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

SATURDAY

A83BZUXC
A05 13/04/2019 #115
COMPANIES HOUSE

1 Company details

Company number	0 4 2 5 1 1 4 2
Company name in full	John T Evans Haulage Limited

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

2 Liquidator's name

Full forename(s)	Richard Michael
Surname	Hawes

3 Liquidator's address

Building name/number	5 Callaghan Square
Street	Cardiff
Post town	CF10 5BT
County/Region	
Postcode	
Country	

4 Liquidator's name ❶

Full forename(s)	Matthew James
Surname	Cowlishaw

❶ **Other liquidator**
Use this section to tell us about another liquidator.

5 Liquidator's address ❷

Building name/number	Four Brindleyplace
Street	Birmingham
Post town	B1 2HZ
County/Region	
Postcode	
Country	

❷ **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	16 02 2018
To date	15 02 2019

7 Progress report

☑ The progress report is attached

8 Sign and date

Liquidator's signature	Signature X X
Signature date	12 04 2019

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	Aaron Banks
Company name	Deloitte LLP
Address	5 Callaghan Square
	Cardiff
Post town	CF10 5BT
County/Region	
Postcode	
Country	
DX	
Telephone	+44 121 632 6000

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

Deloitte.

John T Evans Haulage Limited (in liquidation)
("the Company")

Company Number:
04251142

Registered Office:
c/o Deloitte LLP
5 Callaghan Square
Cardiff
CF10 5BT

Progress report to creditors for the 12 month period to 15 February 2019 pursuant to Section 104A Insolvency Act 1986 and Rule 18.7 of the Insolvency (England & Wales) Rules 2016 ("the Rules").

Richard Michael Hawes and Matthew James Cowlishaw ("the Joint Liquidators") were appointed Joint Liquidators of John T Evans Haulage Limited following cessation of the administration on 16 February 2018. All licensed Insolvency Practitioners of Deloitte LLP ("Deloitte") are licensed in the UK to act as Insolvency Practitioners by the Institute of Chartered Accountants in England and Wales.

For the purposes of Section 231 of the Insolvency Act 1986 (as amended), ("the Act"), the Joint Liquidators confirm that they are authorised to carry out all functions, duties and powers by either of them jointly and severally.

Council Regulation (EU) No 2015/848 applies and these are the main proceedings as defined in Article 3(1) of that regulation.

12 April 2019

Key messages

Key messages

Joint Liquidators of the Company

Richard Michael Hawes

Matthew James Cowlishaw

Deloitte LLP

5 Callaghan Square

Cardiff

CF10 5BT

Contact details

Email: aabanks@deloitte.co.uk

Website:

www.deloitte.com/uk/johntevanshaulage

Tel: 0121 695 5827

	Commentary
Progress of the liquidation during the report period	• The Company moved from administration to creditors' voluntary liquidation on 16 February 2018 to enable a distribution of funds to unsecured creditors. • Investigations have been ongoing in the liquidation with regards to a number of alleged financial irregularities which were uncovered in February 2016, however we have recently concluded our work in this regard and no further realisations are anticipated.
Creditors' decision procedure to Fix Basis of Remuneration	• We are holding a creditors *decision procedure* by correspondence to fix the basis of our remuneration as a set amount of £24,000 plus VAT. • All votes must be cast by 30 April 2019 if they are to be *counted. Please refer to the website for further details.*
Costs	• Our fees have not been fixed for the liquidation. As detailed above, a creditors' decision by correspondence is being held to fix the basis. • Third party costs of £225 have been incurred in the report period. Please refer to page 12 for further details. • There were no *disbursements incurred during* the report period.
Outstanding matters	• Finalise costs of the liquidation including corporation tax and our remuneration as Joint *Liquidators.* • Pay a distribution to the unsecured creditors. • Closure of the liquidation.
Dividend prospects	• ABN AMRO Commercial Finance plc ("ABN" / "the Secured Creditor") was repaid in full during the course of the preceding *administration.* • We have not received or expect to receive any preferential claims in the liquidation. • We anticipate paying a dividend to creditors of £40,000. Based on the *value of claims* received to date, this represents a dividend of approximately 12-16p in the £. Formal notice for which will be sent when the matters detailed above are finalised.

Progress of the liquidation

Progress of the liquidation
Summary

Progress of the liquidation

Work done during the report period

Asset Realisations

Funds from the administration totalling £64,496 were transferred into the liquidation bank account, in addition to £313 in respect of a VAT refund that was still due at the date of liquidation.

Investigations

As reported in the administration, we have been made aware of potential irregularities in relation to the Company's invoice discounting facility, the operation of the Company's bank account, obtaining finance from third parties and procuring various goods from suppliers without payment. Our findings have been discussed with the relevant authorities. Investigations have been progressed during the liquidation however we have now concluded our work in this regard and do not anticipate any further realisations from this source.

Creditors

Correspondence has been received from a large proportion of the 250 creditors of the Company and responded to appropriately.

We have commenced the process of agreeing unsecured creditor claims in anticipation of paying a dividend to unsecured creditors. Formal notice of our intention to pay a dividend will be sent to all known creditors once we have settled the final costs of the liquidation, obtained corporation tax clearance and determined the basis of our remuneration as Joint Liquidators, as detailed on page 10.

Please see page 8 for more details of our intended dividend to unsecured creditors.

Case specific matters

Work has been undertaken to complete the corporation tax return for the final period of the administration and submit it to HM Revenue & Customs. This has resulted in a nil liability for this period.

The final return for the period of the liquidation will be issued and clearance obtained from HM Revenue & Customs prior to closure of the liquidation.

Statutory tasks

During the period, we have carried out the following tasks which primarily relate to fulfilment of statutory and compliance obligations and other tasks of an administrative nature:

- case set-up and management;
- statutory reporting;
- appointment notifications;
- correspondence; and
- cashiering functions.

These tasks are a necessary part of the engagement but do not generate any direct financial benefit for creditors.

Cost of the work done during the report period

The following costs were incurred during the report period:

- *Costs totalling £225* were incurred during the liquidation in respect of storage and advertising costs.
- These amounts have been paid, as shown in the receipts and payments account on page 6.

Progress of the liquidation

Receipts and payments

Joint Liquidators' receipts and payments account
10 February 2018 to 15 February 2018 and
16 February 2018 to 15 February 2019

£	Notes	Period To 15/2/18	Year To 15/2/19
Receipts			
Funds from administration	1	-	64,496
VAT Refund from administration		-	313
Book Debts		-	30
Bank Interest Gross	2	-	115
Total receipts		-	**64,955**
Payments			
Storage Costs		-	140
Statutory Advertising		-	85
Total payments		-	**225**
Balance			**64,730**
Made up of:			
Interest Bearing Current Account	2		64,768
VAT Receivable	3		4
Trade Creditors	4		(42)
Balance in hand			**64,730**

A receipts and payments account is provided opposite, detailing the transactions in the liquidation for the interim period between the date of the final administration report to the date of liquidation and the subsequent 12 months to 15 February 2019, which represents all transactions since the our appointment.

Notes to receipts and payments account

Note 1 – There is a small difference between the quantum of cash and VAT receivable reported in our final administration account and the amounts reported as being received here. This is due to a timing difference and includes c£56 of bank and storage charges.

Note 2 – All funds are held in an interest bearing bank account. The associated corporation tax on interest received will be accounted for to HM Revenue & Customs.

Note 3 – All sums shown above are shown net of VAT, which is recoverable and will be accounted for to H M Revenue & Customs in due course.

Note 4 - The trade creditors balance shows the total amount of payments recorded opposite but are unpaid as at the date to which this report relates.

Note 5 – Please note that we have included the period 9 February 2018 to 15 February 2019 to show that nil receipts and payments were made during the period for the conversion from administration to liquidation.

Note 6 - There may appear to be rounding errors as all entries in the receipts and payments account have been presented for reporting purposes to the nearest whole number.

Information for creditors

Information for creditors
Outcome

Secured creditors

ABN were repaid in full during the administration in respect of its lending under the terms of their Invoice Discounting Facility.

Preferential creditors

There are no preferential claims as all employees' wage arrears and other amounts due became liabilities of the purchaser upon the completion of the sale of business and assets and the transfer of the Company's employees to them during the administration.

Prescribed Part

As there is no floating charge creditor the provisions of the prescribed part fund do not apply and unsecured creditors will receive a dividend from the surplus assets as per the following section.

Unsecured creditors

Sufficient funds have been realised to enable a dividend to be paid to unsecured creditors. We anticipate an amount totalling £40,000 will be available for distribution between creditors with agreed claims.

To date, a total of 15 creditors have claimed in the liquidation bringing total claims received to date to £292,801. This is likely to increase once formal notice is sent.

We anticipate that formal notice will be sent in the next 2-3 months. In the interim period, creditors are invited to submit their claims as detailed opposite.

Claims process – creditors with debts of £1,000 or less

You do not need to prove your debt for dividend purposes if the amount you are owed is £1,000 or less, unless you wish to vote in this decision, or any other, decision procedure in which case proof of claim must be given.

When we send formal notice of our intention to pay a dividend, we will advise you that your claim will be admitted in the amount shown in the Company's records/statement of affairs. If you disagree with that amount you will be provided with an opportunity to notify us of the correct amount.

Claims process – creditors with debts of more than £1,000

Unsecured creditors with claims of more than £1,000 are invited to submit their claims to us by completing a proof of debt form which is available on the administration website and which should be sent to the address on Page 1, marked for the attention of Aaron Banks.

Remuneration and expenses

Remuneration and expenses

Joint Liquidators' remuneration

Joint Liquidators' remuneration

"A Creditors' Guide to Remuneration" is available for download at www.deloitte.com/uk/johntevanshaulage.

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

Basis of remuneration

Pursuant to Rule 18.16 of the Rules, the basis of the Joint Liquidators' remuneration may be fixed:

- by reference to time properly given by the Joint Liquidators and their staff in attending to matters arising in the liquidation;
- as a percentage of the value of the property with which the Joint Liquidators have to deal;
- as a set amount;
- or, any combination of the above.

In accordance with Rule 18.20 we seek approval to fix the basis of our remuneration as a set amount of £24,000 plus VAT by a decision of creditors. The decision will be held by correspondence.

Details of the resolutions you are being asked to consider are given in the Notice of Decision Procedure which, is available for download at the above website and can also be provided to you in hard copy on request to aabanks@deloitte.co.uk.

Estimate of work required – Fixed Fee

On the basis of current information, we have prepared an estimate of the work we have already undertaken and propose to undertake and explanation of why that work is required, in the paragraphs below. The work anticipated has been categorised to indicate whether it is expected to generate a financial benefit for the estate or whether it is required by statute/best practice guidance.

Based on previous appointments of this nature and having regard to the likely number and grades of staff required to fulfil these obligations, we intend to seek approval to draw a fixed fee of £24,000 plus VAT. Full details of the work anticipated to be performed are provided overleaf, on page 11.

Remuneration and expenses

Estimate of work we propose to undertake

Estimate of the work we propose to undertake for *the duration of the appointment*

Details of work that has been and that we anticipate will be undertaken for the duration of our appointment as Joint Liquidators are provided below:

Statutory Tasks and Administration

- Formulating and implementing an appropriate strategy;
- Maintaining Estimated Outcome Statements for the liquidation;
- Case set-up, including data capture and entry in addition to setting up case files and records;
- Cashiering – Set up and performance of regular bank reconciliations for the liquidation account;
- Statutory reporting – Reviewing and issuing the Joint Liquidators' Annual Report and a final report to conclude the liquidation;
- Dealing with tax and VAT compliance matters;
- Specific issues such as data protection; and
- Case closure matters.

Case Specific Matters / Investigation

- Liaising with various parties in respect of the investigations into potential realisations identified in the preceding administration in order to conclude our work in this regard.

Assets

- Arranging for transfer of cash held in the administration into the liquidation;
- Liaising with HM Revenue & Customs in relation to an outstanding VAT reclaim from the administration;
- Receipt of sundry refunds; and
- Insurance matters – corresponding with insurers to discuss adequate insurance.

Creditors

- Responding to and filing creditor queries;
- Logging and adjudicating creditor claims, including requesting and processing documents received in support of the claims, ensuring compliance with the Rules;
- Paying a dividend to unsecured creditors, including sending formal notice of our intention, adjudicating claims, formally declaring the dividend and issuing payment and paperwork to creditors with agree claims; and
- Arranging for unclaimed dividends outstanding after 6 months to be paid to the Insolvency Service.

Remuneration and expenses

Detailed information

Category 1 Disbursements

These are payments made by us direct to third parties and for which no approval is required.

Category 2 Disbursements

These are costs and expenses initially paid by us and which are not generally made to a third party, for example, reimbursement to staff engaged on the case for their mileage costs. These may also include shared or allocated costs.

Disbursements

No disbursements have been incurred in the liquidation to date, neither do we anticipate incurring any for the duration of our appointment.

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 leave of the Court) may, in writing, *request us 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 18.9 of the Rules.

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 leave of the Court) may apply to the Court for one or more orders (in accordance with Rule 18.34 of the Rules), reducing the amount or the basis of remuneration which we are entitled to charge or otherwise challenging some or all of the expenses incurred.

Such applications must be made within eight weeks of receipt by the applicant(s) of the progress report detailing the remuneration and/or expenses being complained of, in accordance with Rule 18.34(3) of the Rules.

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

Deloitte.