

# Liquidator's Progress Report

# S.192

Pursuant to Sections 92A and 104A and 192  
of the Insolvency Act 1986

To the Registrar of Companies

Company Number

01001462

Name of Company

Brophy Enterprise Limited

I / We

Beverley Ellice Budsworth, West Point, 501 Chester Road, Old Trafford, Manchester, M16 9HU

the liquidator(s) of the company attach a copy of my/~~our~~ Progress Report  
under section 192 of the Insolvency Act 1986

The Progress Report covers the period from 26/06/2014 to 25/06/2015

Signed

Date 19 August 2015

The Debt Advisor  
West Point  
501 Chester Road  
Old Trafford  
Manchester  
M16 9HU

Ref B245195PS/BEB/MM/KM

TUESDAY



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25/08/2015

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COMPANIES HOUSE

**Brophy Enterprise Limited  
(In Liquidation)  
Liquidator's Abstract of Receipts & Payments**

Statement of Affairs		From 26/06/2014 To 25/06/2015
4,150,000 00	ASSET REALISATIONS Book Debt - EHCO1	NIL NIL
4,150,000 00		NIL
	REPRESENTED BY	NIL

Note



Beverley Ellice Budsworth  
Liquidator



thebusinessdebtadvisor

The Business Debt Advisor Ltd  
Westpoint  
501 Chester Road  
Old Trafford  
Manchester  
M16 9HU

TO ALL KNOWN SHAREHOLDERS

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advice@thedebtadvisor.co.uk

Our Ref BEB/LAW/KM/B245195PS/14

19 August 2015

Dear Sir/Madam

**BROPHY ENTERPRISE LIMITED - IN MEMBERS' VOLUNTARY LIQUIDATION ("THE COMPANY")**  
**REGISTERED COMPANY NO – 01001462**  
**REGISTERED OFFICE ADDRESS – WEST POINT, OLD TRAFFORD, MANCHESTER, M16 9HU**

I, Beverley Ellice Budsworth, of The Business Debt Advisor, WestPoint Building, 3<sup>rd</sup> Floor, 501 Chester Road, Old Trafford, Manchester, was appointed as Liquidator of the above named company on 26 June 2014, pursuant to Section 91 of the Insolvency Act 1986

I present my first annual progress report to members and any other person as may be prescribed in accordance with Section 92A of the Insolvency Act 1986 ("the Act") and Rule 4.49C of the Insolvency Rules 1986 ("the Rules"), and as regards specific matters I comment as follows

#### **Background Information**

It should be noted that I have been appointed as Liquidator of several limited companies, all of which entered into Members' Voluntary Liquidation on 26 June 2014. These companies are part of a group of subsidiaries of Amey Plc, and a schedule of those companies referred to is attached at **Appendix I** of this report

Ferrovial S.A. is the parent company of Amey Plc, and is a Spanish multinational company involved in the design, construction, financing, operation and maintenance of transport, urban and services infrastructure. The voluntary liquidation of these companies has been effected as a group project and for this reason, my annual progress report should be read in conjunction with the attached schedule

#### **Receipts and Payments Account**

I attach at **Appendix II**, a summary of my receipts and payments account covering the period from 26 June 2014 to 25 June 2015, being the period under review



The Debt Advisor Limited is regulated and authorised  
by the Financial Conduct Authority Reg No 606669



**Insolvency  
Practitioners  
Association**

Registered office: Westpoint, 501 Chester Road, Old Trafford, Manchester, M16 9HU. Company Registration: 6248441  
The Business Debt Advisor is a trading name of The Debt Advisor Ltd. B E Budsworth is licensed to act as an Insolvency Practitioner in the UK by the IPA

## **Declaration of Solvency**

The purpose of this declaration is to confirm, a prescribed form, that the directors of the company, having made suitable enquiries into its affairs, have formed the opinion that it will be able to pay its liabilities in full, plus interest, within a period not exceeding twelve months

In this matter, the declaration of solvency made on 25 June 2014, confirmed the company had a single asset and no liabilities. A summary of assets and liabilities, together with an update as to the progress made in the period under review, is provided below

Where any liabilities have not been discharged in full within 12 months following commencement of the liquidation, the failure to discharge them is because tax clearance has not been obtained as quickly as anticipated. As noted below, I understand such clearance will be provided imminently and I have no reason to doubt that the directors believed to the best of their knowledge that all liabilities would be discharged within 12 months when the declaration of solvency was made

## **ASSETS**

### **ASSETS REMAINING TO BE REALISED**

The company has an outstanding book debt of £4,150,000. This represents monies due from a connected company and as soon as tax clearance is obtained (as noted below), it is intended that the asset will be distributed in specie to the member company

## **LIABILITIES**

It was estimated that the company has no outstanding liabilities requiring payment and that all of the company liabilities have been paid in full. My team has communicated with HM Revenue and Customs ("HMRC") at length regarding formal tax clearance. Representatives of HMRC have indicated to this office there are no liabilities, and it is anticipated that formal confirmation will be obtained. However, following my appointment as Liquidator, a number of matters were brought to my attention which requires further review

### **Claim submitted by Ministry of Defence**

The Ministry of Defence ("MOD") submitted a claim against the company in the amount of £14,692.17. The documentation supplied in support of this claim ranged from September 2014 to February 2015. As the company has been dormant since the early 2000's it is believed that this claim relates to Brophy Grounds Maintenance Limited, a connected company. On this basis, I have rejected this claim and I can confirm that a representative of the MOD has acknowledged this decision

### **Claim submitted by Thompsons Solicitors**

Thompsons Solicitors has submitted a claim on behalf of Mr C Liddle ("their client"), in relation to a work related injury. At this stage, it is believed that this claim relates to Brophy Grounds Maintenance Limited, a connected company. On this basis, the claim has not been admitted for dividend purposes and I await further clarification

## **ADMINISTRATION**

In addition to the matters noted above, throughout the period of my appointment to date, I have responded to queries from directors and members. I have liaised with the company's accountant and also with HMRC in order to obtain tax clearance.

These matters are ongoing and I will continue to liaise with relevant third parties in order to bring matters to formal conclusion. In addition, I have complied with the obligations imposed by statute, and my regulatory body which include, but are not limited to, the submission of returns to Companies House, HMRC, and specific penalty bonding.

## **COSTS AND EXPENSES OF THE LIQUIDATION**

Shareholders will note from **Appendix II**, that there are no expenses disclosed on the attached receipts and payments account. As regards specific matters, I comment as follows:

### **Liquidators Remuneration**

I was engaged to act as Liquidator of the company, and others detailed within the attached schedule, by Amey Plc ("the parent company"). Due to the nature of this engagement, it has been necessary for me to enter into a separate agreement with the parent company in relation to payment of my fees and disbursements in this matter. As my remuneration is not paid out of the assets of the company, no steps have been taken during the period of this report to fix the basis of my remuneration under Rule 4.148A of the Rules.

I can confirm that my remuneration as Liquidator will be paid upon a fixed fee basis of £1,500.00, per company entering into Members' Voluntary Liquidation. As noted above, the liquidation of these companies has been effected as a group project and my time charges have been allocated against the project as a whole.

Should further information regarding my remuneration or expenses be required, it may be requested by members, in writing, and the information requested shall be provided within a period of 14 days of the request pursuant to Rule 4.49E(1) of The Insolvency Rules 1986. In addition, pursuant to Rule 4.148C of the Rules, members with at least 10% of the total voting rights of all members having the right to vote at general meetings of the company, or any member with permission of the Court, may apply to the court should they be dissatisfied with the above.

### **Liquidators' Disbursements**

A statement of the expenses incurred by the Liquidator during the period under review, is attached at **Appendix III**. As noted above, due to the nature of this engagement, it has been necessary to enter into a separate agreement with the parent company in relation to payment of my disbursements in this matter. I can confirm that this firm's disbursement policy was notified to the parent company on 27 March 2015, and the disbursements of the project continue to be paid as and when required.

## **OUTCOME FOR CREDITORS**

### **Secured Creditors**

There are no secured creditors

### **Fixed & Floating Charge Creditors**

There are no fixed or floating charge creditors

### **Preferential Creditors**

There are no preferential creditors

### **Non-Preferential Unsecured Creditors**

There are no non-preferential unsecured creditors

## **DISTRIBUTIONS TO SHAREHOLDERS**

As detailed above, it is intended that the assets of the company will be distributed to the member company by way of a distribution in specie once tax clearance has been obtained. Should you have any queries regarding this report, please do not hesitate to contact either myself or Laura Walshe of this office.

Yours faithfully

A handwritten signature in black ink, appearing to read 'B. Budsworth', is written over a horizontal line.

Beverley E Budsworth  
**LIQUIDATOR**  
**OF BROPHY ENTERPRISE LIMITED**

**Ferrovial Group of Companies - 'Project Space'**  
**Summary of Companies in Members' Voluntary Liquidation**

Registered No	Name
03710856	Accord Leasing Limited
02850457	Arkeco Environmental Services Limited
01001462	Brophy Enterprise Limited
SC139907	Byzak Contractors (Scotland) Limited
04151029	CCMR Limited
03264508	Datamerse Limited
03286547	Enterprise Consulting and Solutions Limited
01917732	Enterprise Maintenance Services Limited
03809010	Enterprisekeepmoat Limited
00928292	Enterprise Utility Services (DCE) Limited
01315424	Enterprise Utility Services (TBC) Limited
03814142	First Claims Response Limited
02437772	Lancashire Enterprises (Europe) Limited
03639859	Prism Research Limited
03018912	Rhoburt Street Lighting Limited
03172776	Schofield Lothian Group Limited
03927620	TSG Services Limited
03464191	W M Y Consulting Limited
<b>19 Entries</b>	

**Brophy Enterprise Limited**  
**(In Liquidation)**  
**Liquidator's Abstract of Receipts & Payments**  
**To 25/06/2015**

Dec of Sol £		£	£
4,150,000 00	ASSET REALISATIONS Book Debt - EHCO1	NIL	NIL
<u>4,150,000 00</u>			<u>NIL</u>
	REPRESENTED BY		<u>NIL</u>

Note



Beverley Ellice Budsworth  
Liquidator



**Expense Summary Report**

From 26/06/2014 to 25/06/2015

Assignment Type	Description	Expense Type	Description	Gross Cost	Net Cost	Gross Charge	Net Charge
PROJECTSPACE-GENERAL	Project Space	4016	Bordereau	£2,525 20	£2,525 20	£2,525 20	£2,525 20
PROJECTSPACE-GENERAL	Project Space	6004	Mileage recoverable from clients	£68 47	£57 06	£68 47	£57 06
PROJECTSPACE-GENERAL	Project Space	6106	Company Searches	£3 00	£3 00	£3 00	£3 00
PROJECTSPACE-GENERAL	Project Space	6110	Printing & Photocopying	£6 39	£5 33	£6 39	£5 33
PROJECTSPACE-GENERAL	Project Space	6111	Advertising	£1,218 24	£1,015 20	£203 04	£1,218 24
PROJECTSPACE-GENERAL	Project Space	6119	Swearing documents	£95 00	£95 00	£95 00	£95 00
<b>Total</b>				<b>£3,916.30</b>	<b>£3,700.79</b>	<b>£2,901 10</b>	<b>£3,903 83</b>