

WU15

Notice of final account prior to dissolution in a winding up by the court



Companies House

MONDAY



A85DUTRU

A11

13/05/2019

#224

COMPANIES HOUSE

1 Company details

Company number 0 9 1 9 1 5 8 6

Company name in full TCD t/a Total Controlled Demolition Ltd

→ Filling in this form

Please complete in typescript or in
bold black capitals.

2 Liquidator's name

Full forename(s) Isobel

Surname Brett

3 Liquidator's address

Building name/number 21 Highfield Road

Street

Post town Dartford

County/Region Kent

Postcode DA1 2JS

Country

4 Liquidator's name

Full forename(s)

Surname

Other liquidator

Use this section to tell us about
another liquidator.

5 Liquidator's address

Building name/number

Street

Post town

County/Region

Postcode

Country

Other liquidator

Use this section to tell us about
another liquidator.

WU15

Notice of final account prior to dissolution in a winding up by the court

6 Liquidator's release

Did any of the creditors object to the liquidator's release?

☐ Yes

☒ No

7 Date of final account

Date

^d0^d6 ^m0^m5 ^y2^y0^y1^y9

8 Final account

☒ The final account is attached

9 Sign and date

Liquidator's signature

Signature

X



X

Signature date

^d0^d7 ^m0^m5 ^y2^y0^y1^y9

TCD T/A TOTAL CONTROLLED DEMOLITION LTD IN LIQUIDATION

FINAL ACCOUNT

06 May 2019

CONTENTS

- Introduction
- Executive Summary
- Administration and Planning
- Enquires and Investigations
- Realisation of Assets
- Creditors
- Fees and Expenses
- Creditors' Rights
- EC Regulations
- Conclusion

APPENDICES

- Appendix I - Statutory Information
 - Appendix II – Receipts and Payments account for the period From 18/07/18 to 06/05/19 and for the period of the appointment
 - Appendix III - Detailed list of work undertaken in the period
 - Appendix IV - Time cost information for period from 18/07/18 to 06/05/19 and the total for the period of the appointment
 - Appendix V - Expenses summary for period for period from 18/07/18 to 06/05/19 and the total for the period of the appointment
 - Appendix VI – Notice that the company's affairs are fully wound up.
 - Appendix VII – Notice of No Dividend
-

INTRODUCTION

The purpose of this report is to produce a final account to creditors to give notice of the Liquidator's intention to resign and seek release from office. The report details the acts and dealing of the Liquidator for the period 18 July 2018 to date ("the review period") and for the period of appointment. This report should be read in conjunction with previous correspondence to members and creditors.

EXECUTIVE SUMMARY

A summary of key information in this report is detailed below.

Assets

Asset	Estimated to realise per Statement of Affairs	Total realisations
Total	0.00	0.00

Dividend prospects

Creditor class	Distribution / dividend paid to date
Secured creditor	NIL
Preferential creditors	NIL
Unsecured creditors	NIL

Closure

All matters within the liquidation are concluded.

ADMINISTRATION AND PLANNING

Statutory information

Statutory information may be found at Appendix I.

I am required to meet a considerable number of statutory and regulatory obligations. Whilst many of these tasks do not have a direct benefit in enhancing realisations for the insolvent estate, they assist in the efficient and compliant progressing of the administration of the case, which ensures that work is carried out to high professional standards. A detailed list of these tasks may be found in Appendix III.

I have met my statutory and regulatory duties to report to creditors, as listed below. In consideration of the need for transparency and engagement with creditors, care has been taken to ensure that reports and other communications with creditors have provided useful details of the strategies pursued and the outcomes anticipated.

During the Review Period, the following key documents have been issued:

- The Annual Progress Report for the period ending 17 July 2018;
- This Final Account;

Other administration tasks

During the Review Period, the following material tasks in this category were carried out:

- Case reviews,
- Filing Statutory Returns to Companies House,
- Bank reconciliations,
- Corporation Tax returns,

ENQUIRES AND INVESTIGATIONS

During the Review Period, the Liquidator considered and completed her investigations into matters requiring further review. This included seeking information and explanations from the director.

The Company's former directors and officers had failed to co-operate with either the Official Receiver's, or my own enquiries and the Company's books and records were not recovered, which hampered my investigations, including being unable to establish or verify the extent and existence of any assets held by the Company prior to liquidation.

Although I was able to analyse movements through the Company's bank accounts in the period leading up to liquidation, and also received a significant amount of information and documentation from creditors in respect of their dealings with the Company. My review and analysis of this information assisted in terms of:

- Identifying key personnel that appear to have been involved in the management of the Company, other than those registered as the Company's directors
- Company bank accounts
- Identifying various associated and connected companies

The operation of the bank accounts I have identified is unusual in that the vast majority of receipts and credits have been received from either (1) what appear to be connected, or associated companies within a loosely organised group structure, or (2) specific individuals either directly related to the Company, or to other connected companies. The level of funding from these sources over an 18 month period prior to liquidation is significant and exceeds £2M. In comparison, the value and volume of receipts that appear to be related to trading activities is very small.

My analysis showed a clear pattern in terms of funding the accounts to specifically enable only certain payments to be made, the majority of which relate to:

- Wages and subcontractor payments
- Individual and associated company connected to the Company and wider group of companies
- Cash withdrawals

There appeared to be little expenditure associated with normal trading activities and no evidence to suggest that the Company acted as a management services company to a wider group, or as a subcontractor working directly to other associated companies.

Additional evidence suggested that the accounts may have been operated in a deliberate and coordinated way to ensure that only certain payments to (including "key" trade accounts) were ever cleared. Significant numbers of cheques issued by the Company were bounced as there were insufficient funds available, but there appeared to be a recurring pattern or strategy to time the issue of high value cheques and electronic payments to coincide with connected party transfers to fund the accounts and thus ensure these payments were cleared. In addition, significant volume of payments out of the accounts to individuals connected to the Company and other associated companies were identified.

I extended my enquiries to establish the extent of the network of associated companies where I found evidence of a financial connection. A number of those companies are also subject to insolvency proceedings; nevertheless, I pursued further relevant enquiries of the respective officeholders with a view to establishing whether income properly due to the Company had been diverted through other companies' accounts and also whether there had been asset disposals between connected companies.

Other connected and associated companies that appear to have funded the Company had either filed dormant, or micro accounts at Companies House which contained limited financial information.

My subsequent investigations focussed on obtaining further information in respect of the management and subsequent insolvencies of the associated and connected companies identified from my initial investigations. The majority of those companies are also in compulsory liquidation which are being administered by the Official Receiver who has confirmed that they have experienced similar problems in their own investigations and ultimately their attempts to identify assets and claims have proved inconclusive, or unsuccessful.

Having considered the evidence to hand, I am doubtful as to any recovery or actions. In the normal course of events the liquidator's fees would be paid in priority of any dividend to creditors from asset recoveries and therefore creditors would not benefit. Thus I have chosen not to pursue this further.

Although this work has not generated any financial benefit to creditors, it was necessary to meet my statutory duties as well as conduct appropriate enquiries and investigations into potential rights of actions to enhance realisations

Pre-Appointment transactions with connected parties

As previously reported, because the officers of the Company have failed to surrender to the proceedings, or respond to my enquiries, I cannot confirm whether there have been any relevant asset disposals between the Company and connected parties that would need to be reported, or disclosed.

REALISATION OF ASSETS

The summary of Receipts and Payments account for the total period of the liquidation is at Appendix II; as anticipated no realisations have been made.

CREDITORS

Irrespective of whether sufficient realisations are achieved to pay a dividend to creditors, I have to carry out key tasks which are detailed at Appendix III. The following sections explain the anticipated outcomes to creditors and any distributions paid.

Secured creditors

The Company had granted the following security: -

Type of charge	Date created	Beneficiary
Debenture	14 March 2016	Attrition Limited

Having regard to the timing of the creation of the debenture, the validity of the security had required further scrutiny. Further information was requested from the chargeholder to assist my administration but no response was received.

There are no assets in the liquidation and thus the likely cost involved in pursuing this matter will not be beneficial to the creditors.

Preferential creditors

Employee claims

I am not aware of any employees claim in the liquidation

Unsecured creditors

The statement of affairs reflected 11 trade creditors in the sum of £175,755.54 and eight formal claims have been received from creditors amounting to £128,396.62. Three creditors amounting to £47,349.30 are yet to submit their claims.

HM Revenue and Customs was not shown on the Statement of Affairs. I made relevant enquiries with regard to VAT, PAYE and Corporation Tax but no claims were received.

No claim agreement work has been undertaken as there are insufficient funds available to pay a dividend to this class of creditors

Dividend prospects

In accordance with the Insolvency (England & Wales) Rules 2016, notice is hereby attached at Appendix IX that no dividend will be declared to any class of creditor.

FEES AND EXPENSES

The Liquidator's fees

It is the firm's practice to ensure that work is conducted by the appropriate staff member at the appropriate level of experience. Junior members of staff deal with the day to day administration on cases and a manager and partner then oversees the work undertaken. Where the issues are complex and litigious, the work will be closely supervised or undertaken by a manager or partner.

The basis of the Liquidator's fees was approved by creditors on 28 September 2016 in accordance with the following resolution:

"That the Liquidator is authorised to draw remuneration on a time basis with such remuneration to be drawn on account from time to time as funds permit."

The time costs for the period 18 July 2018 to 06 May 2019 total £11,171.00, representing 42.40 hours at an average rate of £263.47. My total time cost for the period of liquidation amount to £37,908.50, representing 140.20 hours at an average rate of £270.39. Time costs for the periods and my administration to date are detailed at Appendix IV.

As there have been no realisations, my time costs will be written off.

Disbursements

The disbursements that have been incurred but remain unpaid during the period are detailed on Appendix V.

Information about this insolvency process may be found on the R3 website at <http://www.creditorinsolvencyguide.co.uk/>. A copy of "A Creditors' Guide to Liquidator's Fees" together with the firm's charge-out rates and disbursements policy may be found at www.brettsbr.co.uk/cgfl/. There are different versions of these guidance notes and, in this case, please refer to version effective from 01 April 2017. A hard copy of both the Creditors' Guide and the firm's charge-out rate and disbursement policy may be obtained on request.

CREDITORS' RIGHTS

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 my 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 my 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.

EC REGULATIONS (WHETHER PROCEEDINGS ARE MAIN PROCEEDINGS OR TERRITORIAL)

I confirm that the Company's centre of main interest is in the UK. Accordingly the Council Regulations (EC) No 1346/2000 of 29 May 2000 on insolvency proceedings will apply which is replaced and superseded by Regulation (EU) 2015/848 of the European Parliament and of the Council of 20 May 2015 on insolvency proceedings. The EU Insolvency Regulation (EC/1346/2000) will continue to govern insolvency proceedings that are opened in the EU before 26 June 2017.

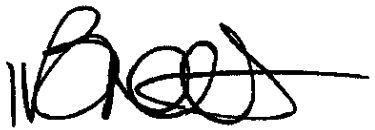
CONCLUSION

The administration of case has been concluded.

As an Insolvency Practitioner, when carrying out all professional work relating to an insolvency appointment, I am bound by the Insolvency Code of Ethics, as well as by the regulations of my professional body. To comply with the Provision of Service Regulation, some details about these matters and general information about Bretts Business Recovery Limited that is of relevance to creditors can be found at <http://www.brettsbr.co.uk/insolvency-rules/servicesregulations/>.

The General Data Protection Regulation requires that individuals whose data is being held be provided with information about their rights. A privacy notice is available at <http://www.brettsbr.co.uk/client-pages/client-privacy-notice-for-data-subjects/>

If you require any further information, please contact this office.



Isobel Brett FABRP
Liquidator

Appendix I

Statutory Information

Company Name	TCD t/a Total Controlled Demolition Ltd
Former Trading Name	
Company Number	09191586
Registered Office	141 Parrock Street, Gravesend, Kent, DA12 1EY
Former Registered Office	47a Bury Old Road, Prestwich, Manchester, M25 0FG
Officeholder	Isobel Susan Brett
Officeholder's address	21 Highfield Road, Dartford, Kent, DA1 2JS
Date of appointment	18 July 2016
Changes to Officeholder	N/A

Appendix II

Receipts and Payments account for the period from 18/07/2018 to 06/03/2019 and the full period of liquidation

S. of A.	From 18/07/2018	From 18/07/2016
	To 06/05/2019	To 06/05/2019

COST OF REALISATIONS

BIS Bank Charges	(66.00)	(242.00)
Petitioners Deposit	NIL	1,350.00
Official Receiver Administration Fee	NIL	(2,520.00)
	(66.00)	(1,412.00)

UNSECURED CREDITORS

(175,755.54) Trade Creditor	NIL	NIL
	NIL	NIL
	(66.00)	(1,412.00)

REPRESENTED BY

TCD t/a Total Controlled Demolition Ltd

(1,412.00)
(1,412.00)



Isobel Susan Brett
Liquidator

Appendix III

Detailed list of work undertaken for TCD t/a Total Controlled Demolition Ltd in Liquidation for the review period 18 July 2018 to 06 May 2019

Below is detailed information about the tasks undertaken by the Liquidator.

General Description	Includes
Statutory and General Administration	
Statutory/advertising	Filing of documents to meet statutory requirements including annual receipts and payments accounts Annual corporation tax returns
Document maintenance/file review/checklist	Filing of documents Periodic file reviews documenting strategy Periodic reviews of the application of ethical, anti-money laundering and anti-bribery safeguards Maintenance of statutory and case progression task lists/diaries Updating checklists
Bank account administration	Bank account reconciliations Maintenance of the estate cash book
Planning / Review	Discussions regarding strategies to be pursued Meetings with team members to consider practical, technical and legal aspects of the case
Reports	Preparing annual progress report Circulating final report to creditors
Closure	Review case to ensure all matters have been finalised Draft final report Obtain clearance to close case from HMRC together with submitting final tax return File documents with Registrar of Companies
Creditors and Distributions	
Creditor Communication	Receive and follow up creditor enquiries via telephone Review and prepare correspondence to creditors and their representatives via facsimile, email and post
Dealing with proofs of debt	Receipting and filing POD when not related to a dividend

Appendix IV

**TCD T/A TOTAL CONTROLLED DEMOLITION LIMITED
IN LIQUIDATION
TIME COST ANALYSIS**

A general analysis of time charged confirms that work has been carried out in the following areas:-

FOR THE PERIOD 18 JULY 2018 TO 06 MAY 2019

	Partner	Manager	Senior Admin/Other Professionals	Administrators /Support	Total Time	Time Costs Incurred (£)	Average PH (£)
Admin & Planning	1.00	10.10	18.80	1.00	30.90	7,868.50	254.64
Investigations	0.00	7.20	1.20	0.00	8.40	2,406.00	286.43
Realisation of Assets	0.00	2.80	0.00	0.00	2.80	826.00	295.00
Trading	0.00	0.00	0.00	0.00	0.00	-	NIL
Creditors	0.00	0.00	0.30	0.00	0.30	70.50	235.00
Total	1.00	20.10	20.30	1.00	42.40	11,171.00	263.47

AND FOR THE TOTAL PERIOD FROM 18 JULY 2016 TO 06 MAY 2019

	Partner	Manager	Senior Admin/Other Professionals	Administrators /Support	Total Time	Time Costs Incurred (£)	Average PH (£)
Admin & Planning	3.60	51.00	20.50	6.40	81.50	21,443.00	263.10
Investigations	0.00	47.80	1.20	1.90	50.90	14,274.00	280.43
Realisation of Assets	0.00	2.90	0.00	0.00	2.90	853.50	294.31
Trading	0.00	0.00	0.00	0.00	0.00	-	NIL
Creditors	0.00	4.10	0.80	0.00	4.90	1,338.00	273.06
Total	3.60	105.80	22.50	8.30	140.20	37,908.50	270.39

STAFF CHARGE-OUT RATES

Unless they are otherwise fixed in accordance with the Insolvency Act 1986, an Office Holders fees are charged by reference to time costs, as incurred, charged at the firms usual rates applicable at the time the work is carried out. Rates may be varied from time to time, at the sole discretion of Bretts Business Recovery Limited and such changes will be notified in retrospect with each report to Creditors. Staff time is charged in units of six minutes and as from 1st January 2012 the maximum rates applicable are:

Grade of staff	Charge-out rate per hour, effective from:	
	01-Jan-16	01-Jan-17
Partner	325	345
Senior manager	275	295
Manager	250	265
Senior Administrator	220	235
Grade 1 Administrator	190	200
Administrator (grade 1)	175	190
Administrator (grade 2)	140	150
Administrator (grade 3)	110	120

Appendix V

Expenses summary for period, cumulative & comparison with estimate for TCD t/a Total Controlled Demolition Ltd in Liquidation

Below are details of the Liquidator's expenses for the period under review and the total to date.

Expenses	Actual expenses incurred in the Review Period £	Actual expenses incurred to date £
Category 1 Expenses		
Postage	£22.50	£69.82
Land Registry Searches	£0.00	£33.00
Computer Licences Fees	£0.00	£155.00
Advertising	£0.00	£162.48
Mail Redirection	£0.00	£160.00
Bonding	£0.00	£24.00
TOTAL CATEGORY 1	£22.50	£604.30
Category 2 Expenses		
Stationery	£25.50	£96.60
TOTAL CATEGORY 2	£25.50	£96.60
TOTAL CATEGORY 1 & 2	£48.00	£700.90

NOTICE THAT THE COMPANY'S AFFAIRS ARE FULLY WOUND UP

Company Name: TCD t/a Total Controlled Demolition Ltd (In Liquidation) ("the Company")
Company Number: 09191586
Court: High Court of Justice
Court Ref: 9717 of 2015

This Notice is given under Rule 7.71 of the Insolvency (England & Wales) Rules 2016 ("the Rules"). It is delivered by the Liquidator of the Company, Isobel Susan Brett, of Bretts Business Recovery Limited, 21 Highfield Road, Dartford, Kent, DA1 2JS (telephone number 01474 532862), who was appointed by the Secretary of State.

The Liquidator gives notice that the Company's affairs are fully wound up.

Creditors have the right:

- (i) to request information from the Liquidator under Rule 18.9 of the Rules;
- (ii) to challenge the Liquidator's remuneration and expenses under Rule 18.34 of the Rules; and
- (iii) to object to the release of the Liquidator by giving notice in writing below before the end of the prescribed period to:

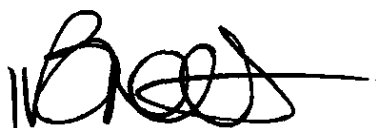
Isobel Susan Brett Bretts Business Recovery Limited,
21 Highfield Road,
Dartford, Kent,
DA1 2JS

The prescribed period ends at the later of: (i) eight weeks after delivery of this notice, or (ii) if any request for information under Rule 18.9 of the Rules or any application to court under that Rule or Rule 18.34 of the Rules is made, when that request or application is finally determined.

The Liquidator will vacate office under Section 172(8) of the Insolvency Act 1986 ("the Act") as soon as the Liquidator has complied with Section 146(4) of the Act by filing with the Court and delivering to the Registrar of Companies the final account and notice containing the statement required by Section 146(4)(b) of the Act of whether any creditors have objected to the Liquidator's release.

The Liquidator will be released under Section 174(4)(d)(ii) of the Act at the same time as vacating office unless any of the Company's creditors objected to release.

Relevant extracts of the Rules referred to above are provided overleaf.



Signed: _____
Isobel Susan Brett
Liquidator

Dated: 06/03/2019

RELEVANT EXTRACTS OF RULES 18.9 AND 18.34 OF THE INSOLVENCY (ENGLAND & WALES) RULES 2016

Rule 18.9

- (1) The following may make a written request to the office-holder for further information about remuneration or expenses set out in a final report under rule 18.14:
- a secured creditor;
 - an unsecured creditor with the concurrence of at least 5% in value of the unsecured creditors (including the creditor in question); or
 - any unsecured creditor with the permission of the court.
- (2) A request or an application to the court for permission by such a person or persons must be made or filed with the court (as applicable) within 21 days of receipt of the report by the person, or by the last of them in the case of an application by more than one creditor.

Rule 18.34

- (1) This rule applies to an application in a winding-up made by a person mentioned in paragraph (2) on the grounds that:
- the remuneration charged by the office-holder is in all the circumstances excessive;
 - the basis fixed for the office-holder's remuneration under rules 18.16, 18.18, 18.19, 18.20 and 18.21 (as applicable) is inappropriate; or
 - the expenses incurred by the office-holder are in all the circumstances excessive.
- (2) The following may make such an application for one or more of the orders set out in rule 18.36 or 18.37 as applicable:
- a secured creditor; or
 - an unsecured creditor with either
 - (i) the concurrence of at least 10% in value of the unsecured creditors (including that creditor), or
 - (ii) the permission of the court.
- (3) The application by a creditor must be made no later than eight weeks after receipt by the applicant of the final report or account under rule 18.14 which first reports the charging of the remuneration or the incurring of the expenses in question.

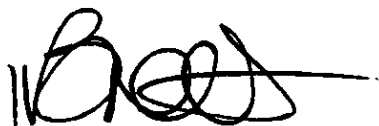
NOTICE OF NO DIVIDEND

Company Name: TCD t/a Total Controlled Demolition Ltd ("the Company")
Company Number: 09191586
Court: High Court of Justice
Court Ref: 9717 of 2015

This Notice is given under Rule 14.36 of the Insolvency (England & Wales) Rules 2016 ("the Rules"). It is delivered by the Liquidator of the Company, Isobel Susan Brett, of Bretts Business Recovery Limited, 21 Highfield Road, Dartford, Kent, DA1 2JS (telephone number 01474 532862), who was appointed by the Secretary of State.

The Liquidator gives notice confirming that no dividend will be declared in the Liquidation of the Company. No funds have been realised.

The Liquidator will now proceed to conclude the Liquidation and therefore any claims against the assets of the Company are required to be established by 28 March 2019.



Signed: _____
Isobel Susan Brett
Liquidator

Dated: 06 / 03 / 2019

WU15

Notice of final account prior to dissolution in a winding up by the court



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.

Isobel Susan Brett

Bretts Business Recovery Limited

21 Highfield Road

Dartford

Kent

Postcode

D	A	1		2	J	S
---	---	---	--	---	---	---

dx

01474 532862



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