

LIQ03

Notice of progress report in voluntary winding up



Companies House

SATURDAY



A88NESII
A19 29/06/2019 #84
COMPANIES HOUSE

1 Company details

Company number 03805185
Company name in full Midlands Construction Consultants Ltd

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

2 Liquidator's name

Full forename(s) Neil Charles
Surname Money

3 Liquidator's address

Building name/number 126
Street New Walk
Post town Leicester
County/Region
Postcode LE1 7JA
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

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6	Period of progress report											
From date	^d 2	^d 5	^m 0	^m 5	^y 2	^y 0	^y 1	^y 8				
To date	^d 2	^d 4	^m 0	^m 5	^y 2	^y 0	^y 1	^y 9				
7	Progress report											
<input checked="" type="checkbox"/> The progress report is attached												
8	Sign and date											
Liquidator's signature	Signature 								X			
Signature date	^d 2	^d 7	^m 0	^m 6	^y 2	^y 0	^y 1	^y 9				

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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 **Nathan Samani**

Company name **CBA**

Address **126 New Walk**

Leicester

Post town **LE1 7JA**

County/Region

Postcode

Country

DX

Telephone **0116 262 6804**



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

Midlands Construction Consultants Ltd - In Creditors' Voluntary Liquidation

LIQUIDATOR'S PROGRESS REPORT TO CREDITORS AND MEMBERS

For the period 25 May 2018 to 24 May 2019

Statutory Information

Company Name	Midlands Construction Consultants Ltd
Registered Number	03805185
Registered Office	CBA Business Solutions Limited, 126 New Walk, Leicester, LE1 7JA
Former Registered Office	FRP Advisory LLP, 2nd Floor, 170 Edmund Street, Birmingham, B3 2HB
Liquidator's name and IP number:	Neil Charles Money - 8900
Liquidator's address:	CBA Business Solutions Limited, 126 New Walk, Leicester LE1 7JA
Liquidator's date of appointment:	25 May 2017

Liquidator's Actions Since Last Report

Creditors will recall that I previously provided information in relation to my statutory investigations into the affairs of the Company and the conduct of its directors. Furthermore, I requested creditor funding to continue my investigations and pursue the directors in respect of potential misappropriation of Company funds. I would confirm that no funds were forthcoming.

I am currently in consultation with the Company's major creditor, HM Revenue & Customs regarding the same and to seek clearance to bring the Liquidation to a close, should funding not be provided to pursue the directors further.

Receipts and Payments Account

A Receipts and Payments Account for the period 25 May 2018 to 24 May 2019 is attached at Appendix 1 and includes a cumulative account for the period from commencement of the Liquidation.

Asset Realisations

Asset realisations to date are as follows:

Description	Statement of Affairs Estimate (£)	Realisation in period (£)	Cumulative Realisations (£)	Anticipated Future Realisations (£)	Note
Cash at Bank	3,293.37	Nil	-	Nil	1

Notes

- 1) Cash at bank was recorded in the former liquidator's Statement of Affairs. Further to my appointment as liquidator the balance held by the former liquidator was requested, although this was not remitted and instead utilised to offset against the former liquidator's fees.

SIP 13 Disclosure

I am required, in accordance with Statement of Insolvency Practice 13 ("SIP 13"), to disclose to creditors the details of any asset sold by the Liquidator to connected parties.

I can confirm that, to date, there have been no such sales to connected parties during the liquidation.

Creditors Claims, Dividend Prospects and the Prescribed Part

Secured Creditors

The Company does not have any secured creditors.

Preferential Creditors

Crown preference in relation to VAT and PAYE was abolished in 2003 and consequently in the majority of cases preferential creditors relate to certain liabilities in respect of wages, holiday pay and pension contributions due.

There are no preferential creditors in this matter.

Unsecured Non-Preferential Creditors

Unsecured, non-preferential creditor claims were estimated at a total of £331,617.57 in the Director's Estimated Statement of Affairs, whereas actual unsecured creditor claims received to date amount to £557,566.79. The main reason for the difference is that HM Revenue and Customs have lodged a claim in the liquidation to the sum of £551,566.79, which is an increase from the estimate recorded in the Statement of Affairs at £331,615.57.

Dividend Prospects

There are no secured or preferential creditors in this matter.

There is currently no prospect of a dividend to non-preferential, unsecured creditors in this matter.

Prescribed Part

The 'Prescribed Part' provisions of Section 176A of the Insolvency Act do not apply to this case as there is no relevant floating charge.

Investigations 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 am required by the Statements of Insolvency Practice to undertake such an initial investigation and the work detailed below has been undertaken in connection with that initial investigation.

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.

Creditors will recall that I detailed my investigation findings in my last progress report and requested credit funding. I would confirm that no funding was received, therefore no further action has been taken to date.

Liquidation Expenses

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 CBA Business Solutions Limited can be found at www.cba-insolvency.co.uk.

Expenses paid to date are as detailed on the attached receipts and payments account, with any further sums incurred detailed below, and comprise the following:

Specific Bond

Every insolvency practitioner in every case is required by law to take out a specific bond which will reimburse the estate in the event of fraudulent activity by the office-holder. Bonds are renewed on an annual basis, and the current bond is £10,000.

Pre-Appointment Remuneration

I have not received any pre-appointment remuneration.

Liquidator's Remuneration

No asset realisations have been made in the liquidation to date and no liquidator's fees have been drawn to date.

A detailed analysis of the time spent in dealing with this case is attached at Appendix 2, which includes analysis of time spent during the reporting period and also a cumulative account from the commencement of the Liquidation.

Agent's Fees

I have used the following agents or professional advisors in the reporting period:

<u>Professional Advisor</u>	<u>Nature of Work</u>	<u>Basis of Fees</u>
Ashteds Limited	Solicitors	Time costs

Ashteds Limited, solicitors, were instructed to correspond with Lewis Silkin LLP to respond to their correspondence sent on behalf of their client, The Bombay Spirits Company Limited, regarding the validity of my appointment as Liquidator of the Company.

Ashteds Limited were instructed on a time costs basis and their time to date amounts to £1,249.50 plus VAT. No payment has been made to date in this respect as there are currently insufficient funds available within the Liquidation estate.

The choice of professionals was based on my perception of their experience and ability to perform this type of work and the complexity and nature of the assignment. I also considered that the basis on which they will charge their fees represented value for money. I have reviewed the charges they have made and am satisfied that they are reasonable in the circumstances of this case.

Statutory Advertising

Statutory advertisements have been placed in the London Gazette as required.

Postage Costs

Postage costs relate to all statutory reports sent to creditors.

Summary

Following the conclusion of consultation with the Company's major creditors, the case is likely to be progressed to closure, once tax clearance is obtained. I anticipate that this action will take three months to complete.

If you should have any queries please contact Nathan Samani at this office.

Yours faithfully

A handwritten signature in black ink, appearing to be 'N Money', written over the printed name.

Neil Money
Liquidator
Midlands Construction Consultants Ltd

Enc.

Midlands Construction Consultants Ltd
(In Liquidation)
Liquidator's Summary of Receipts & Payments

Statement of Affairs £		From 25/05/2018 To 24/05/2019 £	From 25/05/2017 To 24/05/2019 £
	ASSET REALISATIONS		
3,293.37	Cash at Bank	NIL	NIL
		NIL	NIL
	UNSECURED CREDITORS		
(1.00)	Contingent Claim - Customer Dispute	NIL	NIL
(1.00)	Contingent Claim - HMRC (CT)	NIL	NIL
(331,615.57)	HM Revenue & Customs - PAYE & NI	NIL	NIL
(6,001.00)	Trade & Expense Creditors	NIL	NIL
		NIL	NIL
(334,325.20)		NIL	NIL
	REPRESENTED BY		
			NIL

Neil Charles Money
Liquidator

Office Holder's Remuneration

I have not drawn any remuneration from the Liquidation estate account to date. My unpaid remuneration will be paid out of the assets of the Company in the Liquidation, and in priority to the costs and expenses of the Liquidation, where funds permit.

All staff, including support staff, are charged directly to cases for the time spent on that case at the hourly rates detailed below. Charge out rates and staff grades are reviewed periodically and may change during the course of the administration. Time is charged in 6 minute units.

Grade of Staff	Charge Out Rate per Hour (£)
Licensed Insolvency Practitioner	315
Senior Manager	255
Manager	210
Senior Administrator	180
Administrator	150
Support Staff	90

You are advised that a guide to Liquidators fees is available for download, without charge, from <http://www.insolvency-practitioners.org.uk/regulation-and-guidance/guides-to-fees>. If you require a paper copy of this guide please contact this office and a copy will be sent to you.

Office Holder's Expenses and Disbursements

Statement of Insolvency Practice 9 ("SIP9"), requires that the office holder provide a statement of the office-holder's policy in relation to recharges of disbursements. SIP9 defines disbursements as either Category 1 or Category 2 disbursements.

Category 1 disbursements will generally comprise external supplies of incidental services specifically identifiable to the case, typically for items such as postage, case advertising, invoiced travel and properly reimbursed expenses incurred by personnel in connection with the case. Also included will be services specific to the case where these cannot practically be provided internally such as printing, room hire and document storage.

Category 2 disbursements will generally comprise costs which, whilst being in the nature of expenses or disbursements, include elements of shared or allocated costs.

Category 1 disbursements are recoverable without approval, and it is the policy of CBA Business Solutions to recover Category 1 disbursements when they are incurred and when funds permit.

The disbursements incurred by and reimbursed to CBA Business Solutions are detailed below:

Type of expense	Amount incurred/ accrued in the reporting period	Amount paid in the reporting period	Amount incurred/ accrued in total	Amount paid in total
Advertising	-	-	146.00	-
Postage expenses	3.60	-	6.45	-
Specific bond	-	-	40.00	-
Travel expenses	-	-	33.80	-
Total	3.60	Nil	226.25	Nil

Category 2 disbursements are costs which are directly referable to the case but not 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. It is the policy of CBA Business Solutions to recover Category 2 disbursements once approval to do so has been obtained and when funds permit. Creditors have previously authorised that business mileage should be recharged to the case at the rate of 45 pence per mile.

The only Category 2 disbursement recovered by CBA Business Solutions is business mileage, which is charged to the case at a rate of 45 pence per mile. No business mileage has been travelled in relation to the case during this reporting period. Therefore, no category 2 disbursements have been incurred in the reporting period, or reimbursed to CBA Business Solutions.

A total of 18.70 hours have been spent during this reporting period, at an average hourly rate of £178.56. A summary of work undertaken in this case, during the reporting period ending 24 May 2019 is as follows:

Statutory / Case Progression

This represents the work involved in the routine administrative functions of the case by the office holder and their staff, together with the control and supervision of the work done on the case by the office holder and their managers. It does not give direct financial benefit to the creditors, but has to be undertaken by the office holder to meet their requirements under the insolvency legislation and the Statements of Insolvency Practice, which set out required practice that office holders must follow.

- Case planning - devising an appropriate strategy for dealing with the case and giving instructions to the staff to undertake the work on the case.
- Maintaining physical/electronic case files.
- Maintaining the case on the practice's electronic case management system and entering data.
- Dealing with all routine correspondence and emails relating to the case.
- 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.
- Preparing and filing Corporation Tax returns.

Creditors

Claims of creditors - the office holder needs to maintain up to date records of the names and addresses of creditors, together with the amounts of their claims as part of the management of the case, and to ensure that notices and reports can be issued to the creditors. The office holder also needs to deal with correspondence and queries received from creditors regarding their claims and dividend prospects as they are received. The office holder is required to undertake this work as part of his statutory functions.

- Maintaining up to date creditor information on the case management system.

Investigations

The office holder is required to conduct statutory investigations into the affairs of the company and conduct of the directors with a view identifying and pursuing recoverable transactions.

- Review and summary of investigations.

Time Entry - SIP9 Time & Cost Summary

002571 - Midlands Construction Consultants Ltd
Project Code: POST
From: 25/05/2018 To: 24/05/2019

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	0.00	0.00	0.00	0.00	0.00
Case Progression	0.00	0.00	3.95	0.30	4.25	738.00	173.65
Case Specific Matters	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Creditors	0.00	0.00	1.95	0.00	1.95	351.00	180.00
Investigations	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Realisation of Assets	0.00	0.00	0.10	0.00	0.10	18.00	180.00
Statutory	0.00	0.00	12.40	0.00	12.40	2,232.00	180.00
Trading	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Total Hours	0.00	0.00	18.40	0.30	18.70	3,339.00	178.56
Total Fees Claimed						0.00	
Total Disbursements Claimed						0.00	

Time Entry - SIP9 Time & Cost Summary

002571 - Midlands Construction Consultants Ltd
 Project Code: POST
 From: 25/05/2017 To: 24/05/2019

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	0.00	0.00	0.00	0.00	0.00
Case Progression	0.50	0.10	13.40	0.80	14.80	2,667.00	180.20
Case Specific Matters	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Creditors	0.00	0.00	8.30	0.00	8.30	1,494.00	180.00
Investigations	0.00	0.00	2.80	0.00	2.80	504.00	180.00
Realisation of Assets	4.00	0.00	0.70	0.00	4.70	1,386.00	294.89
Statutory	0.00	0.30	24.05	0.00	24.35	4,405.50	180.92
Trading	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Total Hours	4.50	0.40	49.25	0.80	54.95	10,456.50	190.29
Total Fees Claimed						5,000.00	
Total Disbursements Claimed						0.00	

Time Entry - SIP9 Time & Cost Summary

Category 2 Disbursements

002571 - Midlands Construction Consultants Ltd
Project Code: POST
From: 25/05/2017 To: 24/05/2019

Other amounts paid or payable to the office holders firm or to party in which the office holder or his firm or any associate has an interest.

Transaction Date	Type and Purpose	Disbursement Category	Amount
19/10/2017	Travel expenses: NM exes 17.08.17	Category 2	33.75
Total			33.75