

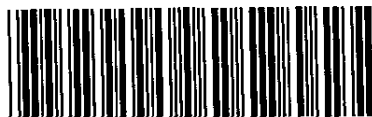
LIQ10

Notice of removal of liquidator by court in MVL or CVL



Companies House

SATURDAY



A8YUGGKG

A17

15/02/2020

#69

COMPANIES HOUSE

1 Company details

Company number 0 4 1 5 0 4 1 0

Company name in full Enevis Limited

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

2 Former liquidator's name

Full forename(s) Duncan

Surname Beat

3 Former liquidator's address

Building name/number Highfield Court

Street Tollgate

Post town Chandlers Ford

County/Region Eastleigh

Postcode S O 5 3 3 T Y

Country

4 Former liquidator's email address or telephone number *

Email restructuring.southampton@rsmuk.com

Telephone number 02380 646 464

* You must give an email address or
telephone number. All information
on this form will appear on the
public record.

5 Court order

Court order date 1 9 0 6 2 0 1 9

☒ I attach a copy of the court order

6 Sign and date

Former liquidator's
signature

Signature

X

X

Signature date 1 3 0 2 2 0 2 0

LIQ10

Notice of removal of liquidator by court in MVL or CVL



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	Chris Radford
Company name	RSM Restructuring Advisory LLP
Address	Highfield Court, Tollgate Chandlers Ford
Post town	Eastleigh
County/Region	
Postcode	S O 5 3 3 T Y
Country	
DX	
Telephone	02380 646 464



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

**IN THE HIGH COURT OF JUSTICE
BUSINESS AND PROPERTY COURTS OF ENGLAND AND WALES
INSOLVENCY AND COMPANIES LIST (ChD)**



CR-2019-LDS-000706

BEFORE DISTRICT JUDGE JACKSON

19 JUNE 2019

IN THE MATTER OF THE INSOLVENCY ACT

AND IN THE MATTER OF

RE: CARDY CONSTRUCTION LIMITED (IN ADMINISTRATION) AND OTHERS

RE: MARIAN ELSBETH STOKES (IN BANKRUPTCY) AND OTHERS

RE: DEREK BUILDING SERVICES LIMITED (IN A COMPANY VOLUNTARY ARRANGEMENT)

RE: ALEXANDER & LAW LIMITED (IN CREDITORS' VOLUNTARY LIQUIDATION) AND OTHERS

**RE: A&C CAREY HOLDINGS LIMITED (IN MEMBERS' VOLUNTARY LIQUIDATION) AND
OTHERS**

**RE: 29 OLD BURLINGTON LONDON LIMITED (IN COMPULSORY LIQUIDATION) AND OTHERS
BETWEEN:**

- (1) DUNCAN BEAT**
- (2) RICHARD BREWER**
- (3) GRAHAM BUSHBY**
- (4) ALEXANDER KINNINMONTH**
- (5) NICK EDWARDS**
- (6) MATTHEW HAW**
- (7) DAMIAN WEBB**

Applicants

AND

- (1) RICHARD BREWER**
- (2) GRAHAM BUSHBY**
- (3) NIGEL FOX**
- (4) DUNCAN LYLE**
- (5) DIANA FRANGO**
- (6) NICHOLAS EDWARDS**
- (7) ALEXANDER KINNINMONTH**
- (8) ADRIAN ALLEN**
- (9) PATRICK ELLWARD**
- (10) LINDSEY COOPER**
- (11) MATTHEW HIGGINS**
- (12) MARK WILSON**
- (13) KEITH ALGIE**
- (14) STEVEN ROSS**
- (15) CARL JACKSON**
- (16) JAMIE TAYLOR**
- (17) GLYN MUMMERY**
- (18) NEDIM AILYAN**
- (19) IAN JAMES ROYLE**
- (20) ROBERT ARMSTRONG**
- (21) MATTHEW WILD**

Respondents

ORDER

UPON the First Applicant's Application dated 18 June 2019 (**"the Application"**)

AND UPON the Secretary of State having been duly served with a copy of the Application and supporting documentation **IT IS ORDERED THAT:**

- 1 Each of the County Court, hearing centre and District Registry cases listed in Schedules 2 and 6 (**"the County Court Cases"**) be transferred to the High Court of Justice, Business and Property Courts of England and Wales, Insolvency and Companies List (ChD) for the purpose only of making this order. Immediately upon this order taking effect, the County Court Cases be transferred back to the relevant County Court, Hearing Centre or District Registry.
- 2 Duncan Beat (**"the First Applicant"**) be removed as Officeholder to be replaced by Richard Brewer, Graham Bushby, Nigel Fox, Duncan Lyle, Diana Frangou, Nick Edwards, Alexander Kinninmonth, Adrian Allen, Patrick Ellward, Lindsey Cooper, Matthew Higgins and Robert Armstrong as officeholders (**"the Replacement Officeholders"**) as set out at paragraphs 3 to 8 below. The consents of the Replacement Officeholders to act are contained in their witness statements.
- 3 The First Applicant be removed from office as Joint Administrator of the companies in administration listed in Schedule 1 attached hereto with effect from the date of this order and either Richard Brewer or Graham Bushby be appointed as Joint Administrator in substitution in respect of the said companies as specified in Schedule 1, with effect from the date of this order, pursuant to Schedule B1 paragraph 95 of the Insolvency Act 1986. In the case of Marstan Press Limited, Matthew Haw and Damian Webb will remain as Joint Administrators.
- 4 The First Applicant be removed from office as Sole and/or Joint Trustee in Bankruptcy of the bankruptcy estates listed in Schedule 2 attached hereto with effect from the date of this order and Duncan Lyle and/or Nigel Fox be appointed as Joint Trustee, and Joint Trustees in Bankruptcy in substitution in respect of the said bankruptcy estates as specified in Schedule 2, with effect from the date of this order, pursuant to section 298 of the Insolvency Act 1986.
- 5 The First Applicant be removed from office as Joint Supervisor of the company in a Company Voluntary Arrangement listed in Schedule 3 attached hereto with effect from the date of this order and Richard Brewer be appointed as Joint Supervisor in substitution in respect of the said company as specified in Schedule 3, with effect from the date of this order, pursuant to section 7 and paragraph 39(6) of Schedule A1 of the Insolvency Act 1986.

- 6 The First Applicant be removed from office as Sole and/or Joint Liquidator of the companies in Creditors' Voluntary Liquidation listed in Schedule 4 attached hereto with effect from the date of this order and Richard Brewer, Graham Bushby, Diana Frangou, Nick Edwards,
Alexander Kinninmonth and Robert Armstrong be appointed as Joint Liquidator, and Adrian Allen and Patrick Ellward be appointed as Joint Liquidators in substitution in respect of the said companies as specified in Schedule 4 with effect from the date of this order, pursuant to section 108 of the Insolvency Act 1986.
- 7 The First Applicant be removed from office as Joint Liquidator of the companies in Members' Voluntary Liquidation listed in Schedule 5 attached hereto with effect from the date of this order and Richard Brewer, Graham Bushby, Diana Frangou, Alexander Kinninmonth and Nick Edwards be appointed as Joint Liquidator in substitution in respect of the said companies as specified in Schedule 5 with effect from the date of this order, pursuant to section 108 of the Insolvency Act 1986.
- 8 The First Applicant be removed from office as Sole and/or Joint Liquidator of the companies in Compulsory Liquidation listed in Schedule 6 attached hereto with effect from the date of this order and Richard Brewer, Graham Bushby, Matthew Wild, Lindsey Cooper, Matthew Higgins, or Robert Armstrong be appointed as Joint Liquidators, and Richard Brewer and Alexander Kinninmonth, and Graham Bushby and Nick Edwards be appointed as Joint Liquidators in substitution in respect of the said companies as specified in Schedule 6 with effect from the date of this order, pursuant to section 172 of the Insolvency Act 1986.
- 9 The First Applicant be removed and replaced, as set out at paragraphs 3 to 8 above, in each of the cases contained in Schedules 1 to 6 from the date of this order, without being required to (i) apply to the Secretary of State for release or discharge as appropriate, including but not limited to s173(2)(b), s174(4)(b) and s299(3)(b) of the Insolvency Act 1986 as the case may be, or (ii) file a receipts and payment account.
- 10 Where the appointments referred to in this Order are joint appointments, any act required or authorised under any enactment to be done by joint appointees may be done by all or any one or more of the persons at the time being holding office. No functions are required to be undertaken by both joint appointees acting together and no functions are specifically the responsibility of either joint appointee.
- 11 The Applicants shall file a copy of this order with each of the County Courts, hearing centres and District Registries listed in Schedules 1, 2 and 6.
- 12 Without incurring any additional expense for any of the said estates, the relevant Applicant, Respondent or Replacement Officeholder shall notify each creditor of this Application and this Order by way of notice at the same time as the next routine report that shall be due to the creditors of each estate, such notice to contain the following matters:

- 12.1 An explanation of the effect of the Order;
 - 12.2 Express reference to the liberty to apply contained in paragraph 15 below;
 - 12.3 Where Creditors' Committees or Liquidation Committees have been appointed, an explanation that, to the extent that any information which would otherwise be required to be provided under rule 3.63, rule 6.25, rule 7.61 or rule 10.77 (as the case may be) of the Insolvency (England and Wales) Rules 2016 has not already been provided as part of the report, it is open to that committee to require the relevant Applicant, Respondent or Replacement Officeholder to provide an account of the administration of the estate, including a summary of receipts and payments;
 - 12.4 Where Liquidation Committees or Creditors' Committees have not been appointed, an explanation that, to the extent that such information as aforesaid has not already been provided as part of the report, it is open to any creditor to apply to court for an order that the relevant Applicant, Respondent or Replacement Officeholder do provide an account of the administration of the estate, including a summary of receipts and payments.
 - 12.5 Notification that if any Applicant, Respondent or Replacement Officeholder has been required to provide the information referred to in sub-paragraphs 12.3 and 12.4 above, whether by a Liquidation Committee or Creditors' Committee or by court order on the application of any creditor(s), the costs of any appointed officeholder of so complying will, unless there are good reasons to the contrary, be paid as an expense of the liquidation or administration as the case may be; and
 - 12.6 In each of the cases listed in Schedules 2, 4, 5 and 6, notification to each creditor of his right under regulations 11(2) or 25 of the Insolvency Regulations 1994 to require the appointed officeholders to supply a statement of receipts and payment free of charge.
 - 12.7 In the case of the Administrations, the provision of all such information as might reasonably be required with regard to the conduct of the Administration.
- 13 The Respondents shall, when the next routine report is due to the creditors of each appointment, give written notice of the making of this Order to each such creditor, such notice to include the following matters:-
- 13.1 an explanation as to the effect of the Order; and
 - 13.2 express reference to the liberty to apply as set out in the Order.

- 14 The creditors in each of the cases listed in Schedules 1, 2, 4, 5 and 6 shall be notified of this order by way of one composite notice (**"the Advertisement"**) to be published in the Gazette within 14 days of receipt of the sealed order. In relation to the CVAs listed in Schedule 3, within the same time period the Applicants propose to notify all known creditors in writing.
- 15 Each creditor of each liquidation, administration and voluntary arrangement case, who has an objection to this Order, has liberty to apply to vary or discharge this Order. Creditors shall have 28 days from the date of the Advertisement to apply to court to set aside or vary the terms of this Order. Such application shall not affect the transfer of the cases listed in Schedules 1, 2, 4, 5 and 6 until further or other order by the court.
- 16 The Respondents shall file any appropriate notices in respect of the removal of the First Applicant and the appointment of Replacement Officeholders appointed pursuant to paragraphs 3 to 8 of this Order with the Registrar of Companies and the Secretary of State for Business Energy Innovation and Skills (Insolvency Service) as appropriate and as soon as reasonably practicable.
- 17 In the case of the Administrations listed in Schedule 1 appended to this Order, the First Applicant be released and discharged from liability limited in respect of any action of his as administrator. Such release to take effect 28 days from the date of the Advertisement or, in the case listed in Scheduled 3, from the time period provided in paragraph 14, save in respect of any objection made pursuant to paragraph 15, or claim notified to the First Applicant pursuant to the Insolvency Act 1986 and/pursuant to such other provision as may apply on or prior to the notice date.
- 18 In order to ensure consistency with paragraph 83(7) of Schedule B1 of the Insolvency Act 1986 where the First Applicant would have been removed and replaced as Administrator and those administrations are subsequently converted into CVLs, the replacement Administrator in each case, as set out in the Schedule, shall also replace the First Applicant as Liquidator, subject to creditors rights to appoint an alternative liquidator.
- 19 In the cases listed in Schedules 2 to 6 (inclusive) the First Applicant be released and discharged forthwith from all liability both in respect of acts or omissions of his in the administration of the estate and otherwise in relation to his conduct as Trustee, or in respect of acts or omissions of his in the winding-up and otherwise in relation to his conduct as liquidator or provisional liquidator, or acts or omissions in relation to his conduct as Supervisor. Such release to take effect 28 days from the date of the Advertisement, or following written notice to the creditors in respect of the case listed in Schedule 3, save in respect of any objection made pursuant to paragraph 15 of this Order, or claim notified to the First Applicant pursuant to the Insolvency Act 1986 and/or pursuant to such other provisions as may apply on or prior to the notice date.

- 20 Permission is given to the Secretary of State to apply to vary this Order at any time up to 28 days after the notices referred to in paragraph 14 above are published.
- 21 In the event that, as a result of the implementation of the Order RSM Restructuring Advisory LLP ("**RSM**") incurs any additional cost in respect of the administration of those estates where the First Applicant was the officeholder (that is to say over and above those costs incurred in the ordinary course of the administration of those estates), those costs shall be borne by RSM and shall not be charged as an expense of the administration of those estates.
- 22 The costs of this Application (including VAT) shall be met by RSM.
- 23 The Respondents have the right to apply to the court to amend this Order to include any appointments held by the First Applicant which have been inadvertently omitted from the Application.
- 24 Such further or other order or direction as the court thinks fit.