

LIQ03

Notice of progress report in voluntary winding up



Companies House

TUESDAY



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nieshouse

1 Company details

Company number 0 7 6 8 9 8 9 5
Company name in full M2 Construction (South Wales) Ltd

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

2 Liquidator's name

Full forename(s) Simon Thomas
Surname Barriball

3 Liquidator's address

Building name/number 10
Street St Helens Road
Post town Swansea
County/Region
Postcode S A 1 4 A W
Country

4 Liquidator's name ①

Full forename(s) Helen
Surname Whitehouse

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

5 Liquidator's address ②

Building name/number 10
Street St Helens Road
Post town Swansea
County/Region
Postcode S A 1 4 A W
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 3	^m 0	^m 5	^y 2	^y 0	^y 1	^y 8
To date	^d 0	^d 2	^m 0	^m 5	^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 0	^d 1	^m 0	^m 7	^y 2	^y 0	^y 1	^y 9
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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 **Nicola Lewis**

Company name **McAlister & Co Insolvency**

Practitioners Limited

Address **10 St Helen's Road**

Swansea

Post town **SA1 4AW**

County/Region

Postcode

Country

DX

Telephone

03300563600



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

M2 Construction (South Wales) Ltd
(In Liquidation)
Joint Liquidators' Summary of Receipts & Payments

Statement of Affairs £	From 03/05/2018 To 02/05/2019 £	From 03/05/2016 To 02/05/2019 £	
	ASSET REALISATIONS		
110,000.00	Bank Interest Gross	0.14	0.56
	Book Debts	NIL	839.60
	Cash at Bank	NIL	1,518.57
	Tax Refund	NIL	NIL
		0.14	2,358.73
	COST OF REALISATIONS		
	Legal Fees (1)	NIL	200.00
	Liquidators Expenses	NIL	1,118.50
	Preparation of S. of A.	NIL	322.51
	Specific Bond	NIL	250.00
	Stationery & Postage	NIL	27.80
	Statutory Advertising	NIL	294.96
		NIL	(2,213.77)
	FLOATING CHARGE CREDITORS		
(135,000.00)	Floating Charge Creditor	NIL	NIL
		NIL	NIL
	UNSECURED CREDITORS		
(139,987.78)	H M Revenue & Customs	NIL	NIL
(730,306.55)	Trade & Expense Creditors	NIL	NIL
		NIL	NIL
	DISTRIBUTIONS		
(100.00)	Ordinary Shareholders	NIL	NIL
		NIL	NIL
(895,394.33)		0.14	144.96
	REPRESENTED BY		
	Bank 1 Current		144.96
			144.96


Simon Thomas Barriball
Joint Liquidator

Re: M2 Construction (South Wales) Ltd ("the Company") Creditors' Voluntary Liquidation ("CVL")
Registered number: 07689895

Joint Liquidators' Progress Report for the period from 3 May 2018 to 2 May 2019

Helen Whitehouse and I, of McAlister & Co Insolvency Practitioners Limited, are the Joint Liquidators of the Company and this is our third progress report concerning the liquidation of the Company.

Key highlights of this report

A summary of the key information contained within this report is as follows:

- Assets realised total £2,358.73
- Creditors claims received to date total £742,895.85
- Liquidator's remuneration was approved by creditors on a Time and Expenses via a decision procedure which took place on 3 May 2016. No fees have been drawn to date

Appendices

The following appendices are attached which should be read in conjunction with this report:

Appendix 1	Statutory Information
Appendix 2	Receipts and Payment Account (Receipts and Payments are shown net of VAT)
Appendix 3	SIP 9 report of Liquidator's Time Costs
Appendix 4	Summary of Joint Liquidators Activities
Appendix 5	Category 1 and 2 Disbursements

Joint Liquidators' actions during the period

During the liquidation, we have realised the following Company assets:

Book Debts

The director's statement of affairs listed book debts with an estimated to realise figure of £110,000. Douglas Jones & Mercer have been instructed to help with the debt collection and the matter is ongoing.

The debtor has not provided any formal dispute against the debt but has instead been querying the validity of some of the expenses incurred. Our solicitors are seeking to move matters forward but this is proving to take more time than expected.

Cash at Bank

The sum of £1,518.71 has been received representing the credit balance on the Company's bank account following asset realisations prior to my appointment.

Bank Interest

A sum of £0.56 has been received in interest gross of tax since my appointment. Of this a sum of £0.14 has been received covered by the date of this report.

Case Progress/Investigations

During the period of appointment, the Joint Liquidators' investigations have identified possible further actions which might result in realisations for the liquidation estate. These investigations are still on-going whilst it is assessed as to whether they are pursuable for the interest of creditors.

Payments to Creditors

Secured creditors

Knox Finance holds fixed and floating charges over the Company's assets.

A charge was also given by the directors to another party but we have sought solicitor's advice on this charge and it would appear not to be valid.

It is not currently known whether there will be sufficient realisations to enable a distribution to the secured creditor in this matter. This depends on the outcome of our investigations and the book debt collection.

Preferential creditors

There were no preferential claims from former employees of the Company anticipated on the statement of affairs. However we are aware that a claim was subsequently submitted to the Redundancy Service although we have yet to receive confirmation of any claim.

Unsecured creditors

The Statement of Affairs estimated unsecured creditor claims of £870,293.33. Claims totalling £742,895.85 have been received to date.

It is not currently known whether there will be sufficient realisations to enable a distribution to the secured creditor in this matter. This depends on the outcome of our investigations and the book debt collection.

It is not my policy to routinely chase creditors that have not proved, unless there is likely to be a dividend. However creditors that have not yet claimed are encouraged to do so.

Small claim scheme

From April 2016, I have had the discretion to admit claims from creditors under £1,000 without receiving a proof of debt.

I can confirm that no claims have been admitted under the small claims provisions.

Distribution prospects

It is not yet clear whether sufficient funds will become available for distribution to any class of creditor however this is possible depending on the outcome of our investigations and the book debt collections.

Liquidation Costs

The basis of the Joint Liquidators remuneration was considered and approved, on a time costs basis with a set estimate of £31,497, by creditors on 3 May 2016.

Pre Appointment Costs

This firm's fee in relation to assistance provided with the preparation of the director's Statement of Affairs, and placing the Company in liquidation, was fixed at £3,500 plus VAT and disbursements.

This fee remains outstanding in full.

I can confirm that no payment was made to another party for their assistance in preparing the Statement of Affairs, or in regard to the liquidation generally.

Liquidators' Remuneration

Numerous activities have been undertaken by ourselves and our staff in dealing with the liquidation. A number of tasks are generic to every liquidation and a summarised list of these activities is attached in the Appendices for your information.

As detailed above, there were a number of issues specific to this case and we have spent additional time dealing with the following:

- Investigations into the book debts. Review of the relevant records, discussions with agents and solicitors re collection.
- Instruction of solicitors to review the charges given against the company.
- Investigations into the accounts of the company and possible action against parties for wrongful trading or misfeasance.
- Investigations into the company's dealings and corresponding with relevant third parties.

Details of our remuneration are set out below. You may also find it useful to read "A guide to Liquidators' fees" which can be downloaded from The R3 website at <https://www.r3.org.uk/what-we-do/publications/professional/statements-of-insolvency-practice/e-and-w/sip-9-list>. Kindly ensure that you download the correct version for the date of appointment.

Alternatively please contact our office and we will arrange for a hard copy to be sent to you if you would prefer.

Our remuneration was approved via a resolution on a time costs basis with the set estimate of £31,497. Time costs accrued to date total £33,399.00, being 118.50 hours with an average hourly rate of £281.85 per hour. Of this a sum of £4,717.50 has been incurred covered by the date of this report.

I can confirm that due to insufficient realisations, no post appointment fee has drawn to date.

Disbursements

A detailed explanation of category 1 and category 2 disbursements, together with the approved rates for category 2 disbursements, is set out in the Appendices.

Category 1 disbursements are those that are directly attributable to a third party invoice.

Category 2 disbursements are those that are based upon an estimate or an internally set rate in accordance with the schedule previously provided.

Professional Advisors

The following advisors have been engaged by us during the course of the liquidation to provide the appropriate assistance.

Firm	Description of assignment	Fee basis
LPC	Attendance at court to defend petition	Fixed fee £200 plus VAT
Morgan Hemp	Extraction of sage records	Fixed fee £75 plus VAT
SCP	Quantity Surveyors re assessment	Fixed fee £2,475 plus VAT
Morgan Rostron Solicitors	Solicitors advice re charges	Time costs basis
Douglas Jones & Mercer	Solicitors on the collection of the book debts	Time costs basis

The use of professional advisors was necessary as either the task required a specialised skill set or it was economical to engage a third party. Advisors were chosen based upon their experience and abilities suitable for nature of the assignment.

Creditors' further information

If you require any further information with regard to any aspect of this report or our fees and expenses, please do not hesitate to contact this office and we shall do our best to assist you.

Any request must be made in writing within 21 days of receipt of the report (or 7 business days where the report has been prepared for the purposes of a meeting to receive my resignation).

I must provide this information within 14 days of the request, unless it is considered that:

- the time and cost involved in preparing the information would be excessive;
- disclosure would be prejudicial to the conduct of the liquidation or might be expected to lead to violence against any person; or
- I am subject to an obligation of confidentiality in relation to the information requested, in which case I must give the reasons for not providing the information.

If you are not satisfied with my response, you have the right to request further information by either:

- an application granting permission by the court; or
- by any secured creditor, or by any unsecured creditor provided at least 10% in value of unsecured creditors agree, (or they have the permission of the court).


Any such application to court must be made within 8 weeks of the applicant receiving the progress report in which the charging of the remuneration or incurring of the expenses in question is first reported.

If the court does not dismiss the application (which it may if it considers that insufficient cause is shown) the applicant must give me a copy of the application and supporting evidence at least 14 days before the hearing.

Conclusion

The case is not yet in a position to be closed for the reasons detailed.

Should you require any further information regarding the liquidation, please contact this office and we will be happy to assist as appropriate.



Simon Barriball, Joint Liquidator
For and on behalf of the Joint Liquidators
14 July 2018

M2 Construction (South Wales) Ltd - Statutory Information**Company Details**

Company Name:	M2 Construction (South Wales) Ltd
Company Number:	07689895
Date of Incorporation:	1 July 2011
Principal Trading Activity:	Development of building projects
Trading Address:	North Hill, 7 St. James Crescent, Swansea, SA1 6DP
Current Registered Office:	10 St Helens Road, Swansea, SA1 4AW
Former Registered Office:	North Hill, 7 St. James Crescent, Swansea, SA1 6DP

Appointment Details

Joint Liquidators:	Simon Thomas Barriball and Helen Whitehouse
Address:	McAlister & Co Insolvency Practitioners Ltd, 10 St Helen's Road, Swansea, SA1 4AW
Date of Appointment:	3 May 2016
Appointment made by:	Members and Creditors
Actions of Joint Liquidators:	Any act required or authorised under any enactment to be done by a Liquidator may be done by either or both of the Liquidators acting jointly or alone

M2 Construction (South Wales) Ltd
(In Liquidation)
Joint Liquidators' Summary of Receipts and Payments

RECEIPTS	Statement of Affairs (£)	From 03/05/2016 To 02/05/2018 (£)	From 03/05/2018 To 02/05/2019 (£)	Total (£)
Book Debts	110,000.00	839.60	0.00	839.60
Cash at Bank		1,518.57	0.00	1,518.57
Bank Interest Gross		0.42	0.14	0.56
		2,358.59	0.14	2,358.73
PAYMENTS				
Specific Bond		250.00	0.00	250.00
Preparation of S. of A.		322.51	0.00	322.51
Liquidators Expenses		1,118.50	0.00	1,118.50
Legal Fees (1)		200.00	0.00	200.00
Stationery & Postage		27.80	0.00	27.80
Statutory Advertising		294.96	0.00	294.96
Floating Charge Creditor	(135,000.00)	0.00	0.00	0.00
Trade & Expense Creditors	(730,306.55)	0.00	0.00	0.00
H M Revenue & Customs	(139,987.78)	0.00	0.00	0.00
Ordinary Shareholders	(100.00)	0.00	0.00	0.00
		2,213.77	0.00	2,213.77
Net Receipts/(Payments)		144.82	0.14	144.96
MADE UP AS FOLLOWS				
Bank 1 Current		144.82	0.14	144.96
		144.82	0.14	144.96

Time Entry - SLP9 Time & Cost Summary

M101017 - M2 Construction (South Wales) Ltd
All Post Appointment Project Codes
From: 03/05/2016 To: 02/05/2019

Classification of Work Function	Partner	Manager	Other Senior Professionals	Assistants & Support Staff	Total Hours	Time Cost (£)	Average Hourly Rate (£)
Admin & Planning	4.50	7.70	0.00	6.85	19.05	4,457.50	233.99
Case Specific Matters	10.25	8.80	0.00	0.00	19.05	5,260.00	276.12
Creditors	11.20	6.40	0.00	11.75	29.35	7,374.00	251.24
Investigations	22.50	0.00	0.00	0.00	22.50	7,200.00	320.00
Realisation of Assets	28.25	0.30	0.00	0.00	28.55	9,107.50	319.00
Trading	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Total Hours	76.70	23.20	0.00	18.60	118.50	33,399.00	281.85
Total Fees Claimed						0.00	
Total Disbursements Claimed						1,891.26	

Time Entry - SIP9 Time & Cost Summary

M101017 - M2 Construction (South Wales) Ltd
All Post Appointment Project Codes
From: 03/05/2018 To: 02/05/2019

Classification of Work Function	Partner	Manager	Other Senior Professionals	Assistants & Support Staff	Total Hours	Time Cost (£)	Average Hourly Rate (£)
Admin & Planning	0.00	0.60	0.00	1.05	1.65	345.00	209.09
Case Specific Matters	7.00	0.00	0.00	0.00	7.00	2,240.00	320.00
Creditors	0.75	4.50	0.00	0.00	5.25	1,252.50	238.57
Investigations	0.75	0.00	0.00	0.00	0.75	240.00	320.00
Realisation of Assets	2.00	0.00	0.00	0.00	2.00	640.00	320.00
Trading	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Total Hours	10.50	5.10	0.00	1.05	16.65	4,717.50	283.33
Total Fees Claimed						0.00	
Total Disbursements Claimed						0.00	

Summary of Joint Liquidators' Activities

There are a number of activities that are generic to every Creditors' Voluntary Liquidation and a summarised list of these activities is detailed below.

Staff of different levels were involved in these activities dependent upon the level of experience required in order to keep costs to an appropriate level.

Administration

- Filing the relevant notices upon appointment
- Circulating notices to creditors, members, employees and other stakeholders advising of the appointment
- Regular case reviews
- Reviewing the circumstances of the case to determine the appropriate strategy

Realisation of assets

- Instruction of, and correspondence with, agents and lawyers with regarding to the valuation and disposal of assets
- Safeguarding assets
- Uplifting of company documents
- Obtaining adequate insurance
- Liaising with, and providing information to, potential purchasers of assets
- Registering relevant notices with Land Registry as appropriate
- Dealing with outstanding pre appointment HMRC returns

Creditors

- Maintaining a list of creditor claims
- Dealing with Retention of Title claims
- Advertising for claims
- Acknowledgement of claims

Cashiering

- Opening an appropriate bank account
- Obtaining a specific bond
- Monthly bank statement reconciliations
- Dealing with receipts into the account
- Dealing with payments out of the account
- Post appointment Corporation Tax returns
- Post appointment VAT returns

Category 1 and 2 Disbursements

Disbursements are categorised as either Category 1 or Category 2.

Category 1

Category 1 disbursements are clearly identifiable third party costs that are directly attributable to the case. Occasionally these disbursements are paid by McAlister & Co Insolvency Practitioners Limited and then recharged to the case, usually when there are insufficient funds within the case to pay the disbursement at the time it falls due. Specific approval from creditors is not required for Category 1 disbursements.

Typical examples of Category 1 disbursements are:

- Postage
- Advertising
- Insurance
- Travel costs
- External room hire
- Document storage

Category 2

Category 2 disbursements are estimated or shared costs which may include some internal recharges from McAlister & Co Insolvency Practitioners Limited. It is likely that it is not possible, or too costly, to calculate the exact cost and an estimate is therefore used. These disbursements can be paid from the case if the basis of the charge has been approved by creditors.

Typical examples of Category 2 disbursements are:

- Photocopying
- Internal room hire
- Stationery

The current levels of Category 1 disbursements recovered by McAlister & Co Insolvency Practitioners Limited are as follows:

	£
Statutory Advertising	294.96
Postage	27.80
Bonding	250.00
Agents fees	1,007.50
Accountancy fee	75.00
Searches	15.00
Solicitors costs	200.00
Total	<u>1,870.26</u>

The current levels of Category 1 disbursements incurred but not yet recovered by McAlister & Co Insolvency Practitioners Limited are as follows:

	£
Agents fees	1,267.50
Postage	4.56
Allocation of accounting software	<u>24.99</u>
	1,497.05

The current levels of Category 2 disbursements recovered by McAlister & Co Insolvency Practitioners Limited are as follows:

	£
Photocopying	21.00

The above figures are shown net of VAT.