

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

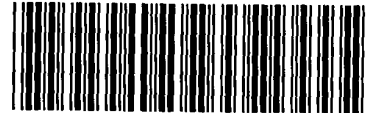
LIQ03

Notice of progress report in voluntary winding up



Companies House

THURSDAY



ABJFM10B

A16

22/12/2022

#248

COMPANIES HOUSE

1 Company details

Company number 02032076

Company name in full C.M.A. Tools (Burnley) Limited

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

2 Liquidator's name

Full forename(s) Clive

Surname Morris

3 Liquidator's address

Building name/number Heskin Hall Farm

Street Wood Lane

Post town Heskin

County/Region Preston

Postcode PR75PA

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	^d 0	^d 5	^m 0	^m 6	^y 2	^y 0	^y 2	^y 1
To date	^d 0	^d 4	^m 0	^m 6	^y 2	^y 0	^y 2	^y 2

7

Progress report

☒ The progress report is attached

8

Sign and date

Liquidator's signature

Signature

X



X

Signature date

^d 0	^d 1	^m 0	^m 8	^y 2	^y 0	^y 2	^y 2
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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 **Natasha Morris**Company name **Marshall Peters**Address **Heskin Hall Farm****Wood Lane**Post town **Heskin**County/Region **Preston**Postcode **P R 7 5 P A**

Country

DX

Telephone **01257 452021****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

C.M.A. Tools (Burnley) Limited
(In Liquidation)
Liquidator's Summary of Receipts & Payments

Statement of Affairs £		From 05/06/2021 To 04/06/2022 £	From 05/06/2020 To 04/06/2022 £
	HIRE PURCHASE		
16,000.00	Plant & Machinery	NIL	NIL
(19,500.00)	Close Brothers Asset Finance	NIL	NIL
		NIL	NIL
	ASSET REALISATIONS		
	Bank Interest Net of Tax	3.36	3.36
19,116.00	Book Debts	NIL	NIL
27,600.00	Cash in Hand	NIL	27,600.00
		3.36	27,603.36
	COST OF REALISATIONS		
	Agents/Valuers Fees	NIL	2,000.00
	Office Holders Fees	NIL	11,000.00
	Preparation of S. of A.	NIL	10,000.00
		NIL	(23,000.00)
	PREFERENTIAL CREDITORS		
(14,439.00)	Employee Hol Pay	NIL	NIL
		NIL	NIL
	FLOATING CHARGE CREDITORS		
(70,000.00)	National Westminster Bank PLC	NIL	NIL
		NIL	NIL
	UNSECURED CREDITORS		
(48,000.00)	Directors	NIL	NIL
(111,528.00)	Employees	NIL	NIL
(2,250.00)	HM Revenue & Customs - Corp Tax	NIL	NIL
(38,805.00)	HM Revenue & Customs - PAYE	NIL	NIL
(15,000.00)	HM Revenue & Customs - VAT	NIL	NIL
(186,990.00)	Trade & Expense Creditors	NIL	NIL
		NIL	NIL
	DISTRIBUTIONS		
(1,000.00)	Ordinary Shareholders	NIL	NIL
		NIL	NIL
(444,796.00)		3.36	4,603.36
	REPRESENTED BY		
	Bank 1 Current		3.36
	Vat Receivable		4,600.00
			4,603.36


Clive Morris
Liquidator

ANNUAL PROGRESS REPORT

C.M.A. Tools (Burnley) Limited - IN CREDITORS' VOLUNTARY LIQUIDATION

Content

- Executive Summary
- Administration and Planning
- Enquires and Investigations
- Realisation of Assets
- Creditors
- Fees and Expenses
- Creditors’ Rights
- EC Regulations
- Conclusion

Appendices

- Appendix I - Statutory Information
- Appendix II – Receipts and Payments account for the period 05 June 2021 to 04 June 2022 (“the Review Period”) and for the period 05 June 2020 to 04 June 2022 (“the Cumulative Period”)
- Appendix III - Detailed list of work undertaken in the Review Period
- Appendix IV - Time cost information for the Review Period
- Appendix V – Time cost information for the Cumulative Period

EXECUTIVE SUMMARY

A summary of key information in this report is detailed below.

Assets

Asset	Estimated to realise per Statement of Affairs (£)	Realisations to date (£)	Anticipated future realisations (£)	Total anticipated realisations (£)
Plant & Machinery	Nil	Nil	Nil	Nil
Book Debts	19,116	Nil	Nil	Nil
Cash in Hand	27,600	27,600	Nil	Nil
Bank Interest Net of Tax	N/A	3.36	Nil	3.36

Expenses

Expense	Amount per fees and expenses estimates (£)	Fees and expenses charged to date (£)	Fees and expenses incurred to date (£)	Anticipated further expense to closure (£)	Total anticipated fees and expenses to be incurred (£)
Preparation of S. of A.	10,000.00	10,000.00	10,000.00	Nil	10,000.00
Liquidator's fees	40,000.00	11,000.00	18,262.00	Uncertain	Uncertain
Liquidator's expenses	630.00	Nil	530.00	Nil	530.00
Agents' fees	2,000.00	2,000.00	2,000.00	Nil	2,000.00

Dividend prospects

Creditor class	Distribution / dividend paid to date	Anticipated distribution / dividend, based upon the above
Secured creditor	Nil	Nil
Preferential creditors	Nil	Nil
Unsecured creditors	Nil	Nil

Summary of Key Issues Outstanding

- Ongoing correspondence with the Pension Regulator and the Company's pension provider, regarding the winding up of the scheme;
- Awaiting VAT Reclaim

Closure

Due to the issues outstanding as listed above, it is difficult to estimate the timing of the closure of the Liquidation.

ADMINISTRATION AND PLANNING

Statutory Information

Statutory information may be found at Appendix I.

The Liquidator is required to meet a considerable number of statutory and regulatory obligations. Whilst many of these tasks do not have a direct benefit in enhancing realisations for the insolvent estate, they assist in the efficient and compliant progressing of the administration of the case, which ensures that work is carried out to high professional standards. A detailed list of these tasks may be found in Appendix III.

Reporting

The Liquidator has met his statutory and regulatory duties to report to creditors, as listed below. In consideration of the need for transparency and engagement with creditors, care has been taken to ensure that reports and other communications with creditors have provided useful details of the strategies pursued and the outcomes anticipated.

During the Review Period, the following key documents have been issued:

- This Progress Report

Other Administration Tasks

During the Review Period, the following material tasks in this category were carried out:

- Case reviews;
- Bond reviews;
- Creditor claim adjudication;
- Bank statement analysis;
- Investigations into the Company;
- Creditor communication;
- Issuing nil returns to HM Revenue & Customs;
- Ongoing communication with HM Revenue & Customs;
- Ongoing communication with the Redundancy Payments Office;
- Ongoing correspondence with the Pension Regulator and the Company's pension providers;
- Submission of RP14 & 14A;
- Submission of S120 Notice to relevant parties;
- De-registering the Company in relation to VAT.

ENQUIRES AND INVESTIGATIONS

During the Review Period, the Liquidator carried out an initial review of the Company's affairs in the period prior to appointment. This included seeking information and explanations from the Director(s) by means of a questionnaire; making enquiries of the Company's accountants; reviewing information received from creditors; and collecting and examining the Company's bank statements, accounts and other records.

The Director(s) provided some records and a Statement of Affairs.

The information gleaned from this process enabled the Liquidator to meet his statutory duty to submit a confidential report on the conduct of the directors (past and present) to the Insolvency Service.

This work was also carried out with the objective of making an initial assessment of whether there were any matters that may lead to any recoveries for the benefit of creditors. This would typically include any potential claims which may be brought against parties either connected to or who have past dealings with the Company.

This initial assessment has been completed and the Liquidator did not identify any further assets or actions which might lead to a recovery for creditors.

Although this work did not generate any financial benefit to creditors, it was necessary to meet the statutory duties as well as conduct appropriate enquiries and investigations into potential rights of actions to enhance realisations.

Agents and Valuers

The Company's unencumbered plant and machinery were valued for £30,380 by an independent valuing agent, Cerberus Asset Management ("the Agents").

The Company's assets were sold to an unconnected company, N D C International Limited, on 29 May 2020 for £23,000 plus VAT. This amount was paid in full prior to the appointment of the Liquidator. Upon appointment, this was transferred to the Liquidators estate account and held in escrow.

The Agents advised that after taking into consideration the cost likely to be incurred for the removal of the assets, they considered the sale value of £23,000 plus VAT to be a fair value.

REALISATION OF ASSETS

Detailed below is key information about asset realisation and strategy, however, more details about the work undertaken may be found at Appendix III. The Liquidator formulated and worked through a realisation strategy that sought to maximise realisations net of costs. The financial benefit of those efforts is described further below.

Transactions with Connected Parties

Since the Liquidator's appointment a sale to a connected party has not occurred.

Cash in Hand

As detailed above, the Company's unencumbered Plant and Machinery was sold for £23,000 plus VAT. A total of £27,600 was received prior to the appointment of the Liquidator and is therefore reflected as Cash in Hand on the attached Receipts and Payments Summary at Appendix II.

Plant & Machinery

There were two machines subject to finance with Close Brothers Asset Finance ("Close Brothers") that were in the Company's possession prior to Liquidation. The machines held a combined value of £16,000. The Directors confirmed that Close Brothers were owed £19,500 against this, resulting in the machinery having negative equity.

The Liquidator notified Close Brothers of his appointment and they have submitted a claim for the shortfall and, as a result, no assets were realised in this regard.

Book Debts

Prior to the Liquidator's appointment, the Director advised that the Company's debtor ledger totalled £38,232 which was reflected as the book value in the Statement of Affairs, this was reduced by 50% for the estimate to realise value to allow for a general provision due to invalid warranties.

Upon appointment, the Liquidator undertook a thorough review of the ledger and concluded that £27,600 of the debtors in the ledger referred to the sale of the Company's assets which had already been accounted for in the Director's Statement of Affairs. As a result, the actual ledger totalled £10,632 with £5,316 being realisable at the date of Liquidation.

Due to the on-going disputes regarding the warranties in the debtor's contracts no realisations have been made in this regard.

CREDITORS

Irrespective of whether sufficient realisations are achieved to pay a dividend to creditors, the Liquidator has had to carry out key tasks which are detailed in the list at Appendix III. The following sections explain the anticipated outcomes to creditors and any distributions paid.

Secured Creditors

The Company granted a debenture to National Westminster Bank Plc. This charge was created on 17 October 1986 and delivered on 29 October 1986. The bank was shown to be owed £70,000.00 as per the Statement of Affairs. A claim of £70,039.03 has been received.

Preferential Creditors

Employee claims

21 employees were made redundant on 26 May 2020. The relevant information for employees to submit claims has been made to the Redundancy Payments Office and information and help has been given to employees to enable them to submit their claims online.

Employees were shown to be owed £14,439 for the preferential element of their claims. The Redundancy Payments Office are yet to submit a claim in the Liquidation.

Floating Charge Creditors

The prescribed part only applies where the company has granted a floating charge to a creditor after 15 September 2003. Where a floating charge over the company's assets has been given a prescribed amount of the company's net property after paying the preferential creditors must be made available to the unsecured creditors and the basis of this calculation is detailed below:-

50% of the first £10,000 of the net property; and

20% of the remaining net property up to a maximum of £600,000 or an £800,000 limit where the relevant floating charge was created on or after 06 April 2020.

Based on present information, the Liquidator estimates that there will be insufficient realisations to discharge in full all costs and preferential claims. Therefore, there will be no net property from which to deduct a prescribed part.

Unsecured Creditors

As per the Statement of Affairs, HMRC were shown to be owed £2,250 in relation to unpaid Corporation Tax, £38,805 in relation to unpaid PAYE contributions and £15,000 in relation to unpaid VAT. Claims totalling £2,271 in relation to Corporation Tax and £61,192 relating to outstanding PAYE contributions have been received.

The trade and expense creditors as per the Statement of Affairs totalled £186,990. To date, claims totalling £40,929 have been received, which includes Close Brothers' claim of £1,873 for the shortfall

on the financed machinery. Please be advised that proofs of debt are still being received and therefore the total value of unsecured claims is not known at present.

The Directors were shown to be owed £48,000 as per the Statement of Affairs, claims totalling this amount have been received.

The employees were shown to be owed £111,528 for the unsecured element of their claims. As detailed above, The Redundancy Payments Office are yet to submit a claim in the Liquidation.

Dividend Prospects

The Liquidator confirms that it is anticipated there will be insufficient funds realised after defraying the expenses of the liquidation to pay a dividend to unsecured creditors.

FEES AND EXPENSES

Pre-Appointment Costs

The creditors authorised the fee of £10,000 plus VAT for assisting the directors in calling the relevant meetings and with preparing the Statement of Affairs on 05 June 2020.

The fee for assisting with the Statement of Affairs and meetings was paid from first realisations on appointment and is shown in the enclosed receipts and payments account.

The Liquidator's Fees

It is the firm's practice to ensure that work is conducted by the appropriate staff member at the appropriate level of experience. Junior members of staff deal with the day to day administration on cases and a manager and director then oversees the work undertaken. Where the issues are complex and litigious, the work will be closely supervised or undertaken by a manager or director.

The basis of the Liquidator's fees was approved by creditors on 05 June 2020 in accordance with the following resolution:

"That Marshall Peters be paid in the sum of £12,000 in respect of the convening of the meetings and the production of the information for creditors, for the preparation of the statement of affairs; such fees to be paid from the assets of the company"

"That the basis of the Liquidator's fees be fixed by reference to the time properly given by the Liquidator and his staff in attending to matters as set out in the fees estimate, such time to be charged at the prevailing standard hourly charge out rates used by the firm at the time when the work is performed."

"That the Liquidator be authorised to draw "Category 2" disbursements to be fixed as set out in appendix 2."

The time costs for the Review Period total £4,557, representing 20 hours at an average hourly rate of £227. No fees have been drawn in the Review Period. The time costs for the period are detailed at Appendix IV.

The total time costs during the period of appointment amount to £18,262 representing 78 hours at an average hourly rate of £235 and a comparison between the original estimate and time costs to date is given at Appendix V. A sum of £11,000 has been drawn in the Cumulative Period.

Having regard for the costs that are likely to be incurred in bringing this liquidation to a close, the Liquidator considers that:

- the original fees estimate is unlikely to be exceeded; and
- the original expenses estimate is unlikely to be exceeded.

Disbursements

Category 1 expenses represent the simple reimbursement of actual out of pocket payments made in relation to the assignment. No category 1 expenses have been drawn in the Review Period.

Category 2 expenses are costs that are directly referable to the appointment in question but not to a payment to an independent third party. No Category 2 expenses have been incurred during the Review Period.

Information about this insolvency process may be found on the R3 website <http://www.creditorinsolvencyguide.co.uk/>. A copy of 'A Creditors' Guide to Fees' together with the firm's charge-out rate and disbursement policy may be found at <http://www.insolvency-practitioners.org.uk/regulation-and-guidance/guides-to-fees>. A hard copy of both the Creditors' Guide and the firm's charge-out rate and disbursement policy may be obtained on request.

Agents and Valuers Fees

Cerberus Asset Management were instructed as valuers in relation to the unencumbered assets. Their costs were agreed on a fixed fee basis and totalled £2,000 and have been paid in full.

CREDITORS' RIGHTS

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 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 Liquidator's 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.

EC REGULATIONS

The Company's centre of main interest was in Belle Vue Mill, West Gate, Burnley, BB11 1SD (registered office and trading address). The proceedings flowing from the appointment are COMI proceedings to which the EU Regulation as it has effect in the law of the United Kingdom does not apply, as the company's registered office and centre of main interests are within the United Kingdom.

CONCLUSION

The administration of the case will be continuing to finalise the following outstanding matters that are preventing this case from being closed:

Summary of Key Issues Outstanding

- Ongoing correspondence with the Pension Regulator and the Company's pension provider, regarding the winding up of the scheme;
- Awaiting VAT Reclaim

If you require any further information, please contact this office.

Signed



Clive Morris
Liquidator
01 August 2022

Appendix I

Statutory Information

Company Name:	C.M.A. Tools (Burnley) Limited
Company Number:	02032076
Registered Office:	C/O Marshall Peters, Heskin Hall Farm, Wood Lane, Heskin, Preston, PR7 5PA
Former Registered Office:	Belle Vue Mill, West Gate, Burnley, BB11 1SD
Officeholder:	Clive Morris
Officeholder's address:	Marshall Peters, Heskin Hall Farm, Wood Lane, Heskin, Preston, PR7 5PA
Date of appointment:	05 June 2020

Appendix II

Receipts and Payments account for the Review Period and the Cumulative Period

C.M.A. Tools (Burnley) Limited
(In Liquidation)
LIQUIDATOR'S RECEIPTS AND PAYMENTS ACCOUNT

	Statement of affairs £	From 05/06/2021 To 04/06/2022 £	From 05/06/2020 To 04/06/2022 £
RECEIPTS			
Plant & Machinery	16,000.00	0.00	0.00
Book Debts	19,116.00	0.00	0.00
Cash in Hand	27,600.00	0.00	27,600.00
Bank Interest Net of Tax		3.36	3.36
		<u>3.36</u>	<u>27,603.36</u>
PAYMENTS			
Close Brothers Asset Finance	(19,500.00)	0.00	0.00
Preparation of S. of A.		0.00	10,000.00
Office Holders Fees		0.00	11,000.00
Agents/Valuers Fees		0.00	2,000.00
Employee Hol Pay	(14,439.00)	0.00	0.00
National Westminster Bank PLC	(70,000.00)	0.00	0.00
Trade & Expense Creditors	(186,990.00)	0.00	0.00
Employees	(111,528.00)	0.00	0.00
Directors	(48,000.00)	0.00	0.00
HM Revenue & Customs - VAT	(15,000.00)	0.00	0.00
HM Revenue & Customs - PAYE	(38,805.00)	0.00	0.00
HM Revenue & Customs - Corp Tax	(2,250.00)	0.00	0.00
Ordinary Shareholders	(1,000.00)	0.00	0.00
		<u>0.00</u>	<u>23,000.00</u>
Net Receipts/(Payments)		<u>3.36</u>	<u>4,603.36</u>
MADE UP AS FOLLOWS			
Bank 1 Current		3.36	3.36
VAT Receivable / (Payable)		0.00	4,600.00
		<u>3.36</u>	<u>4,603.36</u>



Clive Morris
Liquidator

Appendix III

Detailed list of work undertaken for C.M.A. Tools (Burnley) Limited in the Review Period

Below is detailed information about the tasks undertaken or to be undertaken by the Liquidator.

General Description	Includes
Statutory and General Administration	Setting up the case onto the IPS system and maintaining physical file
Statutory/advertising	Filing of documents to meet statutory requirements including annual receipts and payments accounts Annual corporation tax returns Quarterly VAT returns Advertising in accordance with statutory requirements Bonding the case for the value of the assets
Document maintenance/file review/checklist	Filing of documents Periodic file reviews documenting strategy Periodic reviews of the application of ethical, anti-money laundering and anti-bribery safeguards Maintenance of statutory and case progression task lists/diaries Updating checklists
Bank account administration	Preparing correspondence opening and closing accounts Requesting bank statements Bank account reconciliations Correspondence with bank regarding specific transfers Maintenance of the estate cash book Banking remittances and issuing cheques/BACS payments
Planning / Review	Discussions regarding strategies to be pursued Meetings with team members and independent advisers to consider practical, technical and legal aspects of the case
Pension scheme	Identifying whether there is a pension scheme Submitting the relevant notices if a pension scheme is identified Instructing agents to wind up any pension scheme Liaising and providing information to be able to finalise winding up the pension scheme
Reports	Preparing annual progress report and general reports to creditors
Creditor Communication	Receive and follow up creditor enquiries via telephone Review and prepare correspondence to creditors and their representatives via facsimile, email and post Assisting employees to pursue claims via the RPO Corresponding with the PPF and the Pensions Regulator
Dealing with proofs of debt	Receipting and filing POD when not related to a dividend Corresponding with RPO regarding POD when not related to a dividend
Processing proofs of debt	Preparation of correspondence to potential creditors inviting submission of POD Receipt of POD Adjudicating POD

Appendix IV

Time cost information for Review Period

Time Entry - SIP9 Time & Cost Summary

C139 - C.M.A. Tools (Burnley) Limited
All Post Appointment Project Codes
From: 05/06/2021 To: 04/06/2022

Classification of Work Function	Partner	Manager	Other Senior Professionals	Assistants & Support Staff	Total Hours	Time Cost (£)	Average Hourly Rate (£)
Administration & Planning	0.00	0.00	7.20	0.00	7.20	1,512.00	210.00
Case Specific Matters	0.00	0.00	4.00	0.00	4.00	840.00	210.00
Creditors	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Investigations	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Realisation of Assets	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Statutory Reporting	1.40	0.00	7.50	0.00	8.90	2,205.00	247.75
Trading	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Total Hours	1.40	0.00	18.70	0.00	20.10	4,557.00	226.72
Total Fees Claimed						0.00	
Total Disbursements Claimed						0.00	

Appendix V

Time cost information for Cumulative Period

Time Entry - SIP9 Time & Cost Summary

C139 - C.M.A. Tools (Burnley) Limited
All Post Appointment Project Codes
From: 05/06/2020 To: 04/06/2022

Classification of Work Function	Partner	Manager	Other Senior Professionals	Assistants & Support Staff	Total Hours	Time Cost (£)	Average Hourly Rate (£)
Administration & Planning	4.00	8.00	15.20	1.00	28.20	7,972.00	282.70
Case Specific Matters	0.00	0.00	4.00	0.00	4.00	840.00	210.00
Creditors	0.00	0.00	14.50	1.00	15.50	3,225.00	208.06
Investigations	0.00	0.00	8.00	13.00	21.00	4,020.00	191.43
Realisation of Assets	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Statutory Reporting	1.40	0.00	7.50	0.00	8.90	2,205.00	247.75
Trading	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Total Hours	5.40	8.00	49.20	15.00	77.60	18,262.00	235.34
Total Fees Claimed						11,000.00	
Total Disbursements Claimed						0.00	