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

MONDAY

A7WNQPCY
A12 07/01/2019 #229
COMPANIES HOUSE

1 Company details

Company number	0 4 5 1 8 9 2 8
Company name in full	Capital Construction & Groundworks Limited

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

2 Liquidator's name

Full forename(s)	Paul Andrew
Surname	Whitwam

3 Liquidator's address

Building name/number	Minerva
Street	
Post town	29 East Parade
County/Region	Leeds
Postcode	L S 1 5 P S
Country	

4 Liquidator's name ❶

Full forename(s)	Gary Edgar
Surname	Blackburn

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

5 Liquidator's address ❷

Building name/number	Minerva
Street	
Post town	29 East Parade
County/Region	Leeds
Postcode	L S 1 5 P S
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	d0 d3	m1 m1	y2 y0 y1 y7
To date	d0 d2	m1 m1	y2 y0 y1 y8

7 Progress report

☑ The progress report is attached

8 Sign and date

Liquidator's signature

Signature
X [signature] X

Signature date	d3 d1	m1 m2	y2 y0 y1 y8

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	Mark Pintar
Company name	FRP Advisory LLP
Address	Minerva
	29 East Parade
Post town	Leeds
County/Region	Yorkshire
Postcode	L S 1 5 P S
Country	
DX	
Telephone	0113 831 3555

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

FRP
Advisory

Capital Construction & Groundworks Limited (In Liquidation) ("THE COMPANY")

The Liquidators' Progress Report for the period 03/11/17 – 02/11/18 pursuant to section 104A of the Insolvency Act 1986 and the Insolvency (England and Wales) Rules 2016

31 December 2018

Contents and abbreviations

The following abbreviations may be used in this report:

FRP	FRP Advisory LLP
The Company	Capital Construction & Groundworks Limited (In Liquidation)
The Liquidators	Paul Andrew Whitwam and Gary Edgar Blackburn of FRP Advisory LLP
The Period	The reporting period 03/11/17 – 02/11/18
CVL	Creditors' Voluntary Liquidation

1. Progress of the liquidation

Work undertaken during the Period and work yet to be completed

We attach at **Appendix C** *a schedule of work undertaken during the Period together* with a summary of work still to be completed.

All known assets have now been realised. A retention payment of £2,859 was received after the Period and as such is not reflected on the attached Receipts and Payments account.

The Liquidators' will now take steps to finalise the liquidation.

Receipts and payments account

Attached at **Appendix B** is a receipts and payments account detailing transactions for the Period since our appointment as Liquidators.

Investigations

Part of our duties include carrying out proportionate investigations into what assets the Company has, including any potential claims that could be brought by the Company or by us in our capacity as Liquidators against any party which could result in a benefit to the estate. We have reviewed the Company's books and records and accounting information, requested further information from the directors, and invited creditors to provide information on any concerns they have concerning the way in which the Company's business has been conducted.

Further details of the conduct of our investigations are set out in the schedule of work attached. *We can confirm that no further investigations or actions are required.*

2. Estimated outcome for the creditors

The estimated outcome for creditors was included in correspondence previously circulated by us.

Preferential Creditors

There are no preferential creditors in this matter.

Unsecured creditors

We have received claims totalling £525,606 from unsecured creditors in these proceedings.

Pursuant to the Insolvency Rules no dividend will be declared to unsecured creditors as the funds realised have already been used or allocated for paying the expenses of the insolvency proceedings.

The Prescribed Part

In accordance with the Insolvency Act 1986, the prescribed part is an element of net realisations due to the floating charge holder which is made available for unsecured creditors (subject to the floating charge post-dating 15 September 2003).

As there is no floating charge the prescribed part does not apply in this instance.

3. Liquidators' remuneration, disbursements and expenses

Liquidators' remuneration

As advised in previous correspondence the creditors passed a resolution that the Liquidators' remuneration should be calculated on a fixed fee basis. To date fees of £7,785 excluding VAT have been drawn from the funds available.

Liquidators' disbursements

The Liquidators' disbursements are a recharge of actual costs incurred by them in dealing with this matter. Mileage payments made for expenses relating to the use of private vehicles for business travel, which is directly attributable to the insolvency estate, are paid by FRP Advisory at the HMRC approved mileage rate prevailing at the time the mileage was incurred.

Expenses of the liquidation

An estimate of the Liquidator's expenses was set out in the information previously circulated to creditors prior to determining the basis on which the Liquidator's fees could be drawn, further information on these expenses has been provided with each progress report sent to creditors.

A set fee of £5,000 plus VAT were approved by creditors to be paid to the Liquidators' firm for preparing the Statement of Affairs. This fee has been drawn in full.

I can confirm that expenses incurred were in line with the estimates previously provided.

Creditors have a right to request further information from the Liquidators and further have a right to challenge the Liquidators' remuneration and other expenses, which are first disclosed in this report, under the Insolvency (England and Wales) Rules. Further details of these rights can be found in the Creditors' Guide to Fees which you can access using the following link https://creditors.frpadvisory.com/info.aspx and select the one for liquidation. Alternatively, a hard copy of the relevant guide will be sent to you on request. Please note there is a time limit for requesting information being 21 days following the receipt of this progress report. There is a time limit of 8 weeks following the receipt of this report for a Court application that the remuneration or expenses are excessive.

Appendix A

Statutory information about the Company and the liquidation

CAPITAL CONSTRUCTION & GROUNDWORKS LIMITED (IN LIQUIDATION)

COMPANY INFORMATION:

Date of incorporation:	27 August 2002
Company number:	04518928
Registered office:	Minerva, 29 East Parade, Leeds LS1 5PS
Previous registered office:	Copia House, Great Cliffe Court, Great Cliffe Road, Barnsley S75 3SP
Business address:	Unit 1 Common Lane, Burn, Selby YO8 8LB

LIQUIDATION DETAILS:

Liquidators:	Paul Andrew Whitwam & Gary Edgar Blackburn
Address of Liquidators:	FRP Advisory LLP Minerva, 29 East Parade, Leeds LS1 5PS
Date of appointment of Liquidators:	03/11/2017

Appendix B

Liquidators' Receipts & Payments Account for the Period

Capital Construction & Groundworks Limited
(In Liquidation)
Joint Liquidators' Summary of Receipts & Payments

Statement of Affairs £		From 03/11/2017 To 02/11/2018 £	From 03/11/2017 To 02/11/2018 £
	ASSET REALISATIONS		
Uncertain	Retentions	NIL	NIL
	Cash at Bank	2,758.24	2,758.24
1,216.00	Directors Loan Account	1,216.00	1,216.00
	Bank Interest Gross	0.94	0.94
	Cash Held by FRP Advisory LLP	9,000.00	9,000.00
		12,975.18	12,975.18
	COST OF REALISATIONS		
	Specific Bond	20.00	20.00
	Preparation of Statement of Affairs	5,000.00	5,000.00
	Joint Liquidators' Remuneration	7,785.64	7,785.64
	Statutory Advertising	169.20	169.20
		(12,974.84)	(12,974.84)
	UNSECURED CREDITORS		
(705,764.00)	Trade & Expense Creditors	NIL	NIL
(97,615.00)	H.M. Revenue & Customs	NIL	NIL
		NIL	NIL
	DISTRIBUTIONS		
(100.00)	Ordinary Shareholders	NIL	NIL
		NIL	NIL
(802,263.00)		**0.34**	**0.34**
	REPRESENTED BY		
	IB Current Floating/NIB 16.07.18		0.34
			0.34

Paul Andrew Whitwam
Joint Liquidator

Appendix C

Schedule of Work

FRP Advisory

Capital Construction & Groundworks Limited (IN LIQUIDATION)

Schedule of Work

The table below sets out a detailed summary of the work undertaken by the office holders during the reporting period together with an outline of work still to complete.

Where work undertaken results in the realisation of funds (from the sale of assets; enhanced recoveries and potentially a reduction in creditor claims if the business has continued to trade and/or is sold following appointment; recoveries from successful actions taken against third parties), there may be a financial *benefit to creditors should there be sufficient funds available to make a distribution to one or more class of creditor. In this case work undertaken will include the* scrutiny and agreement of creditor claims.

A proportion of the work undertaken by an Insolvency Practitioner is required by statute, including ensuring the appointment is valid, notifications of the appointment to third parties, regular reporting on the progress, notifying statutory bodies where required in relation to the conduct of the directors, complying with relevant legislation and regulatory matters. This may not have a direct financial benefit to creditors but is substantially there to protect creditors and other stakeholders and ensuring they are kept informed of developments.

Note	Category		
1	**ADMINISTRATION AND PLANNING** **Work undertaken during the reporting period**		**ADMINISTRATION AND PLANNING** **Future work to be undertaken**
	General Matters		
	Regularly reviewing the conduct of the case and the case strategy and updating as required by the insolvency practitioners regulatory professional body to ensure all statutory matters are attended to and to ensure case progression. Assisting employees with their claims and liaising with the Redundancy Payments office as required.		Obtain necessary clearance from HM Revenue & Customs to progress the case to closure. Issue Draft Final Report to Creditors.

	Case Management Requirements		
	Management of ongoing case strategy. Managing the insolvent estate bank account for the duration of the case Liaison with former advisors of the Company to assist with general enquiries		
2	**ASSET REALISATION** **Work undertaken during the reporting period**		**ASSET REALISATION** **Future work to be undertaken**
	<u>Retentions</u> The Company's records disclosed two debtors with outstanding retentions totalling £33,600. Due to the contractual nature of the Company's business, the estimated realisable value was shown as uncertain for the purposes of the Statement of Affairs. Following the application of costs incurred by the debtors in making good defects, the sum of £2,859 has been paid to the Liquidators. No further payments will be forthcoming. <u>Directors Loan Account</u> As at the date of Liquidation, the loan account operated between the Company and its directors had an overdrawn balance of £1,216. This sum was repaid shortly after the Liquidators' appointment. <u>Cash Held by FRP Advisory LLP</u> Prior to the Liquidators' appointment, the sum of £9,000 representing the credit balance of the Company's bank account was held in the client account of FRP. This was		All Assets now realised.

	transferred to the case account following the appointment of the Liquidators. <u>Cash at Bank</u> The sum of £2,758 representing the final balance of the Company's bank account was paid to the Liquidators shortly after their appointment.		
3	**CREDITORS** **Work undertaken during the reporting period**		**CREDITORS** **Future work to be undertaken**
	Lodging proof of debt claim forms. Dealing with any creditor queries generally. Assisting with employee claims and liaison with the Redundancy Payments Office.		None, as no dividend will be paid to creditors due to lack of available funds.
4	**INVESTIGATIONS** **Work undertaken during the reporting period**		**INVESTIGATIONS** **Future work to be undertaken**
	Review of Company books and records. Submission of Director's Conduct Report to DBEIS.		No further work required.

Capital Construction & Groundworks Limited (IN LIQUIDATION)

Schedule of Work

5	**STATUTORY COMPLIANCE AND REPORTING** **Work undertaken during the reporting period**		**STATUTORY COMPLIANCE AND REPORTING** **Future work to be undertaken**
	Placing legal advertisements as required by statute. Notifying Creditors, Shareholders and Registrar of Companies of the Liquidators appointment. Dealing with post appointment VAT and Corporation Tax returns		To deal with the statutory requirements in order to bring the case to a close and for the office holders to obtain their release from office; this includes preparing final reports for stakeholders, convening final meetings, statutory advertising and filing the relevant documentation with the Registrar of Companies

Appendix D

Statement of expenses incurred in the Period

Office Holders' remuneration (Fixed Fee)	7,785
Preparation of S of A	5,000
Stautory Advertising	169
Specific Bond	20
	12,975