

LIQ03

Notice of progress report in voluntary winding up



Companies House

THURSDAY



A16 *A81P65H6* #64
21/03/2019
COMPANIES HOUSE

1 Company details

Company number 0 8 7 0 9 4 5 7

Company name in full Johnstown Construction Ltd

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

2 Liquidator's name

Full forename(s) Stephen

Surname Katz

3 Liquidator's address

Building name/number 1st Floor

Street

Post town 26-28 Bedford Row

County/Region London

Postcode W C 1 R 4 H E

Country

4 Liquidator's name ①

Full forename(s)

Surname

① Other liquidator
Use this section to tell us about
another liquidator.

5 Liquidator's address ②

Building name/number

Street

Post town

County/Region

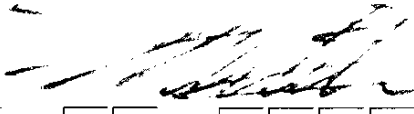
Postcode

Country

② Other liquidator
Use this section to tell us about
another liquidator.

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6	Period of progress report															
From date	^d	2	^d	5	^m	0	^m	1	^y	2	^y	0	^y	1	^y	8
To date	^d	2	^d	4	^m	0	^m	1	^y	2	^y	0	^y	1	^y	9
7	Progress report															
<input checked="" type="checkbox"/> The progress report is attached																
8	Sign and date															
Liquidator's signature	<div>Signature</div> <div>X  X</div>															
Signature date	^d	1	^d	9	^m	0	^m	3	^y	2	^y	0	^y	1	^y	9

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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 **Kelly Sherburn**

Company name **David Rubin & Partners**

Address

26 - 28 Bedford Row

Post town **London**

County/Region

Postcode **W C 1 R 4 H E**

Country

DX

Telephone **020 7400 7900**

**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

IN THE MATTER OF
JOHNSTOWN CONSTRUCTION LTD - IN LIQUIDATION

AND
THE INSOLVENCY ACT 1986

THE LIQUIDATOR'S FIRST ANNUAL PROGRESS REPORT
PURSUANT TO SECTION 92A OF THE INSOLVENCY ACT 1986
AND
RULE 18.2 OF THE INSOLVENCY (ENGLAND AND WALES) RULES 2016
FOR THE YEAR ENDED 24 JANUARY 2019

JOHNSTOWN CONSTRUCTION LTD - IN LIQUIDATION
Annual Progress Report pursuant to Section 92A of the Insolvency Act 1986

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- d. Any Change in the Office Holder
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- g. Creditors and distributions
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APPENDICES

- A. Receipts and Payments Account from 25 January 2018 to 24 January 2019

JOHNSTOWN CONSTRUCTION LTD - IN LIQUIDATION
Annual Progress Report pursuant to Section 92A of the Insolvency Act 1986

(a) Introduction

The Company was placed into liquidation by a Special Resolution of the members on 25 January 2018. This report provides an update on the progress in the liquidation pursuant to Section 92A of the Insolvency Act 1986 for the year ended 24 January 2019.

Rule 18.3: Progress Report

(b) Statutory information

Company name: Johnstown Construction Ltd
Registered office: 26-28 Bedford Row, London, WC1R 4HE
Company number: 08709457
Trading address: 58 Oxhey Road, Watford, WD19 4QQ

(c) Liquidator's name and address:

Stephen Katz, Office Holder Number: 8681, of David Rubin & Partners, and he may be contacted in writing at 26 - 28 Bedford Row, London, WC1R 4HE.

(d) Any changes in the Office Holder

I was appointed Liquidator of the Company on 25 January 2018. There has not been a change in the Office Holder since the original appointment date.

(e) Details of progress during the period and summary account of Receipts and Payments under review and cumulatively:

A Receipts and Payments Account is attached at Appendix A, which is further explained below.

1. Receipts

1.1 Commercial Vehicle

The amount of £15,833.33 was received during the period in regards to the motor vehicle. This was transferred in specie to Stuart Avery, see (g).

1.2 Cash at Bank

The amount of £60.50 was transferred from the Company's bank to the liquidation account during the period.

1.3 Cash held on appointment

The amount of £84,000 was held by my firm, prior to my appointment as Liquidator.

1.4 Bank interest gross

The funds in hand are held in an interest bearing account with a High Street bank in the Office Holder's name as Liquidator of the Company.

JOHNSTOWN CONSTRUCTION LTD - IN LIQUIDATION
Annual Progress Report pursuant to Section 104A of the Insolvency Act 1986

Interest earned on the funds in hand amounts to £8.19.

2. Payments

2.1 Liquidation Fee

The Liquidation Fee of £2,500 plus VAT relates to an agreed fee for assistance given to the Directors to place the Company into Members' Voluntary Liquidation, which includes the preparation of the Declaration of Solvency, submission of statutory forms to Companies House and circulation to the Members of the written resolutions to wind-up the Company and appoint a liquidator. This fee was proposed at a meeting of the Directors of the Company and passed by a written resolution of the Members.

2.2 Professional Fees

I instructed the Company's accountants, Butters Gates & Company to prepare accounts and corporation tax returns to the date of liquidation, and also to provide general tax advice. Butters Gates & Company were paid a total of £2,000 plus VAT.

2.3 Statutory advertising

The sum of £253.80 represents the costs for the publishing of statutory advertising in the London Gazette in respect of the first meetings of the members, the notice of the appointment of the Liquidator and to creditors to submit their claims in the liquidation.

2.4 H.M. Revenue & Customs (Corporation Tax)

The sum of £12,400 was paid on account to HM Revenue & Customs at the outset of the Liquidation, as this was the estimate of the tax at that time, pending finalising the returns.

Those returns have been filed and the sum of £218.37 has been paid, following the submission of the returns.

The £218.37 was paid outside of the period under review and therefore does not show in the attached receipts and payments account.

2.5 Expenses incurred but not yet paid

The specific bond is the cost of insurance, based on the level of realisations by the Liquidator, as required by the Insolvency Practitioners Regulations 2005. A premium of £94.80 was paid by my firm and is due to be reimbursed during the next reporting period.

Further, legal fees amounting to £10.00 relating to the statutory declaration of solvency are also due to be reimbursed to my firm.

These will be drawn shortly.

JOHNSTOWN CONSTRUCTION LTD - IN LIQUIDATION
Annual Progress Report pursuant to Section 104A of the Insolvency Act 1986

(f) Liquidator's Remuneration and Expenses

1. Basis of remuneration

The Company, by Written Resolutions, authorised me to draw fees on a time cost basis, capped at £2,500 plus VAT and disbursements for assisting the directors and members in placing the Company into liquidation. This fee was to be paid as and when permitted. In the event that further work was required than what was initially anticipated, any fees above the initial cap were to be agreed with the shareholders.

In accordance with the provisions of Statement of Insolvency Practice 9 ("SIP 9"), a schedule of my firm's charge-out rates was issued to creditors at the time the basis of the Liquidator's remuneration was approved. These rates were set in November 2011 and have fallen substantially behind prevailing market rates for a business of our size and expertise. Accordingly, the rates were revised on 1 November 2018. Our current hourly chargeout rates exclusive of VAT, which are charged in units of 6 minutes, are as follows:-

	Previous	Current
	£	£
Senior / Managing Partners	450	550
Partners/Office holders	300 - 395	495
Managers / Senior Managers	250 - 295	350 - 395
Senior Administrators	180 - 220	220 - 295
Administrators	130 - 160	160 - 200
Cashiers and Assistants	120 - 160	150 - 295
Supports	110 - 120	120 - 150

Charge out rates are normally reviewed annually in November, when rates are adjusted to reflect such matters as inflation, increases in direct wage costs, and changes to indirect costs such as Professional Indemnity Insurance.

2. Staff allocation and the use of subcontractors

Our general approach to resourcing our assignments is to allocate staff with the skills and experience to meet the specific requirements of the case. The constitution of the case team will usually consist of a Partner, Manager, Senior Administrator and two Administrators. The exact constitution of the case team will depend on the anticipated size and complexity of the assignment and additional staff may be allocated to meet the demands of the case.

We have not utilised the services of any subcontractors in this case.

3. Liquidator's remuneration

My total time costs for the pre and post liquidation period are £5,756.50. This represents a total of 30.7 hours at an average cost of 187.51 per hour.

In accordance with the resolutions passed, as further explained above, a total of £2,500 plus VAT has been paid on account of my work done.

JOHNSTOWN CONSTRUCTION LTD - IN LIQUIDATION
Annual Progress Report pursuant to Section 104A of the Insolvency Act 1986

To view an explanatory note concerning Liquidators' remuneration issued by the Joint Insolvency Committee, please visit the Publications folder on our website at www.drpartners.com/cases, using the following log-on details:

USERNAME: J853@drco.co.uk

PASSWORD: 358Jks*!

Alternatively, please contact this office to arrange for a copy to be sent to you.

Included in the work undertaken by me and my staff is the following:-

- i) Applying for the Liquidator's bond, as required by the Insolvency Practitioners Regulations 2005.
- ii) Making a first interim distribution to the Company's shareholders.
- iii) Recovering the balance of the Company's bank account.
- iv) The submission of VAT returns to HMRC.
- v) Publishing the necessary statutory advertisements in respect of the liquidation proceedings.
- vi) Dealing with matters relating to the company's bank.
- vii) Periodically carrying out case reviews to ensure all outstanding matters are dealt with and that the case is dealt with in a compliant manner.

4. Liquidator's expenses

Expenses incurred in the liquidation are explained at (e) above in my comments on the Receipts and Payments Accounts.

(g) Distributions to Members

The following distributions were paid to the shareholder:-

Name	Date	Amount per share	Type of distribution	Total distribution
		£		£
Stuart Avery	25/01/2018	758.33	Cash	60,000.00
Stuart Avery	25/01/2018	758.33	In specie	15,833.33
	Total			<u>75,833.33</u>

JOHNSTOWN CONSTRUCTION LTD - IN LIQUIDATION
Annual Progress Report pursuant to Section 104A of the Insolvency Act 1986

Details of what remains to be done

Following payment of the final disbursements and the final distribution to shareholders, the case can be progressed to closure.

There was a delay in the filing of the final pre liquidation tax returns which has delayed the final clearances being issued by HMRC and has necessitated the preparation of this report.

(i) Other information of relevance:

i) Trade and Expense Creditors

The only creditor was HMRC, as explained above in (e)(2.4).

ii) HM Revenue & Customs – Corporation Tax

The corporation tax has now been paid in full and we will be seeking tax clearance imminently. It is likely that this will take up to 4 months to be issued.

(j) Members' rights

- i. Within 21 days of the receipt of this report, members with either at least 5% of the total voting rights of all the members having the right to vote at general meetings of the Company or with the permission of the court, may request in writing that the Liquidator provide further information about his remuneration or expenses which have been itemised in this progress report.
- ii. Any members with at least 10% of the total voting rights of all the members having the right to vote at general meetings of the Company may within 8 weeks of receipt of this progress report, make an application to court on the grounds that, in all the circumstances, the basis fixed for the Liquidator's remuneration is inappropriate and/or the remuneration charged or the expenses incurred by the Liquidator, as set out in this progress report, are excessive.

(k) Next report

I am required to provide a further report on the progress of the liquidation within two months of the end of the next anniversary of the liquidation, unless I have concluded matters prior to that, in which case I will write to all members with my proposed Final Account.

I trust you will find this report adequate for your purposes but should you require any further information, please do not hesitate to contact in the first instance my Senior Manager, James Allen, or his assistant, Jenna Patel at this office.



STEPHEN KATZ - LIQUIDATOR

DATE: 10/3/19

APPENDIX A**JOHNSTOWN CONSTRUCTION LIMITED - IN LIQUIDATION****LIQUIDATOR'S RECEIPTS AND PAYMENTS ACCOUNT****FROM 25 JANUARY 2018 TO 24 JANUARY 2019**

	<u>Estimated to realise £</u>	<u>Realised to-date £</u>
<u>Receipts</u>		
Commercial Vehicle	<u>15,833.33</u>	15,833.33
Cash at Bank		60.50
Cash held on Appointment		84,000.00
Bank Interest Gross		<u>8.19</u>
		<u>99,902.02</u>
<u>Payments</u>		
Office Holder Fees		2,500.00
Professional Fees		2,000.00
Statutory Advertising		253.80
H.M. Revenue & Customs (Corporation Tax)		<u>12,400.00</u>
		<u>17,153.80</u>
<u>Receipts less Payments</u>		<u>82,748.22</u>
<u>Distributions</u>		
<u>Ordinary shareholders</u>	<u>Date</u>	
Stuart Avery	25/01/18	<u>75,833.33</u>
		<u>6,914.89</u>
<u>Receipts less Payments less Distributions</u>		<u>6,914.89</u>
<u>Represented by:-</u>		
Vat Receivable		400.00
Current Account		5,964.13
Vat Control Account		<u>550.76</u>
Balance at bank		<u>6,914.89</u>