

The Insolvency Act 1986

Liquidator's Progress Report

S. 192

Pursuant to section 92A and 104A of the Insolvency Act 1986

To the Registrar of Companies

For official use

Empty box for official use

Company Number

05241654

Name of Company

(a) Insert full name of company

(a) ADD HIRE LTD

(b) Insert full name(s) and address(es)

I (b) Raymond Stuart Cloughton

Rushtons, Accountants, 3 Merchant's Quay, Ashley Lane, Shipley, BD17 7DB

the liquidator of the company attach a copy of my Progress Report under section 192 of the Insolvency Act 1986

Handwritten signature of Raymond Stuart Cloughton

Signed

Date 31st January 2014

Presenter's name, address and reference (if any)

Raymond Stuart Cloughton
Rushtons, Accountants, 3 Merchant's Quay, Ashley Lane, Shipley, BD17 7DB

RSC/RJ/LB

Barcode area containing 'SATURDAY', 'A09', '01/02/2014', '#148', and 'COMPANIES HOUSE'.

ADD HIRE LTD

**3 MERCHANT'S QUAY
ASHLEY LANE
SHIPLEY
WEST YORKSHIRE
BD17 7DB**

**PREVIOUS TRADING ADDRESS: CRIGGLESTONE INDUSTRIAL
ESTATE, CRIGGLESTONE, WAKEFIELD, WF4 3HT**

(IN CREDITORS VOLUNTARY LIQUIDATION)

COMPANY NO. 05241657

PROGRESS REPORT

**PURSUANT TO RULE 4.49C OF THE INSOLVENCY RULES 1986
AND S.104A OF THE INSOLVENCY ACT 1986**

30TH JANUARY 2013 – 29TH JANUARY 2014

**RAYMOND STUART CLAUGHTON (IP NO. 119)
RUSHTONS ACCOUNTANTS
3 MERCHANT'S QUAY
ASHLEY LANE
SHIPLEY
WEST YORKSHIRE
BD17 7DB**

PROGRESS DURING THE PERIOD

Attached at Appendix 1 is an abstract of the Receipts and Payments during the period from 30th January 2012 – 29th January 2013, which encompasses both the members and Creditors transactions

RECEIPTS

The position with regard to the assets realised to date and any assets still to receive is as follows:-

Plant & Machinery

The Plant and Machinery, Motor Vehicles etc are the subject of an ongoing claim made for recovery as explained below

Book Debts

The Statement of Affairs indicated that there were book debts outstanding of £250,000 due from Carillion. Unfortunately, after extensive investigation led by both the Liquidator and his legal team, the evidence put forward by the Company as to the outstanding sum was deemed to be flawed, resulting in a much reduced balance allegedly due to the Company. Solicitors have advised that the costs in pursuing the resultant balance would be prohibitive and as a result it was decided not to push for settlement at this time

Investigations

Legal proceedings have been commenced for the recovery of the motor vehicles and for monies owed to the Company by the former Director and Shadow Director. I understand that the paperwork has now been received and that a defence to the actions may be mounted

PAYMENTS

The payments made to date are briefly summarised as follows -

Gazetting Charges

Gazetting charges relating to statutory requirements have been incurred however, as yet, have not been paid

Outstanding Costs

The Statement of Affairs Fee, agreed at the Meeting of Creditors on 7th September 2012 has not yet been drawn

OTHER RELEVANT INFORMATION

Investigations and reporting on Directors Conduct

You may be aware that the Liquidator has a duty to enquire into the affairs of an insolvent Company to determine its property and liabilities and to identify any actions, which could lead to the recovery of funds. A Liquidator is also required to consider the conduct of the Company's Directors and to make an appropriate submission to the Department for Business Innovation and Skills. I can confirm that I have discharged my duties in these respects

LIQUIDATOR'S REMUNERATION

With regard to the Liquidator's Remuneration, I can advise you that during the course of my administration members of this firm have incurred 141 12 hours time costs, which is categorised on the attached schedule at Appendix 2. The total average hourly charge-out rate equates to approximately £180.78, therefore the Liquidator's Remuneration amounts to £25,526.00 plus VAT. A Creditors Guide to Insolvency Practitioners Fees in Liquidation is attached for your information.

In accordance with a Resolution passed at the initial Meeting of Members held on 30th January 2012 and the Meeting of Creditors held on 7th September 2013, the Liquidator's Remuneration be fixed by the time properly spent by the Liquidator and his staff in attending to matters arising during the course of the Winding-Up, Insolvency Rules 4.127(2)(b), with the authority to draw fees on account.

You will note that the sum of £5,317 has been taken on account of work undertaken during the Members Winding-up process.

CREDITORS' RIGHTS

Right to request further information

Pursuant to Rule 4.49E of the Rules, within twenty-one days of the receipt of this Report a Secured Creditor, or an Unsecured Creditor with the concurrence of at least 5% in value of the Unsecured Creditors, including that Creditor, (or an Unsecured Creditor with less than 5% in value of the Unsecured Creditors, but with the permission of the Court) may request in writing that I provide further information about my remuneration or expenses which have been detailed in this progress Report.

Right to make an application to Court

Pursuant to Rule 4 131 of the Rules, any Secured Creditor or any Unsecured Creditor with the concurrence of at least 10% in value of the unsecured Creditors, including that Creditor, (or any Unsecured Creditors with less than 10% in value of the Unsecured Creditors, but with the permission of the Court) may within eight weeks of receipt of this progress Report make an application to Court on the grounds that the remuneration charged or the expenses incurred as set out in this progress Report are excessive or, in relation to the basis fixed for my remuneration, inappropriate

ESTIMATED OUTCOME FOR CREDITORS

Details of the sums owed to each class of the Company's Creditors were provided in the Directors Statement of Affairs included with the Report sent to Creditors following my appointment as Liquidator

On the basis of realisations to date and estimated future realisations, I estimate an outcome for each class of Creditor as follows -

Secured Creditor(s)

The Company did not have any Secured Creditor(s)

Preferential Creditors

The Company has one Preferential Creditor being the Redundancy Payments Office who has lodged a claim, being payment of outstanding wages, in the sum of £2,861.

Unsecured Creditors

The Company had estimated Unsecured Creditors in the sum of £405,825. To date I have agreed claims in the sum of £279,309. I estimate that a further sum of approximately £15,000 is outstanding from Creditors who have yet to lodge a claim in the proceedings a further reminder will be sent in due course

CONCLUSION

I will report again in approximately twelve months or at the conclusion of the Liquidation, whichever is the sooner

APPENDIX 1

THE INSOLVENCY ACT 1986

ADD HIRE LTD

IN VOLUNTARY LIQUIDATION

LIQUIDATOR'S ABSTRACT RECEIPTS AND PAYMENTS ACCOUNT

<u>Estimated to Produce Per Statement of Affairs</u>	<u>ASSETS</u>	<u>Period from 30/01/13 to 29/01/14</u>	<u>Accumulated</u>
--	Cash at Bank	7	6,867
250,000	Book Debts	--	--
5,000	Plant & Machinery	--	--
--	Bank Interest	--	4
--	VAT Refund	--	1,272
<hr/>		<hr/>	<hr/>
255,000		7	8,143
<hr/>		<hr/>	<hr/>
	<u>PAYMENTS</u>		
	Gazetting Fees	--	340
	Law Costs to Liquidator	--	702
	Accountancy Work	--	504
	Liquidator's Remuneration	--	5,318
	VAT Incurred	--	1,272
		<hr/>	
		--	
	Balance at Bank	<hr/>	7
			<hr/>
			8,143
			<hr/>

CASE NAME: ADD HIRE LTD

TIME AND CHARGE OUT SUMMARY FOR THE PERIOD FROM 30TH JANUARY 2012 TO 29TH JANUARY 2014

Hours

Classification of Work	Partner	Manager	Administrator and Support Staff	Total Hours	Time Cost £	Average Hourly Rate £
Administration and planning	1.06	103.48		104.54	18992.00	181.05
Realisation of assets		8.42		8.42	1566.00	180.00
Trading						
Investigations		15.48		15.48	2844.00	180.00
Creditors		9.18		9.18	1674.00	180.00
Reporting to Creditors		2.30		2.30	450.00	180.00
Unanalysed Time						
Total Hours	1.06	140.06		141.12	25526.00	180.78

I am required to provide a breakdown of my time costs by activity and grade of staff under guidelines as a result of revision of Statement of Insolvency Practice 9

In accordance with a Resolution passed at the initial Meeting of Members held on 31st January 2012 the Liquidator's Remuneration be fixed by the time properly spent by the Liquidator and his staff in attending to matters arising during the course of the Winding-Up, Insolvency Rules 4.127(2)(b), with the authority to draw fees on account

Rushtons Accountants hourly charge out rates with effect from 1st November 2010 are as follows.-

Partner £280 Senior Manager £180 Support Staff £100