	21.60	129.60	129.60

Books and records storage is charged annually at £10.80 per box stored.

Records have to be stored for one year after the Liquidator obtains his release. There will therefore also be additional storage costs of £21.60 per annum, which will be adjusted according to how long these records have to be stored.

A policy decision has been made not to charge postage.

PROFESSIONAL ADVISORS

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

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

The choice of professionals was based on Mr Upton's perception of their experience and ability to perform this type of work, the complexity and nature of the assignment and the basis of his fee arrangement with them. Clarke Mairs LLP were instructed to advise on and assist in the recovery of claims against the Directors. They estimated that their fees up to issuing proceedings would not exceed £15,000 plus VAT and costs. If proceedings are required a further estimate will be provided. I consider that the basis on which they will charge their fees represents value for money. The fees incurred to date amount to £6,224.10, of which £158.40 was incurred in this period. The sum of £4,550 was billed in a previous period. Solicitors act under the terms of a conditional fee arrangement and their fees will be subject to a 50% uplift.

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.

To comply with the Provision of Services Regulations, general information about this firm can be found in the attached summary sheet.

SUMMARY

The liquidation will remain open until the Settlement Agreement with the Director has been concluded.

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

Dated this 21st day of August 2020

J R DUCKWORTH
Liquidator

CCM Systems Limited
(In Liquidation)
LIQUIDATOR'S RECEIPTS AND PAYMENTS ACCOUNT

	Statement of affairs £	From 13/08/2019 To 12/08/2020 £	From 13/08/2014 To 12/08/2020 £
RECEIPTS			
Directors Loan Account		0.00	30,000.00
Deposit on Petition		0.00	1,165.00
Bank Interest Gross		25.91	95.80
		<u>25.91</u>	<u>31,260.80</u>
PAYMENTS			
HM Land Registry charges		0.00	15.00
Official Receivers Disbursements		0.00	2,310.60
ISA Banking Fees		88.00	528.00
ISA Cheque Fees		0.00	4.40
Secretary of State Fees		3.11	6,161.66
Petitioners Costs		0.00	1,995.00
Bordereau		0.00	916.00
Office Holders Fees		0.00	11,023.29
Advertising		0.00	149.00
Legal Fees		0.00	4,550.00
Corporation Tax		5.18	19.15
		<u>96.29</u>	<u>27,672.10</u>
Net Receipts/(Payments)		<u>(70.38)</u>	<u>3,588.70</u>
MADE UP AS FOLLOWS			
Insolvency Services Account		(70.38)	3,588.70
		<u>(70.38)</u>	<u>3,588.70</u>

Note:

All amounts in this Receipts & Payments Account are exclusive of VAT.

The Liquidator's Receipts & Payments Account has been reconciled with that held by the Secretary of State at The Insolvency Service.