

Liquidator's Progress Report

S.192

Pursuant to Sections 92A and 104A and 192 of the Insolvency Act 1986

To the Registrar of Companies

Company Number

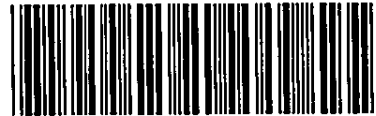
06735887

Name of Company

Advanced Timber Frame Limited

I / We
Donna Louise Cartmel
3 The Studios
320 Chorley Old Road
Bolton
Lancs
BL1 4JU

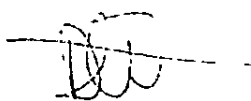
SATURDAY



A16 14/09/2013 #144
COMPANIES HOUSE

the liquidator(s) of the company attach a copy of my/our Progress Report under section 192 of the Insolvency Act 1986

The Progress Report covers the period from 22/08/2012 to 21/08/2013

Signed 

Date 12/9/13

Lawson Fox
3 The Studios
320 Chorley Old Road
Bolton
Lancs
BL1 4JU

Ref PA2662/DLC/GT/BW/CASH/CASH

LAWSONFOX

TO ALL KNOWN MEMBERS & CREDITORS

Our ref DLC/GT/PA2662/003
Contact Gemma Taylor
Direct dial 0844 453 7022
Email gemma.taylor@lawsonfox.co.uk

12 September 2013

Dear Sirs

ADVANCED TIMBER FRAME LIMITED - IN LIQUIDATION ("the Company")

LIQUIDATOR'S PROGRESS REPORT FOR THE PERIOD TO 21 AUGUST 2013

I have pleasure in enclosing my progress report to members and creditors, following my appointment as Liquidator on 22 August 2013

BACKGROUND

Company Number	06735887
Former Trading Address	Peakdale House, Brookdale Industrial Estate, Glossop, SK13 9LQ
Registered Office	c/o Lawson Fox Business Recovery Limited, 3 The Studios, 320 Chorley Old Road, Bolton, BL1 4JU
Previous Registered Office	Peakdale House, Brookdale Industrial Estate, Glossop, SK13 9LQ

On 13 July 2012 the board of Directors signed notices convening meetings of the Company's members and creditors with a view to placing the Company into Liquidation

On 22 August 2013 the Company's shareholders passed a special resolution placing the Company into Creditors' Voluntary Liquidation and nominating Donna Louise Cartmel of Lawson Fox Business Recovery Limited (previously Unique Business Recovery Limited) as Liquidator



Lawson Fox,
3 The Studios,
320 Chorley Old Road,
Bolton BL1 4JU

Tel 0844 453 7022
Fax 0844 576 1484
Email info@lawsonfox.co.uk
www.lawsonfox.co.uk
also at Cumbria

Lawson Fox Business Recovery Limited Registered Office
3 The Studios, 320 Chorley Old Road, Bolton BL1 4JU
Company Registered in England and Wales No 7739153
VAT Registration No 120 0230 35
All of the Insolvency practitioners of this practice are
licensed in the UK by the Institute of Chartered
Accountants in England and Wales.

At a meeting held on 31 August 2013 a resolution was passed by creditors confirming the appointment of myself as Liquidator

RECEIPTS AND PAYMENTS TO DATE

Attached at Appendix 1 is the Liquidator's receipts and payment account as at 21 August 2013

PROGRESS OF LIQUIDATION

The following matters have been considered during the course of the Liquidation upon which further detailed comment is provided later in this report

ASSETS

Cash at Bank

The sum of £6,000 was received upon closure of the Company's bank account held with Lloyds TSB Bank plc

Book Debts

The Director provided details of outstanding book debts and retentions which were due to the Company at the date of Liquidation, totalling the sum of £40,000. However the book debts and retentions were subject to dispute and it was, at the date of my appointment as Liquidator, uncertain if the book debts and retentions would be recoverable.

I am aware a retention in the sum of £3,674.18, due to the Company from Askam Construction Limited, was paid to a connected company, Advanced Windows 2000 Limited, connected by way of common office holders, after the date at which the Company entered into Liquidation. Advanced Windows 2000 Limited have been asked to repay the sum of £3,674.18. As at the date of this report I have not had either a response or remittance from Advanced Windows 2000 Limited and am therefore seeking legal advice as to the options available to me to recover the monies.

Whilst efforts have been made to recover the balance of the debts no realisations have been achieved to date as the book debts and retentions are disputed in their entirety.

Plant and Machinery

Prior to my appointment as Liquidator, the Company's plant & machinery were sold in-situ at the Company's former trading premises by independent agents.

The agents instructed by the Company held the sales proceeds to my order and following appointment the sum of £3,750 was remitted to the Liquidator's office.

Motor Vehicles

The Company's accounts for the period ended 31 October 2011, indicated the Company owned a number of vehicles

DVLA searches carried out in respect of the vehicles indicate the vehicles detailed in the accounts were not registered in the Company name

It is unclear at this stage if the vehicles were actually purchased by the Company, or if not, why there were included as assets in the Company's accounts

G.J.D Fabrications Limited

A review of the Company's bank statements has indicated G J D Fabrications Limited may be indebted to the Company in the sum of approximately £462,000. However, without more detailed accounting books and records to consider the transactions further, no definitive comment can be made in relation to the apparent liability

In any event, G J D Fabrications Limited is in Liquidation, and there is no prospect of a dividend distribution being available to creditors

Potential VAT refund for new builds

It was considered a VAT refund may potentially be due to the Company in respect of zero rated new build work. A lack of Company's books and records has made it difficult to reach a conclusion in this regard

It should be noted HM Revenue & Customs are a creditor in respect of outstanding VAT and PAYE/NIC. HM Revenue & Customs would assert their right to Crown Set-off in respect of any potential refund, had it been possible to submit a repayment claim

Domain Name Advancedtimberframe.co.uk

The domain name Advancedtimberframe.co.uk is registered to Advanced Timber Frame Limited

Internet searches suggest the Domain name is currently hosting a site used by ATF (MMC) Limited

Direct requests to the host of the site/domain name to remove the site have failed to be actioned

I have issued correspondence to ATF (MMC) Limited asking them to confirm their position in relation to the domain name, but have as yet received no response

Further assets

As the administration of this case is ongoing, I would be pleased to receive any further information, considered relevant to my enquiries, from creditors

LIQUIDATOR'S REMUNERATION & EXPENSES

At the meeting of creditors held on 31 August 2013 a resolution was unanimously passed that the Liquidator be authorised to pay the sum of £5,000 plus VAT to Lawson Fox Business Recovery Limited (previously Unique Business Recovery Limited) for assisting in the preparation of the Statement of Affairs and convening the meetings. To date the sum of £5,000 has been drawn by Lawson Fox Business Recovery Limited in this respect

My firm's fees have been calculated by reference to the amount of time expended by myself acting as Liquidator and by my staff in accordance with my firm's normal charge out rates and in accordance with the resolution passed at the first meeting of creditors

The total number of hours expended to date in this matter amount to 102 10 hours at an average hourly rate of £232 10 and a total cost of £23,697 50. The amount of remuneration drawn in accordance with the resolution passed by creditors is shown in the attached receipts and payments account. A breakdown of time incurred in this matter is provided at Appendix 2

Category 1 expenses do not require approval and relate to specific items, directly related to the case, where the cost is determined by reference to independent external suppliers invoices or published tariff charges. The following Category 1 expenses have been incurred and paid for

Petitioners Costs	£930 15
Specific Bond	£30 00
Agents Fees	£500 00
DVLA Searches	£20 00
Statutory Advertising	<u>£229 50</u>
	<u>£1,709 65</u>

There are no Category 1 disbursements that have been incurred and not paid for

Category 2 expenses require approval and consist of all other items of expenditure, excluding fees. No expenses in this category have been incurred in the period. Whilst approval was given to pay such expenses it would not be the liquidator's intention to charge such expenses in this matter

The policy for re-charging disbursements is provided at Appendix 3

Creditors can access the 'Liquidator's Guide to Fees' via the website www.uniquebusinessfinance.co.uk/creditors/guide-to-fees. If you are unable to access

the site please contact this office and a hard copy will be forwarded to you by post or email

The charge out rates of the staff of Lawson Fox Business Finance Ltd who are involved in the administration of this case are as follows

<i>Grade</i>	<i>To 31.07.13 Rate per Hour (£)</i>	<i>From 01.08.13 Rate per Hour (£)</i>
Directors & Office Holders	250 – 350	300 - 400
Senior Managers & Managers	175 – 250	250 - 300
Administrators	75 – 175	150 - 250
Support & Clerical	25 - 70	75 - 150

Time is charged to the case in units of 6 minutes

A creditor or creditors, with at least 5% in value of the creditors or with the permission of the court, may request the Liquidator to provide further information about the remuneration and expenses set out in the report. Any such request should be made within 21 days of receipt of this report, and be in writing addressed to the liquidator to the address detailed below

If a creditor believes that the Liquidator's remuneration is, in all the circumstances, excessive, the basis is inappropriate, or the expenses incurred by the liquidator are, in all the circumstances, excessive she may, provided certain conditions are met, apply to the court. Application may be made to the court by any secured creditor or any unsecured creditor with either the concurrence of at least 10% in value of the creditors (including that creditor) or the permission of the court. Any such application must be made within 8 weeks of receipt of the progress report in which the charging of the remuneration or incurring of the expenses in question is first reported

DIVIDEND PROSPECTS

Secured Creditors

There are no creditors holding either a fixed and/or floating charge over the Company's assets

Preferential Creditors

Preferential creditor claims relate to employee claims for arrears of wages and accrued holiday pay

The Redundancy Payments Office ("RPO") have submitted a claim for the sum of £4,966.07 representing preferential claims received from six former employees. It is not envisaged that the former employees will hold a preferential claim in their own right, over and above the amounts claimed and paid by the RPO

Prescribed Part

Where a floating charge has been created after 15 September 2003 and the company is in liquidation, Section 176A (2)(a)(b) of the Insolvency Act 1986 requires that a liquidator shall set aside a 'prescribed part of the company's net property available for the satisfaction of unsecured debtors, and shall not distribute that part to the proprietor of a floating charge except in so far as it exceeds the amount required for the satisfaction of unsecured debts'

The amount of the prescribed part has been fixed by regulations and is calculated as follows

Where the net property does not exceed £10,000	£Nil
Where the net property exceeds £10,000	50% of the first £10,000, plus 20% of the property that exceeds £10,000 up to a maximum prescribed part of £600,000

The rule applies where there is a floating charge created after 15th September 2003 and the company is in Liquidation. In this case there is no debenture and as such the Prescribed Part provisions are not applicable

Unsecured Creditors

I have received claims totalling £409,265.49 from 35 creditors. I have yet to receive claims from 32 creditors whose debts total £117,753.18 according to the statement of affairs.

Based upon information presently available it is unlikely a dividend distribution will be made to any class of creditor.

INVESTIGATION

As an essential part of my duties I have undertaken enquiries into the Company's past trading activities and the conduct of those individuals concerned in the management and the operations of the affairs of the Company.

The emphasis of these investigations is to ascertain full information on the whereabouts of the Company's assets whether or not disclosed in the statement of affairs verified by the directors and involves an examination of the Company's books and records, correspondence received from creditors and interviews with the Company's officers.

I have now complied with my duties under the Company Directors Disqualification Act 1986.

CONCLUSION

As detailed above, there are a number of areas of enquiries still ongoing that currently prevent me from concluding my administration of this case

NEXT REPORT

I am required to provide a further report on the progress of the Liquidation within two months of the next anniversary of the Liquidation, unless I have concluded matters prior to this, in which case I will write to all creditors with my final progress report ahead of convening the final meeting of creditors

Yours faithfully

A handwritten signature in black ink, appearing to be 'D. Cartmel', with a long horizontal line extending to the right.

Donna Cartmel
Liquidator

Unique Business Recovery Limited has changed its name to Lawson Fox Business Recovery Limited and will trade under the style Lawson Fox. The change of name has no effect on the day to day management of casework, or the Insolvency Practitioner and staff dealing with cases. Please also note the change of address to where correspondence should be sent

APPENDIX 1

ADVANCED TIMBER FRAME LIMITED
IN LIQUIDATION

RECEIPTS AND PAYMENTS ACCOUNT

AS AT 21 AUGUST 2013

	Per Statement of Affairs	Receipts and Payments to Date
	£	£
RECEIPTS		
Cash at Bank	Nil	6,000 00
Plant & Machinery	<u>Nil</u>	<u>3,750 00</u>
		<u>9,750 00</u>
PAYMENTS		
Petitioners Costs		(930 15)
Advertising		(229 50)
Agents fees		(500 00)
Specific Bond		(30 00)
Statement of Affairs fee		(5,000 00)
Liquidators fees		(2,250 00)
DVLA Searches		<u>(20 00)</u>
		<u>(8,959 65)</u>
Balance as at 21 August 2013		<u>790.35</u>

Represented by:

	£
Cash at bank	440 35
VAT Receivable	<u>350 00</u>
	<u>790.35</u>

APPENDIX 2

ADVANCED TIMBER FRAME LIMITED - IN LIQUIDATION
 LIQUIDATOR'S TIME COSTS FOR THE PERIOD
 22 AUGUST 2012 TO 21 AUGUST 2013
 SIP 9 TIME SUMMARY

Classification of Work	Partner	Manager	Other Senior Professional	Assistants & Support Staff	Total Hours	Time Costs £	Avg Hourly Rate £
Administration & Planning	3 20	6 20	1 20	12 80	23 40	5,062 50	216 35
Investigation	1 50	38 40	0 40	10 90	51 20	11,930 00	233 01
Asset Realisation	0 00	13 10	0 00	0 00	13 10	3,290 00	251 15
Creditors	0 60	11 50	1 30	1 00	14 40	3,415 00	237 15
Total Fees £	1,750 00	17,320 00	580 00	4,047 50		23,697 50	
Total Hours	5 30	69 20	2 90	24 70	102 10		
Average Rate	330 19	250 29	200 00	163 87			232 10

The above headings include inter alia

Administration & Planning

Case planning, Appointment notification
 Maintenance of records, Statutory reporting, Tax and VAT

Realisation of Assets

Identifying and securing assets, debt collection, property, business and asset sales

Investigations

SIP2 review, reports pursuant to Company Directors Disqualification Act 1986, Investigating antecedent transactions

Creditors

Communications with creditors, creditor claims (including secured creditors, employees and preferential creditors)

Case Specific Matters

Agreeing prescribed part claims, advertising Distributions, making distribution of prescribed Part

APPENDIX 3

The note applies where a licensed insolvency practitioner in the firm is acting as an office holder of an insolvent estate and seeks creditor approval to make a separate charge by way of expenses or disbursements to recover the cost of facilities provided by the firm. Required professional practice states that such charges should be disclosed to those who are responsible for approving the office holders remuneration, together with an explanation of how those charges are made up and the basis on which they are arrived at.

DEFINITIONS

Required professional practice classifies expenses into two broad categories

- Category 1 expenses (approval not required) – specific expenditure that is directly related to a particular insolvency case where the cost of the expense incurred is referable against an independent external supplier's invoice or published tariff of charges,
- Category 2 expenses (approval required) – all other items of expenditure
 - * which cannot, or cannot easily, be directly related to a particular insolvency case because there is an element of shared or allocated cost, and/or
 - * where the cost of the expense incurred is an estimated, unitised cost with the estimate based on external costs or opportunity cost

CHARGING POLICY

- Category 1 expenses (approval not required) – with the exception of any items referred to below, all such items are re-charged to the case as they are incurred
- Category 2 expenses (approval required)
 - (a) The following items of expenditure are re-charged as describe
 - Internal meeting room usage for the purpose of statutory meetings of creditors is re-charged at the rate of £75 per meeting, if at least one creditor is in attendance at the meeting
 - Car mileage is re-charged at the rate of 40 pence per mile
 - Storage of books and records (when not charged as a category 1 expense) is recharged at the rate of £1 per box per quarter
 - (b) The following items of expenditure will normally be treated as general office overheads not subject to a re-charge
 - Telephone and facsimile
 - Printing and photocopying
 - Stationery

A re-charge may be made however, where the precise cost to the case can be determined because the item satisfies the test of a category 1 expense