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

THURSDAY

A7BXWKU9
A20 09/08/2018 #33
COMPANIES HOUSE

1 Company details

Company number	0 8 9 3 7 3 5
Company name in full	John Doyle Construction 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)	Dominic Lee Zoong
Surname	Wong

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	13 06 2017
To date	12 06 2018

7 Progress report

☒ The progress report is attached

8 Sign and date

Liquidator's signature	Signature X X
Signature date	08 08 2018

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	Jessica Hough
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 Doyle Construction Limited (in liquidation) ("the Company")

Company Number: 0893735

Registered Office: c/o Deloitte LLP
Four Brindleyplace
Birmingham
B1 2HZ

Progress report to creditors for the 12 month period to 12 June 2018 pursuant to Section 104A Insolvency Act 1986 and Rule 18.7 of the Insolvency (England & Wales) Rules 2016 ("the Rules").

Richard Michael Hawes, Dominic Lee Zoong Wong and Christopher James Farrington ("the Joint Liquidators") were appointed Joint Liquidators of John Doyle Construction Limited following cessation of the administration on 13 June 2013. Christopher James Farrington retired from Deloitte LLP and was removed as Joint Liquidator on 7 September 2017. Following his retirement, Matthew James Cowlishaw was appointed as replacement liquidator. 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.

8 August 2018

Key messages

Key messages

Joint Liquidators of the Company

Richard Michael Hawes
Deloitte LLP
5 Callaghan Square
Cardiff
CF10 5BT

Dominic Lee Zoong Wong and
Matthew James Cowlishaw
Deloitte LLP
Four Brindleyplace
Birmingham
B1 2HZ

Contact details

Email: jehough@deloitte.co.uk
Website:
www.deloitte.com/uk/doylegroup
Tel: 0121 695 5723

	Commentary
Progress of the liquidation during the report period	• Bank interest of £9 has been received in the period. • No other realisations have been made in the period. • Third party funding of £55,577 was received and then paid towards the costs of the ongoing investigations. • The investigations have continued into the potential realisations from a contract book debt that existed prior to our appointment. See page 5 for more details.
Costs	• Our fees have been fixed on a time costs basis. • Our time costs for the period of the report are £21,924, which brings total time costs to date to £386,145. • *No remuneration has been drawn in the period.* • Disbursements of £1,138 have been incurred in the report period. • Third party costs of £46,314 plus VAT was paid to Gardiner & Theobald Fairway Limited towards the costs of the ongoing investigations in the report period.
Outstanding matters	• Conclude the investigations and recovery of any monies owed in respect of the contract debtor. • Settle final costs and any corporation tax liability. • Complete statutory closure matters.
Dividend prospects	• The secured creditor will not be paid in full. • Preferential creditors have been paid in full. • Unsecured creditors received a dividend under the prescribed part of less than 0.5 pence in the £. Any future dividends depend solely on the outcome of the investigations into the contract debtor.

Progress of the liquidation

Progress of the liquidation
Summary

Progress of the liquidation

Work done during the report period

Bank Interest

Bank interest of £9 has been received in the period.

There have been no other asset realisations.

Contract Debt Investigations

Naismiths Limited have continued to act on behalf of the Joint Liquidators in relation to a specific contract which was entered into by the Company prior to our appointment.

Third party funding of £55,557 was received from Henderson & Jones. Funds of £46,314, plus VAT were subsequently paid to Gardiner & Theobald Fairway Limited towards the costs of the ongoing investigations.

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 actions including updating the insolvency website for the necessary communications to creditors, statutory filing and regular diary reviews to ensure compliance matters are dealt with appropriately;
- statutory reporting including issuing the annual progress report; and
- cashiering functions including the preparation of monthly bank account reconciliations and various payments.

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:

- As previously detailed, £46,314, plus VAT was paid to Gardiner & Theobald Fairway Limited towards the costs of the ongoing investigations.
- Liquidators' remuneration and expenses. Further information on these costs is provided on page 10.

Progress of the liquidation

Receipts and payments

Joint Liquidators' receipts and payments account
13 June 2017 to 12 June 2018

£	Notes	Period	To date
Receipts			
Book Debts		-	118,330
VAT Refund		-	20,055
Cash at Bank - transfer from Admin		-	502,044
Utilities Refunds		-	39
Bank Interest Gross		9	5,990
Third Party Funding for Investigation Costs	1	55,577	55,577
Total receipts		**55,585**	**702,035**
Payments			
BOS - Floating Charge Holder		-	198,000
Administration Wages and Salaries		-	1,766
Intercompany Balance due to Doyle Plc		-	8,408
Administrators fees		-	9,943
Liquidator's Fees		-	88,000
Liquidator's Expenses		-	6,605
Professional fees		-	23,989
Legal Fees		-	24,009
Legal Disbursements		-	2,673
Corporation Tax		-	1,976
VAT		-	6,326
Storage Costs		244	1,286
Postage/Printing		-	1,557
Statutory Advertising		-	226
Bank Charges		-	176
DTI Unclaimed Dividends		-	6,538
Unclaimed Dividends		-	828
Distribution to Preferential Creditors 100p in £		-	208,457
Distribution to Unsecured Creditors		-	51,411
BIS Transaction Fees		-	26
Investigation Costs	1	46,314	46,314
Total payments		**46,558**	**688,511**
Balance			**13,524**
Made up of:			
VAT Receivable	2		10,186
Non-Interest Bearing Current Account	3		3,338
Balance in hand			**13,524**

A receipts and payments account is provided opposite, detailing the transactions in the liquidation to 12 June 2018, and all transactions since the our appointment.

Notes to receipts and payments account

Note 1 - Third party funding of £55,557 was received from Henderson & Jones. Funds of £46,314, plus VAT were subsequently paid to Gardiner & Theobald Fairway Limited towards the costs of the ongoing investigations.

Note 2 - All sums shown above are shown net of VAT, which is recoverable and will be accounted for to HM Revenue & Customs in due course.

Note 3 - All funds are held in an interest bearing account. The associated corporation tax on interest received has been accounted for to HM Revenue & Customs.

Information for creditors

Information for creditors
Outcome

Secured Creditor

The Company granted a debenture to Bank of Scotland PLC ("the Bank") and is also party to a cross guarantee in favour of the Bank.

At the date of appointment, the Bank's debt owed by the wider John Doyle group was £23.6million. There are insufficient funds to repay the Bank in full.

Distributions to the Bank total £198,000 in the liquidation.

Any future distributions depend of the outcome of the investigation into the contract debtor.

Preferential Creditors

A distribution of 100 pence in the £ totalling £214,995 was paid to the preferential creditors on 21 January 2015.

Prescribed Part

A prescribed part dividend of less than 0.5 pence in the £ totalling £52,239 was distributed on 17 August 2015 to unsecured creditors.

Unsecured Creditors

On present information, insufficient funds will be realised to enable any future dividends to be paid to unsecured creditors.

Any future distributions will depend on the level of realisations from the contract debtor as detailed on page 5.

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.

We will notify you if funds become available for dividend purposes. 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 liquidation website and which should be sent to the address on page 1 marked for the attention of Jessica Hough.

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/doylegroupofcompanies.

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

The basis of our remuneration was fixed on 11 October 2012 by the creditors in the preceding administration by reference to the time properly given by the Joint Liquidators and their staff in attending to matters arising in the liquidation as set out in the fees estimate, plus VAT.

Time Costs Incurred

Our time costs for the period are £21,924 made up of 62 of hours at an average charge out rate of £352 per hour across all grades of staff.

Since the date of our appointment to 12 June 2018, we have incurred total time costs of £386,145 made up of 1,048 of hours at an average charge out rate of £368 per hour across all grades of staff.

Creditors may request a detailed breakdown of the time costs incurred by writing to the address on Page 1 of this report.

Details of the time costs incurred and charge out rates is provided opposite. Time is charged in six minute increments.

Charge Out Rates

The range of charge-out rates for the separate categories of staff is based on our 2018 national charge-out rates as summarised below.

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, Financial Advisory 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.

Charge out rates increased on 1 June 2018. Details of charge out rates applicable to prior report periods were given in those reports, copies of which will be provided on request to Jessica Hough.

Restructuring Services charge out rates (£/hour)

Grade	From 1 June 2018
Partners & Directors	965 - 1,125
Assistant Directors	750 - 850
Managers	590 - 765
Assistant Managers	465 - 610
Assistants & Support	210 - 360

Time costs – Fees drawn to date

We have drawn remuneration of £88,000 to date in the liquidation, as shown in the receipts and payments account on page 6.

Joint Liquidators' time costs for the period 13 June 2017 to 12 June 2018

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.

	Partners & Directors		Assistant Directors		Managers		Assistant Managers		Assistants & Support		TOTAL		Average rate/h
	Hours	Cost (£)	Hours	Cost (£)	Hours	Cost (£)	Hours	Cost (£)	Hours	Cost (£)	Hours	Cost (£)	Cost (£)
Administration and Planning													
Cashiering and Statutory Filing	-	-	-	-	0 30	132 00	0 40	156 00	6 70	1,480 00	7 40	1,768 00	238 92
Case Management and Closure	-	-	0 25	153 75	4 00	2,078 00	2 00	859 00	17 15	3,546 50	23 40	6,637 25	283 64
General Reporting	2 50	1,950 00	1 50	922 50	1 60	704 00	-	-	15 20	3,122 00	20 80	6,698 50	322 04
	2.50	1,950.00	1.75	1,076.25	5.90	2,914.00	2.40	1,015.00	39 05	8,148.50	51.60	15,103.75	292.71
Investigations													
Investigations	-	-	1 75	1,228 75	-	-	-	-	1 00	215 00	2 75	1,443 75	525 00
	-	-	1.75	1,228.75	-	-	-	-	1.00	215.00	2.75	1,443.75	525.00
Realisation of Assets													
Book Debts	1 00	780 00	4 50	3,225 00	-	-	-	-	-	-	5 50	4,005 00	728 18
	1.00	780.00	4.50	3,225.00	-	-	-	-	-	-	5.50	4,005.00	728.18
Creditors													
Unsecured	-	-	-	-	-	-	-	-	0 10	21 50	0 10	21 50	215 00
	-	-	-	-	-	-	-	-	0.10	21.50	0.10	21.50	215.00
Case Specific Matters													-
Litigation	0 50	480 00	-	-	-	-	-	-	-	-	0 50	480 00	960 00
Pensions	-	-	-	-	-	-	1 20	534 00	-	-	1 20	534 00	445 00
Tax	-	-	-	-	0 60	336 00	-	-	-	-	0 60	336 00	560 00
	0.50	480.00	-	-	0 60	336.00	1.20	534.00	-	-	2 30	1,350.00	586.96
TOTAL HOURS & COST	4.00	3,210.00	8.00	5,530.00	6.50	3,250.00	3.60	1,549.00	40.15	8,385.00	62.25	21,924.00	352.19
AVERAGE RATE/HOUR PER GRADE		£ 802.50		£ 691.25		£ 500.00		£ 430.28		£ 208.84			
FEES DRAWN												-	

Joint Liquidators' time costs for the period 13 June 2013 to 12 June 2018

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.

	Partners & Directors		Assistant Directors		Managers		Assistant Managers		Assistants & Support		TOTAL		Average rate/h
	Hours	Cost (£)	Hours	Cost (£)	Hours	Cost (£)	Hours	Cost (£)	Hours	Cost (£)	Hours	Cost (£)	Cost (£)
Administration and Planning													
Cashiering and Statutory Filing	5 20	3,767 50	7 15	4,676 50	21 60	9,473 50	25 15	9,191 00	32 80	8,522 00	91 90	35,630 50	387 71
Case Management and Closure	16 40	12,266 50	11 70	5,645 00	74 50	31,007 00	46 05	14,841 00	121 09	25,366 85	269 74	89,126 35	330 42
Initial Actions	-	-	-	-	14 40	5,760 00	-	-	-	-	14 40	5,760 00	400 00
General Reporting	9 00	6,750 00	10 50	5,122 50	23 40	9,660 00	20 60	6,470 50	22 70	4,541 50	86 20	32,544 50	377 55
	30.60	**22,784.00**	**29.35**	**15,444.00**	**133.90**	**55,900.50**	**91.80**	**30,502.50**	**176.59**	**38,430.35**	**462.24**	**163,061.35**	**352 76**
Trading													
Ongoing Trading	0 50	362 50	-	-	-	-	-	-	0 20	39 00	0 70	401 50	573 57
	0.50	**362.50**	-	-	-	-	-	-	**0.20**	**39.00**	**0.70**	**401.50**	**573.57**
Realisation of Assets													
Book Debts	3 50	2,597 50	43 00	22,475 00	19 00	7,696 00	1 90	600 50	-	-	67 40	33,369 00	495 09
Other Assets (e g Stock)	1 00	725 00	-	-	0 70	287 00	-	-	-	-	1 70	1,012 00	595 29
Property - Freehold and Leasehold	2 00	1,560 00	-	-	-	-	0 20	61 00	-	-	2 20	1,621 00	736 82
	6.50	**4,882.50**	**43.00**	**22,475.00**	**19.70**	**7,983.00**	**2.10**	**661.50**	-	-	**71.30**	**36,002.00**	**504.94**
Creditors													
Employees	-	-	-	-	40 80	16,709 00	3 10	987 00	12 10	2,513 50	56 00	20,209 50	360 88
Preferential	-	-	2 00	935 00	-	-	22 20	7,101 00	5 20	1,040 00	29 40	9,076 00	308 71
Secured	1 50	1,065 00	11 00	5,115 00	5 60	2,251 00	6 15	1,949 25	-	-	24 25	10,380 25	428 05
Unsecured	-	-	35 95	16,831 25	64 10	26,745 00	83 05	26,691 50	26 00	5,180 50	209 10	75,448 25	360 82
	1.50	**1,065.00**	**48.95**	**22,881.25**	**110.50**	**45,705.00**	**114.50**	**36,728.75**	**43.30**	**8,734.00**	**318.75**	**115,114.00**	**361.14**
Case Specific Matters													
Litigation	4 00	3,100 00	-	-	-	-	-	-	-	-	4 00	3,100 00	775 00
Pensions	-	-	-	-	-	-	1 20	534 00	-	-	1 20	534 00	445 00
VAT	0 45	392 50	4 20	2,670 00	25 70	10,386 00	11 95	3,807 75	0 50	97 50	42 80	17,353 75	405 46
Tax	-	-	3 60	3,067 50	22 20	9,068 00	27 10	9,342 00	52 88	11,434 15	105 78	32,911 65	311 13
	4.45	**3,492.50**	**7.80**	**5,737.50**	**47.90**	**19,454.00**	**40.25**	**13,683.75**	**53 38**	**11,531.65**	**153.78**	**53,899.40**	**350.50**
TOTAL HOURS & COST	**43.55**	**32,586.50**	**141.35**	**73,331.50**	**323.00**	**133,662.50**	**265 90**	**87,614.00**	**274.47**	**58,950.00**	**1,048.27**	**386,144.50**	**368.36**
AVERAGE RATE/HOUR PER GRADE		£ 748.25		£ 518.79		£ 413.82		£ 329.50		£ 214.78			
FEES DRAWN												88,000 00	

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

Our disbursements to date are summarised below:

Category 2 Disbursements

Specific approval is required before these costs and expenses can to be drawn from the liquidation estate and was given by the creditors on 11 October 2012.

No category 2 expenses have been incurred to date.

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

Details of all disbursements are given below and from which it can be seen that we have not recovered our disbursements in full.

Category 1 disbursements

£ (net)	Period	Total	Unpaid
Legal Fees	-	6,545	-
Postage/Couriers	742	3,237	742
Stationary	-	500	-
Stat Advertising	-	56	-
Storage Costs	83	1,300	83
Catering	-	6	-
Bonding	313	313	313
Total disbursements	**1,138**	**11,957**	**1,138**

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.