

LIQ03

Notice of progress report in voluntary winding up



Companies House

For further information, please
refer to our guidance at
www.gov.uk/companieshouse

1 Company details

Company number 1 0 6 8 3 4 0 5

Company name in full Rh Construction (leeds) Ltd

→ Filling in this form

Please complete in typescript or in
bold black capitals.

2 Liquidator's name

Full forename(s) Philippa

Surname Smith

3 Liquidator's address

Building name/number 22A Main Street

Street Garforth

Post town Leeds

County/Region

Postcode L S 2 5 1 A A

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

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6

Period of progress report

From date

^d1^d3^m1^m2^y2^y0^y2^y1

To date

^d1^d2^m0^m2^y2^y0^y2^y2

7

Progress report

☒ The progress report is attached

8

Sign and date

Liquidator's signature

Signature

X



X

Signature date

^d1^d0^m0^m2^y2^y0^y2^y3

**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 **James Duke**

Company name **Smith & Barnes Insolvency**

Practitioners Ltd

Address **Unit 4, Madison Court**

George Mann Road

Post town **Leeds**

County/Region

Postcode **L S 1 0 1 D X**

Country

DX

Telephone **0113 532 3278**

**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

RH CONSTRUCTION (LEEDS) LTD
(IN CREDITORS' VOLUNTARY LIQUIDATION)
LIQUIDATOR'S ANNUAL REPORT TO MEMBERS AND CREDITORS
FOR THE YEAR ENDING 12 DECEMBER 2022

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RH CONSTRUCTION (LEEDS) LTD
(IN CREDITORS' VOLUNTARY LIQUIDATION)
LIQUIDATOR'S ANNUAL REPORT TO MEMBERS AND CREDITORS
FOR THE YEAR ENDING 12 DECEMBER 2022

1 Statutory and general information

Company number: 10683405

Liquidator: Philippa Smith of Smith & Barnes Insolvency Practitioners Ltd, Unit 4
Madison Court, George Mann Road, Leeds, LS10 1DX

Date of appointment: 13 December, 2021

Creditors wishing to contact the liquidator, should contact James Duke on telephone number 0113 532 3278 in the first instance.

1.1 No ethical issues have come to light during the period reported on.

2 Liquidator's actions since the last report

2.1 This report should be read in conjunction with my receipts and payments account which is attached as Appendix 1; please note that the figures are shown net of VAT.

2.2 Please note all transactions were processed through the Smith and Barnes business account and therefore no payments are shown on the receipts and payments account. Further details can be found below.

Asset

Contribution to costs

2.3 The director has paid funds totalling £3,000 to pay for the agreed liquidator's fees and expenses. Further details are provided below.

Debtors

2.4 In the last filed accounts debtors of £21,928 were listed, this amount included trade debtors of £5,666 and directors loan accounts totalling £16,262. Following a review of company records we have confirmed that the trade debts have been repaid and are no longer owing

2.5 In addition to the above the liquidator identified that there was a directors loan totalling £12,216.44 owing to the Company from one of two directors. The director has offered £6,000 in full and final settlement of this debt. Following satisfactory evidence provided by the director, it was concluded that the director did not have sufficient assets nor income to make a higher repayment and therefore the offer was accepted.

Other matters

2.6 In addition to my responsibility to realise the Company's assets, I am required to comply with various legislative and best practice obligations and deadlines. These obligations include filing of documents with the Registrar of Companies, ensuring that all receipts and payments are promptly dealt with and proper accounting records are maintained. In addition, I am required to undertake periodic case

reviews to monitor progress, advise creditors of the liquidation and record all claims received. Furthermore, I am obliged to deal with any other day to day matters that may arise during the liquidation

3 Unrealised assets

- 3.1 The director has offered £6,000 to settle his directors loan account and we are currently awaiting for funds to be transferred into the liquidation estate account.

4 Investigation into the affairs of the Company

- 4.1 One of the responsibilities the liquidator's has is to review the Company's books and records together with any information provided by creditors to establish if there are any areas which may warrant further investigations. The purpose of these investigations is to establish whether there is the possibility of making further recoveries for the benefit of creditors.
- 4.2 Following my initial review into the manner in which the affairs of the Company had been conducted, I established that further enquiries should be made.
- 4.3 The Liquidator discovered an overdrawn director's loan account was owing to the Company of £12,216.44 The Liquidator took steps to liaise with the director regarding repayment of these funds.
- 4.4 The director offered £6,000 in full and final settlement of this debt. Following satisfactory evidence provided by the director, it was concluded that the director did not have sufficient assets nor income to make a higher repayment and therefore the offer was accepted.
- 4.5 A further responsibility of the liquidator's is to report to the Secretary of State on any matters that come to her attention that could lead her to conclude that any past or present director may be unfit to be involved with managing the affairs of a company in the future. This report is confidential and it is a legal requirement that I do not disclose the content of this report.

5 Creditors and dividend prospects

- 5.1 The Company did not grant any secured charges.

Preferential creditors

- 5.2 Claims in this category of creditors, being claims from employees for outstanding wages and holiday pay and the Redundancy Payments Service (**RPS**).
- 5.3 2 employees were made redundant due to the Liquidation of the Company. No redundancy claim has been submitted for either employee as both claims were offset against their directors loan accounts.

Preferential creditors - secondary

- 5.4 Claims in this category of preferential creditors, being claims from HM Revenue & Customs in respect of deductions from employees' wages and outstanding VAT, have been recorded, however they have not yet been agreed.

Floating charge creditor and the prescribed part

- 5.5 There are no floating charges over the assets of the company, and accordingly the prescribed part provisions do not apply.

Unsecured creditors

- 5.6 The director's Statement of Affairs noted that the Company has unsecured creditors of £55,677.87.
- 5.7 Whilst I have received a number of claims from unsecured creditors, I have not incurred the costs of adjudicating on these claims. Based on current information, regrettably, there is little likelihood of any funds being available to pay a distribution to unsecured creditors.

6 Pre-appointment remuneration

- 6.1 The costs and expenses incurred by Smith & Barnes Insolvency Practitioners Ltd in respect of the preparation of the statement of affairs and convening the creditors' decision procedure were approved by a resolution passed by the creditors. The amounts are as follows:

Fees	£3,000 including expenses and VAT
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- 6.2 The directors of the Company paid funds totalling £3,000 to Smith & Barnes Insolvency Practitioners Limited directly prior to the Liquidation.

7 Liquidator's remuneration

- 7.1 No post appointment fee resolutions was sought pre appointment was sought however a remuneration request was issued to creditors on 08 December 2022.
- 7.2 We have requested the liquidator's remuneration is to be paid on a fixed fee basis in the sum of £7,500.00 plus expenses and VAT.
- 7.3 For the benefit of creditors, the Association of Business and Recovery Professionals publish 'A Creditors' Guide to Liquidators' Fees'. This document is available at the following website address, <https://www.r3.org.uk/technical-library/england-wales/technical-guidance/fees/>. A hard copy of this document can be obtained on request from our office.

8 Liquidator's expenses

- 8.1 Details of the expenses that I have paid are shown on the attached receipts and payments account. Please note that these costs were paid directly from Smith & Barnes Insolvency Practitioner Limited's business bank account.

Type of expense	Amount incurred £
Statutory Advertising	166
Premium Bond	40
Anti-Money Laundering check	8
Accountancy Fee	500

- 8.2 My choice of professionals was based on my knowledge of their experience and ability to perform the type of work required. I have reviewed the fees charged and as they are in line with original estimates, I am satisfied that they are reasonable in the circumstances of this case.

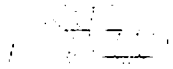
9 Further information

- 9.1 Within 21 days of receipt of a progress report a creditor may request that the liquidator provide further information about the fees and expenses set out in this report. A request must be in writing, and may be made either by a secured creditor, or by an unsecured creditor with the concurrence of at least 5% in value of unsecured creditors, or the permission of the court.
- 9.2 Any secured or unsecured creditor, if they consider that the 's fees are excessive, or that the basis of those fees is inappropriate or that the expenses incurred are excessive, may make an application to the court if at least 10% in value of the unsecured creditors agree. An application must be made within 8 weeks of receipt of this report.

10 Conclusion

10.1 We are awaiting funds from the director to settle his outstanding directors loan account. The director has not confirmed when we are likely to receive funds, however we will continue chase regularly until received.

Should you have any queries regarding this matter please contact James Duke on 0113 532 3278.



Philippa Smith

Liquidator

Appendix 1

Liquidator's receipts and payments account

Rh Construction (leeds) Ltd
(In Liquidation)
Liquidator's Summary of Receipts and Payments
To 12 December 2022

RECEIPTS	Statement of Affairs (£)	Total (£)
Directors Loan Account	6,000.00	NIL
		<hr/>
		0.00
		<hr/>
PAYMENTS		
Office Holders Fees	(7,500.00)	NIL
HMRC	(1,675.75)	NIL
Trade & Expense Creditors	(5,407.60)	NIL
Banks/Institutions	(43,000.00)	NIL
HMRC	(11,270.27)	NIL
Ordinary Shareholders	(2.00)	NIL
		<hr/>
		0.00
		<hr/>
Net Receipts/(Payments)		0.00
		<hr/>
 MADE UP AS FOLLOWS		
		<hr/>
		0.00
		<hr/>

APPENDIX 2

Introduction

The current legislation allows fees to be charged in an insolvency matter in several ways. Either by charging for time properly spent, a percentage of realisations, a fixed fee, or a combination.

The basis of any fee approval in an insolvency matter is to be agreed by either a creditors committee, the general body of creditors, or where the creditors reject the office holders' fees, by the Court.

Time cost basis

When charging fees on a time cost basis we use staff with the appropriate skill level for the work to be performed.

Charge-out rates

Grade	Charge-out rates (£ per hour, charged in 6-minute units)
Insolvency Practitioner/Partner/Director	350
Manager	275
Senior Administrator	250
Administrator	150
Support Staff	150

The firms charge-out rates are reviewed periodically.

Percentage basis

Where an office holder is expecting to realise specific assets, the fee charged may be a percentage of a specific asset or the assets as a whole.

Once agreed, the percentage basis can only be increased where there has been a material and substantial change in the circumstances in the case. If this is not the case, any request for an increase can only be approved by the Court.

Fixed fee

An office holder may charge a fixed fee on either the case as a whole or for specific tasks to be undertaken.

Once agreed, the fixed fee can only be increased where there has been a material and substantial change in the circumstances in the case. If this is not the case, any request for an increase can only be approved by the Court.

Agents' costs

These are charged at cost based upon the charge(s) made by the agent instructed. The term 'agent' includes:

- Solicitors/legal fees
- Auctioneers/valuers

- Accountants
- Quantity surveyors
- Estate agents
- Other specialist advisors

Expenses

Expenses are any payments from the estate which are neither office holder's remuneration nor a distribution to a creditor or member. Expenses also includes disbursements.

Disbursements are payments which are first paid by the office holder and then reimbursed to the office holder from the estate.

Category 1 expenses:

These are payments to those providing the service to which the expense relates who are not an associate of the office holder.

Examples of category 1 expenses include agents costs as detailed above as well as items such as insurance, statutory advertising, external meeting room hire, external storage and specific bond.

Category 2 expenses:

These are payments to associates or payments which have an element of shared costs.

There have been no category 2 expenses incurred in this case.

Subcontractors

Subcontractors are considered to undertake work that can be completed by the office holder or their staff.

Payments to subcontractors do not require specific approval and are treated as an expense of the estate, however I am required to provide the following information to you.

There has been no subcontractors used in this case.

APPENDIX 3

Smith & Barnes Insolvency Practitioners Ltd

STATEMENT OF THE WORK TO BE UNDERTAKEN BY THE LIQUIDATOR

The following is a summary of the matters that have been and will be dealt with by the liquidator.

Initial steps on appointment

On appointment, the Liquidator ensured that the appointment was advertised in the London Gazette, and all necessary documents were filed with the Registrar of Companies. Various notifications have been sent to HMRC, and a bank account opened. The liquidator have also advised the creditors of the appointment.

In addition the liquidator has convened a creditors' decision procedure, being by postal resolution, in order to ask creditors to agree the basis of the liquidator's remuneration.

The above work does not provide any financial benefit to creditors but is necessary to ensure that the liquidator complies with all necessary statutory requirements, which includes informing the creditors of the appointment.

Investigations

The liquidator is obliged to review the Company's books and records and consider if there has been any wrong doing. In addition the liquidator is required, by law, to report on the conduct of the directors to the Department of Business, Energy & Industrial Strategy.

An update with regards to the Liquidators investigations is provided in section 4 of this report.

Creditors' Claims

The Liquidator has and will record all proofs of debt received.

In addition claims of employees will also be recorded when received, if a dividend to both categories of preferential creditors become payable.

HM Revenue & Customs

All HMRC departments have been notified of the appointment.

The VAT return in the liquidation is yet to be filed, however the corporation tax return on this anniversary of the liquidation is nil. HMRC have been notified of this accordingly.

Case Monitoring and Reviews

During the course of the case, the case strategy has and will be reviewed on a periodical basis and periodical reviews, as required by best practice, have and will also be undertaken. During the life of the case, all general correspondence from creditors, agents, and solicitors will be dealt with.

Statutory Requirements

A local bank account has been opened and maintained with reconciliations being undertaken in accordance with best practice.

Closure

Once all of the assets of the case have been realised and (distributions made) the case will be reviewed, and the final progress account will be drafted for circulation to members and creditors. Following a period of eight weeks having passed, unless an objection to the liquidator receiving her release has been received, the final account will be filed with the Registrar of Companies. Following this the final administrative duties will be undertaken and the case files will be archived.