

In accordance with Rule 18.7 of the Insolvency (England & Wales) Rules 2016 and Sections 92A, 104A and 192 of the Insolvency Act 1986.

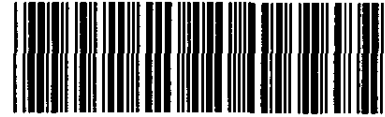
# LIQ03

## Notice of progress report in voluntary winding up



Companies House

THURSDAY



A21 \*A7GUFJAH\* #70  
18/10/2018  
COMPANIES HOUSE

### 1 Company details

Company number 0 2 5 2 8 0 6 1  
Company name in full CLS Fabrication Limited

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

### 2 Liquidator's name

Full forename(s) Matthew Douglas  
Surname Hardy

### 3 Liquidator's address

Building name/number 30 St. Paul's Square  
Street Birmingham  
Post town West Midlands  
County/Region  
Postcode B 3 1 Q Z  
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	<sup>d</sup> 1	<sup>d</sup> 9	<sup>m</sup> 0	<sup>m</sup> 8	<sup>y</sup> 2	<sup>y</sup> 0	<sup>y</sup> 1	<sup>y</sup> 7
To date	<sup>d</sup> 1	<sup>d</sup> 8	<sup>m</sup> 0	<sup>m</sup> 8	<sup>y</sup> 2	<sup>y</sup> 0	<sup>y</sup> 1	<sup>y</sup> 8

**7** Progress report

The progress report is attached

**8** Sign and date

Liquidator's signature

Signature

X *M. D. Hardy* X

Signature date

<sup>d</sup> 1	<sup>d</sup> 7	<sup>m</sup> 1	<sup>m</sup> 0	<sup>y</sup> 2	<sup>y</sup> 0	<sup>y</sup> 1	<sup>y</sup> 8
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LIQ03

Notice of progress report in voluntary winding up

 **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	Mark Monaghan
Company name	Poppleton & Appleby
Address	30 St. Paul's Square Birmingham
Post town	West Midlands
County/Region	
Postcode	B 3 1 Q Z
Country	
DX	
Telephone	0121 200 2962

 **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](http://www.gov.uk/companieshouse) or email [enquiries@companieshouse.gov.uk](mailto: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](http://www.gov.uk/companieshouse)

**CLS Fabrication Limited**  
**(In Liquidation)**  
**Liquidator's Summary of Receipts & Payments**

Statement of Affairs £	From 19/08/2017 To 18/08/2018 £	From 19/08/2015 To 18/08/2018 £
	<b>H P. ASSETS</b>	
22,000.00	NIL	NIL
(19,923.79)	NIL	NIL
	NIL	NIL
	<b>ASSETS NOT PLEDGED</b>	
1,236.00	NIL	1,236.00
20,642.00	NIL	19,882.35
18,000.00	NIL	23,603.00
NIL	NIL	NIL
	NIL	121.69
129,976.28	NIL	81,810.55
	NIL	1,225.59
	NIL	127,879.18
	<b>COST OF REALISATIONS</b>	
	NIL	2,721.99
	NIL	5,563.64
	NIL	4,028.50
	NIL	5.85
	79.00	584.16
	NIL	10,000.00
	129.72	196.28
	NIL	402.50
	NIL	5.00
	NIL	11,372.84
	440.00	460.00
	NIL	160.00
	NIL	294.45
	NIL	2,044.51
	10,000.00	29,000.00
	(10,648.72)	(66,839.72)
	<b>PREFERENTIAL CREDITORS</b>	
(12,035.53)	11,849.21	11,849.21
	(11,849.21)	(11,849.21)
	<b>UNSECURED CREDITORS</b>	
(111,010.35)	30,000.00	30,000.00
(10,358.26)	NIL	NIL
(14,470.53)	NIL	NIL
(99,742.60)	NIL	NIL
(637,000.00)	NIL	NIL
	(30,000.00)	(30,000.00)
	<b>DISTRIBUTIONS</b>	
(25,000.00)	NIL	NIL
	NIL	NIL
<b>(737,686.78)</b>	<b>(52,497.93)</b>	<b>19,190.25</b>
	<b>REPRESENTED BY</b>	
		39.27
		19,150.98
		<b>19,190.25</b>

**TO ALL MEMBERS, CREDITORS AND  
THE REGISTRAR OF COMPANIES**

Our Ref: MDH/GJB/MGM/JS/LG/C10P/04  
17 October 2018

Dear Sirs

**CLS Fabrication Limited – In Creditors' Voluntary Liquidation ("the Company")**  
**Registered Office Address: 30 St. Paul's Square, Birmingham, West Midlands, B3 1QZ**  
**Company Number: 02528061**

I am pleased to provide my Annual Progress Report in the above matter. Please note that I was appointed as Liquidator of the Company on 19 August 2015 and now report following the end of the third year of my appointment.

**Executive Summary**

As Creditors will recall, the Company carried out the manufacture of laminated plastic fabrications from their premises at Budbrooke Industrial Estate in Warwick. I was appointed to deal with the realisation of the Company's tangible assets and outstanding book debts.

In addition, I assisted the employees with their claims for outstanding holiday pay, redundancy and pay in lieu of notice.

Based on realisations to date, I have been able to make a distribution to the Preferential Creditors of 100p in the £. In addition, I have also made a first interim dividend to the Unsecured Creditors of 2.05p in the £.

I am enclosing a Notice of Intended Dividend in respect of a second and final distribution to the Unsecured Creditors.

**Liquidators' Actions Since Last Report**

I have continued to liaise with the Company's Director in recovery of the outstanding book and contract debts and carried out a final review of the outstanding accounts.

I have reviewed and agreed the claims of the Preferential Creditors and a dividend has been declared and paid at 2.05p in the £.

During the current reporting period, I have also agreed the claims of the Unsecured Creditors and a dividend has been declared and paid at 2.05p in the £.

I have continued to liaise with HM Revenue & Customs in respect of filing post-appointment returns and also filed all necessary statutory returns with the Registrar of Companies.

During the course of the Liquidation, I have also continued to discharge my statutory functions as Liquidator of the Company in this matter.

Continued

### **Receipts and Payments Account**

I attach my Receipts and Payments Account for the current reporting period from 19 August 2017 to 18 August 2018.

The account also represents the cumulative position for the entire period of the Liquidation from 19 August 2015 to 18 August 2018.

The balance of funds are held in a non-interest bearing estate bank account.

### **Fixed Charge Assets**

There are no assets that fall under a Fixed Charge in the Liquidation.

### **Assets Subject to Floating Charge / Unencumbered Assets**

At the date of appointment there were outstanding debts with a book value of £162,470 which related to 27 outstanding accounts. It was believed that the majority of these balances would be recoverable with an estimated to realise figure of £129,676, as provided by the Directors.

I have achieved realisations of £81,810 to date, no further recoveries have been received during the current period.

As previously advised, the largest outstanding account for £31,889 has proved unrealisable as the customer concerned, Topline Contract Furniture Limited had also gone into Liquidation with no prospect of a distribution to Unsecured Creditors.

There remained five outstanding accounts for collection with a cumulative value of £46,638 which were all subject to dispute for a variety of reasons, including complaints as to material supplied, defects where fitting was provided and requests for copy ledgers, delivery notes, purchase orders etc.

In order to deal with these disputes, I have relied on the assistance of the Company's former Director, Mr Harold Godfrey. However, Mr Godfrey has suffered health issues since the commencement of the Liquidation and has been unavailable to help me for a significant period.

I have had the opportunity to go through the remaining accounts with Mr Godfrey and carry out a final review of the potential recoveries. In view of the information provided, the recovery of any of the remaining balances would now appear uncertain and potentially prove uneconomical to pursue in view of the potential legal costs that would be incurred, without any guarantee of success

In view of this situation, I have concluded the debtor collections and no further funds will now be received.

### **Unsold / Unrealised Assets**

I can confirm that there are no assets which remain unrealised at this time following the conclusion of the book debt recoveries

### **Investigation into the Affairs of the Company**

I undertook an initial investigation into the Company's affairs to establish whether there were any potential asset recoveries or conduct matters that justified further investigation, taking account of the public interest, potential recoveries, the funds likely to be available to fund an investigation, and the costs involved

Specifically, I recovered, listed and reviewed the Company's accounting records; obtained and reviewed copy bank statements for the 12 months prior to the Company ceasing to trade from the Company's bankers; and compared the information in the Company's last set of accounts with that contained in the statement of affairs lodged in the Liquidation and made enquiries about the reasons for the changes.

Continued

There were no matters that justified further investigation in the circumstances of this appointment.

Within six months of my appointment as Liquidator, I am required to submit a confidential report to the Secretary of State to include any matters which have come to my attention during the course of my work which may indicate that the conduct of any past or present Director would make them unfit to be concerned with the management of the Company. I would confirm that my report has been submitted.

### Costs of Liquidation

#### **Professional Advisors**

Professional Advisors have been engaged to provide assistance during the course of the Liquidation.

A summary setting out further details including the scope of their engagement, fees paid and future costs anticipated is attached at **Appendix A**.

The choice of professionals used is based on their experience and ability to perform this type of work, the complexity and nature of the assignment and the basis of my fee arrangement with them. The fees charged have been reviewed and I am satisfied that they have been reasonable in the circumstances of the case.

#### **Pre-Appointment Remuneration**

The Creditors previously authorised the payment of a fee of £10,000 for my assistance with preparing the Statement of Affairs and convening and holding the meeting of Creditors held on 19 August 2015. The fee was also ratified by the PPF.

The fee for preparing the Statement of Affairs and convening and holding the meeting of Creditors was paid from first realisations on appointment and is shown in the enclosed Receipts and Payments Account.

#### **Liquidator's Remuneration**

The costs of the Liquidation paid to 18 August 2018 are detailed on the attached Receipts and Payments Account.

The time costs incurred during the current reporting period from 19 August 2017 to 18 August 2018 amount to £6,324 which equates to 38 hours at an average charge out rate of £169 per hour. During this period, fees of £10,000 have been drawn. Please note that of the fees drawn in the period, £10,000 relates to time costs incurred prior to 19 August 2017.

The total time costs incurred by this Firm in dealing with the Liquidation at 18 August 2018 amount to £41,696, which equates to 243 hours at an average charge out rate of £172 per hour. Total fees of £29,000 have been drawn

The basis for drawing my fees and expenses were initially approved by Creditors on a time cost basis at a meeting of Creditors held on 19 August 2015. Full details relating to the content of resolutions in this regard have been circulated previously.

As previously advised, following my appointment, I was contacted by the Pension Protection Fund ("PPF") who are the largest Unsecured Creditor in the Liquidation by virtue of the shortfall due to the Company Pension Scheme. During the course of the Liquidation, I have provided ongoing updates to the PPF in addition to providing reports with regard to the progress of the Liquidation and the level of costs incurred. I can advise that my fees of £29,000, have been drawn with the consent of the PPF.

The only matters that remain to be completed in the Liquidation are the second and final distributions to the Unsecured Creditors. In addition to the submission of the final post appointment Corporation Tax return and request to HM Revenue & Customs for sanction to bring the Liquidation to a close.

Continued

Some of this additional work will not give a direct financial benefit to the Creditors, but I have to undertake it in order to meet my requirements under the insolvency legislation and the Statements of Insolvency Practice, which set out required practice that I must follow.

I estimate that further time costs to be incurred to the conclusion of the Liquidation will amount to £1,720, representing a total of 11 hours, which represents a "blended" rate of £156 per hour. However, time costs may exceed this estimate if prolonged legal action is required in recovery of the contract book debts.

In accordance with Statement of Insolvency Practice 9, I append to this report a detailed analysis of time spent on the Liquidation during the current reporting period from 19 August 2017 to 18 August 2018, together with an analysis for the entire period of the Liquidation from 19 August 2015 to 18 August 2018.

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>. As you may appreciate, as this is a third party website, it may be subject to maintenance and development as and when you access it. A copy of 'A Creditors' Guide to Liquidators' Fees' also published by R3, together with an explanatory note which shows Poppleton & Appleby's fee policy are available at the link [www.poppletonandappleby.co.uk](http://www.poppletonandappleby.co.uk) and selecting Creditors' Login and scroll down to Creditors' Guidance Notes. Please note that there are different versions of the Guidance Notes and in this case you should refer to the November 2011 version.

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 last progress report is contained in **Appendix B**.

#### **Liquidator's Expenses**

I have incurred expenses to 18 August 2018 of £2,253 of which £336 was incurred in the period since 19 August 2017.

I have drawn £1,664 to date of which £649 was drawn in the period since 18 August 2017.

The expenses incurred in this matter to the anniversary of the Liquidation are summarised at **Appendix C**.

#### **Outcome for Creditors**

##### **Fixed Charge Creditor(s)**

There are no Fixed Charge Creditors in the Liquidation.

##### **Preferential Creditor Claims**

The position as regards Preferential Creditors can be summarised as follows:

Number of Preferential Creditor Claims Received to Date	Estimated Statement of Affairs Value of Preferential Claims	Value of Preferential Creditor Claims Received To Date
3	£12,035	£11,849

I have agreed the final claims in respect of the Preferential Creditors, which relate to the employees' claims for outstanding holiday pay. The claims have been agreed in the sum of £11,849 and a dividend at 100p in the £ was declared on 16 October 2017 during the current reporting period.

No further dividend will be payable. I can also confirm that no interest has been paid on these claims.

Continued

## Floating Charge Creditor(s)

There are no Floating Charge Creditors in the Liquidation.

## Outcome for Secured Creditor(s) and The Prescribed Part

Provisions within the insolvency legislation require a Liquidator to set aside a percentage of any amounts available to a Floating Charge holder, for the benefit of the Unsecured Creditors, in cases where the Company granted the Floating Charge on or after 15 September 2003. This is known as the "Prescribed Part" of the net property.

A Company's "net property" is that left after paying the Preferential Creditors, but before paying the lender who holds a Floating Charge (after deducting the associated Liquidation costs). Details of how much a Liquidator must set aside under the Prescribed Part have previously been circulated.

However as there is no Floating Charge claim in this matter, the Prescribed Part provisions, will not apply in this instance.

## Unsecured Creditors

The position as regards Unsecured Creditors can be summarised as follows:

Creditor	Estimated Statement of Affairs Value of Unsecured Claims £	Number of Claims Received to Date	Value of Unsecured Creditor Claims To Date £
Trade Creditors	111,010	23	56,356
Crown Departments	24,828	1	27,569
Employee Claims	99,742	13	91,065
Pension Scheme Shortfall	637,000	1	1,244,000
<b>Totals</b>	<b>872,580</b>	<b>38</b>	<b>1,418,990</b>

During the current reporting period, the Unsecured Creditor claims have been agreed in the sum of £1,418,990 and a dividend at 2.05p in the £ was declared on 17 January 2018.

I am now in a position to declare a second and final dividend to the Unsecured Creditors from the funds currently held and enclose a Notice of Intended Dividend in this matter.

I also enclose a Proof of Debt claim form for Creditors who have not yet lodged their claim. Creditors who have not lodged a claim should do so in writing to this office by 16 November 2018, which is the last date for proving.

Creditors who do not prove by that date will be excluded from the benefit of the dividend.

## Conclusion

The Liquidation will remain open until the second distribution has been made to the Unsecured Creditors and final tax clearance is received from HM Revenue & Customs in order to finalise the Liquidation. I estimate that this will take approximately six months and once resolved the Liquidation will be finalised and our files will be closed.

I have attached at **Appendix D**, a statement of Creditors' rights in relation to these proceedings and at **Appendix E**, statutory information that I am required to provide.

Poppleton & Appleby uses personal information in order to fulfil the legal obligations of our Insolvency Practitioners under the Insolvency Act and other relevant legislation. You can find more information on how Poppleton & Appleby uses your personal information on our website at [www.poppletonandappleby.co.uk](http://www.poppletonandappleby.co.uk).

Continued



If Creditors have any queries regarding the conduct of the Liquidation, or if they want hard copies of any of the documents made available online, they should contact Mark Monaghan by email at [markm@poppletonandappleby.co.uk](mailto:markm@poppletonandappleby.co.uk), or by phone on 0121 200 2962.

Yours faithfully  
For and on behalf of  
**CLS Fabrication Limited**

*M. D. Hardy*

**Matthew Douglas Hardy**  
**Liquidator**

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APPENDIX A

SUMMARY OF PROFESSIONAL COSTS

Firm Name	Scope of Work	Agreed Fee Structure	Budgeted Costs B/F £	WIP B/F £	Costs Incurred 19.08.2017 to 18.08.2018 £	Fees Paid 19.08.2017 to 18.08.2018 £	Total Fees Paid £	WIP C/F £	Estimated Future Costs £	Current Budgeted Costs C/F £
Kumar & Co	Conducting a valuation of the Company's Plant and Machinery and sale via online auction	Time Costs and Disbursements	5,563	5,563	Nil	Nil	5,563	Nil	Nil	5,563
The Wilkes Partnership	Legal assistance with debtor collection	Time Costs and Disbursements	5,528	4,028	Nil	Nil	4,028	Nil	Nil	4,028
<b>Totals</b>			<b>11,091</b>	<b>9,591</b>	<b>Nil</b>	<b>Nil</b>	<b>9,591</b>	<b>Nil</b>	<b>Nil</b>	<b>9,591</b>

Notes:

The choice of professional engaged is based on their experience and ability to perform this type of work, the complexity and nature of the assignment and the basis of my fee arrangement with them. The fees charged have been reviewed and I am satisfied that they have been reasonable in the circumstances of the case.

APPENDIX C

LIQUIDATOR'S EXPENSES

The expenses incurred in this matter to the anniversary of the Liquidation are summarised below:

Type of Category 1 Disbursement	Amount incurred in previous reporting periods (£)	Amount paid in previous reporting periods (£)	Amount incurred in current reporting period (£)	Amount paid in current reporting period (£)	Further Disbursements Expected (£)	Revised Budget (£)
Bond	403	403	Nil	Nil	Nil	403
Statutory Advertising	309	230	Nil	79	79	388
Postage	100	67	96	130	79	275
<b>Total</b>	<b>902</b>	<b>700</b>	<b>96</b>	<b>209</b>	<b>158</b>	<b>1,066</b>

Type of Category 2 Disbursement	Amount incurred in previous reporting periods (£)	Amount paid in previous reporting periods (£)	Amount incurred in current reporting period (£)	Amount paid in current reporting period (£)	Further Disbursements Expected (£)	Revised Budget (£)
Mileage	295	295	Nil	Nil	Nil	295
Storage	320	20	240	440	320	780
<b>Total</b>	<b>1,015</b>	<b>315</b>	<b>240</b>	<b>440</b>	<b>320</b>	<b>1,075</b>

## ROUTINE WORK ORDINARILY UNDERTAKEN IN CREDITORS' VOLUNTARY LIQUIDATIONS

### 3. Administration & Planning

- Preparing the documentation and dealing with the formalities of appointment.
  - Writing a report that takes account of statutory requirements and the requirements of Statements of Insolvency Practice
  - Preparing schedules of work done to date and work proposed and explaining them to creditors in the report.
  - Assessing the possible action that might be required to recover assets and considering the likely cost of that action.
  - Preparing minutes that comply with Statement of Insolvency Practice 12 and getting them signed by the chairman, together with a formal record of the winding up resolution and a certificate of appointment.
  - Complete internal compliance documentation following appointment.
  - In anticipation of closure and release from office review all case files.
- Statutory notifications and advertising
  - Notifying Companies House of the appointment, including providing copies of the resolution to wind up the company, the statement of affairs and the certificate of appointment.
  - Change registered office at Companies House.
  - Prepare and circulate notice of appointment to all Creditors, Shareholders and other Stakeholders to include HM Revenue & Customs.
  - Liaising with our advertising Agent(s) to ensure statutory notifications are advertised in the appropriate manner.
  - Notify the pension's regulator under current pension statute.
  - Notify the firm's insurance brokers of appointment to arrange cover where appropriate.
- Preparing documentation required.
  - Opening case folder(s).
  - Preparation of statements of insolvency practice checklists, in particular 8 and 9.
  - Preparation and continued review of case checklist to ensure compliance on all statutory and best practice matters.
  - Preparation, completion and review of independence and ethics checklists.
  - Completion of relevant post Liquidation VAT forms for HM Revenue & Customs.
  - Completion of relevant post Liquidation Corporation Tax Forms for HM Revenue & Customs.
- Dealing with all routine correspondence, e mails and telephone calls.
  - Includes correspondence with Creditors, Shareholders and other Stakeholders.
  - Internal correspondence between Insolvency Practitioner, managers and case administrators.
  - Deal with correspondence from Companies House.
  - Dealing with correspondence from HM Revenue & Customs.
  - Ensuring that a member of staff is generally available to deal with telephone queries.
  - Ensuring that email correspondence is dealt with within the Firm's response policy.
- Maintaining physical case files and electronic case details in our computerised systems.
  - Data input of details pertaining to assets and liabilities onto bespoke software system.
  - Input and management of case diary onto bespoke software system.
  - Filing and scanning of electronic and written correspondence to relevant files.
  - Dealing with destruction of books and records when required.

## APPENDIX B

- Review and storage
  - Prepare and complete periodic case reviews, to include review on progression, ethics and independence checks
  - Liaise with storage Agents in relation to books and records recovered from the Company.
  - Liaise with external review agencies to ensure progression and compliance of case.
  - Case bordereau reviews and maintenance.
  - Preparing Estimated Outcome Statements where required.
  - Adjust insurance cover and bordereau requirements as assets are sold and realised.
- Case planning and administration
  - Hold internal meetings to discuss case strategy and progression
  - Drafting case notes to ensure strategy remains appropriate.
  - Overseeing and managing work conducted by case administrators
- Preparing reports to interested parties.
  - Annual progress reports to Creditors, Members and Stakeholders where appropriate.
  - Bespoke reports to Creditor Committee members and secured lenders (where appropriate)
  - Draft and circulation of final report to Creditors, Members and Stakeholders.
  - Convening and holding meetings of Members and Creditors, if requested.
  - Convening and holding meetings of the Creditors' Committee, where appropriate.
- Cashiering
  - Maintaining and managing the Liquidator's cashbook and bank account(s).
    - Preparation and maintenance of cashier file.
    - Open bespoke Liquidation bank account.
    - Review level of turnover on bank account.
    - Invest funds onto deposit accounts, where appropriate.
    - Input of transactional data during the Liquidation.
    - Completion of journals where appropriate
    - Review bank statements and complete bank reconciliations.
    - Physical banking of cheques to account.
    - Paying costs and expenses from the case account.
    - Assistance with dividend payments to Creditors where appropriate.
    - Chasing cheque clearance on dividends where appropriate.
    - Liaise with the Insolvency Service Account in relation to unclaimed dividends where appropriate.
  - Ensuring statutory lodgements and taxation affair obligations are met
    - Preparation of relevant VAT forms for HM Revenue & Customs.
    - Arranging cancellation of any group registration for VAT.
    - Preparation of relevant Corporation Tax Forms to HM Revenue & Customs.
    - Assistance to HM Revenue & Customs where site visits are required.
    - Preparation of statutory forms to Companies House, to include progress and final reports.
    - Arranging deregistration of VAT with HM Revenue & Customs when appropriate.
    - Preparation of final Corporation Tax return and seeking Tax clearance from HM Revenue & Customs.

### 1. Creditors

- Dealing with Creditor correspondence, emails and telephone calls.
  - Attendance to queries within Firm policy timescales.
  - Lodging of Creditor claims
  - Reviewing and adjudicating upon proofs of debts received from Creditors.

## APPENDIX B

- Review of associated company claims to include reconciliation of accounts.
  - Consider prospect of deferment of associated company claims.
  - Review lease related claim.
- Review validity of charges where secured Creditors are involved.
- Maintaining Creditor information within our computerised systems.
- Premises (guaranteed)
  - Deal with Landlord to establish potential claim(s) in relation to property, to include rent arrears and dilapidations claims.
  - Where appropriate, instruct Solicitors and Agents to assist in establishing claims.
  - Review and monitor progress of Agents and Solicitors.
- Preparing reports to Creditors and other interested parties.
  - Preparation and circulation of statutory reports to Creditors, Members and Stakeholders.
  - Preparation of bespoke Estimated Outcome Statements where appropriate.

## 2. Investigations

- Review and storage of books and records.
  - Liaise with Directors to obtain Company books and records and notify Directors of their duties and powers.
  - Review bank statements for material/suspicious transactions.
  - Analyse and reconcile transactions with Company's accounting system.
  - Review transactions with associated companies or connected persons.
  - Conduct investigations into suspicious transactions.
  - Liaise with Company's former and current accountants to obtain detailed accounting information.
  - Reconcile movements from last prepared accounts to date of Liquidation.
  - Request information from Creditors, Members and Stakeholders regarding Company's affairs and accuracy of claims.
  - Consider validity of charges.
  - Enquiries of current and former officers and key employees of the Company.
  - Liaise with HM Revenue & Customs departments to reconcile transactions and accuracy of claims.
  - Make enquiries with other Crown departments (DVLA, Land Registry, Insolvency Service) as part of standard enquiries into assets and previous conduct
  - Completion of investigation checklist in accordance with the requirements of Statements of Insolvency Practice.
- Preparing a report pursuant to the Company Directors Disqualification Act (Not in a Members Voluntary Liquidation)
  - Complete online report to the Insolvency Service within 3 months of appointment.
- Reviewing books and records to identify any transactions or actions a Liquidator may take against a third party in order to recover funds for the benefit of Creditors.
  - Review redemption of purchase of own shares.
  - Matters that could bring rise to a summary remedy for misfeasance and misapplication of property.
  - Consider wrongful and/or fraudulent trading
  - Consider Transactions at and Undervalue.
  - Consider Preferences.
  - Consider all other statutory remedies

## STATUTORY DISCLOSURE REQUIREMENTS

Legislative requirements state that when an Insolvency Practitioner reports to Members and Creditors, there are certain statutory statements he must make. In order to fully comply with these conditions, we have set out below the statements which apply in these proceedings in this Appendix, rather than in the report itself, with the intention of keeping the report informative for Members and Creditors who are more likely to be interested in the practical points arising in the insolvency.

The statement which forms part of this statutory report which also need to be considered along with it is as follows:-

- Please note that no funds have been held with the Insolvency Services Account at any time during the Liquidation, therefore, it has been neither possible nor necessary to reconcile this account with the Secretary of State.

### Comments as Regards Liquidator's Remuneration:-

- For further information with regards to this firm's policy on fees and disbursements as well as general guidance regarding a Liquidator's fees in a Creditors' Voluntary Liquidation, you may download a Creditors' Guide to Fees on our website at [www.poppletonandappleby.co.uk](http://www.poppletonandappleby.co.uk) and choose the following options: Creditors Login, Creditors' Guidance Notes, then choose, A Creditors' Guide to a Liquidator's Fees Effective from November 2011.
- 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 their 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 unsecured Creditors (including the Creditor in question), apply to Court to challenge the amount of remuneration charged by the Liquidator as being excessive, and/or the basis of the Liquidator's remuneration, and/or the amount of the expenses incurred as being excessive, within 8 weeks of their receipt of this report. Any Secured Creditor may make a similar application to court within the same time limit.
- A hard copy of these Rights can be provided upon written request.

### Provision of Services Regulations Summary for Poppleton & Appleby

- To comply with the Provision of Services Regulations, some general information about this Firm can be found on our website at <http://www.poppletonandappleby.co.uk>. To access, choose the following options: Creditors Login, Creditors' Guidance Notes, Provision of Services Regulations Summary for Poppleton & Appleby, Provision of Services.

**STATUTORY INFORMATION**

Company Name: CLS Fabrication Limited

Registered Office: 30 St. Paul's Square  
Birmingham  
West Midlands  
B3 1QZ

Former Registered Office: Highdown House  
11 Highdown Road  
Leamington Spa  
Warwickshire  
CV31 1XT

Registered Number: 02528061

Liquidator's Name: Matthew Douglas Hardy

Liquidator's Address: 30 St Paul's Square  
Birmingham  
West Midlands  
B3 1QZ

Liquidator's Date of Appointment: 19 August 2015



M. D. Hardy  
Matthew Douglas Hardy  
Liquidator

# Time Entry - Detailed SIP9 Time & Cost Summary

C10P - CLS Fabrication Limited  
 From 19/08/2015 To 18/08/2018  
 Project Code POST

Classification of Work Function	Partner	Manager	Other Senior Professionals	Assistants & Support Staff	Total Hours	Time Cost (£)	Average Hourly Rate (£)
100 Administration & Planning	0.00	3.10	0.00	2.00	5.10	704.50	138.14
101 Case planning	0.20	0.00	0.00	0.00	0.20	59.00	295.00
103 Appointment notification	0.50	0.00	1.50	0.00	2.00	387.50	193.75
104 Maintenance of records	0.30	0.60	0.00	0.00	0.90	205.50	228.33
105 Statutory reporting	2.50	1.70	6.00	0.70	10.90	2,064.00	189.36
106 Pre Appointment	0.00	0.00	0.50	0.00	0.50	80.00	160.00
107 Case Monitoring	0.00	0.00	40.20	3.00	43.20	6,582.00	152.36
<b>Administration &amp; Planning</b>	<b>3.50</b>	<b>5.40</b>	<b>48.20</b>	<b>5.70</b>	<b>62.80</b>	<b>10,082.50</b>	<b>160.56</b>
600 Case Specific	0.40	0.00	0.00	0.00	0.40	118.00	295.00
<b>Case specific matters</b>	<b>0.40</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.40</b>	<b>118.00</b>	<b>295.00</b>
500 Creditors	2.30	6.70	28.50	0.70	38.20	6,580.00	172.25
501 Communication	3.20	0.00	10.10	0.00	13.30	2,560.00	192.48
502 Claims inc emp, prefs	0.80	0.00	0.00	0.00	0.80	236.00	295.00
503 Report/secured creditor	0.00	2.40	0.00	0.00	2.40	468.00	195.00
506 Payment of dividends	0.70	2.60	5.60	0.00	8.90	1,609.50	180.84
<b>Creditors</b>	<b>7.00</b>	<b>11.70</b>	<b>44.20</b>	<b>0.70</b>	<b>63.60</b>	<b>11,453.50</b>	<b>180.09</b>
200 Investigations	0.00	0.50	1.50	0.00	2.00	337.50	168.75
202 CDDA reports	0.50	0.00	1.60	0.00	2.10	403.50	192.14
<b>Investigations</b>	<b>0.50</b>	<b>0.50</b>	<b>3.10</b>	<b>0.00</b>	<b>4.10</b>	<b>741.00</b>	<b>180.73</b>
300 Realisation of assets	3.40	9.40	1.70	0.00	14.50	3,040.00	209.66
303 Debt collection	0.50	19.70	39.90	0.00	60.10	9,997.00	166.34
304 Sale of prop bus and ass	0.00	0.00	6.80	0.00	6.80	968.00	142.35
305 Legal matters	0.00	11.60	2.00	0.00	13.60	2,582.00	189.85
<b>Realisations of Assets</b>	<b>3.90</b>	<b>40.70</b>	<b>50.40</b>	<b>0.00</b>	<b>95.00</b>	<b>16,587.00</b>	<b>174.60</b>
402 Accounting for trading	0.00	0.00	0.80	0.00	0.80	128.00	160.00
403 On-going employee issues	0.00	0.00	16.10	0.20	16.30	2,586.00	158.65
<b>Trading</b>	<b>0.00</b>	<b>0.00</b>	<b>16.90</b>	<b>0.20</b>	<b>17.10</b>	<b>2,714.00</b>	<b>158.71</b>
<b>Total Hours</b>	<b>15.30</b>	<b>58.30</b>	<b>162.80</b>	<b>6.60</b>	<b>243.00</b>	<b>41,696.00</b>	<b>171.59</b>
<b>Total Fees Claimed</b>						<b>38,000.00</b>	

# Time Entry - SIP9 Time & Cost Summary

## Category 2 Disbursements

C10P - CLS Fabrication Limited  
 Project Code POST  
 From 19/08/2015 To 18/08/2018

Other amounts paid or payable to the office holders firm or to party in which the office holder or his firm or any associate has an interest.

Transaction Date	Type and Purpose	Amount
30/11/2015	Motor Expenses, Mileage	36.45
09/02/2016	Motor Expenses Mileage	64.50
09/02/2016	Motor Expenses Mileage	193.50
29/04/2016	Storage Apr 16 Storage	20.00
31/05/2016	Storage May 16 Storage	20.00
30/06/2016	Storage June 16 storage	20.00
31/07/2016	Storage July Storage 2016	20.00
31/08/2016	Storage Aug Storage 2016	20.00
30/09/2016	Storage Sept Storage 2016	20.00
31/10/2016	Storage Oct Storage 2016	20.00
30/11/2016	Storage Nov Storage 2016	20.00
28/12/2016	Storage Dec Storage 2016	20.00
31/01/2017	Storage Jan Storage 2017	20.00
28/02/2017	Storage Feb Storage 2017	20.00
31/03/2017	Storage Mar Storage 2017	20.00
28/04/2017	Storage April 17 Storage	20.00
31/05/2017	Storage May 2017 Storage	20.00
30/06/2017	Storage June Storage 2017	20.00
31/07/2017	Storage July 2017 Storage	20.00
31/08/2017	Storage Aug 2017 Storage	20.00
30/09/2017	Storage Sep 2017 Storage	20.00
31/10/2017	Storage Oct 2017 Storage	20.00
30/11/2017	Storage Nov 2017 Storage	20.00
31/12/2017	Storage Dec 2017 Storage	20.00
31/01/2018	Storage Jan 2018 Storage	20.00
28/02/2018	Storage Feb 18 Storage	20.00
31/03/2018	Storage Mar 18 Storage	20.00
30/04/2018	Storage Apr 18 Storage	20.00
31/05/2018	Storage May 2018 Storage	20.00
30/06/2018	Storage June 18 Storage	20.00
31/07/2018	Storage July 18 Storage	20.00
<b>Total</b>		<b>854.45</b>

# Time Entry - Detailed SLP9 Time & Cost Summary

C10P - CLS Fabrication Limited  
 From: 19/08/2017 To: 18/08/2018  
 Project Code: POST

Classification of Work Function	Partner	Manager	Other Senior Professionals	Assistants & Support Staff	Total Hours	Time Cost (£)	Average Hourly Rate (£)
105 Statutory reporting	0.00	1.10	3.50	0.00	4.60	774.50	168.37
106 Pre Appointment	0.00	0.00	0.50	0.00	0.50	80.00	160.00
107 Case Monitoring	0.00	0.00	9.00	0.00	9.00	1,440.00	160.00
<b>Administration &amp; Planning</b>	<b>0.00</b>	<b>1.10</b>	<b>13.00</b>	<b>0.00</b>	<b>14.10</b>	<b>2,294.50</b>	<b>162.73</b>
500 Creditors	0.60	0.80	6.20	0.70	8.30	1,360.00	163.86
501 Communication	0.50	0.00	2.00	0.00	2.50	467.50	187.00
506 Payment of dividends	0.70	2.50	4.10	0.00	7.40	1,369.50	185.07
<b>Creditors</b>	<b>1.80</b>	<b>3.40</b>	<b>12.30</b>	<b>0.70</b>	<b>18.20</b>	<b>3,197.00</b>	<b>175.66</b>
303 Debt collection	0.00	0.00	3.70	0.00	3.70	592.00	160.00
<b>Realisations of Assets</b>	<b>0.00</b>	<b>0.00</b>	<b>3.70</b>	<b>0.00</b>	<b>3.70</b>	<b>592.00</b>	<b>160.00</b>
403 On-going employee issues	0.00	0.00	1.50	0.00	1.50	240.00	160.00
<b>Trading</b>	<b>0.00</b>	<b>0.00</b>	<b>1.50</b>	<b>0.00</b>	<b>1.50</b>	<b>240.00</b>	<b>160.00</b>
<b>Total Hours</b>	<b>1.80</b>	<b>4.50</b>	<b>30.50</b>	<b>0.70</b>	<b>37.50</b>	<b>6,323.50</b>	<b>168.63</b>
<b>Total Fees Claimed</b>						<b>38,000.00</b>	

# Time Entry - SLP9 Time & Cost Summary

## Category 2 Disbursements

C10P - CLS Fabrication Limited  
 Project Code POST  
 From 19/08/2017 To 18/08/2018

Other amounts paid or payable to the office holders firm or to party in which the office holder or his firm or any associate has an interest

Transaction Date	Type and Purpose	Amount
31/08/2017	Storage Aug 2017 Storage	20.00
30/09/2017	Storage Sep 2017 Storage	20.00
31/10/2017	Storage Oct 2017 Storage	20.00
30/11/2017	Storage Nov 2017 Storage	20.00
31/12/2017	Storage Dec 2017 Storage	20.00
31/01/2018	Storage Jan 2018 Storage	20.00
28/02/2018	Storage Feb 18 Storage	20.00
31/03/2018	Storage Mar18 Storage	20.00
30/04/2018	Storage Apr 18 Storage	20.00
31/05/2018	Storage May 2018 Storage	20.00
30/06/2018	Storage June 18 Storage	20.00
31/07/2018	Storage July 18 Storage	20.00
<b>Total</b>		<b>240.00</b>