

LIQ03

Notice of progress report in voluntary winding up



Companies House

THURSDAY



ABGYSE4A

A08

17/11/2022

#216

COMPANIES HOUSE

ise
se

1 Company details

Company number 1 0 0 6 7 6 4 8

Company name in full PWE RAIL Ltd

→ Filling in this form

Please complete in typescript or in
bold black capitals.

2 Liquidator's name

Full forename(s) Stuart

Surname Kelly

3 Liquidator's address

Building name/number 7 Smithford Walk

Street

Post town Liverpool

County/Region

Postcode L 3 5 1 S F

Country

4 Liquidator's name ①

Full forename(s)

Surname

① Other liquidator

Use this section to tell us about
another liquidator.

5 Liquidator's address ②

Building name/number

Street

Post town

County/Region

Postcode

Country

② Other liquidator

Use this section to tell us about
another liquidator.

LIQ03

Notice of progress report in voluntary winding up

6 Period of progress report

From date	d	1	d	7	m	0	m	9	y	2	y	0	y	2	y	1
To date	d	1	d	6	m	0	m	9	y	2	y	0	y	2	y	2

7 Progress report

☐ The progress report is attached

8 Sign and date

Liquidator's signature

Signature

X



X

Signature date

d	1	d	1	m	1	m	1	y	2	y	0	y	2	y	2
---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---

PWE RAIL Ltd**(In Liquidation) ("the Company")****Liquidator's Annual Report and Receipts & Payments Account****For the Period 17 September 2021 to 16 September 2022
("the Review Period")**

Private & Confidential

(This Report is for use by the Members and Creditors of the Company only and must not be published or provided to any other party without the written permission of the Company)

Content

- Executive Summary
- Administration and Planning
- Enquiries and Investigations
- Realisation of Assets
- Creditors
- Ethics
- Fees and Expenses
- Creditors' Rights
- Conclusion

Appendices

- Appendix I - Statutory Information
- Appendix II – Receipts and Payments account for the review period 17 September 2021 to 16 September 2022
- Appendix III - Detailed list of work undertaken in the period
- Appendix IV - Time cost information for period 17 September 2021 to 16 September 2022
- Appendix V - Time costs summary for period, cumulative & comparison with estimate
- Appendix VI - Expenses summary for period, cumulative & comparison with estimate

EXECUTIVE SUMMARY

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

Assets

Asset	Estimated to realise per Statement of Affairs	Realisations to date	Anticipated future realisations	Total anticipated realisations
Book Debts	NIL	NIL	NIL	NIL
Cash at Bank	10	NIL	NIL	NIL
Contribution to Costs	-	5,600	NIL	5,600

Expenses

Expense	Amount per fees and expenses estimates	Expense incurred to date	Anticipated further expense to closure	Total anticipated expense
Specific Bond	70	70	NIL	70
Preparation of S. of A	4,000	4,000	NIL	4,000
Liquidators Fees	14,606	359	NIL	359
Statutory Advertising	250	249	NIL	249

Dividend prospects

Creditor class	Distribution / dividend paid to date	Anticipated distribution / dividend, based upon the above
Secured creditor	N/A	N/A
Preferential creditors	NIL	NIL
Secondary Preferential creditors	NIL	NIL
Unsecured creditors	NIL	NIL

Summary of key issues outstanding

- There are no outstanding issues, the Liquidator is seeking the relevant HMRC clearances and will prepare to move the case to closure.

Closure

Based on current information, it is anticipated that the Liquidation will be concluded within the next 6 months.

ADMINISTRATION AND PLANNING

Statutory information

Statutory information may be found at Appendix I.

The Liquidator is 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.

Reporting

The Liquidator has met his 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 period 17 September 2021 to 16 September 2022 ("the Review Period"), the following key documents have been issued:

- notices of appointment;
- initial correspondence to creditors;
- notice of decision procedure; and
- fee and expense estimate.

Other administration tasks

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

- completing case reviews and monitoring of case progression;
- applying for initial bond;
- statutory advertising;
- ongoing monitoring of ethical and anti-money laundering matters; and
- bank reconciliations.

ENQUIRIES AND INVESTIGATIONS

During the Review Period, the Liquidator carried out an initial review of the Company's affairs in the period prior to appointment. This included seeking information and explanations from the director by means of questionnaires and email; making enquiries of the Company's accountants; reviewing information received from creditors; and collecting and examining the Company's bank statements, accounts and other records.

The directors provided the books and records and a completed questionnaire as well as a Statement of Affairs.

The information gleaned from this process enabled the Liquidator to meet his statutory duty to submit a confidential report on the conduct of the directors (past and present) to the Insolvency Service.

This work was also carried out with the objective of making an initial assessment of whether there were any matters that may lead to any recoveries for the benefit of creditors. This would typically include any potential claims which may be brought against parties either connected to or who have past dealings with the Company.

This initial assessment has been completed and the Liquidator did not identify any further assets or actions which might lead to a recovery for creditors.

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

REALISATION OF ASSETS

Detailed below is key information about asset realisation and strategy, however, more details about the work undertaken may be found at Appendix III. The Liquidator formulated and worked through a realisation strategy that sought to maximise realisations net of costs. The financial benefit of those efforts is described further below.

Transactions with connected parties

Since appointment, no sale to a connected party has occurred.

Cash at Bank

Cash at Bank held a book value of £3,001. Prior to appointment the director informed the Liquidator that the balance was significantly lower and a balance of £10 remained. Further to the Liquidator's appointment, the bank have confirmed that the balance is £Nil, and the account has now been closed.

Book Debts

Book debts held a book value of £7,272 in the FYE 20 Statements. The Director had advised that the figure was nil prior to appointment. Further to his appointment, the Liquidator has reviewed the books and records for the Company, and is satisfied that there are no outstanding book debts. No realisations have been achieved.

Payments

Details of payments are detailed within the expenses section.

CREDITORS

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

Secured creditors

The Company has not granted any charges over its assets.

Preferential creditors

As previously reported, it was anticipated that the director, in his capacity as a former employee, would have a claim for redundancy pay, holiday pay and other employee entitlements. The relevant information to submit claims was made to the Redundancy Payments Service ("RPS") and information and help was given to the director to enable him to submit his claim online.

The Director had made a claim to the RPS but this was subsequently rejected. There will be no preferential claim in the Liquidation.

Secondary Preferential creditors

In any insolvency process started from 1 December 2020, HM Revenue & Customs ("HMRC") is a secondary preferential creditor for the following liabilities:

- VAT
- PAYE Income Tax
- Employees' NIC
- CIS deductions
- student loan deductions

This will mean that, if there are sufficient funds available, any of the above amounts owed by the Company will be paid after the preferential creditors have been paid in full.

HMRC was not estimated to have a secondary preferential claim. The Company was not VAT registered. No claim has been received.

Unsecured creditors

HMRC was shown to be owed £11,000 in respect of corporation tax. A claim of £3,328 has been received in respect of its unsecured liability.

The trade and expense creditors as per the statement of affairs totalled £10,820. Unsecured claims of £12,839 have been received.

Dividend prospects

Where a floating charge is created after 15 September 2003 a prescribed part of the company's net property shall be made available to unsecured creditors. The Company has not granted a floating charge to any creditor after 15 September 2003 and consequently there is no prescribed part in this Liquidation.

Due to insufficient realisations in this case, there will be no distribution to any class of creditor.

ETHICS

Please be advised that the Liquidator is bound by the Insolvency Code of Ethics when carrying out all professional work relating to an insolvency appointment.

General ethical considerations

Prior to the Liquidator's appointment, a review of ethical issues was undertaken and no ethical threats were identified. A further review has been carried out and no threats have been identified in respect of the management of the insolvency appointment over the Review Period.

Specialist Advice and Services

When instructing third parties to provide specialist advice and services or having the specialist services provided by the firm, the Liquidator is obligated to ensure that such advice or work is warranted and that the advice or work contracted reflects the best value and service for the work undertaken. The firm reviews annually the specialists available to provide services within each specialist area and the cost of those services to ensure best value. The specialists chosen usually have knowledge specific to the insolvency industry and, where relevant, to matters specific to this insolvency appointment. The Liquidator has not instructed any specialist advice and services during the Review Period.

FEES AND EXPENSES

Pre-Appointment Costs

Fixed fee agreed with the Directors and ratified by creditors

The creditors authorised the fixed fee of £4,000 for assisting the directors with placing the Company in Liquidation and with preparing the Statement of Affairs on 27 October 2021.

Due to insufficient assets, the director has paid £4,000 plus VAT and disbursements to cover the cost of the Liquidation. This is shown in the enclosed receipts and payments account.

The Liquidator's post appointment 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 then oversees the work undertaken. Where the issues are complex and litigious, the work will be closely supervised or undertaken by the manager or director.

The basis of the Liquidator's fees was approved by creditors on 27 October 2021 in accordance with the following resolution:

"That the basis of the Liquidator's fees be fixed by reference to the time properly given by the Liquidator and his staff in attending to matters arising in the Liquidation as set out in the fees estimate, such time to be charged at the hourly charge out rates used by the firm at the time when the work is performed, plus VAT at the prevailing rate and Category 1 disbursements."

The time costs for the Review Period total £8,703, representing 40.30 hours at an average hourly rate of £216. The sum of £359 has been drawn on account of time costs incurred. The time costs for the period are detailed at Appendix V. A comparison between the original estimate and time costs to date is given at Appendix VI.

Having regard for the costs that are likely to be incurred in bringing this Liquidation to a close, the Liquidator considers that:

- the original fees estimate is unlikely to be exceeded; and
- the original expenses estimate is unlikely to be exceeded.

Expenses

The expenses, which include disbursements that have been incurred and not yet paid during the period, are detailed on Appendix VI. Also included in Appendix VI is a comparison of the expenses likely to be incurred in the Liquidation as a whole with the original expenses estimate, together with reasons where any expenses are likely to exceed that estimate.

The category 1 expenses paid for in the Review Period total £319, and are detailed at Appendix II and represent payments to parties not associated with the firm, who have provided services or goods for the administration of the assignment.

The category 2 expenses for the Review Period total £Nil. The basis of calculation of this category of expense was disclosed to creditors, however, no resolution was sought to draw category 2 disbursements.

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 Fees' may be found at [Liquidation. A Guide for Creditors on Insolvency Practitioners Fees. Version 1 April 2021 \(1\).pdf](#)

Details of the firm's charge-out rate and expenses policy are included within the appendices. A hard copy of both the Creditors' Guide and the firm's charge-out rate and expenses policy may be obtained on request.

Other professional costs

Specific Bond

The Liquidator is obliged to maintain an insurance bond in respect of the estimated value of the assets under the control of the Liquidator. The cost incurred and paid to date is £70.

Statutory Advertising

The Liquidator has incurred and paid costs of £249 for statutory advertising relating to the appointment of the Liquidator.

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 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 eight weeks of receipt of this report. Any secured creditor may make a similar application to court within the same time limit.

CONCLUSION

The administration of the case will be continuing to finalise the following outstanding matters that are preventing this case from being closed:

There are no outstanding matters, the Liquidator will seek the relevant HMRC clearances and proceed to move the case to closure.

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

Stuart Kelly

A handwritten signature in black ink, appearing to be 'Stuart Kelly', with a stylized, wavy line for the surname.

Liquidator
10 November 2022

Appendix I

Statutory Information

Company Name	PWE RAIL Ltd
Former Trading Name	PWE RAIL Ltd
Company Number	10067648
Registered Office	7 Smithford Walk, Liverpool, L35 1SF
Former Registered Office	50 Milford Street, Mold, CH7 1NF
Office holder	Stuart Kelly
Office holder's address	SPK Financial Solutions Limited, 7 Smithford Walk, Liverpool, L35 1SF
Date of appointment	17 September 2021

Appendix II

Receipts and Payments account for the Review Period 17 September 2021 to 16 September 2022

PWE RAIL Ltd
(In Liquidation)

LIQUIDATOR'S RECEIPTS AND PAYMENTS ACCOUNT

	Statement of affairs £	From 17/09/2021 To 16/09/2022 £	From 17/09/2021 To 16/09/2022 £
RECEIPTS			
Book Debts	NIL	0.00	0.00
Cash at Bank	10.00	0.00	0.00
Contribution to costs		5,600.00	5,600.00
		5,600.00	5,600.00
PAYMENTS			
Book Debts		0.00	0.00
Specific Bond		70.00	70.00
Preparation of S. of A.		4,000.00	4,000.00
Liquidators Fees		359.33	359.33
VAT Unrecoverable		921.67	921.67
Statutory Advertising		249.00	249.00
Director	(2,000.00)	0.00	0.00
Director	(1,320.00)	0.00	0.00
HMRC CT	(11,000.00)	0.00	0.00
Banks - Lloyds	(9,500.00)	0.00	0.00
Ordinary Shareholders	(2.00)	0.00	0.00
		5,600.00	5,600.00
BALANCE - 16 September 2022			0.00

Note:

Appendix III

Detailed list of work undertaken for PWE RAIL Ltd in Creditors' Voluntary Liquidation for the review period 17 September 2021 to 16 September 2022

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 Advertising in accordance with statutory requirements Bonding the case for the value of the assets
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	Preparing correspondence opening and closing accounts Requesting bank statements Bank account reconciliations Correspondence with bank regarding specific transfers Maintenance of the estate cash book Banking remittances and issuing cheques/BACS payments
Planning / Review	Discussions regarding strategies to be pursued Meetings with team members to consider practical, legal and technical aspects of the case
Books and records / storage	Collection of available books and records Inventory of records
Pension scheme	Identifying whether there is a pension scheme through standard searches Review of Pensions questionnaire
Reports	Preparing and circulating initial report and fee and expense estimates to creditors upon appointment
Creditors' decisions	Preparation of decision procedure notices and voting forms Notice of decision procedure to all known creditors Collate and examine proofs and votes to conclude decisions Responding to queries and questions following decisions Creating a record of decision
Investigations	
SIP 2 Review	Collection and making an inventory of company books and records Correspondence to request information on the company's dealings, making further enquiries of third parties Reviewing questionnaires submitted by creditors and directors Reviewing company's books and records Bank statement analysis Preparation of deficiency statement Review of specific transactions and liaising with directors regarding certain transactions
Statutory reporting on conduct of director(s)	Preparing statutory investigation reports Liaising with Insolvency Service Submission of report with the Insolvency Service
Realisation of Assets	* Please note that work carried out under this category has been recorded under the Administration and Planning section in the time cost breakdown.
Cash at Bank	Liaising with the Bank to have any balances transferred and the account closed.
Book Debts	Review of the books and records for the Company.
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 Assisting employees to pursue claims via the RPO
Dealing with proofs of debt ("POD")	Receipting and filing POD when not related to a dividend Corresponding with RPO regarding POD when not related to a dividend

Annual Progress Report of Pwe Rail Ltd - In Creditors' Voluntary Liquidation

Current Charge-out Rates for the firm

Time charging policy

Support staff do charge their time to each case.

Support staff include cashier, secretarial and administration support.

The minimum unit of time recorded is 6 minutes.

Staff	Charge out rates £
Insolvency Practitioner/Partners	325
Directors	295
Manager	225
Administrator	175
Secretarial/Administration support staff	125

Appendix IV

Time cost information for the Review Period 17 September 2021 to 16 September 2022

Time Entry - SIP9 Time & Cost Summary

P007 - PIWE RAIL Ltd
Project Code: POST
From: 17/09/2021 To: 16/09/2022

Classification of Work Function	Partner	Manager	Other Senior Professionals	Assistants & Support Staff	Total Hours	Time Cost (£)	Average Hourly Rate (£)
Admin & Planning	0.00	7.50	3.50	8.30	19.30	3,882.50	201.17
Case Specific Matters	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Creditors	0.00	4.50	0.90	0.90	6.30	1,435.50	227.86
Investigations	3.00	0.00	5.40	6.30	14.70	3,385.50	230.31
Realisation 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
Total Hours	3.00	12.00	9.80	15.50	40.30	8,703.50	215.97
Total Fees Claimed						0.00	
Total Disbursements Claimed						0.00	

Appendix V

Time costs summary for period, cumulative & comparison with estimate for PWE RAIL Ltd IN CREDITORS VOLUNTARY LIQUIDATION

	Original fees estimate			Actual time costs incurred during the Review Period		
Work category	Number of hours	Blended hourly rate £ per hour	Total fees £	Number of hours	Average hourly rate £ per hour	Total time costs £
Administration (including statutory reporting)	30	218	6,540	19.30	201.17	3,885
Realisation of assets	7	218	1,526	0.00	0.00	0.00
Creditors (claims and distribution)	10	218	2,180	6.30	227.86	1,435.50
Investigations	20	218	4,360	14.70	230.31	3,385.50
TOTAL	67	218	14,606	40.30	215.97	8,703.50

Appendix VI

Expenses summary for period, cumulative & comparison with estimate for PWE RAIL Ltd in Creditors' Voluntary Liquidation

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

Expenses	Original expenses estimate £	Actual expenses incurred in the Review Period £	Actual expenses incurred to date £	Reason for any excess (if the expenses are likely to, or have, exceeded the original estimate)
Category 1 Expenses				
Advertising	250	249	249	
Bonding	70	70	70	
Category 2 Expenses No decision was sought for/ Category 2 Disbursements, none have been drawn				
Postage 1 st Class 85p	10	-	-	
Mileage (own car usage) 45p per mile	40	-	-	