

# Liquidator's Progress Report

# S.192

Pursuant to Sections 92A and 104A and 192  
of the Insolvency Act 1986

To the Registrar of Companies

Company Number

02075280

Name of Company

UCS Civils Limited

I / We

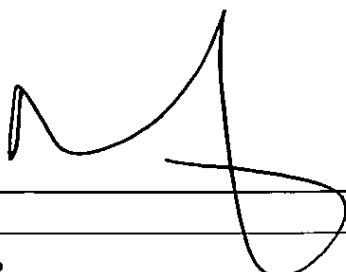
Daniel Francis Butters  
PO Box 810  
66 Shoe Lane  
London  
EC4A 3WA

Adrian Peter Berry  
1 City Square  
Leeds  
West Yorkshire  
LS1 2AL

the liquidator(s) of the company attach a copy of my/our Progress Report  
under section 192 of the Insolvency Act 1986

The Progress Report covers the period from 15/02/2013 to 14/02/2014

Signed



Date

8 April 2014

Deloitte LLP  
PO Box 810  
66 Shoe Lane  
London  
EC4A 3WA

Ref UCSC00D/JEL/WGV

WEDNESDAY



A02

\*A35GELT6\*

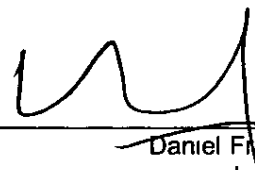
09/04/2014

COMPANIES HOUSE

#166

**UCS Civils Limited**  
**(In Liquidation)**  
**Joint Liquidators' Abstract of Receipts & Payments**

Statement of Affairs	From 15/02/2013 To 14/02/2014	From 15/02/2012 To 14/02/2014
<b>ASSET REALISATIONS</b>		
Retentions	23,716 62	23,716 62
Bank Interest Gross	114 62	114 62
	<u>23,831 24</u>	<u>23,831 24</u>
<b>COST OF REALISATIONS</b>		
Liquidator's Fees	18,000 00	18,000 00
Brokers Commission	4,743 32	4,743 32
	<u>(22,743 32)</u>	<u>(22,743 32)</u>
	<u><b>1,087 92</b></u>	<u><b>1,087.92</b></u>
<b>REPRESENTED BY</b>		
VAT Receivable		4,548 67
IB Current A/C		1,282 57
VAT Payable		<u>(4,743 32)</u>
		<u><b>1,087.92</b></u>

  
 Daniel Francis Butters  
 Joint Liquidator

**UCS Civils Limited  
(IN ADMINISTRATIVE RECEIVERSHIP AND IN LIQUIDATION)  
("the Company")**

**ANNUAL PROGRESS REPORT TO CREDITORS PURSUANT TO RULES 4.49B/4.49C OF  
THE INSOLVENCY RULES 1986 (AS AMENDED)  
FOR THE PERIOD TO 14 FEBRUARY 2014**

**8 April 2014**

**This report has been prepared for the sole purpose of updating the Creditors for information purposes. The report may not be relied upon, referred to, reproduced or quoted from, in whole or in part, by Creditors for any purpose other than updating them for information purposes, or by any other person for any purpose whatsoever.**

**Daniel Francis Butters and Adrian Peter Berry were appointed Joint Liquidators of U C S Civils Limited on 15 February 2012**

**All licensed Insolvency Practitioners of Deloitte LLP are licensed in the UK to act as Insolvency Practitioners**

**D F Butters and A P Berry  
Deloitte LLP  
1 City Square,  
LEEDS LS1 2AL**

---

## **CONTENTS**

## **Page**

<b>1</b>	<b>INTRODUCTION</b>	<b>1</b>
<b>2</b>	<b>LIQUIDATORS' RECEIPTS AND PAYMENTS ACCOUNT</b>	<b>2</b>
<b>3</b>	<b>DISTRIBUTIONS TO CREDITORS</b>	<b>3</b>
<b>4.</b>	<b>OTHER MATTERS AND INFORMATION TO ASSIST CREDITORS</b>	<b>4</b>
<b>5.</b>	<b>LIQUIDATORS' REMUNERATION AND EXPENSES</b>	<b>5</b>

## **APPENDICES**

<b>1</b>	<b>Statutory information</b>
<b>2</b>	<b>Liquidators' Receipts and Payments account account for the 12 months from 15 February 2013 to 14 February 2014 and for the period from 15 February 2012 to 14 February 2014</b>
<b>3</b>	<b>Liquidators' Remuneration for the Period 15 February 2012 to 14 February 2014 and for the Period 15 February 2013 to 14 February 2014</b>
<b>4</b>	<b>Proof of debt</b>

## **ABBREVIATIONS**

**For the purpose of this report the following abbreviations shall be used**

"the Act"	Insolvency Act 1986 (as amended)
"the Rules"	Insolvency Rules 1986 (as amended)
"the Liquidators"	Daniel Franics Butters and Adrian Peter Berry of Deloitte LLP
"the Company"	UCS Civils Limited (in Liquidation)
"Deloitte"	Deloitte LLP
"PWC"	PriceWaterhouseCoopers LLP
"the Receivers"	Stuart Maddison and Ian David Green of PriceWaterhouseCoopers LLP
"SIP2 (E&W)"	Statement of Insolvency Practice 2 (England & Wales)
"SIP7 (E&W)"	Statement of Insolvency Practice 7 (England & Wales)
"SIP9 (E&W)"	Statement of Insolvency Practice 9 (England & Wales)
"SIP13 (E&W)"	Statement of Insolvency Practice 13 (England & Wales)

## **1. INTRODUCTION**

### **1.1 Introduction**

This report has been prepared in accordance with Rules 4.49B and 4.49C of the Rules to provide creditors with an update on the progress of the Liquidation of the Company since our last report to creditors dated 12 April 2013

Given the information previously provided to creditors in our earlier report to creditors, we have not included detailed background information in respect of the Company and have focused on progress of the Liquidation subsequent to that report

A schedule of statutory information in respect of the Company is attached at Appendix 1

### **1.2 Details of the appointment of the Liquidators**

Daniel Francis Butters and Adrian Peter Berry of Deloitte were appointed Joint Liquidators of the Company by general meetings of members and creditors on 15 February 2012

For the purposes of section 231 of the Act the Liquidators confirm that they are authorised to carry out all functions, duties and powers by either of them jointly and severally

### **1.3 Electronic communication with creditors**

In an effort to reduce the costs of the Liquidation, all future communications with creditors, including updates and progress reports, will be posted onto a website, which has been set up specifically for this purpose. The web address is

<http://www.deloitte.com/uk/ucscivilslimited>

A letter will be issued to all creditors each time the website is updated with a statutory notice or report. All creditors' statutory notices will be retained on the website for 3 months after being uploaded to the site.

## **2 LIQUIDATORS' RECEIPTS AND PAYMENTS ACCOUNT**

### **2.1 Introduction**

Attached at Appendix 2 is an abstract Receipts and Payments account covering the period from 15 February 2013 to 14 February 2014 together with cumulative details of the transactions from the date of appointment, in accordance with SIP7 (E&W)

In this section, we have summarised the main asset realisations during the 12 month period and an estimation of those assets yet to be realised, together with details of costs incurred but as yet unpaid

### **2.2 Asset realisations**

The Statement of Affairs lodged by the directors of the Company disclosed assets totalling £198,000 comprising cash held by the Receivers of £149,000 and two retentions with an estimated to realise value of £49,000

The Liquidators have recovered one retention in the sum of £23,716, the other retention of £33,000 has been collected by the Receivers and will comprise part of the surplus funds to be passed across to the liquidation when the receivership is finalised

### **2.3 Estimated future realisations**

The surplus cash arising in the receivership of the Company, estimated at £149,000, has not been passed to the Liquidators. The Liquidators have continued to seek updates on the progress of the receivership from the Receivers during the period of this report. The Receivers have confirmed that they are concluding the receivership and that the amount of the surplus is estimated at £120,000. The surplus is expected to be received in April 2014.

### **2.4 Estimated outcome for creditors**

The claims of the secured and preferential creditors have been dealt with by the Receivers. The Liquidators anticipate that a dividend will be paid to the unsecured creditors. The level of the dividend is dependent upon the final amount of the claims admitted for dividend and the final level of realisations in the liquidation.

The Liquidators currently anticipate a dividend of 1p in the £ will be paid to the unsecured creditors. This estimate is subject to change.

### **3. DISTRIBUTIONS TO CREDITORS**

#### **3.1 Secured creditors**

There are no secured creditors in the liquidation, the claim of Yorkshire Bank has been settled by the Receivers

#### **3.2 Preferential creditors**

There are no preferential creditors in the liquidation. The preferential claims have been settled by the Receivers

#### **3.3 Prescribed Part**

There are no floating charges in the liquidation and the claim of the floating charge creditor has been settled by the Receivers and therefore the provisions of the Prescribed Part are not applicable to the liquidation

#### **3.4 Unsecured creditors**

The statement of affairs disclosed unsecured claims of £7.24m. To date claims of £5.69m have been received and claims totalling £4.60m have been admitted for dividend purposes. Claims totalling £0.64m have been rejected.

The Liquidators are continuing to deal with submitted claims from creditors

#### **3.5 Claims process**

Creditors who have not yet submitted a claim to the Liquidators are requested to do so. The Liquidators intend to give notice of their intention to declare a dividend to the unsecured creditors as soon as the surplus funds from the receivership are remitted to the liquidation. Claims should be addressed as on the front of this report, marked for the attention of Andrew Jackson.

A Proof of Debt form is attached



## **4 OTHER MATTERS AND INFORMATION TO ASSIST CREDITORS**

### **4.1 Investigations**

As part of the Liquidators' statutory duties, an investigation into the conduct of the Company Directors was completed

In this regard, a confidential report was submitted to The Insolvency Service on 13 August 2012

### **4.2 SIP13 (E&W) Transactions with connected parties**

In accordance with the guidance given in SIP13 (E&W), we confirm that there have been no transactions with connected parties during the period of this report or in the two years prior to our appointment

UCS Plant Limited is a creditor of the Company and a claim for £181,000 has been received from its Liquidators. This claim has been admitted for dividend purposes

### **4.3 EC Regulations**

Council Regulation (EU) No 1346/2000 applies and these are the main proceedings as defined in Article 3(1) of that regulation

## **5 LIQUIDATORS' REMUNERATION AND EXPENSES**

### **5.1 Liquidators' Remuneration**

#### **5.1.1 Basis of Remuneration**

The basis of the Liquidators' remuneration was fixed on 15 February 2012 by the creditors at the general meeting of meeting of creditors held on that date, as follows

By reference to the time properly given by the Liquidators and their staff in attending to matters arising in the Liquidation calculated at the prevailing standard hourly charge out rates used by Deloitte at the time when the work is performed, plus VAT

#### **5.1.2 Remuneration**

During the past 12 month period the Liquidators have charged total remuneration of £61,691 made up of 166.3 hours at an average charge out rate of £371 across all grades of staff, this time is charged in six minute increments. Of this sum, a total of £18,000 has been drawn and paid as indicated in the Receipts and Payments account at Appendix 2

The total charge for remuneration over the period of the Liquidators' appointment is £98,915 as detailed at Appendix 3. The charge for remuneration for the period of this report is also analysed at Appendix 3

The work has been categorised into the following task headings and sub categories

- **Administration and planning** includes case planning, case set-up, notification of appointment, maintenance of our case files and insolvency case record, statutory reporting, compliance, cashiering and accounting
- **Investigations** includes investigating the Company's affairs and in particular any antecedent transactions and also reporting on the conduct of its directors
- **Realisation of Assets** includes identifying, securing and insuring assets, sale of business, transition of contracts, property issues, disposal of stocks, collection of debts, realisation of other fixed assets and VAT and taxation matters
- **Creditors** includes set-up of creditor records, creditor communications, preferential claims, unsecured claims, secured and employee claims
- **Case specific matters** includes tax and VAT

"A Creditors' Guide to Liquidators' Remuneration" is available for download at [www.deloitte.com/uk/sip-9-england-and-wales](http://www.deloitte.com/uk/sip-9-england-and-wales)

Should you require a paper copy, please send your request in writing to the Liquidators at the address on the front of this report and this will be provided to you at no cost

### 5.1.3 Expenses

During the period covered by this report the Liquidators have incurred expenses of £121 38 which are summarised in the table below

Nature of expenses	Total Incurred £	Paid £	Outstanding £
Postage and delivery	121 38	Nil	121 38
<b>Total</b>	<b>121 38</b>	<b>Nil</b>	<b>121 38</b>

Mileage is calculated at the prevailing standard mileage rate of up to 45p used by Deloitte at the time when the mileage is incurred

### 5.2 Charge out rates

The range of charge out rates for the separate categories of staff is based on our 2013 charge out rates as summarised below. Manager rates include all grades of assistant manager

Grade	£ 2013
Partners/Directors	605 to 950
Managers	305 to 720
Assistants and Support Staff	155 to 305

The above bands are specific to the Restructuring Services department partners and staff. In certain circumstances the use of specialists from other Deloitte departments such as Tax/VAT, Corporate Finance or Deloitte Real Estate may be required on the case. These departments may charge rates that fall outside the Restructuring Services department bands quoted above so, where such specialists have performed work on the case, average rates may also fall outside the Restructuring Services department bands.

All partners and technical staff (including cashiers) assigned to the case recorded their time spent working on the case on a computerised time recording system. Time spent by secretarial staff working on the assignment has not been recorded or recovered. The appropriate staff have been assigned to work on each aspect of the case based upon their seniority and experience, having regard to the complexity of the relevant work, the financial value of the assets being realised and/or claims agreed.

Charge out rates have not changed since those advised as at 1 September 2012. These will be subject to review from 1 September 2014.

### **5.3 Other professional costs**

A former director of the Company, Stephen Jennings, was instructed by the Liquidators to assist in the collection of the outstanding retentions. Fees of £4,743.32 plus VAT have been paid in respect of commission costs of 20% of the level of recoveries made.

As previously advised, Clarion Solicitors were instructed by the Liquidators to advise on appropriate legal matters. No fees have yet been paid to Clarion, these are not expected to exceed £2,000 plus VAT.

All professional costs are reviewed and analysed before payment is approved.

### **5.4 Creditors' right to request information**

Any secured creditor or, unsecured creditor with the support of at least 5% in value of the unsecured creditors or, with permission of the Court, may, in writing, request the Liquidators to provide additional information regarding remuneration or expenses to that already supplied within this report. Such requests must be made within 21 days of receipt of this report, in accordance with Rule 4.49E of the Rules.

### **5.5 Creditors' right to challenge Remuneration and/or Expenses**

Any secured creditor or, unsecured creditor with the support of at least 10% in value of the unsecured creditors or, with permission of the Court, may apply to the Court for one or more orders (in accordance with Rule 4.131 of the Rules), reducing the amount or the basis of remuneration which the Liquidators are entitled to charge or otherwise challenging some or all of the expenses incurred.

Such applications must be made within 8 weeks of receipt by the applicant(s) of the progress report detailing the remuneration and/or expenses being complained of, in accordance with Rule 4.131(1B) of the Rules.

Please note that such challenges may not disturb remuneration or expenses approved or deemed to be approved under prior progress reports.

**UCS CIVILS (IN ADMINISTRATIVE RECEIVERSHIP AND IN LIQUIDATION)**

**STATUTORY INFORMATION**

Company Name	UCS Civils Limited – In Administrative Receivership and Liquidation
Previous Names	N/A
Proceedings	In Liquidation
Date of Appointment	15 February 2012
Joint Liquidators	Daniel Francis Butters and Adrian Peter Berry Deloitte LLP 1 City Square Leeds LS1 2AL
Registered office Address	c/o Deloitte LLP 1 City Square, Leeds, West Yorkshire, LS1 2AL
Company Number	02075280
Incorporation Date	19 November 1986
Company Secretary	Neil Muffit
Bankers	Yorkshire Bank
Auditors	Tenon Audit Limited
Appointment by	Members and Creditors
Directors at date of Appointment	Jonathan Wells Stephen Jennings Neil Muffit Geoffrey Hawley Mark Murphy
Directors' Shareholdings	N/A

**UCS Civils Limited**  
**(In Liquidation)**

**Summary of Receipts & Payments**

	Statement of Affairs	15 February 2012 to 14 February 2013	15 February 2013 to 14 February 2014	Total (£)
	£	£	£	
<b>Receipts</b>				
Balance from Recevership	149 000 00	0 00	0 00	0 00
Retentions*	49 000 00	0 00	23 716 62	23,716 62
Bank Interest Gross		0 00	114 62	114 62
VAT Payable		0 00	4 743 32	4 743 32
			<u>28,574 56</u>	<u>28 574 56</u>
<b>Payments</b>				
Liquidator's Fees		0 00	18 000 00	18 000 00
Agent's Commission		0 00	4,743 32	4 743 32
VAT Receivable		0 00	4,548 67	4 548 67
			<u>27,291 99</u>	<u>27,291 99</u>
<b>Balance In Hand</b>		<b>0 00</b>	<b>1 282 57</b>	<b>1 282 57</b>
			<u>28 574 56</u>	<u>28 574 56</u>

\*Note A retention for £33,000 has been collected by the Recevers

UCS Civils Limited  
(IN ADMINISTRATIVE RECEIVERSHIP AND IN LIQUIDATION)

LIQUIDATORS' TIME COSTS FOR THE PERIOD FROM 15 FEBRUARY 2013 TO 14 FEBRUARY 2014

UCS Civils Limited (In Administrative Receivership and in Liquidation)		Time costs for the period 25/02/2013 to 14/02/2014						Appendix 3	
	Partners & Directors		Managers		Assistants & Support		TOTAL		Average Hourly Rate Cost (£)
	Hours	Cost (£)	Hours	Cost (£)	Hours	Cost (£)	Hours	Cost (£)	
Administration and Planning									
Cashiering and Statutory Filing	0.10	85.00	3.00	1,361.00	2.50	737.50	5.60	2,183.50	389.91
Case Supervision Management and Closure			12.30	4,037.50	2.50	688.50	14.80	4,726.00	319.32
Initial Actions (e.g. Notification of Appointment, Securing Assets)			2.70	1,255.50			2.70	1,255.50	465.00
General Reporting			6.00	2,790.00			6.00	2,790.00	465.00
Liaison with Other Insolvency Practitioners									
	6.10	85.00	24.00	9,444.00	5.00	1,426.00	29.10	10,955.00	376.46
Investigations									
Investigations									
Reports on Directors' Conduct			0.40	186.00			0.40	186.00	465.00
			0.40	186.00			0.40	186.00	465.00
Trading									
Day 1 Control of Trading									
Ongoing Trading									
Monitoring Trading									
Closure of Trade									
Realisation of Assets									
Book Debts									
Other Assets (e.g. Stock)			23.20	9,620.00			23.20	9,620.00	414.66
Plant and Equipment, Fixtures and Fittings and Vehicles									
Property - Freehold and Leasehold									
Retention of Title									
Sale of Business / Assets									
Third Party Assets									
			23.20	9,620.00			23.20	9,620.00	414.66
Creditors									
Employees									
Preferential									
Secured									
Shareholders			2.20	1,023.00	4.50	817.50	2.20	1,023.00	465.00
Unsecured			80.50	29,112.50			85.00	29,930.00	352.12
			82.70	30,135.50	4.50	817.50	87.20	30,953.00	354.97
Other Matters Include									
Litigation									
Penalties			19.55	8,765.75	6.85	1,211.50	26.40	9,977.25	377.93
Tax and VAT			19.55	8,765.75	6.85	1,211.50	26.40	9,977.25	377.93
TOTAL HOURS & COST	6.10	85.00	149.85	58,181.25	16.35	3,455.00	166.30	61,691.25	379.96
TOTAL FEES DRAWN TO DATE								18000.00	

UCS Civils Limited  
(IN ADMINISTRATIVE RECEIVERSHIP AND IN LIQUIDATION)

LIQUIDATORS' TIME COSTS FOR THE PERIOD FROM 15 FEBRUARY 2012 TO 14 FEBRUARY 2014

UCS Civils Limited - (In Administrative Receivership and in Liquidation)		Time costs for the period 15/02/2012 to 14/02/2014						Appendix 4	
	Partners & Directors		Managers		Assistants & Support		TOTAL		Average
	Hours	Cost (£)	Hours	Cost (£)	Hours	Cost (£)	Hours	Cost (£)	Hourly Rate Cost (£)
Administration and Planning									
Cashiering and Statutory Filing	0 10	85 00	5 50	2 486 00	4 10	1 202 50	9 70	3 775 50	389 23
Case Supervision Management and Closure			16 40	5 924 50	4 00	1 101 50	20 40	7 026 00	344 41
Initial Actions (e.g. Notification of Appointment, Securing Assets)			9 10	4 143 00			9 10	4 143 00	455 27
General Reporting			6 00	2 790 00			6 00	2 790 00	465 00
Liaison with Other Insolvency Practitioners									
	0 10	85 00	37 00	15 345 50	8 10	2 304 00	45 20	17 734 50	392 36
Investigations									
Investigations			2 50	1 131 00			2 50	1 131 00	452 40
Reports on Directors' Conduct			2 50	1 131 00			2 50	1 131 00	452 40
Trading									
Day 1 Control of Trading									
Ongoing Trading									
Monitoring Trading									
Closure of Trade									
Realisation of Assets									
Book Debts									
Other Assets (e.g. Stock)			33 00	14 024 00			33 00	14 024 00	424 97
Plant and Equipment, Fixtures and Fittings and Vehicles									
Property Freehold and Leasehold									
Retention of Title									
Sale of Business / Assets									
Third Party Assets			33 00	14 024 00			33 00	14 024 00	424 97
Creditors									
Employees									
Preferential									
Secured			4 90	2 238 00			4 90	2 238 00	456 73
Shareholders			130 30	50 720 50	4 50	817 50	134 80	51 538 00	382 33
Unsecured			133 20	52 958 50	4 50	817 50	137 70	53 776 00	384 94
Other Matters Include									
Litigation									
Pensions			24 55	11 038 25	6 85	1 211 50	31 40	12 249 75	390 12
Tax and VAT			24 55	11 038 25	6 85	1 211 50	31 40	12 249 75	390 12
TOTAL HOURS & COST	0 10	85 00	232 25	94 497 25	19 45	4 333 00	251 80	98 915 25	392 83
TOTAL FEES DRAWN TO DATE									18000 00



Rule 4.73

Form 4 25

## PROOF OF DEBT - GENERAL FORM

**In the matter of UCS Civils Limited  
and in the matter of The Insolvency Act 1986**

Date of Resolution for voluntary winding up 15 February 2012

1	Name of Creditor	
2	Address of Creditor	
3	Total amount of claim, including any Value Added Tax and outstanding uncapitalised interest as at the date the company went into liquidation (see note)	£
4	Details of any document by reference to which the debt can be substantiated [Note the liquidator may call for any document or evidence to substantiate the claim at his discretion]	
5	If the total amount shown above includes Value Added Tax, please show -  (a) amount of Value Added Tax (b) amount of claim NET of Value Added Tax	£ £
6	If total amount above includes outstanding uncapitalised interest please state amount	£
7	If you have filled in both box 3 and box 5, please state whether you are claiming the amount shown in box 3 or the amount shown in box 5(b)	
8	Give details of whether the whole or any part of the debt falls within any (and if so which) of the categories of preferential debts under section 386 of, and schedule 6 to, the Insolvency Act 1986 (as read with schedule 3 to the Social Security Pensions Act 1975)	Category  Amount(s) claimed as preferential £
9	Particulars of how and when debt incurred	
10	Particulars of any security held, the value of the security, and the date it was given	£
11	Particulars of any reservation of title claimed, including details of goods supplied, their value and when supplied	
12	Signature of creditor or person authorised to act on his behalf	
	Name in BLOCK LETTERS	
	Position with or relation to creditor	

Rule 4 73

Form 4 25

PROOF OF DEBT - GENERAL FORM (CONTD )

Admitted to Vote for

£

Date

Liquidator

---

—

Admitted preferentially for

£

Date

Liquidator

---

—

Admitted non-preferentially for

£

Date

Liquidator

**NOTE:** A company goes into liquidation if it passes a resolution for voluntary winding up or an order for its winding up is made by the court at a time when it has not already gone into liquidation by passing such a resolution