

Rule 1 29/1 54

The Insolvency Act 1986

Notice to Registrar of Companies of
Completion or Termination of
Voluntary Arrangement

Pursuant to Rule 1 29 or Rule 1 54 of the
Insolvency Rules 1986

R.1.29/ R.1.54

To the Registrar of Companies

For Official Use

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Company Number

02863320

(a) Insert full name of
Company

Name of Company

Datum Construction Ltd

(b) Insert full name and
Address

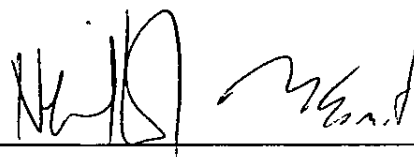
We Neil Henry & Michael Simister
Lines Henry Limited
5 Tabley Court
Victoria Street, Altrincham
Cheshire
WA14 1EZ

(c) Insert date

(d) Delete as applicable

the Joint Supervisors of a voluntary arrangement which took effect on 31st August 2010
enclose a copy of our notice to the creditors and members of the above-named company
that the voluntary arrangement has terminated, (d) together with a report of my receipts
and payments

Signed



Date

2/10/13

Presenter's name,
address and reference
(if any)

D178
Datum Construction Ltd

Neil Henry
Lines Henry Limited
5 Tabley Court
Victoria Street, Altrincham
Cheshire
WA14 1EZ

For Official Use

Liquidation Section

Post Room

TUESDAY



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A05

15/10/2013

#119

COMPANIES HOUSE

**JOINT SUPERVISORS FINAL REPORT
TO ALL KNOWN CREDITORS***Your Ref**Date* 2 October 2013*Our Ref* LH/D178/NH-MDS/OT

Dear Sirs

**RE. Datum Construction Ltd ("the Company") – Company Voluntary Arrangement
In the Liverpool County Court CVA No 1383 of 2010**

I refer to the above matter and enclose herewith my Final Report and Certificate of Non – Compliance Pursuant to Rule 1 29 (1) of The Insolvency Rules 1986 as the Arrangement has been terminated

The Arrangement is deemed to have failed by reason of the Company having entered Administration Any enquiries regarding the Administration should be directed to the Administrators office, BDO Manchester

Accordingly, under the provisions of the Insolvency Act 1986 and the Insolvency Rules 1986 [as amended], we enclose an up to date Income and Expenditure Account for your records

Sale of Property

The Company undertook to pay the net sale proceeds from its commercial premises at Brindley Road, Reginald Road Industrial Estate, St Helens, Merseyside, WA9 4HY ("the Property"), less a reasonable deduction to be determined by the Supervisors not exceeding £50,000, into the Arrangement for the benefit of creditors The Supervisors registered a restriction at HM Land Registry to protect the interests of creditors The Property had been placed on the open market with GVA with a suggested guide price of £250,000 The asking price was subsequently reduced to £200,000 due to a lack of interest

Two offers were received for the property in May 2012 Best bids were invited by the selling agent They recommended acceptance of the higher bid of £170,000, however, this was rejected by the Company as the offer encompassed the whole of the property whereas the Proposal stipulated that the adjacent land was excluded from the Arrangement No further offers were received for the property during the course of the Arrangement As such, the Company failed to comply with this obligation

Contributions from Book Debt Receipts

The Company undertook to make 5 instalments of £11,000 per month between months 4 – 8 following approval. We can confirm that the full amount of £55,000 was received.

Sale of Investment

The Company proposed to introduce the full net proceeds of its investment into the Arrangement within a period of 3 months following approval. The full amount of £2,421.46 was realised albeit outside the above timescale due to unforeseen difficulties in selling the shares.

Review of accounts

The Supervisor is to conduct a full review every 12 months of the company's business income and expenditure and obtain an increase in voluntary contributions of not less than 50% of any rise in the net income after provision for tax. The reviews undertaken during the course of the Arrangement gave no scope for the provision of contributions by the Company.

Dividend Distributions

A first dividend of 9.62 pence in the pound to unsecured creditors was declared in November 2011. Enclosed with this report is a second and final dividend of 0.77 pence in the pound bringing the overall return to 10.39 pence in the pound. Please refer to the attached schedule for details of creditors who failed to submit a claim and, therefore, were excluded from participating in dividend distributions.

Remuneration

The Proposal disclosed that the Nominee would be paid a fixed fee of £7,500 plus VAT. From this fee the Nominee was authorised to pay Tom Carroll Associates £2,500 plus VAT for initial advice and its assistance in preparing financial projections. The enclosed Income and Expenditure account shows that these fees have been drawn in full.

The account also shows that Joint Supervisors remuneration of £14,902.50 has been drawn in the period since the approval of the Arrangement on 31st August 2010 against time costs of £14,172.50, in accordance with the terms of the Proposal. The modified terms of the Proposal state that Joint Supervisors remuneration will be fixed on a time cost basis, with authority to draw fees on account. The remuneration drawn in excess of time costs represents the estimated costs to closure not reflected in the analysis below.

Time costs brought forward from our last annual report amount to £11,855.50. The following table gives a breakdown of the time costs since our last annual report for the period of 31st August 2012 to the date of this report.

Classification of work function	Director	Manager	Other Senior Professionals	Admin Staff	Support Staff	Total Hours	Time Costs £	Average Hourly Rate
Administration & Planning	2 40	0 00	0 00	3 60	0 70	6 70	1,303 50	194 55
Realising Assets	0 00	0 00	0 00	5 00	0 00	5 00	725 00	145 00
Trading	0 00	0 00	0 00	(0 30)	0 00	(0 30)	(42 00)	140 00
Creditors	0 00	0 00	0 00	2 90	0 00	2 90	419 00	144 48
Case Specific	(0 30)	0 00	0 00	0 00	0 00	(0 30)	(88 50)	295 00
Total Time Costs	619 50	0 00	0 00	1,624 00	73 50		2,317 00	
Total Hours	2 10	0 00	0 00	11 20	0 70	14 00		
Average Rate	295 00	0 00	0 00	145 00	105 00			
TIME COSTS B/FWD FROM LAST ANNUAL REPORT							11,855 50	
TOTAL TIME COSTS TO DATE							14,172.50	

The following table gives a breakdown of the time costs incurred to date

Classification of work function	Director	Manager	Other Senior Professionals	Admin Staff	Support Staff	Total Hours	Time Costs £	Average Hourly Rate
Administration & Planning	6 30	0 25	3 25	27 90	1 85	39 55	6,616 00	167 28
Investigations	0 00	0 00	0 20	0 00	0 00	0 20	30 00	150 00
Realising Assets	0 00	0 00	0 00	27 30	0 00	27 30	3,958 50	145 00
Trading	0 30	0 00	0 00	0 00	0 00	0 30	88 50	295 00
Creditors	0 40	0 00	0 00	24 50	0 50	25 40	3,508 50	138 13
Case Specific	(0 30)	0 00	0 30	0 10	0 00	0 10	(29 00)	(290 00)
Pre-App	13 20	0 00	0 00	71 90	0 00	85 10	14,319 50	168 27
Total Time Costs	5,870 50	48 75	562 50	21,763 50	246 75		28,492 00	
Total Hours	19 90	0 25	3 75	151 70	2 35	177 95		
Average Rate	295 00	195 00	150 00	143 46	105 00			
TOTAL TIME COSTS TO DATE							14,172 50	

The charge out rates currently used are as follows

	£ per Hour
Director	295
Senior Manager	195
Consultant	150
Administrator	140 - 145
Cashier	105 - 150
Support Staff	60
Employment Consultant	60

Disbursements

The Proposal provided for the Nominee to charge disbursements in relation to the meeting of creditors. We are required to advise creditors of "category 2 disbursements" which are defined as amounts paid to the office holder's firm or to any party in which the office holder or his firm or any associate has an interest. During the Arrangement the following such payments were made -

Nominee's Disbursements	£
Meeting Room for the meeting of creditors	50 00
2,430 sheets @ 8p per sheet	194 40
Postage 45 letters @ 104p per letter	46 80
 Joint Supervisors' Disbursements	 £
728 sheets @ 8p per sheet	58 24
Postage 53 letters @ 47p per letter	24 91
51 letters @ 36p per letter	18 36

We can confirm that a copy of this report and Certificate of Non-Compliance has been forwarded to Liverpool County Court and the Company

The Joint Supervisors will provide any further information on written request

Yours faithfully



Neil Henry
Joint Supervisor

**Datum Construction Ltd
(Under a Voluntary Arrangement)**

**Income and Expenditure Account
31 August 2010 to 02 October 2013**

INCOME	Total (£)
Contributions from Book Debt Receipts	55,000 00
Shares	2,421 46
	<hr/>
	57,421 46
	<hr/>
EXPENDITURE	
Agents/Valuers	750 00
Professional Fees	1,000 00
Specific Bond	396 00
Nominees Fees	7,500 00
Hire of Board Room	50 00
Company Search	16 00
Nominees Disbursements	241 20
Supervisors Fees	14,836 50
Supervisors Disbursements	101 51
Land Registry	50 00
Travelling	72 90
Trade & Expense Creditors	32,407 35
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	57,421 46
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Balance	0 00
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MADE UP AS FOLLOWS	
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	0 00
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Lines Henry Limited
Datum Construction Ltd
Creditors with Outstanding Proofs

Key	Name	S of A £	S of A 2 £	S of A Total £
CA04	Advanced Asphalt Ltd 3 Wood Street Wigan WN3 4HL	528 75	0 00	528 75
CA06	AP Mitchell Building Services Ltd Unit 7, Millennium Court Clayhill Light Industrial Park Neston Cheshire CH64 3UZ	982 26	0 00	982 26
CB02	Barloworld Handling Limited Barlow House, Yew Tree Way Stone Cross Park Golborne Nr Warrington WA3 3JD	269 56	0 00	269 56
CC01	John Carr (Liverpool) Ltd 10-12 Grundy Street Liverpool L5 9SG	1 00	0 00	1 00
CF01	Federation of Master Builders North West Region 72 King Street Southport PR8 1LG	434 75	0 00	434 75
CJ00	J P F Systems Ltd Unit 2, Apex Court Bassendale Road Bromborough Wirral CH62 3RE	235 00	0 00	235 00
CK01	KSL Surfacing Limited Bridges Road Ellesmere Port CH65 4LB	1,069 50	0 00	1,069 50
CL04	Lombard North Central Plc PO Box 520 Rotherham S63 3BR	7,548 00	0 00	7,548 00
CN03	Natwest Bank plc Business & Commercial , 10th Floor The Plaza 100 Old Hall Street Liverpool L3 9QJ	157,700 00	0 00	157,700 00
CP02	Project Management Software Centre 6 Whinmoor Way Silkstone Barnsley South Yorkshire S75 4JE	141 00	0 00	141 00

Lines Henry Limited
Datum Construction Ltd
Creditors with Outstanding Proofs

Key	Name	S of A £	S of A 2 £	S of A Total £
CS04	Seton 14A Wildmere Industrial Estate Banbury Oxfordshire OX16 3JU	476 17	0 00	476 17
CS07	Shire Systems Limited 1 Montbatten Business Centre 16 Millbrook Road East Southampton SO15 1HY	198 58	0 00	198 58
CT02	Tom Carroll & Associates Ltd 166 Prescott Road St Helens Merseyside WA10 3TS	300 00	0 00	300 00
13 Entries Totalling		169,884 57	0 00	169,884 57

In the Matter of Datum Construction Limited

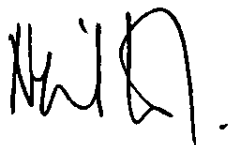
In the Matter of the Insolvency Act 1986

In the Liverpool County Court CVA No 1383 of 2010

**Certificate of Non – Compliance of a Company Voluntary Arrangement
Pursuant to Rule 1.29 (1) of the Insolvency Rules 1986**

I, Neil Henry of Lines Henry Limited, 5 Tabley Court, Victoria Street, Altrincham, Cheshire, WA14 1EZ the Joint Supervisor of the Company Voluntary Arrangement of Datum Construction Limited which was approved by a meeting of creditors on 31st August 2010, hereby confirm that the Company Voluntary Arrangement of Datum Construction Limited has been terminated

In the opinion of the Joint Supervisors, the Company Voluntary Arrangement did not achieve its objectives in accordance with the proposals of the company, as modified, and is therefore deemed to have failed



**Neil Henry
Joint Supervisor**

Dated 2nd October 2013