

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

TUESDAY



A75Z3CKX

A14

15/05/2018

#15

COMPANIES HOUSE

1 Company details

Company number 0 7 6 9 9 3 5 6
Company name in full Superior Fire Protection Limited

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

2 Liquidator's name

Full forename(s) Greg
Surname Whitehead

3 Liquidator's address

Building name/number 118 Pilgrim Street
Street Newcastle upon Tyne
Post town NE1 6SQ
County/Region
Postcode
Country

4 Liquidator's name

Full forename(s)
Surname

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

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		2		d		1		m		0		m		3		y		2		y		0		y		1		y		7	
To date	d		2		d		0		m		0		m		3		y		2		y		0		y		1		y		8	
7		Progress report																														
		<input checked="" type="checkbox"/> The progress report is attached																														
8		Sign and date																														
Liquidator's signature	Signature		<div style="display: flex; align-items: center;"> X X </div>																													
Signature date	d		1		d		1		m		0		m		5		y		2		y		0		y		1		y		8	

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 **Andrew Bilby**

Company name **Northpoint Associates Limited**

Address **118 Pilgrim Street**

Newcastle upon Tyne

Post town **NE1 6SQ**

County/Region

Postcode

Country

DX

Telephone **0191 211 1452**



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

Superior Fire Protection Limited
(In Liquidation)
Liquidator's Summary of Receipts & Payments

Statement of Affairs £		From 21/03/2017 To 20/03/2018 £	From 21/03/2017 To 20/03/2018 £
	SECURED ASSETS		
40,000.00	Book Debts	NIL	NIL
		NIL	NIL
	SECURED CREDITORS		
(19,711.08)	Lloyds TSB Commercial Finance Limit	NIL	NIL
		NIL	NIL
	HIRE PURCHASE		
10,400.00	X2 Citroen Relay Van	10,000.00	10,000.00
(10,400.00)	Citroen Financial Services	(5,486.39)	(5,486.39)
		4,513.61	4,513.61
	ASSET REALISATIONS		
884.00	Plant & Machinery	1,050.00	1,050.00
Uncertain	Fixtures, Fittings & Equipment	NIL	NIL
6,850.00	Motor Vehicles	7,350.00	7,350.00
	Book Debt Surplus	4,337.56	4,337.56
	VAT Recoverable on Factoring Fees	608.74	608.74
1,000.00	Cash at Bank	NIL	NIL
	Sundry Refunds	114.99	114.99
	Bank Interest Gross	2.34	2.34
20,000.00	Stephen Smith - Loan	NIL	NIL
	Credit Check	NIL	NIL
		13,463.63	13,463.63
	COST OF REALISATIONS		
	Specific Bond	360.00	360.00
	Liquidators Fees	16,927.33	16,927.33
	Credit Check	410.00	410.00
	Money Laundering Check	12.00	12.00
	Statutory Advertising	229.50	229.50
		(17,938.83)	(17,938.83)
	PREFERENTIAL CREDITORS		
(4,562.83)	DE Arrears & Holiday Pay	NIL	NIL
(1,229.49)	Employee Arrears/Hol Pay	NIL	NIL
		NIL	NIL
	UNSECURED CREDITORS		
(37,861.08)	Trade & Expense Creditors	NIL	NIL
(9,440.80)	Employees	NIL	NIL
(58,041.00)	Department of Employment	NIL	NIL
(83,442.31)	HM Revenue & Customs - VAT	NIL	NIL
(40,531.95)	HM Revenue & Customs - PAYE	NIL	NIL
		NIL	NIL
	DISTRIBUTIONS		
(10.00)	Ordinary Shareholders	NIL	NIL
		NIL	NIL
(186,096.54)		38.41	38.41
	REPRESENTED BY		
	Bank 2 Current		38.41
			38.41



Greg Whitehead
Liquidator
11 May 2018 15:36

SUPERIOR FIRE PROTECTION LIMITED – IN CREDITORS' VOLUNTARY LIQUIDATION

LIQUIDATOR'S PROGRESS REPORT TO CREDITORS AND MEMBERS

ISSUED ON 14 MAY 2018

INTRODUCTION

The Liquidation commenced on 21 March 2017.

This report should be read in conjunction with the director's report to creditors which was made available to creditors on 23 March 2017.

There have been no interim progress reports to creditors since the commencement of the Liquidation.

This report to members and creditors covers the Period 21 March 2017 to 20 March 2018 ("the Period") and provides a summary of the administration and outcome of the Liquidation and specifies and progress made during the Period.

STATUTORY INFORMATION

Company name: Superior Fire Protection Limited

Registered office: c/o Northpoint
118 Pilgrim Street
Newcastle upon Tyne
NE1 6SQ

Former registered office: Back of Queen Alexandra Road
North Shields
Tyne & Wear
NE29 9AS

Registered number: 07699356

Liquidator's name: Greg Whitehead

Liquidator's address: Northpoint
118 Pilgrim Street
Newcastle upon Tyne
NE1 6SQ

Liquidator's date of appointment: 21 March 2017

LIQUIDATORS' ACTIONS SINCE APPOINTMENT

There is certain work that I am required by the insolvency legislation to undertake work 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 A.

RECEIPTS AND PAYMENTS

My Receipts & Payments ("R&P") Account for the Period is attached at Appendix B.

Assets

Sale of assets to Northern Sprinkler Systems Limited

On 21 March 2018, I sold the assets of the Company to Northern Sprinkler Systems Limited ("Northern"), a company that is connected due to its director being a blood relative of the directors of the Company.

On 20 March 2018, a valuation of the assets of the Company was prepared by Grievesons Auctioneers and valuers, an independent firm of valuers who have confirmed that they hold Professional Indemnity Insurance.

The assets were sold for a total of £18,400. An outline of the different types of asset sold and the amount for which they were sold, together with a comparison against the valuation realised is detailed below;

Asset	Open Market Value £	Sale Consideration £
X 2 Motor Vehicles (subject to finance)	£10,400	£10,000
Plant & Machinery	£884	£1,050
X 3 Owned Motor Vehicles	£6,850	£7,350
Total	£18,134	£18,400

As indicated above, two of the motor vehicles were subject to finance with PSA Finance Limited ("PSA"). Having obtained a redemption figure, these vehicles were sold to Northern for the sum of £10,000 of which, a sum of £5,486.39 was paid to PSA in respect of the outstanding finance. This has therefore resulted in a realisation of £4,513.61 in respect of the financed vehicles.

Fixtures, fittings & equipment

The Statement of Affairs ("SOA") detailed that the Company held minimal fixtures, fittings and equipment which held an uncertain realisable value. Having reviewed the position it was deemed that the cost of uplifting the fixtures and fittings would outweigh the financial benefit to the estate and therefore the fixtures and fittings were abandoned.

Book debt surplus

The Company factored its book debt ledger with Lloyds Commercial Finance Limited ("Lloyds CF") which held a fixed and floating charge over the Company's assets

The SOA detailed that the ledger held a value of £63,500 with an estimate to realise value of £40,000 and that Lloyds CF were owed a sum of £19,711.08 in respect of their lending.

On 31 August 2017, Lloyds CF were owed a sum of £18,587.94 in respect of their lending with the whole ledger balance being disapproved. Lloyds CF advised that due to the ledger balance being disapproved, the ledger would be reassigned back to the Company in Liquidation, which took place on 31 August 2017.

Since the ledger was assigned back to the Company, I have been successful in collecting a total of £4,337.56 which was received by Lloyds CF after the date of reassignment and remitted to the Liquidation estate. Having further reviewed the ledger I do not expect that any further receipts will be made in this respect.

VAT recoverable on factoring fees

As part of my administration, I am able to reclaim any VAT that has been charged by Lloyds CF during the term of the Liquidation in respect of their fees they have charged.

As a result, a total of £608.74 has been received in respect of this VAT reclaim.

Cash at bank

The directors' SOA detailed that approximately £1,000 remained in the Company's bank account as a credit balance. Upon my appointment as Liquidator I wrote to the bank to request these funds however, I have not received any funds in this respect. I intend to write further to the bank to confirm the position.

Sundry refunds

As a result of the sale of the vehicles, the Company has received refunds from the DVLA in respect of pre-paid vehicle tax. A total of £114.99 has been received in this respect. No further realisations will be made in this respect.

Bank interest gross

Creditors should note that all funds are held in a separate interest-bearing trust account which is set up in the name of the Company and administered by me as Liquidator.

During the Period, a total of £2.34 has been received into the bank in respect of interest accrued on funds held.

Stephen Smith – Loan

As detailed in the directors' SOA Mr Smith held an overdrawn loan account in the sum of £163,476 with an estimated to realise value of £20,000.

I am currently reviewing the Company accounts and banking records in order to reconcile the account to confirm the actual balance in an effort to realise the sums due to the Company.

Liabilities

Secured Creditors

An examination of the Company's mortgage register held by the Registrar of Companies, showed that the Company has granted a fixed and floating charge debenture to Lloyds CF in respect of its lending as per a book debt factoring facility. The debenture was created on 14 October 2011 and registered on 20 October 2011.

Lloyds CF advised that they were owed a sum of £18,587.94 as at 30 August 2017.

The legislation requires that if the Company has created a floating charge after 15 September 2003, a Prescribed Part of the Company's Net Property (i.e. the money that would otherwise be available to the charge holder) should be ring-fenced for distribution to unsecured creditors.

Preferential Creditors

Preferential claims are claims by employees in relation to arrears of pay and holiday pay.

The SOA anticipated £5,792.32 in preferential creditors however, as the assets of the Company were sold to a connected party that is carrying on in the same business as the Company, the Redundancy Payments Service ("RPS") have concluded that the Transfer of Undertakings (Protection of Employment) Regulations 2006 ("TUPER") apply and as a result, the employees of the Company have automatically transferred to Northern along with their associated liabilities.

As a result, no preferential claims have been received and none are expected.

Non-preferential unsecured Creditors

The SOA included £123,974.26 owed to HM Revenue & Customs ("HMRC"). HMRC have submitted a final claim in the Liquidation in the sum of £201,726.37.

The SOA included 11 non-preferential unsecured creditors including HMRC with an estimated total liability of £229,317.14. It should be noted that £67,481.80 of this was in relation to the anticipated unsecured claims of employees which is no longer a liability of the Company due to the transfer of employees' contracts taking effect under TUPER.

I have received claims from 7 creditors at a total of £218,894.07 including the claim received from HMRC.

DIVIDEND PROSPECTS

Secured creditors

Based on the realisations received to date, there are insufficient funds available to make a distribution to secured creditors. It is possible that this may change as a result of further investigation into an overdrawn director's loan account.

Non-preferential unsecured creditors

As previously advised, the Company gave a floating charge to Lloyds CF which was created on 14 October 2011 and registered on 20 October 2011 and therefore the Prescribed Part provisions will apply. However, as the Company's Net Property is less than £10,000, the insolvency legislation does not require me to distribute the Prescribed Part of the Net Property to creditors if I think that the costs of distributing the Prescribed Part would be disproportionate to the benefits to creditors.

I am of the view that the costs of distribution would be disproportionate and so will not be making a distribution of the Prescribed Part of the Net Property to non-preferential unsecured creditors.

It is possible that this position may change but will be wholly dependent upon successful future realisations.

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.

I recovered, listed and reviewed the Company's accounting records; obtained and reviewed copy bank statements; and compared the information in the Company's last set of accounts with that contained in the SOA lodged in the Liquidation.

In particular, I have considered further investigation into the overdrawn director's loan account which is detailed on the directors' SOA. This matter remains ongoing.

Within three 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.

PRE-APPOINTMENT REMUNERATION

The board previously authorised the payment of a fee of £5,000 plus disbursements plus Vat for my assistance with preparing the SOA and arranging the meeting of creditors to appoint a Liquidator.

The fee for preparing the SOA and arranging the meeting for creditors to appoint a Liquidator was paid by the Company prior to Liquidation.

LIQUIDATOR'S REMUNERATION

My remuneration was approved on a time cost basis based on a fees estimate of £20,100. 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 in the Period amount to £29,305, representing 105.5 hours of work at a blended charge out rate of £275.16 per hour.

I have drawn £16,927.33 during the Period in respect of my remuneration.

A detailed analysis of my time costs incurred during the Period compared with my original fees estimate is attached at Appendix C.

As you can see from the information provided in this report, the total time costs I have incurred in this matter, in respect of the categories of work for which I am being remunerated on a time cost basis, have exceeded the total estimated remuneration I set out in my fees estimate when my remuneration was authorised by the creditors. This is due to the additional work that has taken place in relation to the realisation of Company assets, namely dealing with the collection of deferred consideration from the sale and realising the reassigned book debts. I have also spent additional time dealing with creditor matters including employees leading up to the TUPER decision made by the RPS.

I do not intend to seek a decision to approve an increase in my fees estimate at present however, this may be considered in the near future depending on the additional work that I may be required to undertake as a result of my investigations.

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 is available at <https://www.r3.org.uk/what-we-do/publications/professional/fees>. Please note that there are different versions of the Guidance Notes and in this case you should refer to the April 2017 version. An explanatory note which shows Northpoint's fee policy is also available at www.northpoint.co.uk.

LIQUIDATOR'S EXPENSES

I have incurred the following expenses during the Period:

Type of expense	Amount incurred in the Period £
Specific bond	£360.00
Credit check	£410.00
Money laundering check	£12.00
Statutory advertising	£229.50
Total	£1,011.50

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 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.

To comply with the Provision of Services Regulations, some general information about Northpoint can be found at www.northpoint.co.uk.

SUMMARY

The Liquidation will remain open until my investigations have been concluded and all assets have been realised. It is currently uncertain as to how long these matters will take to resolve however, once completed Liquidation will be finalised and our 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 Andrew Bilby on 0191 211 1459, or by email at andrew@northpoint.co.uk.



Greg Whitehead
Liquidator

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 physical case files.
- 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.
- Convening and holding decision procedures of creditors and members (as applicable).
- 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.
- Filing returns at Companies House.
- Preparing and filing VAT returns.

2. Creditors

- Obtaining information from the case records about employee claims.
- Completing documentation for submission to the Redundancy Payments Office re TUPER.
- Dealing with creditor correspondence, emails and telephone conversations regarding their claims.
- Maintaining up to date creditor information on the case management system.

3. Assets

- Dealing with sale of assets and the collection of deferred consideration.
- Communications with secured creditor regarding factored book debts.
- Collection of reassigned book debts.
- Writing to bankers to request any credit balances.
- Communications with DVLA regarding refunds.

Investigations

- Submit an online return on the conduct of the directors as required by the Company Directors Disqualification Act.
- Investigations into directors' loan account to reconcile the correct position.

Superior Fire Protection Limited
(In Liquidation)
Liquidator's Summary of Receipts & Payments
To 20/03/2018

S of A £		£	£
	SECURED ASSETS		
40,000.00	Book Debts	NIL	NIL
	SECURED CREDITORS		
(19,711.08)	Lloyds TSB Commercial Finance Limit	NIL	NIL
	HIRE PURCHASE		
10,400.00	X2 Citroen Relay Van	10,000.00	
(10,400.00)	Citroen Financial Services	(5,486.39)	4,513.61
	ASSET REALISATIONS		
884.00	Plant & Machinery	1,050.00	
Uncertain	Fixtures, Fittings & Equipment	NIL	
6,850.00	Motor Vehicles	7,350.00	
	Book Debt Surplus	4,337.56	
	VAT Recoverable on Factoring Fees	608.74	
1,000.00	Cash at Bank	NIL	
	Sundry Refunds	114.99	
	Bank Interest Gross	2.34	
20,000.00	Stephen Smith - Loan	NIL	13,463.63
	COST OF REALISATIONS		
	Specific Bond	360.00	
	Liquidators Fees	16,927.33	
	Credit Check	410.00	
	Money Laundering Check	12.00	
	Statutory Advertising	229.50	(17,938.83)
	PREFERENTIAL CREDITORS		
(4,562.83)	DE Arrears & Holiday Pay	NIL	
(1,229.49)	Employee Arrears/Hol Pay	NIL	NIL
	UNSECURED CREDITORS		
(37,861.08)	Trade & Expense Creditors	NIL	
(9,440.80)	Employees	NIL	
(58,041.00)	Department of Employment	NIL	
(83,442.31)	HM Revenue & Customs - VAT	NIL	
(40,531.95)	HM Revenue & Customs - PAYE	NIL	NIL
	DISTRIBUTIONS		
(10.00)	Ordinary Shareholders	NIL	NIL
(186,096.54)			38.41

Superior Fire Protection Limited
(In Liquidation)
Liquidator's Summary of Receipts & Payments
To 20/03/2018

S of A £	£	£
REPRESENTED BY		
Bank 2 Current		38.41
		<u>38.41</u>



Greg Whitehead
Liquidator

SUPERIOR FIRE PROTECTION LIMITED

**TIME ANALYSIS IN ACCORDANCE WITH STATEMENT OF INSOLVENCY PRACTICE 9 AND A
COPY OF THE LIQUIDATOR'S INITIAL FEE ESTIMATE**

APPENDIX C

Time Entry - SIP9 Time & Cost Summary

SU001CVL - Superior Fire Protection Limited
 Project Code: POST
 From: 21/03/2017 To: 20/03/2018

Classification of Work Function	Partner	Manager	Other Senior Professionals	Assistants & Support Staff	Total Hours	Time Cost (£)	Average Hourly Rate (£)
Admin & Planning	1.90	0.00	21.00	11.10	34.00	7,675.00	225.74
Case Specific Matters	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Creditors	5.60	0.00	23.30	0.20	29.10	6,095.00	278.18
Investigations	8.00	3.00	7.70	0.00	18.70	6,175.00	330.21
Realisation of Assets	7.90	0.00	16.60	0.00	24.70	7,360.00	297.98
Trading	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Total Hours	23.40	3.00	68.60	11.30	106.90	29,305.00	275.16
Total Fees Claimed						16,927.33	
Total Disbursements Claimed						0.00	

FEES ESTIMATE SUMMARY

Superior Fire Protection Limited - In Liquidation

The office holder is seeking the agreement of creditors in respect of his remuneration being based on time costs capped at £20,100. We use charge out rates appropriate to the skills and experience of a member of staff and the work that they perform, recording time spent in 6 minute units. Narrative is recorded to explain the work undertaken and the time spent is analysed into different categories of work. This document provides an estimate as to how much time the office holder and his staff will spend undertaking specific tasks within broad categories of work, and the time costs of undertaking such work, which will depend upon the grade, or grades, of staff undertaking the work and the number of hours spent undertaking the work by each grade of staff. The estimated time that will be spent undertaking the work in each category of work has been multiplied by the applicable charge out rate for each member of staff that it is anticipated will undertake work in that category to arrive at the estimated total time costs attributable to that category of work on the case. We have then divided that estimated total by the estimated number of hours to arrive at what is known as a blended hourly charge out rate for that category of work. The sum of all the estimates for the different categories of work is the total estimated time costs to undertake all the necessary work on the case. Again, we have then divided that estimated total by the estimated number of hours to arrive at a blended hourly charge out rate for the case as a whole.

The hourly charge out rates that will be used on this case are:

£

Partner – appointment taker

400.00

Manager

350.00

Other Senior Professionals

250.00

Assistants and Support staff

150.00

Description of the tasks to be undertaken	Estimated time to be taken to undertake the work	Estimated value of the time costs to undertake the work £	Blended charge out rate to undertake the work £
ADMINISTRATION			
Administering the affairs of the company/debtor in accordance with the Insolvency Legislation and Statements of Insolvency Practice	33.50	£9,950.00	£297.01
INVESTIGATIONS			
Undertaking initial investigations into the affairs of the company/debtor with a view to identifying potential asset recoveries for the benefit of creditors	10.50	£3,150.00	£300.00
REALISATION OF ASSETS			
Protecting and realising the assets of the company/debtor, including pursuing any claims that may arise as a result of investigations	17.00	£4,550.00	£267.65
CREDITORS			
Maintaining records of the claims of creditors and formally agreeing them and paying a dividend if sufficient realisations are made	9.50	£2,450.00	£257.89
GRAND TOTAL FOR ALL CATEGORIES OF WORK	70.50	£20,100.00	£285.11