

LIQ10

Notice of removal of liquidator by court in MVL or CVL



Companies House

For further information, please
refer to our guidance at
www.gov.uk/companieshouse

1 Company details

Company number	0	6	8	4	6	1	2	8
Company name in full	DWS Realisations Limited (formerly Dave Whelan Sports Limited)							

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

2 Former liquidator's name

Full forename(s)	Francis Graham
Surname	Newton

3 Former liquidator's address

Building name/number	Central Square
Street	29 Wellington Street
Post town	Leeds
County/Region	
Postcode	L S 1 4 D L
Country	

4 Former liquidator's email address or telephone number^①

Email	BRNOTICE@bdo.co.uk
Telephone number	+44 (0) 1512 374 500

① 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	^d 0 ^d 3 ^m 1 ^m 1 ^y 2 ^y 0 ^y 2 ^y 2
	☒ I attach a copy of the court order

6 Sign and date

Former liquidator's signature	Signature X <i>Francis Graham</i> X
Signature date	^d 2 ^d 4 ^m 1 ^m 1 ^y 2 ^y 0 ^y 2 ^y 2

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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 **Jo Kelly**

Company name **BDO LLP**

Address **5 Temple Square**

Temple Street

Post town **Liverpool**

County/Region

Postcode **L 2 5 R H**

Country

DX

Telephone **+44 (0) 1512 374 500**



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

Amended under the Slip Rule pursuant to the Order of
ICC Judge Barber dated 7 November 2022



CR-2022-004045

IN THE HIGH COURT OF JUSTICE

-

BUSINESS AND PROPERTY COURTS OF ENGLAND AND WALES

INSOLVENCY AND COMPANIES LIST (ChD)

Before: ICC Judge Barber

Dated: 3 November 2022

IN THE MATTER OF ARDSLEY HOUSE HOTEL LIMITED (IN CREDITORS' VOLUNTARY
LIQUIDATION) & OTHERS

AND IN THE MATTER OF AN OFFICE-HOLDER

AND IN THE MATTER OF THE INSOLVENCY ACT 1986

BETWEEN

(1) Mark Patterson
(2) Benjamin Peterson
(3) Mark Thornton
(4) Shane Crooks
(5) Christopher Marsden
(6) Danny Nicolaas William Dartnaill
(7) Lee Causer
(8) Antony David Nygate

Applicants

- and -

(1) Francis Graham Newton
(2) Kerry Franchina Bailey
(3) Simon Edward Jex Girling
(4) Martha Thompson
(5) James Stephen
(6) William Matthew Tait
(7) Jeremy Wilmont

Respondents

ORDER

UPON the application of Mark Patterson and others ("the **Application**")

AND UPON reading the witness statements of Mark Patterson and Francis Graham Newton

IT IS ORDERED THAT:

1. The insolvency proceedings listed in the Schedules attached hereto which are not currently before the Business and Property Courts of England and Wales ("**B&PCs**") be transferred to the B&PCs for the purposes of the Application only, and the Applicants do ensure that a sealed copy of this Order be lodged with the Court having jurisdiction over each case affected by such Order.
2. The First Respondent, Francis Graham Newton, is removed from his office as Liquidator in respect of the companies in Creditors' Voluntary Liquidation which are set out in Schedule A hereto.
3. The First Applicant, Mark Patterson, is appointed as Liquidator in substitution of the First Respondent in respect of the companies which are set out in Schedule A hereto in which he is identified as proposed appointee.
4. The Second Applicant, Benjamin Peterson, is appointed as Liquidator in substitution of the First Respondent in respect of the companies which are set out in Schedule A hereto in which he is identified as proposed appointee.
5. The Third Applicant, Mark Thornton, is appointed as Liquidator in substitution of the First Respondent in respect of the company which is set out in Schedule A hereto in which he is identified as proposed appointee.
6. The Fourth Applicant, Shane Crooks, is appointed as Liquidator in substitution of the First Respondent in respect of the company which is set out in Schedule A hereto in which he is identified as proposed appointee.
7. The Fifth Applicant, Christopher Marsden, is appointed as Liquidator in substitution of the First Respondent in respect of the company which is set out in Schedule A hereto in which he is identified as proposed appointee.
8. The Sixth Applicant, Danny Nicolaas William Dartnaill, is appointed as Liquidator in substitution of the First Respondent in respect of the companies which are set out in Schedule A hereto in which he is identified as proposed appointee.
9. The Seventh Applicant, Lee Causer, is appointed as Liquidator in substitution of the First Respondent in respect of the companies which are set out in Schedule A hereto in which he is identified as proposed appointee.
10. The Eighth Applicant, Antony David Nygate, is appointed as Liquidator in substitution of the First Respondent in respect of the companies which are set out in Schedule A hereto in which he is identified as proposed appointee.
11. The First Respondent, Francis Graham Newton, is removed from his office as Liquidator in respect of the limited liability partnership in Creditors' Voluntary Liquidation which is set out in Schedule B hereto.
12. The Third Applicant, Mark Thornton, is appointed as Liquidator in substitution of the First Respondent in respect of the limited liability partnership which is set out in Schedule B hereto.
13. The First Respondent, Francis Graham Newton, is removed from his office as Liquidator in respect of the companies in Compulsory Liquidation which are set out in Schedule C hereto.

14. The Third Applicant, Mark Thornton, is appointed as Liquidator in substitution of the First Respondent in respect of the companies which are set out in Schedule C hereto in which he is identified as proposed appointee.
15. The Sixth Applicant, Danny Nicolaas William Dartnaill, is appointed as Liquidator in substitution of the First Respondent in respect of the companies which are set out in Schedule C hereto in which he is identified as proposed appointee.
16. The Seventh Applicant, Lee Causer, is appointed as Liquidator in substitution of the First Respondent in respect of the company which is set out in Schedule C hereto in which he is identified as proposed appointee.
17. The First Respondent, Francis Graham Newton, is removed from his office as Liquidator in respect of the partnership in Compulsory Liquidation which is set out in Schedule D hereto.
18. The Seventh Applicant, Lee Causer, is appointed as Liquidator in substitution of the First Respondent in respect of the partnership which is set out in Schedule D hereto.
19. The First Respondent, Francis Graham Newton, is removed from his office as Administrator in respect of the companies in Administration which are set out in Schedule E hereto.
20. The Third Applicant, Mark Thornton, is appointed as Administrator in substitution of the First Respondent in respect of the companies which are set out in Schedule E hereto in which he is identified as proposed appointee. In the event that the said companies go into voluntary liquidation the Court hereby appoints Mark Thornton to be a liquidator with effect from the date of liquidation. For the avoidance of doubt, nothing in this Order shall prevent the creditors of the companies from seeking to exercise their power to nominate another person as proposed liquidator pursuant to paragraph 83(7)(a) of Schedule B1 to the Insolvency Act 1986 ("the Act"), or section 139(3) of the Act.
21. The Fifth Applicant, Christopher Marsden, is appointed as Administrator in substitution of the First Respondent in respect of the companies which is set out in Schedule E hereto in which he is identified as proposed appointee. In the event that the said companies go into voluntary liquidation the Court hereby appoints Christopher Marsden to be a liquidator with effect from the date of liquidation. For the avoidance of doubt, nothing in this Order shall prevent the creditors of the companies from seeking to exercise their power to nominate another person as proposed liquidator pursuant to paragraph 83(7)(a) of Schedule B1 to the Act, or section 139(3) of the Act.
22. The Eighth Applicant, Antony David Nygate, is appointed as Administrator in substitution of the First Respondent in respect of the company which is set out in Schedule E hereto in which he is identified as proposed appointee. In the event that the said company goes into voluntary liquidation the Court hereby appoints Antony David Nygate to be a liquidator with effect from the date of liquidation. For the avoidance of doubt, nothing in this Order shall prevent the creditors of the company from seeking to exercise their power to nominate another person as proposed liquidator pursuant to paragraph 83(7)(a) of Schedule B1 to the Act, or section 139(3) of the Act.

23. The First Respondent, Francis Graham Newton, is removed from his office as Administrator in respect of the limited liability partnerships in Administration which are set out in Schedule F attached hereto.
24. The Fifth Applicant, Christopher Marsden, is appointed as Administrator in substitution of the First Respondent in respect of the limited liability partnership which is set out in Schedule F hereto in which he is identified as proposed appointee. In the event that the said limited liability partnership goes into voluntary liquidation the Court hereby appoints Christopher Marsden to be a liquidator with effect from the date of liquidation. For the avoidance of doubt, nothing in the Order shall prevent the creditors of the limited liability partnership from seeking to exercise their power to nominate another person as proposed liquidator pursuant to paragraph 83(7)(a) of Schedule B1 to the Act, or section 139(3) of the Act.
25. The Applicants shall procure that, at the first convenient opportunity to do so, and in any event within 3 months of the date of this Order, a block advertisement in respect of each of the insolvency appointments listed in Schedules A, B, C, D, E and F shall be placed in the London Gazette containing notification of the following matters:
 - 25.1 the removal of the First Respondent and the substitution of the First Respondent by the First, Second, Third, Fourth, Fifth, Sixth, Seventh or Eighth Applicant, as the case may be;
 - 25.2 that creditors have liberty to apply, within 28 days after the notice has been advertised, to vary or discharge the Order;
 - 25.3 that creditors have liberty to apply within 28 days after the notice has been advertised, to object to the First Respondent's release;
 - 25.4 that in each of the Liquidations listed in Schedules A, B, C and D the First Respondent will be entitled to apply to the Secretary of State for his release upon the expiry of 42 days from the date the notice has been advertised, SAVE that in the event that an application in relation to one of the insolvency appointments has been made by a creditor within the relevant time period, objecting to the said release, the First Respondent will not seek to apply for his release in relation to that insolvency appointment until after the said application has been disposed of (whether by agreement or by order of the Court); and
 - 25.5 that in each of the Administrations listed in Schedules E and F, the First Respondent will be released from all liability both in respect of any of his acts and omissions in relation to his conduct as office-holder of the estates with effect from 28 days from the date when the notice has been advertised, SAVE that in the event that an application in relation to one of the insolvency appointments has been made by a creditor within the relevant time period, objecting to the said release, the First Respondent will be released in relation to the said insolvency appointment 28 days after the said application has been disposed of (whether by agreement or by order of the Court) or further order of the Court in the meantime.
26. In relation to the insolvency proceedings listed in the Schedules hereto, and insofar as the Act or the Insolvency (England and Wales) Rules 2016 contain any requirement for advertisement of the removal of the First Respondent or his substitution by the Applicants, compliance with paragraph 25 above shall be deemed as being sufficient compliance with any such advertisement provisions and for the avoidance of doubt,

any further compliance with such notice provisions shall be waived. Insofar as the First Respondent is required by law to give any notice of his removal from office, the Applicants (and each of them) are entitled to sign and send any such notice on his behalf.

27. The period to be covered by progress reports to members and/or creditors and the dates by which those reports need to be sent to members and/or creditors and filed with the Registrar of Companies (if applicable) shall not be altered by virtue of the making of the Order or the replacement of the First Respondent by the First, Second, Third, Fourth, Fifth, Sixth, Seventh or Eighth Applicant, as the case may be, pursuant to this Order; and for the avoidance of doubt, any such requirement necessitating an alteration in the reporting dates by reason of the date of commencement, termination or replacement of an office holder's appointment, are hereby waived.
28. In each of the Liquidations listed in Schedules A, B, C and D, the First Respondent will be entitled to apply to the Secretary of State for his release upon the expiry of 42 days from the date the notice has been advertised, SAVE that in the event that an application in relation to one of the insolvency appointments has been made by a creditor within the relevant time period, objecting to the said release, the First Respondent will not seek to apply for his release in relation to that insolvency appointment until after the said application has been disposed of (whether by agreement or by order of the Court).
29. In each of the Administrations listed in Schedules E and F, the First Respondent will be released from all liability both in respect of any of his acts and omissions in relation to his conduct as office-holder of the estates with effect from 28 days from the date when the notice has been advertised, SAVE that in the event that an application in relation to one of the insolvency appointments has been made by a creditor within the relevant time period, objecting to the said release, the First Respondent will be released in relation to the said insolvency appointment 28 days after the said application has been disposed of (whether by agreement or by order of the Court) or further order of the Court in the meantime.
30. Insofar as Francis Graham Newton was a joint office holder in any of the insolvency appointments set out in the Schedules, unless otherwise already provided the replacement office holder may exercise all powers jointly with the co-office holders or separately.
31. The costs of and occasioned by the Application shall be paid by BDO LLP.
32. There be liberty to apply.

Schedule A – Creditors’ Voluntary Liquidations (Companies)

Name	Current Office Holder (1)	Current Office Holder (2)	Current Office Holder (3)	Proposed Appointee	Type	Appointed on
Ardsley House Hotel Limited	Lee Causer	Francis Graham Newton		Antony David Nygate	CVL	06/03/2015
Carter Design Group Limited	Benjamin Peterson	Francis Graham Newton		Danny Nicolaas William Dartnaill	CVL	29/11/2018
Dosco Overseas Engineering Limited	Benjamin Peterson	Francis Graham Newton		Danny Nicolaas William Dartnaill	CVL	09/12/2014
DWS Realisations Limited (formerly Dave Whelan Sports Limited)	Francis Graham Newton	Mark Thornton		Shane Crooks	CVL	06/04/2021
Enviromax Climate Solutions Limited	Francis Graham Newton	Mark Thornton		NO REPLACEMENT	CVL	06/02/2017
Estoril Construction Ltd	Benjamin Peterson	Francis Graham Newton		NO REPLACEMENT	CVL	04/06/2015
Eurofins Sensory, Consumer Research and Product Design UK Limited	Benjamin Peterson	Francis Graham Newton		Lee Causer	CVL	10/07/2020
Ewart Chain Ltd	Benjamin Peterson	Francis Graham Newton		Danny Nicolaas William Dartnaill	CVL	13/06/2018
Fly Receivables Limited (formerly Fly53 Limited)	Francis Graham Newton	Lee Causer		Mark Patterson	CVL	25/01/2013
Forestdale Hotels Limited	Lee Causer	Francis Graham Newton		Antony David Nygate	CVL	06/03/2015
GB Energy Supply Ltd	Francis Graham Newton	Antony David Nygate		NO REPLACEMENT	CVL	12/12/2017
Global Eyes Logistics Limited	Francis Graham Newton	Lee Causer		NO REPLACEMENT	CVL	25/10/2016
Groundwork Leicester and Leicestershire Ltd	Benjamin Peterson	Francis Graham Newton		Danny Nicolaas William Dartnaill	CVL	30/05/2013

Hollybank Engineering Co. Limited	Benjamin Peterson	Francis Graham Newton		Danny Nicolaas William Dartnaill	CVL	30/07/2014
Independent Energy Generation Limited	Lee Causer	Francis Graham Newton		Antony David Nygate	CVL	04/10/2013
Independent Energy Resources Limited	Lee Causer	Francis Graham Newton		Antony David Nygate	CVL	04/10/2013
J.P. Distribution Ltd	Francis Graham Newton	Simon Edward Jex Girling		Mark Thornton	CVL	02/01/2021
J.S. Hay Limited	Benjamin Peterson	Francis Graham Newton		Danny Nicolaas William Dartnaill	CVL	03/09/2013
Juniper(No.3) Limited (formerly UK Coal Mining Limited)	Francis Graham Newton	Mark Thornton		Christopher Marsden	CVL	22/10/2013
Moorfields Properties Limited	Kerry Franchina Bailey	Francis Graham Newton		NO REPLACEMENT	CVL	30/01/2019
Paperjacker Ltd	Benjamin Peterson	Francis Graham Newton		Danny Nicolaas William Dartnaill	CVL	06/11/2018
R & S Realisations 2010 Limited (formerly R & S Fire & Security Limited)	Francis Graham Newton	Mark Thornton		NO REPLACEMENT	CVL	20/04/2012
Railcare Limited	Lee Causer	Francis Graham Newton		Mark Patterson	CVL	07/07/2014
Sabotage Limited	Lee Causer	Francis Graham Newton		Mark Patterson	CVL	25/01/2013
Secure IFA Limited	Benjamin Peterson	Francis Graham Newton		Danny Nicolaas William Dartnaill	CVL	26/06/2012
Shottle Hall Hotel Limited	Francis Graham Newton			Benjamin Peterson	CVL	09/06/2017
SMF Realisations Holdings Limited (formerly Smartfocus Holdings Limited)	Jeremy Willmont	William Matthew Tait	Francis Graham Newton	NO REPLACEMENT	CVL	27/05/2020

SMF Realisations Limited (formerly Smartfocus UK Limited)	Jeremy Willmont	William Matthew Tait	Francis Graham Newton	NO REPLACEMENT	CVL	01/06/2020
Source One Environmental Limited	Mark Thornton	Francis Graham Newton		NO REPLACEMENT	CVL	21/05/2021
Subscan Technology Limited	Benjamin Peterson	Francis Graham Newton		Lee Causer	CVL	08/02/2017
Water Utility Testing Services Limited (formerly Eurofins Environmental Testing UK Limited)	Lee Causer	Francis Graham Newton		Benjamin Peterson	CVL	04/10/2016
Whitwick Engineering (Coalville) Limited	Benjamin Peterson	Francis Graham Newton		Danny Nicolaas William Dartnaill	CVL	15/03/2018
Zoffany Hotels Limited	Lee Causer	Francis Graham Newton		Antony David Nygate	CVL	06/03/2015

Schedule B – Creditors’ Voluntary Liquidations (Limited Liability Partnerships)

Name	Current Office Holder (1)	Current Office Holder (2)	Current Office Holder (3)	Proposed Appointee	Type	Appointed on
Ashton Morton Slack LLP	Francis Graham Newton	Kerry Franchina Bailey		Mark Thornton	CVL	28/05/2014

Schedule C – Compulsory Liquidations (Companies)

Name	Current Office Holder (1)	Current Office Holder (2)	Proposed Appointee	Type	Appointed on	Court	Case No.
FP Central Limited	Benjamin Peterson	Francis Graham Newton	Lee Causer	WUC	12/04/2012	High Court of Justice, Business & Property Courts of England & Wales, Insolvency & Companies List (ChD)	2902 of 2012
Harvest Finance Limited (formerly known as Mathon Limited)	James Stephen	Francis Graham Newton	Mark Thornton	WUC	15/06/2012	High Court of Justice, Business & Property Courts of England & Wales, Insolvency & Companies List (ChD)	3976 of 2012
Magnohard Limited	James Stephen	Francis Graham Newton	Mark Thornton	WUC	16/03/2016	High Court of Justice, Business & Property Courts of England & Wales, Insolvency & Companies List (ChD)	CR-2016- 001061
O'Donnell Developments Limited	Benjamin Peterson	Francis Graham Newton	NO REPLACEMENT	WUC	07/03/2014	High Court of Justice, Business & Property Courts in Birmingham, Insolvency & Companies List (ChD)	6110 of 2014

Oldbylands Limited	Benjamin Peterson	Francis Graham Newton	Danny Nicolaas William Dartnaill	WUC	03/09/2014	High Court of Justice, Business & Property Courts of England & Wales, Insolvency & Companies List (ChD)	2909 of 2014
Prymed Limited	Benjamin Peterson	Francis Graham Newton	Danny Nicolaas William Dartnaill	WUC	07/07/2009	High Court of Justice, Business & Property Courts of England & Wales, Insolvency & Companies List (ChD)	15132 of 2009
Roseville Plastering Limited	Benjamin Peterson	Francis Graham Newton	Danny Nicolaas William Dartnaill	WUC	13/01/2014	High Court of Justice, Business & Property Courts in Manchester, Insolvency & Companies List (ChD)	2032 of 2014

Schedule D – Compulsory Liquidations (Partnerships)

Name	Current Office Holder (1)	Current Office Holder (2)	Proposed Appointee	Type	Appointed on	Court	Case No.
The First Oakapple Primary Care Partnership	Francis Graham Newton	Mark Thornton	Lee Causer	WUC	26/11/2012	High Court of Justice, Business & Property Courts in Leeds, Insolvency & Companies List (ChD)	1073 of 2012

Schedule E – Administrations (Companies)

Name	Current Office Holder (1)	Current Office Holder (2)	Current Office Holder (3)	Proposed Appointee	Type	Appointed on	Court	Case No.
Celerity Information Services Limited	Martha Thompson	Francis Graham Newton		Christopher Marsden	ADM	22/05/2019	High Court of Justice, Business & Property Courts of England & Wales, Insolvency & Companies List (ChD)	CR-2019-003528
Countrywide Homes Limited	Lee Causer	Francis Graham Newton		Antony David Nygate	ADM	06/02/2009	High Court of Justice, Business & Property Courts in Birmingham , Insolvency & Companies List (ChD)	8110 of 2009
Graft Solutions Limited	Martha Thompson	Francis Graham Newton		Christopher Marsden	ADM	22/05/2019	High Court of Justice, Business & Property Courts of England & Wales, Insolvency & Companies List (ChD)	CR-2019-003526
Howard Hunt (City) Limited	Martha Thompson	Francis Graham Newton		Christopher Marsden	ADM	22/05/2019	High Court of Justice, Business & Property Courts of England & Wales, Insolvency & Companies List (ChD)	CR-2019-003531
Howard Hunt Mail Limited	Martha Thompson	Francis Graham Newton		Christopher Marsden	ADM	22/05/2019	High Court of Justice, Business & Property Courts of England & Wales, Insolvency & Companies List (ChD)	CR-2019-003529

OR Multimedia Limited	Martha Thompson	Francis Graham Newton		Christopher Marsden	ADM	22/05/2019	County Court at Central London	003527 of 2019
Parsons Peebles Service (Holding) Limited	James Stephen	Francis Graham Newton		Mark Thornton	ADM	12/06/2020	High Court of Justice, Business & Property Courts of England & Wales, Insolvency & Companies List (ChD)	CR-2020-002635
Parsons Peebles Service (Reading) Limited	James Stephen	Francis Graham Newton		Mark Thornton	ADM	12/06/2020	High Court of Justice, Business & Property Courts of England & Wales, Insolvency & Companies List (ChD)	CR-2020-002632
Parsons Peebles Service Limited	James Stephen	Francis Graham Newton		Mark Thornton	ADM	12/06/2020	High Court of Justice, Business & Property Courts of England & Wales, Insolvency & Companies List (ChD)	CR-2020-002634
PFW Realisations Ltd (previously known as Preformed Windings Ltd)	James Stephen	Francis Graham Newton		Mark Thornton	ADM	10/06/2020	High Court of Justice, Business & Property Courts of England & Wales, Insolvency & Companies List (ChD)	CR-2020-002633

Schedule F – Administrations (Limited Liability Partnerships)

Name	Current Office Holder (1)	Current Office Holder (2)	Proposed Appointee	Type	Appointed on	Court	Case No.
Celerity Communications LLP	Martha Thompson	Francis Graham Newton	Christopher Marsden	ADM	20/06/2019	High Court of Justice, Business & Property Courts of England & Wales, Insolvency & Companies List (ChD)	CR-2019- 004108
Lewis's Liverpool LLP	Kerry Franchina Bailey	Francis Graham Newton	NO REPLACEMENT	ADM	22/12/2015	High Court of Justice, Business & Property Courts in Manchester, Insolvency & Companies List (ChD)	3320 of 2015