

## Section 106

Return of Final Meeting in a  
Creditors' Voluntary Winding UpPursuant to Section 106 of the  
Insolvency Act 1986

To the Registrar of Companies

**S.106**

Company Number

04802911

Name of Company

Steve Hawkins Groundworks Limited

I / We

Jeremiah Anthony O'Sullivan, 2nd Floor Stratus House, Emperor Way, Exeter Business Park, Exeter, EX1 3QS

Note The copy account must be  
authenticated by the written  
signature(s) of the Liquidator(s)

1 give notice that a general meeting of the company was ~~duly held on~~/summoned for 23 September 2015 pursuant to section 106 of the Insolvency Act 1986, for the purpose of having an account (of which a copy is attached) laid before it showing how the winding up of the company has been conducted, and the property of the company has been disposed of, and that ~~the same was done accordingly~~ / no quorum was present at the meeting.

2 give notice that a meeting of the creditors of the company was ~~duly held on~~/summoned for 23 September 2015 pursuant to Section 106 of the Insolvency Act 1986, for the purpose of having the said account laid before it showing how the winding up the company has been conducted and the property of the company has been disposed of and that ~~the same was done accordingly~~/no quorum was present at the meeting

The meeting was held at Bishop Fleming, Stratus House, Emperor Way, Exeter Business Park, Exeter, EX1 3QS

The winding up covers the period from 29 May 2014 (opening of winding up) to the final meeting (close of winding up)

The outcome of any meeting (including any resolutions passed) was as follows

- The members and creditors did not resolve against my release as Liquidator

Signed

Date 23 September 2015

Bishop Fleming LLP  
2nd Floor Stratus House  
Emperor Way  
Exeter Business Park  
Exeter  
EX1 3QS

Ref ST10226/MR

THURSDAY



A18 22/10/2015 #328

COMPANIES HOUSE

A16 09/10/2015 #150

COMPANIES HOUSE

**Steve Hawkins Groundworks Limited - in Liquidation**

**Liquidator's Final Report  
to the Members and Creditors  
Dated 23 September 2015**

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- 8 Creditors' Rights
- 9 Final Meetings of Members and Creditors

## **APPENDICES**

- A Receipts and Payments Account for the period from 29 May 2015 to 23 September 2015 and cumulatively from 29 May 2014 to 23 September 2015
- B Time Analysis for the period from 29 May 2015 to 23 September 2015 (B1) and a Cumulative Time Analysis for the period from 29 May 2014 to 23 September 2015 (B2)
- C Additional Information in relation to Liquidator's fees pursuant to Statement of Insolvency Practice No 9

## **1 Introduction**

1 1 I, Jeremiah Anthony O'Sullivan, (Insolvency Practitioner No 8333) of Bishop Fleming LLP, 2nd Floor Stratus House, Emperor Way, Exeter Business Park, Exeter, EX1 3QS was appointed as Liquidator of Steve Hawkins Groundworks Limited (the Company) on 29 May 2014

1 2 I set out below my final report on the outcome of the liquidation

1 3 The Company traded as groundwork and building contractors and its principal trading address was 41 Elmhurst Road, West Moors, Ferndown, Dorset, BH22 0DJ

1 4 The Company's registered number is 04802911 and its current registered office is Bishop Fleming, Suite 3, First Floor, 40-44 Holdenhurst Road, Bournemouth, BH8 8AD

1 5 The liquidation commenced in May 2014 with estimated asset values of £14,060 and anticipated liabilities of £164,423 05, which subject to the cost of liquidation expected a return to creditors of nil pence in the pound The actual return to creditors was nil pence in the pound

1 6 The business of Bishop Fleming was transferred to Bishop Fleming LLP on 1 June 2014 as part of an internal re-organisation For work up to 1 June 2014 references in the report are to Bishop Fleming Any reference to work undertaken or firm policies on and after that date refers to Bishop Fleming LLP

## **2 Receipts and Payments**

2 1 At Appendix A, I have provided details of my Receipts and Payments for the period 29 May 2015 to 23 September 2015 together with a cumulative account since my appointment with a comparison to the estimates given in the Directors' Statement of Affairs

2 2 In addition to asset realisations, £0 05 has been received in respect of interest earned on the liquidation funds during the period 29 May 2015 to 23 September 2015

## **3 Realisation of Assets**

### ***Unrealisable Assets***

3 1 There were no unrealised assets

### ***Assets Sold to Connected Party***

3 2 In accordance with Statement of Insolvency Practice No 13 (SIP13), I advise you that the following assets were sold to a Director of the Company

<b>Date of transaction</b>	<b>Asset involved and nature of transaction</b>	<b>Consideration Paid and Date</b>	<b>Sold to</b>	<b>Relationship</b>
29 May 2014	Purchase of tools & equipment	£680 plus VAT paid on 16 June 2014	S Hawkins	Director

## 4 Investigations

- 4 1 In accordance with the Company Directors Disqualification Act 1986, I have submitted a report on the conduct of the Directors of the Company to the Department for Business Innovation & Skills (BIS). As this is a confidential report, I am not able to disclose its contents.
- 4 2 Shortly after my appointment, I made an initial assessment of whether there could be any matters that might lead to recoveries for the estate and what further investigations may be appropriate. This assessment took into account information provided by creditors either at the initial meeting or as a response to my request to complete an investigation questionnaire. My investigations have not revealed any issues requiring further report.

## 5 Liquidator's Remuneration and Disbursements

### **Remuneration**

- 5 1 On 29 May 2014 the creditors approved that the basis of the Liquidator's remuneration be fixed by reference to the time properly spent by him and his staff in managing the Liquidation.
- 5 2 My time costs for the period from 29 May 2015 to 23 September 2015 are £526.50. This represents 2.3 hours at an average rate of £228.91 per hour. Attached as Appendix B1 is a Time Analysis which provides details of the activity costs incurred by staff grade during this period in respect of the costs fixed by reference to time properly spent by me in managing the Liquidation.
- 5 3 The costs of preparing this final report and dealing with the liquidation closure formalities have not been charged as there are insufficient funds available for their recovery.
- 5 4 Also attached as Appendix B2 is a cumulative Time Analysis for the whole period from 29 May 2014 to 23 September 2015 which provides details of my time costs since appointment, amounting to £8,425.33.
- 5 5 In the final period to 23 September 2015 I have drawn further fees of £747.05 plus disbursements of £nil. I have drawn total fees of £8,368.38 plus disbursements of £117.70. No further fees will be drawn.

- 5 6 A copy of 'A Creditors' Guide to Liquidators' Fees' is available on request or can be downloaded from [www.bishopfleminginsolvency.co.uk/r3](http://www.bishopfleminginsolvency.co.uk/r3)

### ***Disbursements***

- 5 7 Attached as Appendix C is additional information in relation to this firm's policy on staffing, the use of subcontractors, disbursements and details of our current charge-out rates by staff grade. This includes an explanation of the meaning of category 1 and category 2 disbursements.
- 5 8 At the meeting of creditors held on 29 May 2014 I was approved to draw category 2 disbursements in accordance with my firm's standard tariff.
- 5 9 In this case the following disbursements have been incurred and met by Bishop Fleming LLP and have been reimbursed to Bishop Fleming LLP where indicated.

Nature of disbursement	Amount incurred 29 May 2015 to 28 May 2015 £	Total amount incurred to 23 September 2015 £	Amount reimbursed £	Amount not reimbursed £
<u>Category 1</u>				
Specific Bond	-	40 00	40 00	-
Statutory Advertising	-	75 00	75 00	-
Car parking	-	2 70	2 70	-
<u>Category 2</u>				
Staff travel	-	2 70	2 70	-
<b>Total</b>	-	117 70	117 70	-

## **6 Liquidator's Expenses**

- 6 1 The amounts paid directly from the liquidation funds for the costs of employing auctioneers and valuers, solicitors, other legal costs, advertising in the Gazette & other newspapers and for incidental outlays are shown separately in the receipts and payments account.

## **7 Outcome for Creditors**

### ***Secured Creditors***

- 7 1 The Company granted a fixed and floating charge to HSBC Bank plc on 9 September 2003. At the date of the liquidation the indebtedness was estimated at £36,989.55. The Bank

has subsequently indicated a claim of £28,372 06 There has been no recovery to the Bank in this liquidation

### ***Preferential Creditors***

- 7 2 A summary of the position regarding preferential claims is detailed below

	<u>Statement of Affairs £</u>	<u>Agreed Claim £</u>
Employees' Claims	2,846 45	n/a
Total	<b>2,846 45</b>	<b>n/a</b>

- 7 3 I have not sought to formally agree the claims of preferential creditors as unfortunately there are insufficient funds in this liquidation to enable a dividend to be paid to any class of creditors

### ***Unsecured Creditors***

- 7 4 Ordinary unsecured claims were estimated in the Statement of Affairs to total £124,587 05

- 7 5 I have not sought to formally agree the claims of unsecured creditors as unfortunately there are insufficient funds in this liquidation to enable a dividend to be paid to any class of creditors

- 7 6 The Company granted a floating charge to HSBC Bank plc on 9 September 2003 Accordingly, there is no requirement to create a fund out of the Company's net floating charge property for unsecured creditors, which only applies to charges created after 15 September 2003

## **8 Creditors' Rights**

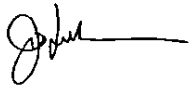
- 8 1 Within 21 days of the receipt of this report, a secured creditor, or an unsecured creditor (with the concurrence of at least 5% in value of the unsecured creditors) may request in writing that the Liquidator provide further information about his remuneration or expenses which have been itemised in this progress report
- 8 2 Any secured creditor, or an unsecured creditor (with the concurrence of at least 10% in value of the unsecured creditors) may within 8 weeks of receipt of this progress report make an application to court on the grounds that, in all the circumstances, the basis fixed for the Liquidator's remuneration is inappropriate and/or the remuneration charged or the expenses incurred by the Liquidator, as set out in this progress report, are excessive

## **9 Final Meetings of Members and Creditors**

- 9 1 I attach formal notice of final meetings of members and creditors to be held on 23 September 2015 to consider this report, together a proxy form for your use

9 2 If you require any further information, please contact Malcolm Rhodes at this office

Yours faithfully

A handwritten signature in black ink, appearing to read 'J A O'Sullivan', with a long horizontal flourish extending to the right.

**J A O'Sullivan**  
**Liquidator**

Enc



**Steve Hawkins Groundworks Limited**  
**(In Liquidation)**  
**Liquidator's Abstract of Receipts & Payments**

**Appendix A**

Statement of Affairs		From 29/05/2015 To 23/09/2015	From 29/05/2014 To 23/09/2015
NIL	SECURED ASSETS		
	Goodwill	NIL	NIL
		NIL	NIL
(36,989 55)	SECURED CREDITORS		
	HSBC Bank plc	NIL	NIL
		NIL	NIL
	ASSET REALISATIONS		
680 00	Tools & Equipment	NIL	680 00
13,320 00	Book Debts	NIL	10,632 00
60 00	Supplier Refund	NIL	62 05
	Bank Interest Net of Tax	0 05	1 49
		0 05	11,375 54
	COST OF REALISATIONS		
	Statement of Affairs Fee	NIL	2,500 00
	Liquidator's Fees	747 05	8,368 38
	Liquidator's Cat 1 Disbursements	NIL	115 00
	Liquidator's Cat 2 Disbursements	NIL	2 70
	VAT (Not recoverable)	164 41	164 41
	Statutory Advertising	75 00	225 00
	Bank Charges	0 05	0 05
		(986 51)	(11,375 54)
(2,846 45)	PREFERENTIAL CREDITORS		
	Employee Arrears/Hol Pay	NIL	NIL
		NIL	NIL
	UNSECURED CREDITORS		
(37,623 78)	Trade & Expense Creditors	NIL	NIL
(33,517 42)	Employees	NIL	NIL
(3,957 52)	Banks/Institutions	NIL	NIL
(29,039 15)	HM Revenue & Customs (Corp Tax)	NIL	NIL
(2,741 07)	HM Revenue & Customs (PAYE/NIC/C	NIL	NIL
(17,708 11)	HM Revenue & Customs (VAT)	NIL	NIL
		NIL	NIL
	DISTRIBUTIONS		
(100 00)	Ordinary Shareholders	NIL	NIL
		NIL	NIL
(150,463 05)		(986 46)	(0 00)
	REPRESENTED BY		
			NIL

**Steve Hawkins Groundworks Limited**  
**Summary of Liquidator's Time Costs**  
for the period from 29 May 2015 to 23 September 2015

Classification of work function	Hours					Total Hours	Time Costs £	Average Hourly rate £
	Partner	Manager	Other Senior Professionals	Assistants & Support Staff	Cashier			
Administration & Planning	-	0 10	-	-	-	0 10	23 50	235 00
Realisation of Assets	0 20	-	-	-	-	0 20	59 00	295 00
Tax & VAT	-	0 10	-	-	-	0 10	23 50	235 00
Cashiering	-	0 20	-	-	0 10	0 30	59 50	198 33
Statutory Duty & Compliance	-	0 40	-	-	-	0 40	91 00	227 50
Closure	-	1 20	-	-	-	1 20	270 00	225 00
Total hours and time costs from 29 May 2015 to 23 September 2015, and average						2 30	526 50	228 91

**Steve Hawkins Groundworks Limited**  
**Summary of Liquidator's Time Costs**  
**for the period from 29 May 2014 to 23 September 2015**

Hours								
Classification of work function	Partner	Manager	Other Senior Professionals	Assistants & Support Staff	Cashier	Total Hours	Time Costs £	Average Hourly rate £
Administration & Planning	-	8 05	0 42	3 15	-	11 62	2,172 08	186 93
Investigations	-	1 95	-	2 30	-	4 25	687 75	161 82
Realisation of Assets	4 40	3 25	-	2 90	-	10 55	2,316 25	219 55
Creditors & Employees	-	2 95	-	6 85	-	9 80	1,369 25	139 72
Tax & VAT	-	2 20	-	0 40	-	2 60	522 00	200 77
Cashiering	-	0 90	-	-	1 55	2 45	395 00	161 22
Statutory Duty & Compliance	-	2 35	-	0 10	-	2 45	524 25	213 98
Closure	-	1 95	-	-	-	1 95	438 75	225 00
Total hours and time costs from 29 May 2014 to 23 September 2015, and average						45 67	8,425 33	184 48

**Additional information in relation to Liquidator's fees pursuant to Statement of insolvency Practice 9 (SIP9)**

**Appendix C**

**1. Policy**

Detailed below is Bishop Fleming LLP's policy in relation to

- Staff allocation and the use of subcontractors
- Professional advisors
- Disbursements

**1 1 Staff allocation and the use of subcontractors**

Bishop Fleming LLP's general approach to resourcing assignments is to allocate staff with the skills and experience to meet the specific requirements of the case

The constitution of the case team will usually consist of a Partner, Manager, Senior and Assistant. The exact constitution of the case team will depend on the anticipated size and complexity of the assignment and on larger, more complex cases, several Seniors/Assistants may be allocated to meet the demands of the case

With regard to support staff, time spent by cashiers in relation to specific tasks on an assignment is charged

I have not utilised the services of any subcontractors in this case

**1 2 Professional advisors**

On this assignment I have used the professional advisors listed below and have indicated the basis of the fee arrangement with them, which is subject to review on a regular basis

<b>Name of Professional Advisor</b>	<b>Basis of Fee Arrangement</b>
<i>QBE Insurance plc (bonding)</i>	<i>Scale premium rates</i>

The choice was based on our perception of their experience and ability to perform this type of work, the complexity and nature of the assignment and the basis of our fee arrangement with them

**1 3 Disbursements**

Category 1 disbursements do not require approval by creditors. The type of disbursements that may be charged as a Category 1 disbursement to a case generally comprise of external supplies of incidental services specifically identifiable to the case, such as postage, case advertising, invoiced travel and external printing, room hire and document storage. Also chargeable will be any properly reimbursed expenses incurred by personnel in connection with the case

Category 2 disbursements do require approval from creditors. These disbursements can include costs incurred which relate to payments due to associated companies for the provision of services to the office holder. Details are set out in the body of the report

**2 Charge-out rates**

A schedule of Bishop Fleming LLP's charge-out rates was issued to creditors at the time the basis of the Liquidator's remuneration was approved. There have been no material increases in charge-out rates since that date, although rates have been reviewed annually in July each year. A schedule of our current rates is attached, together with a summary of our charge out rates in the past 5 years

## **Bishop Fleming LLP Business Recovery & Insolvency Information to Creditors**

### **Charge out rates and policy regarding the recharge of Disbursements**

<b>Charge out Rates ( £ per hour)</b>	<b>Business Recovery &amp; Insolvency Staff</b>	<b>Other Staff</b>
Insolvency Practitioner / Partner	£295	£180 – £300
Senior Manager	£235	£110 - £225
Manager	£195	£85 - £170
Other Senior Professionals	£160	£45 - £150
Support Staff	£120 - £135	£20 - £110

Most of the work on the assignment will be undertaken by specialist staff in the Business Recovery & Insolvency department, but some tasks will be performed by other staff in the General Practice, Corporate Finance, Taxation, Payroll and Administration departments where appropriate, which will be charged out at their normal rates

Time is usually charged in units of 0.1 hour (i.e. 6 minutes) but the minimum unit of time that may be recorded is 0.017 of an hour (1 minute)

### **Disbursements**

In accordance with Statement of Insolvency Practice 9 (SIP9) disbursements are categorised as either Category 1 or Category 2

#### Category 1 Disbursements

These are costs where there is specific expenditure directly referable both to the appointment in question and a payment to an independent third party. These may include, for example, advertising, room hire, storage, postage, telephone charges, travel expenses, and equivalent costs reimbursed to the office holder or his or her staff.

Category 1 disbursements can be drawn without prior approval, although an office holder should be prepared to disclose information about them in the same way as any other expenses.

#### Category 2 Disbursements

These are costs that are directly referable to the appointment in question but not to a payment to an independent third party. They may include shared or allocated costs that can be allocated to the appointment on a proper and reasonable basis, for example, business mileage.

Category 2 disbursements may be drawn if they have been approved in the same manner as an office holder's remuneration. When seeking approval, an office holder should explain, for each category of expense, the basis on which the charge is being made.

### **Bishop Fleming LLP proposes to recover category 2 disbursements as follows:**

- Insolvency Practitioner and staff mileage re-imbursement at HMRC approved 'AMAP' rates – currently 45p / mile plus 5p / mile for each additional Bishop Fleming LLP passenger
- Faxes at 40p per sheet and Photocopying at 10p per sheet, based on comparative commercial rates

All costs are subject to VAT, where applicable

# Bishop Fleming LLP Business Recovery & Insolvency

## Information to Creditors

### Summary of Charge Out Rates in the past 5 years

**Charge Out Rates ( £ per hour)      11 July 2011      9 July 2012      1 July 2013      7 July 2014      6 July 2015**

#### Business Recovery & Insolvency Staff

Insolvency Practitioner / Partner	£265	£275	£285	£295	£295
Senior Manager	£180 - £195	£205	£215	£225	£235
Manager	£140 - £160	£150 - £170	£160 - £180	£165 - £190	£195
Other Senior Professionals	£85 - £140	£135 - £140	£145	£150	£160
Support Staff	£33 - £100	£95 - £110	£95 - £120	£110 - £125	£120 - £135

#### Other Staff

included above

Partner	£180 - £300	£180 - £300	£180 - £300	£180 - £300	£180 - £300
Senior Manager	£110 - £225	£110 - £225	£110 - £225	£110 - £225	£110 - £225
Manager	£85 - £170	£85 - £170	£85 - £170	£85 - £170	£85 - £170
Other Senior Professionals	£45 - £150	£45 - £150	£45 - £150	£45 - £150	£45 - £150
Support Staff	£20 - £110	£20 - £110	£20 - £110	£20 - £110	£20 - £110

Charge out rates were reviewed annually in early July The new charge out rates were effective from the dates shown

For periods prior to 1 June 2014 charge out rates refer to Bishop Fleming, from 1 June 2014 they refer to Bishop Fleming LLP