

LIQ03

Notice of progress report in voluntary winding up



Companies House

TUESDAY



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10/03/2020

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COMPANIES HOUSE

1 Company details

Company number 0 7 4 1 8 1 7 4

Company name in full Altius Support Services Limited

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

2 Liquidator's name

Full forename(s) William Antony

Surname Batty

3 Liquidator's address

Building name/number 3 Field Court

Street Grays Inn

Post town London

County/Region

Postcode WC 1 R 5 E F

Country

4 Liquidator's name ①

Full forename(s) Stephen John

Surname Evans

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

5 Liquidator's address ②

Building name/number 3 Field Court

Street Grays Inn

Post town London

County/Region

Postcode WC 1 R 5 E F

Country

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

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6 Period of progress report

From date	^d 0	^d 6	^m 1	^m 2	^y 2	^y 0	^y 1	^y 8
To date	^d 0	^d 5	^m 1	^m 2	^y 2	^y 0	^y 1	^y 9

7 Progress report

☐ The progress report is attached

8 Sign and date

Liquidator's signature

Signature

X



X

Signature date

^d 3	^d 1	^m 0	^m 1	^y 2	^y 0	^y 2	^y 0
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ALTUS SUPPORT SERVICES LIMITED - IN LIQUIDATION
JOINT LIQUIDATORS' PROGRESS REPORT

ANTONY BATTY & COMPANY LLP
3 FIELD COURT
GRAYS INN
LONDON
WC1R 5EF

ALTIUS SUPPORT SERVICES LIMITED - IN LIQUIDATION

This report is prepared in accordance to the provisions of the Insolvency Act 1986, which require the Liquidator to provide creditors with an update of the progress of the Liquidation. The report has been prepared for the purpose of advising creditors. The report is private and confidential and may not be relied upon, referred to, copied or quoted from, in whole or in part, by creditors for any purpose other than advising them, or by any other person for any purpose whatsoever.

W A Batty & S J Evans were appointed as Joint Liquidators of Altius Support Services Limited on 6 December 2013.

W A Batty, S J Evans, S Illes and H F Jesseman are licensed as Insolvency Practitioners in the UK by The Institute of Chartered Accountants in England & Wales.

Abbreviations used in this report:

- Altius Support Services Limited - ("the Company")
- W A Batty - ("the Liquidator")
- HM Revenue & Customs - ("HMRC")
- Redundancy Payments Office - ("RPO")

ALTIVUS SUPPORT SERVICES LIMITED – IN CREDITORS' VOLUNTARY LIQUIDATION
Formerly Tompkins & May Partnership Limited

JOINT LIQUIDATORS' PROGRESS REPORT TO CREDITORS AND MEMBERS
For the year ending 5 December 2019

STATUTORY INFORMATION

Company name:	Altivus Support Services Limited
Registered office:	Oceanic House Cracknore Industrial Park Cracknore Hard Marchwood Southampton SO40 4ZD
Former registered office:	Leret House 4 Swan Court Leatherhead Surrey KT22 8AH
Registered number:	07418174
Joint Liquidators' name:	William Antony Batty & Stephen John Evans
Joint Liquidator's address:	3 Field Court Grays Inn London WC1R 5EF
Liquidator's date of appointment:	6 December 2013

JOINT LIQUIDATORS' ACTIONS SINCE LAST REPORT

As previously reported the Joint Liquidators were pursuing a claim against Camden Council, who had paid £680,000 to a solicitor acting for the Tomkins and May Partnership. It is claimed that this payment represented settlement of the "Camden Debt" due to Altius, although the Company has not received any of this sum.

Camden disputed our claim and the debt was assigned to Henderson and Jones, third party litigation funders to pursue. The agreement provided that 50% of the net recovery (less costs) up to £500k and 5% of any net recovery greater than £500k be paid into the Liquidation.

Henderson & Jones have agreed a settlement with Camden Council which has been received into the estate account.

The Joint Liquidators are now in liaising with solicitors, Isca Legal who are providing opinion on a residual claim relating to the Camden settlement.

Please note that there is certain work that I am required by the insolvency legislation to undertake work in connection with the liquidation that provides no financial benefit for the creditors. A description of the routine work undertaken since my last progress report is contained in Appendix III under Administration.

As part of my role, I may need to access and use data relating to individuals, which may include the members of the Company in relation to my obligations under the Money Laundering Regulations 2017. In doing so, I must abide by data protection requirements. Antony Batty & Company LLP's Privacy Notice about the way that personal data is used and stored can be found at <http://www.antonybatty.com/insolvency-resources>. If you are unable to download this, please contact my office and a hard copy will be provided to you.

RECEIPTS AND PAYMENTS

My Receipts & Payments Account for the period from 6 December 2013 to 5 December 2019 is attached at Appendix 1. Please note that receipts and payments in the account are shown net of VAT.

I have previously made the following significant payments in preceding periods:

Isca Legal have been paid £38,354.50 plus VAT for their legal assistance during the course of the Administration and Liquidation.

De Vere Intellica have been paid £500 plus VAT for their assistance with the on-going litigation.

Marsh Limited was paid £106 in respect of specific bonding cover, which is required for each insolvency appointment.

The Creditor Gateway have been paid £24 plus VAT for the online access to our published reports.

The choice of professionals was based on the Liquidator's perception of their experience and ability to perform this type of work, the complexity and nature of the assignment and the basis of the agreed fee arrangement with them. The fees charged have been reviewed and the Liquidator is satisfied that they are reasonable in the circumstances of this case.

ASSETS

I have undertaken the following work in the reporting period in order to protect and realise or the known assets or potential assets of the Company during the period of this report:

Camden Debt

Henderson and Jones have successfully agreed settlement with Camden Council for £500,000. Unfortunately, due to the complexity of the case and the prolonged court proceedings and protracted settlement negotiations the expenses are considerably greater than originally hoped.

The below statement details the settlement costs of the litigation;

	£
Settlement with Camden Council	500,000.00
Net received after Solicitors costs	290,000.00
ATE Insurance	(56,000.00)
Issuing costs	(10,000.00)
Other disbursements	(5,398.16)
Case Profit	218,601.84

Under the terms of the assignment Altius are entitled to 50% of funds recovered after costs. Henderson and Jones have paid £109,300.92 into the estate account.

LIABILITIES

Secured Creditors

Christine, John and Darren May all held separate fixed and floating charges dated 25 July 2011 over the assets of the Company.

The Mays completed release deeds on 17 December 2012. There are no other charges registered at Companies House.

Preferential Creditors

As all employees were transferred under the TUPE regulations there are no anticipated preferential claims in this matter.

Unsecured Creditors

I have received claims totalling £7,692,329 from fifty-one creditors. I have yet to receive claims from one hundred and thirty eight creditors whose debts total £1,052,073 as per the Company's statement of affairs.

On the current information it is anticipated there will be sufficient funds realised after defraying the expenses of the liquidation to pay a dividend to unsecured creditors.

INVESTIGATION INTO THE AFFAIRS OF THE COMPANY

I undertook an initial investigation into the Company's affairs to establish whether there were any potential asset recoveries or conduct matters that justified further investigation, taking account of the public interest, potential recoveries, the funds likely to be available to fund an investigation, and the costs involved. Specifically, I recovered, listed and reviewed the Company's accounting records; obtained and reviewed copy bank statements prior to the Company ceasing to trade from the Company's bankers; and compared the information in the Company's last set of accounts with that contained in the statement of affairs lodged in the liquidation and made enquiries about the reasons for the changes.

Since my last progress report, I would advise that no further matters have come to light that may be pursued by me for the benefit of creditors that have not already been mentioned in this report.

LIQUIDATOR'S REMUNERATION

Where a company in Administration subsequently moves into Liquidation under Paragraph 83 of Schedule B1 to the Insolvency Act 1986 and the Administrators become the Liquidators, the basis of fees fixed in the earlier Administration automatically transfers to the subsequent liquidation. In this case, the basis of my remuneration as Joint Liquidator is fixed by reference to the time properly spent by him and his staff in managing the Liquidation.

The Joint Liquidators agreed with the creditors committee to defer the balance of their fees until the Camden litigation is concluded. Category 1 expenses are payable without approval from creditors.

My time costs for the period are £11,463.00. This represents 35.5 hours at an average rate of £322.9 per hour. Attached as Appendix 2a 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 by me in managing the liquidation.

Attached as Appendix 2b is the cumulative time analysis for the period from 6 December 2013 to 5 December 2019 which provides details of my time costs since my appointment. The cumulative time costs incurred to date are £69,232.00. This represents 241.4 hours at an average rate of £286.79 per hour.

There are outstanding time costs of the Joint Administrators of £40,013. Any unpaid liabilities and expenses incurred in the Administration rank as a first charge on the funds and assets passed to the Liquidators.

Appendix 3 contains further information about time spent in the Liquidation and has been categorised into the headings shown below.

- **Administration and Planning:** includes case planning, administrative set-up, appointment notification, statutory reporting, compliance, cashiering, accounting, bank account reconciliations, and administrative functions.
- **Realisation of Assets:** includes specific bond application & review identifying, securing, insuring assets, retention of title issues, debt collection, property, business and asset sales.
- **Investigations:** includes reporting on the conduct of directors, investigating antecedent transactions and any other investigations that may be deemed appropriate.
- **Trading:** includes planning, strategy, trading accounting, managing operations on site, corresponding with suppliers and customers and on-going employee matters.
- **Creditors:** includes creditor set up, communication and meetings, reviewing and agreeing preferential and unsecured claims, corresponding with secured creditors, reviewing and obtaining advice in relation to security granted by the Company.

For the period of this report the time spent on this matter has been spent on overseeing the Camden litigation being progressed by Henderson and Jones, with further time spent on case planning, dealing with routine correspondence, managing the estate bank account and cashbook, undertaking regular reconciliations of the bank account, conducting periodic reviews of the case, *preparing and filing VAT & corporation tax returns and conducting the statutory tasks of the Liquidation* such as filing the progress report and receipts & payments account at Companies House. Whilst this work does not give direct financial benefit to the creditors, it has to be undertaken by the office holder as it is required by statute or regulatory guidance, or is necessary for the orderly conduct of the proceedings.

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 Creditors Guide to Liquidators' Fees' also published by R3, together with an explanatory note which shows Antony Batty & Company LLP's fee policy are available at the link <http://www.antonybatty.com/insolvency-resources>. Please note that there are different versions of the Guidance Notes. Please note that our charge out rates increased on 1 June 2019.

LIQUIDATOR'S EXPENSES

I have incurred category one expenses of £75.12, all incurred in preceding periods. I have not yet drawn any expenses in this matter.

I have incurred the following category 2 disbursements in the period since my last progress report:

Type of category 2 disbursement	Amount incurred in the reporting period
Photocopying	£24.75
Postage	£107.25

The total category 2 disbursements incurred during the liquidation amount to £546.91. I have not drawn any of my category 2 disbursements in this matter.

I have used the following agents or professional advisors in the reporting period:

Professional Advisor	Nature of Work	Basis of Fees
IscaLegal	Solicitors	Time costs

The choice of professionals was based on my perception of their experience and ability to perform this type of work and the complexity and nature of the assignment. I also considered that the basis on which they will charge their fees represented value for money. I have reviewed the charges they have made and am satisfied that they are reasonable in the circumstances of this case.

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 Liquidators' remuneration and expenses within 21 days of their 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 unsecured creditors (including the creditor in question), apply to Court to challenge the amount of remuneration charged by the Liquidator as being excessive, and/or the basis of the Liquidator's remuneration, and/or the amount of the expenses incurred as being excessive, within 8 weeks of their 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, some general information about Antony Batty & Company LLP can be found at <http://www.antonybatty.com/insolvency-resources>.

SUMMARY

The Liquidation will remain open to review the claim mentioned above has been fully resolved. I estimate that this will take approximately 6 months and once resolved the Liquidation will be finalised and our files will be closed.

If creditors have any queries regarding the conduct of the Liquidation, or if they want hard copies of any of the documents made available on-line, they should contact Stephen Hole on 020 7831 1234, or by email at stephenh@antonybatty.com.



William Antony Batty
Joint Liquidator
Date: 31 January 2020

Altius Support Services Limited
(In Liquidation)
Joint Liquidators' Summary of Receipts & Payments

APPENDIX 1

Statement of Affairs £	From 06/12/2018 To 05/12/2019 £	From 06/12/2013 To 05/12/2019 £
NIL		
HIRE PURCHASE		
Motor Vehicles	NIL	NIL
	NIL	NIL
ASSET REALISATIONS		
Bank Interest Gross	NIL	371.85
Book Debts/Prepayments	NIL	NIL
Camden WIP/Debtors	109,300.92	109,300.92
Cash at Bank	NIL	NIL
Contracts & WIP	NIL	NIL
Equipment, Fixtures & Fittings	NIL	NIL
New Build Debtors/Retentions	NIL	NIL
Partnership Debtor	NIL	NIL
R & M Debtors/Retentions	NIL	NIL
Rent Deposit	NIL	15,104.57
Transfer from Administration	NIL	93,200.39
VAT Refund from Administration	NIL	31,755.95
	109,300.92	249,733.68
COST OF REALISATIONS		
Agents - De Vere Intellica	NIL	500.00
Corporation Tax	NIL	50.12
Insurance of Assets	NIL	106.00
Legal Fees - Isca Legal	NIL	38,354.50
The Creditor Gateway	NIL	24.00
	NIL	(39,034.62)
UNSECURED CREDITORS		
Directors	NIL	NIL
HM Revenue & Customs - PAYE	NIL	NIL
HM Revenue & Customs - VAT	NIL	NIL
Shareholder/Director Loans	NIL	NIL
Trade & Expense Creditors	NIL	NIL
	NIL	NIL
DISTRIBUTIONS		
Ordinary Shareholders	NIL	NIL
	NIL	NIL
(6,827,706.16)	109,300.92	210,699.06
REPRESENTED BY		
Bank 1 Current		210,699.06
		210,699.06



William Antony Batty
Joint Liquidator

Time Entry - SIP9 Time & Cost Summary

APPENDIX 2a

ALTILIQ - Altius Support Services Limited
All Post Appointment Project Codes
From: 06/12/2018 To: 05/12/2019

Classification of Work Function	Partner	Manager	Other Senior Professionals	Assistants & Support Staff	Total Hours	Time Cost (£)	Average Hourly Rate (£)
Administration & Planning	0.00	4.20	0.00	2.20	6.40	1,710.50	267.27
Case Specific Matters	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Creditors	0.00	26.20	0.00	0.00	26.20	8,778.00	335.04
Investigations	0.00	2.60	0.00	0.00	2.60	872.50	335.58
Realisations of Assets	0.00	0.30	0.00	0.00	0.30	102.00	340.00
Trading	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Total Hours	0.00	33.30	0.00	2.20	35.50	11,463.00	322.90
Total Fees Claimed						0.00	
Total Disbursements Claimed						0.00	

Time Entry - Detailed SIP9 Time & Cost Summary

ALTLIQ - Altius Support Services Limited
 From: 06/12/2013 To: 05/12/2019
 All Post Appointment Project Codes

Classification of Work Function	Partner	Manager	Other Senior Professionals	Assistants & Support Staff	Total Hours	Time Cost (£)	Average Hourly Rate (£)
000 : Non Analysed	0.00	0.00	0.00	0.10	0.10	17.50	175.00
100 : Administration & Planning	5.40	10.60	33.30	4.80	54.10	14,106.10	260.74
101 : Case planning	0.00	0.00	0.00	0.00	2.00	670.00	335.00
103 : Appointment notification	0.00	0.00	6.00	0.00	6.00	1,410.00	235.00
104 : Maintenance of records	0.00	0.00	0.70	0.00	0.70	178.50	255.00
105 : Statutory reporting	1.80	0.00	0.00	0.00	1.80	772.20	429.00
107 : Case Monitoring	0.00	0.00	1.20	0.00	1.20	282.00	235.00
108 : IPS Case Setup	0.00	0.10	2.70	0.00	2.80	668.00	238.57
Administration & Planning	7.20	12.70	43.90	4.90	68.70	18,104.30	263.53
500 : Creditors	3.30	0.40	13.30	0.00	17.00	4,599.20	270.54
501 : Creditor Communication	0.00	0.00	6.00	0.00	6.00	1,410.00	235.00
505 : Progress Report	0.00	43.40	41.70	0.00	85.10	24,338.50	286.00
Creditors	3.30	43.80	61.00	0.00	108.10	30,347.70	280.74
200 : Investigations	5.40	2.60	11.20	0.00	19.20	5,659.10	294.74
Investigations	5.40	2.60	11.20	0.00	19.20	5,659.10	294.74
300 : Realization of assets	20.10	7.90	14.20	0.00	42.20	14,192.90	336.32
301 : Ident, securing, insuring	0.00	0.30	0.00	0.00	0.30	100.50	335.00
305 : Legal matters	0.00	1.10	1.80	0.00	2.90	827.50	285.34
Realisations of Assets	20.10	9.30	16.00	0.00	45.40	15,120.90	333.06
Total Hours	36.00	68.40	132.10	4.90	241.40	69,232.00	286.79
Total Fees Claimed						0.00	

1. Administration

- Case planning - devising an appropriate strategy for dealing with the case and giving instructions to the staff to undertake the work on the case.
- Dealing with all routine correspondence and emails relating to the case.
- Maintaining and managing the office holder's estate bank account.
- Maintaining and managing the office holder's cashbook.
- Undertaking regular bank 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.
- Filing returns at Companies House.
- Preparing and filing VAT returns.
- Preparing and filing Corporation Tax returns.

2. Creditors

- Dealing with creditor correspondence, emails and telephone conversations regarding their claims.
- Maintaining up to date creditor information on the case management system.