



**IN THE HIGH COURT OF JUSTICE IN NORTHERN IRELAND
CHANCERY DIVISION (COMPANIES)**

BEFORE MASTER KELLY

on WEDNESDAY THE 26TH DAY OF JUNE 2019

STEPHEN ARTHUR CAVE

and

**GRAHAM DOUGLAS FROST
TOBY SCOTT UNDERWOOD
CAROLINE EMMA RIFKIND
DAVID MATTHEW HAMMOND
DAVID JAMES KELLY
EMMA CRAY
DEPARTMENT OF THE ECONOMY**

Applicant

MONDAY



Respondents

UPON APPLICATION by STEPHEN ARTHUR CAVE, pursuant to the Insolvency (Northern Ireland) Order 1989 (as amended) and the Insolvency Rules (Northern Ireland) 1991 (as amended by the Insolvency (Amendment) Rules (Northern Ireland) 2015);

AND UPON READING the affidavits of Stephen Arthur Cave, Graham Douglas Frost, the first and second affidavits of Toby Scott Underwood, Caroline Emma Rifkind, David Matthew Hammond, David James Kelly and Emma Cray.

AND UPON HEARING the Solicitor for the Applicant,

THIS COURT DOES ORDER:-

- 1) That Stephen Arthur Cave be discharged and released as Liquidator in respect of each of the Companies as specified in Appendix One hereto and that Graham Douglas Frost be appointed as Liquidator in place of Stephen Arthur Cave in respect of each of the said Companies;
- 2) That Stephen Arthur Cave be discharged and released as Liquidator in respect of each of the Companies as specified in Appendix Two hereto and that Graham Douglas Frost and Toby Scott Underwood be appointed as Liquidators in place of Stephen Arthur Cave in respect of each of the said Companies;

- 3) That Stephen Arthur Cave be discharged and released as Liquidator in respect of the Partnership specified in Appendix Three hereto and that Graham Douglas Frost be appointed as Liquidator in place of Stephen Arthur Cave in respect of said Partnership;
- 4) That Stephen Arthur Cave be removed as Administrator in respect of the Company specified in Appendix Four hereto and that Graham Douglas Frost be appointed as Administrator in place of Stephen Arthur Cave in respect of said Company and that for the purposes of paragraph 101(2) of Schedule B1 to the Insolvency (Northern Ireland) Order 1989, any act required or authorised under any enactment to be done by any or all of the Administrators from the date of this Order (being Toby Scott Underwood and Graham Douglas Frost) may be done by one or more of them or by the persons for the time being holding that office;
- 5) That Graham Douglas Frost, as replacement Administrator, in respect of the Company specified in Appendix Four hereto shall have his discharge from liability pursuant to paragraph 99 of Schedule B1 to the Insolvency (Northern Ireland) Order 1989 in respect of any of his actions or omissions as replacement Administrator of the said Company with effect from the time and date that is 14 days after he ceases to act as replacement Administrator;
- 6) That Stephen Arthur Cave be discharged and released as Liquidator in respect of the Company specified in Appendix Five hereto and that Toby Scott Underwood be appointed as Liquidator in place of Stephen Arthur Cave in respect of said Company;
- 7) That Stephen Arthur Cave be discharged and released as Liquidator in respect of the Company specified in Appendix Six hereto and that Caroline Emma Rifkind be appointed as Liquidator in place of Stephen Arthur Cave in respect of said Company;
- 8) THAT THE APPOINTMENTS MADE BY THIS ORDER SHALL TAKE EFFECT FORTHWITH AND WITHOUT THE REQUIREMENT TO HOLD MEETINGS OF MEMBERS OR CREDITORS FOR ANY OF THE COMPANIES OR THE PARTNERSHIP SPECIFIED IN THE APPENDICES;
- 9) A DIRECTION THAT THE APPLICANT IS NOT REQUIRED TO PRODUCE ANY PROGRESS REPORTS ON CEASING TO ACT AS LIQUIDATOR OR ADMINISTRATOR OF THE COMPANIES AND THE PARTNERSHIP SPECIFIED IN THE APPENDICES TO THIS ORDER;
- 10) A direction that Notice of the effect of this Order and in particular the removal of Stephen Arthur Cave as Liquidator or Administrator in respect of the Companies and the

Partnership set out in the Appendices hereto and his replacement with the Respondent specified in the said Appendices be communicated to the members and creditors (if appropriate) in the case of each of the Members Voluntary Liquidation and to creditors in all other cases when the next statutory or routine report is due, or earlier if the replacement office-holder(s) consider appropriate;

- 11) THAT THERE BE LIBERTY FOR THE MEMBERS AND CREDITORS (IF APPROPRIATE) OF EACH OF THE COMPANIES SPECIFIED IN THE APPENDICES HERETO IN THE CASE OF THE MEMBERS VOLUNTARY LIQUIDATIONS AND THE CREDITORS IN ALL OTHER CASES, ON REASONABLE GROUNDS, TO APPLY TO VARY OR DISCHARGE THE ORDER SOUGHT, INsofar AS IT RELATES TO THE PARTICULAR COMPANY OR PARTNERSHIP IN RELATION TO WHICH THAT PERSON IS A MEMBER OR CREDITOR, WITHIN 28 DAYS OF BEING GIVEN NOTICE OF THE TERMS OF THE ORDER;
- 12) THAT THE RESPONDENTS, AS THE REPLACEMENT OFFICEHOLDERS, SHALL GIVE NOTICE TO THE DEPARTMENT FOR THE ECONOMY AND THE REGISTRAR OF COMPANIES IN RESPECT OF EACH OF THE APPOINTMENTS SPECIFIED IN THE APPENDICES OF THE TERMS OF THIS ORDER AS SOON AS REASONABLE PRACTICABLE;
- 13) That a Composite Notice of the effect of this Order and in particular the removal of Stephen Arthur Cave as Liquidator or Administrator in respect of the Companies and the Partnership set out in the Appendices hereto and his replacement with the remaining Respondent specified in the said Appendices shall be published in the Belfast Gazette within 14 days of the date of this Order;
- 14) An Order that the new Appointees in respect of the Companies and the Partnership specified in the Appendices hereto, where applicable, shall be entitled to levy the costs of obtaining an IP licence bond in respect of each estate as a cost of the Liquidation or Administration;
- 15) An Order that the costs of this application are costs in the estates identified in the Appendices hereto and are to be apportioned amongst them in equal shares provided that if the costs which fall to be borne by any one of the estates exceed 10% of the realisable assets within that estate, that estate shall bear only the part of those apportioned costs as equals 10% of that particular estate's realisable assets; and
- 16) An Order that Stephen Arthur Cave be released from all liability pursuant to the relevant Articles of the Insolvency (Northern Ireland) Order 1989 in respect of his acts and

omissions as Liquidator or Administrator in respect of each of the Companies and the Partnership listed in the Appendices hereto such release to take effect in relation to each relevant estate 28 days after the report to the Members and Creditors (if appropriate) in the case of the Members Voluntary Liquidations and the report to Creditors in all other cases.

APPENDIX ONE**CREDITORS VOLUNTARY LIQUIDATIONS**

1. Grainger Building Services Limited (NI 010297): Stephen Arthur Cave and David Matthew Hammond
2. Heat, Energy and Associated Technology Limited (NI 016109): Stephen Arthur Cave and David James Kelly
3. P&K Developments Ltd (NI 035466): Stephen Arthur Cave and Toby Scott Underwood
4. Stirling Film and Television Productions Limited (NI 028684): Stephen Arthur Cave and Toby Scott Underwood
5. TOT Technical (NI) Limited (NI 068839): Stephen Arthur Cave and Toby Scott Underwood

APPENDIX TWO

CREDITORS VOLUNTARY LIQUIDATIONS

1. Mac Rental (N.I.) Limited (NI 048276): Stephen Arthur Cave
2. McCormick MacNaughton (N.I.) Limited (NI 002990): Stephen Arthur Cave

APPENDIX THREE

PARTNERSHIP LIQUIDATION

1. Sally McNallys (LQD0027929): 2011/063684 Stephen Arthur Cave and David Matthew Hammond

APPENDIX FOUR

ADMINISTRATION

1. Williams Industrial Services Limited (NI 028974): 2018/022636 Stephen Arthur Cave and Toby Scott Underwood

APPENDIX FIVE

MEMBERS VOLUNTARY LIQUIDATION

1. Ambler of Ballyclare Limited (NI 004648): Emma Cray and Stephen Arthur Cave

APPENDIX SIX

MEMBERS VOLUNTARY LIQUIDATION

1. Electra Power Limited (NI 026038): Stephen Arthur Cave and Toby Scott Underwood

Paula Kelly
Proper Officer

Filed Date 27 June 2019