

LIQ03

Notice of progress report in voluntary winding up



Companies House



A13 *A7E9ZJS1* 11/09/2018 #245
COMPANIES HOUSE

TUESDAY

1 Company details

Company number 0 9 3 0 0 4 3 0

Company name in full PRODIAL LIMITED

→ Filing in this form
Please complete in typescript or in bold black capitals.

2 Liquidator's name

Full forename(s) JONATHAN

Surname LORD

3 Liquidator's address

Building name/number BRIDGESTONES

Street 125/127 UNION STREET

Post town OLDHAM

County/Region LANCASHIRE

Postcode O L 1 1 T E

Country UNITED KINGDOM

4 Liquidator's name

Full forename(s)

Surname

① 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

② Other liquidator
Use this section to tell us about another liquidator.

LIQ03

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6 Period of progress report

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

7 Progress report

The progress report is attached

8 Sign and date

Liquidator's signature

Signature

X




X

Signature date

d 0	d 3	m 0	m 1	y 2	y 0	y 1	y 8
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LIQ03

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 **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 **JONATHAN LORD**

Company name **BRIDGESTONES**

Address **125/127 UNION STREET**

Post town **OLDHAM**

County/Region **LANCASHIRE**

Postcode **OL1 1TE**

Country **UNITED KINGDOM**

DX


Telephone **0161 785 3700**

 **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

PRODIAL LIMITED – IN LIQUIDATION

PROGRESS REPORT AND ACCOUNT OF THE LIQUIDATOR PURSUANT TO SECTION 104A OF THE INSOLVENCY ACT 1986

PERIOD: 10TH NOVEMBER 2016 TO 9TH NOVEMBER 2017

I write following my appointment as Liquidator of the above Company on 10th November 2015.

It is now 2 years since my appointment in this matter, and I am therefore writing to all members and creditors in accordance with Section 104A of The Insolvency Act 1986, to advise you of my dealings in the liquidation and to lay before you an account of my receipts and payments.

Executive Summary

The liquidation remains ongoing, whilst further investigations into various matters continue I anticipate that these investigations will be completed within another 12 months, and before then I will have established all claims arising from the investigations.

The prospect of a dividend to any class of creditor remains uncertain at this time, as it depends upon realisations following the outcome of my investigations

Background Information

Company Name:	Prodial Limited
Company Number:	09300430
Trading Address:	7 Wilton Close, Partridge Green, Horsham, West Sussex, RH13 8RX
Current Registered Office:	125 / 127 Union Street, Oldham. OL1 1TE
Liquidator:	Jonathan Guy Lord
Liquidators Address:	125 / 127 Union Street, Oldham. OL1 1TE
Date of Appointment:	10 November 2015

Liquidator's Actions Since Last Report

You may recall that in my last progress report I stated that I had revealed a number of transactions in favour of the Director and associated companies / parties during their time in office.

Unfortunately, the Director, Mr Phillip Carrington was declared bankrupt with Paul Stanley and Paul Barber of Begbies Traynor appointed as Joint Trustees of the bankruptcy estate.

I have filed my proof of debt form in the Bankruptcy estate for £297,256.77 and the Trustees have confirmed that this has been lodged. I am waiting to see if there is any prospect of a dividend to be paid to unsecured creditors in this matter.

Mr Carrington was also a Director of XLMP Marketing Limited ("XLMP") and a potential claim may have been made against this company however XLMP was dissolved at Companies House on 6th December 2016 therefore there will be no realisations in this regard.

In addition to the above there is certain work that I am required by the insolvency legislation to undertake in connection with the liquidation that provides no financial benefit for the creditors. A description of the routine work undertaken since my appointment as Liquidator is contained in Appendix 2.

Receipts And Payments

My Receipts & Payments Account for the period from 10th November 2016 to 9th November 2017 is attached at Appendix 1.

The balance of funds are held in an interest bearing estate bank account

Receipts

No further assets have been realised since my last progress report apart from £0.01 bank interest net of tax.

Payments

Payments have been made from the liquidation account since my last progress report is £12.00 + VAT paid to The Creditor Gateway for uploading documents onto our website for creditors to view.

VAT Receivable

The VAT aspect of Vat rated expenses incurred in the running of the Liquidation is reclaimable as a VAT Refund. If money is available in the estate account to pay these expenses, then the subsequent VAT refund is a receipt of the Liquidation. The VAT refund represents expenses incurred after the Company entered Liquidation, and bears no relation to any claim the H M Revenue and Customs have lodged.

DIVIDEND PROSPECTS

There is no prospect of a dividend being paid to any kind of creditor in this matter.

There are no preferential or secured creditors in this matter.

5 unsecured creditors' claims have been received totalling £486,932.92.

4 unsecured creditors' claims were listed on the Company's statement of affairs as having a value of £60,501.

The difference is due to an increase in the HM Revenue & Customs debt and a £350,000 proof of debt form received from the Information Commissioner's Office ("ICO") regarding a fine that the Company was issued following the liquidation.

Prescribed Part

There are provisions within the insolvency legislation that require a Liquidator, to set aside a percentage of a company's assets, for the benefit of the unsecured creditors in cases where the company gave a qualifying floating charge over its assets to a lender on, or after, 15 September 2003. This is known as the prescribed part of the net property. A company's net property is that which is left after paying the preferential creditors, but before paying the lender who holds a floating charge.

A Liquidator has to set aside:

- 50% of the first £10,000 of the net property; plus
- 20% of the property which exceeds £10,000,

up to a maximum prescribed part of £600,000.

There is no qualifying floating charge in this case so the prescribed part provisions do not apply.

Duties and Investigations

A description of the routine work undertaken in the liquidation to date is attached at Appendix 2:

I have carried out investigations into the Company's practices and the reason behind the Company's failure as well as an investigation into the affairs of the Company, and I am continuing to investigate certain transactions undertaken by the Company in the period leading up to liquidation. This may or may not lead to further realisations into the estate.

In view of the low prospects of a repayment to creditors in this matter, and in order to reduce costs, I do not propose to spend time formally agreeing claims. I will hold claims, and I will only adjudicate on their validity if it becomes likely that a dividend will be paid.

I have undertaken a preliminary review of the Company's financial records and minutes for the 12 months prior to liquidation to identify any unusual or exceptional transactions.

I have used the bank statements and books & records to compare the information within the statement of affairs to that contained in the last accounts produced by the Company to ascertain whether all significant assets can be identified and material movements in asset values can be explained.

I have undertaken an investigation into the conduct of the Directors. In accordance with my statutory duty I have submitted a Conduct Report to the Insolvency Services of the pursuant to the Company Directors Disqualification Act 1986 regarding the director. This report is confidential so I cannot disclose its content.

Outcome of investigation

My claims have been issued in the Director's bankruptcy estate and I am currently waiting to see if there is a prospect of a dividend.

LIQUIDATORS' REMUNERATION

My remuneration was previously authorised by the creditors at a meeting held on 10th November 2015. My remuneration was authorised on a time cost basis based on a fee estimate of £46,045.00.

The fees estimate acts as a cap and I cannot draw remuneration in excess of that estimate without first seeking approval from the creditors. My total time costs to 9th November 2017 amount to £26,854, representing 97.95 of hours work at an average charge out rate of £274.16 per hour.

It should be noted that since my last progress report an amount of £4,656, representing 17.45 hours work, was charged in the period since 10th November 2016, at an average charge out rate of £266.82 per hour.

I have drawn £312.20 + VAT to 9th November 2017 however no remuneration has been taken since my last progress report.

A detailed schedule of my time costs incurred to date is attached.

As at 9th November 2017 I do not anticipate that the total time costs I will incur in this matter in respect of the categories of work for which I am being remunerated on a time cost basis will exceed the total estimated remuneration I set out in my fees estimate when my remuneration was authorised by the creditors.

Further information about creditors' rights can be obtained by visiting the creditors' information micro-site published by the Association of Business Recovery Professionals (R3) at <http://www.creditorinsolvencyguide.co.uk/>. A copy of 'A Creditors Guide to Liquidators' Fees' also published by R3, together with an explanatory note which shows Bridgestones' fee policy is available at the link <http://www.bridgestones.co.uk/technical.html> Please note that there are different versions of the Guidance Notes and in this case you should refer to the October 2015 version

LIQUIDATORS' EXPENSES

I have incurred expenses to 9th November 2017 of £4,061.10 + Ward Hadaway Solicitors Costs which have not been provided to me yet.

I have paid expenses of £3,812 to date.

I have incurred the following expenses in the period since my appointment as Liquidator

Type of expense	Amount incurred/ accrued in the reporting period
Landwood Group – Agents/Valuers Fees	£2,780.00
IT Brains – Professional Fees to wipe computer memory	£980.00
Ward Hadaway – solicitors costs	To be Confirmed
London Gazette - advertising	£139.10
Visionblue Solutions – computer software	£110.00
AUA Insolvency Risk Services – insurance bond	£40.00
Creditors report hosting	£12.00

I have incurred the following category 2 disbursements in the period since my last progress report

Type of category 2 disbursement	Amount incurred/ accrued in the reporting period
Box Storage	£30.00
Photocopying	£7.50
Printed Paper	£3.75

I have used the following agents or professional advisors in the reporting period:

Professional Advisor	Nature of Work	Basis of Fees
Landwood Group	Valuer/Auctioneer	Time costs and Percentage of realisations plus disbursements
Ward Hadaway	Solicitors	Time costs plus disbursements

The choice of professionals was based on my perception of their experience and ability to perform this type of work and the complexity and nature of the assignment. I also considered that the basis on which they will charge their fees represented value for money. I have reviewed the charges they have made and am satisfied that they are reasonable in the circumstances of this case.

The work completed by Landwood Group is explained above, in that they collected, valued and sold assets of the Company.

Ward Hadaway have completed work to advise me in relation to claims that could be brought against parties connected to the Company. This remains ongoing, and Ward Hadaway have not yet raised an invoice in relation to their work.

At the time of my appointment, I did not believe I would incur any of the above expenses, as the assets were held by a third party, and were only recoverable after negotiation, and I was unaware of the claims which would arise against the related parties, necessitating the use of solicitors.

FURTHER INFORMATION

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 Joint Liquidators' 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 Joint Liquidators' 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.

To comply with the Provision of Services Regulations, some general information about Bridgestones can be found at <http://www.bridgestones.co.uk>

SUMMARY

The Liquidation will remain open until it is declared from the Trustees whether a dividend will be paid to unsecured creditors or not. I estimate that this will take approximately 12 months and once resolved the Liquidation will be finalised and my files will be closed.

If creditors have any queries regarding the conduct of the Liquidation, or if they want hard copies of any of the documents made available on-line, they should contact Bridgestones on the above telephone number, or by email to ian@bridgestones.co.uk

A handwritten signature in black ink, consisting of a large, stylized initial 'J' followed by a long, horizontal, slightly wavy line extending to the right.

Jonathan Lord
Liquidator

**Prodial Limited - In Creditors Voluntary Liquidation
Liquidator's Abstract of Receipts & Payments**

From 10 November 2016 To 09 November 2017

S of A £		As Previously Reported	10/11/16 to 09/11/17	Total £
RECEIPTS				
6,000	Plant & Machinery	4,000 00	NIL	4,000.00
383	Cash at Bank	375 78	NIL	375.78
NIL	Bank Interest Net of Tax	0.13	0 01	0 14
NIL	Vat Payable	800.00	NIL	800 00
<u>6,383</u>		<u>5,175 91</u>	<u>0 01</u>	<u>5,175.92</u>
PAYMENTS				
NIL	Agents/Valuers Fees (1)	(2,780 00)	NIL	(2,780 00)
NIL	Bank Charges	(1.20)	NIL	(1.20)
NIL	Professional Fees	(980 00)	NIL	(980 00)
NIL	Settlement of Lien	(288 00)	NIL	(288 00)
NIL	Creditor report hosting	NIL	(12.00)	(12 00)
NIL	Liquidator's Remuneration	(312 20)	NIL	(312.20)
NIL	Vat Receivable	(752 00)	(2 40)	(754 40)
NIL	Specific Bond	(40 00)	NIL	(40.00)
<u>0</u>		<u>(5,153 40)</u>	<u>(14 40)</u>	<u>(5,167 80)</u>
<u>6,383</u>	CASH IN HAND	<u>22.51</u>	<u>(14 39)</u>	<u>8.12</u>

* INSOLV ** Prodial Limited in Creditor's Voluntary Liquidation

No

Analysis of Time Costs for the Period from 10 November 2015 to 9 November 2017

Classification of work function	Hours										Average Hourly Rate (£)
	Insolvency Practitioner	Director	Senior Manager	Manager	Case Administrator	Cashiering	Support Staff	Total Hours	Time Costs (£)		
Administration and Planning	7.50	0.00	26.00	0.00	0.00	0.00	0.00	36.25	9,905.00	273.24	
Realisation of Assets	4.00	0.00	7.50	0.00	0.00	0.00	0.00	11.50	3,520.00	306.09	
Creditors	0.00	0.00	6.00	0.00	1.50	0.00	0.00	7.50	1,680.00	224.00	
Investigation	7.90	0.00	34.80	0.00	0.00	0.00	0.00	42.70	11,749.00	275.15	
Total Hours	19.40	0.00	74.30	0.00	1.50	0.00	0.00	97.95	26,854.00	274.16	
Total Fees Claimed (£)	8,342.00	0.00	17,832.00	0.00	240.00	0.00	0.00				

Hourly Rate Range	From	To
Insolvency Practitioner	430.00	430.00
Director	0.00	0.00
Senior Manager	240.00	240.00
Manager	0.00	0.00
Case Administrator	160.00	160.00
Cashier	0.00	0.00
Assistants & Support Staff	0.00	0.00

* INSOLV ** Prodial Limited in Creditor's Voluntary Liquidation

No

Analysis of Time Costs for the Period from 10 November 2016 to 9 November 2017

Classification of work function	Hours										Average Hourly Rate (£)
	Insolvency Practitioner	Director	Senior Manager	Manager	Case Administrator	Cashiering	Support Staff	Total Hours	Time Costs (£)		
Administration and Planning	2.00	0.00	6.50	0.00	0.00	0.00	0.00	10.25	2,700.00	263.41	
Realisation of Assets	0.00	0.00	2.00	0.00	0.00	0.00	0.00	2.00	480.00	240.00	
Creditors	0.00	0.00	4.00	0.00	0.00	0.00	0.00	4.00	960.00	240.00	
Investigation	1.20	0.00	0.00	0.00	0.00	0.00	0.00	1.20	516.00	430.00	
Total Hours	3.20	0.00	12.50	0.00	0.00	0.00	0.00	17.45	4,656.00	266.82	
Total Fees Claimed (£)	1,376.00	0.00	3,000.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	

Hourly Rate Range	From	To
Insolvency Practitioner	430.00	430.00
Director	0.00	0.00
Senior Manager	240.00	240.00
Manager	0.00	0.00
Case Administrator	0.00	0.00
Cashier	0.00	0.00
Assistants & Support Staff	0.00	0.00

Appendix

1. Administration

- Case planning - devising an appropriate strategy for dealing with the case and giving instructions to the staff to undertake the work on the case.
- Setting up the case on the practice's electronic case management system and entering data
- Issuing the statutory notifications to creditors and other required on appointment as office holder, including gazetting the office holder's appointment.
- Obtaining a specific penalty bond.
- Dealing with all routine correspondence and emails relating to the case.
- Opening, maintaining and managing the office holder's estate bank account
- Creating, maintaining and managing the office holder's cashbook.
- Undertaking regular bank reconciliations of the bank account containing estate funds.
- Reviewing the adequacy of the specific penalty bond on a quarterly basis.
- Undertaking periodic reviews of the progress of the case
- Overseeing and controlling the work done on the case by case administrators.
- Preparing, reviewing and issuing annual progress reports to creditors and members.
- Preparing returns for filing at Companies House.
- Preparing and filing Corporation Tax information

2. Creditors

- Dealing with creditor correspondence, emails and telephone conversations regarding their claims.
- Maintaining up to date creditor information on the case management system.
- Reviewing proofs of debt received from creditors.

3. Investigation

Going through the Directors affairs and supporting evidence
Issuing a conduct report on the Directors