
Joint Liquidators' progress report
from 29 August 2018 to 28 August
2019

***Milbrooke Construction
Limited***
(in liquidation)

24 October 2019

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Abbreviations and definitions

The following table shows the abbreviations and insolvency terms that may be used in this report:

Abbreviation or definition	Meaning
Administrators	Kevin Lucas of Lucas Johnson
Committee	A group of three creditors disclosed in the report under the section headed Liquidation Committee
Company	Milbrooke Construction Limited – in liquidation
CVL	Creditors' voluntary liquidation
firm	PricewaterhouseCoopers LLP
HMRC	HM Revenue & Customs
IA86	Insolvency Act 1986
IR16	Insolvency (England and Wales) Rules 2016
Liquidators	Ross David Connock and Zelf Hussain
preferential creditors	Generally, claims for unpaid wages earned in the four months before the insolvency up to £800, holiday pay and unpaid pension contributions in certain circumstances
prescribed part	The amount set aside for unsecured creditors from floating charge funds in accordance with section 176A IA86 and the Insolvency Act 1986 (Prescribed Part) Order 2003
RPS	Redundancy Payments Service, an executive agency sponsored by the Department for Business, Energy and Industrial Strategy, which authorises and pays the statutory claims of employees of insolvent companies under the Employment Rights Act 1996
secured creditors	Creditors with security in respect of their debt, in accordance with Section 248 IA86
unsecured creditors	Creditors who are neither secured nor preferential

Key messages

Why we've sent you this report

I'm writing to update you on the progress of the liquidation of the Company in the 12 months since our last report dated 26 October 2018.

You can still view our earlier reports on our website at www.pwc.co.uk/milbrooke.

How much creditors may receive

The following table summarises the possible outcome for creditors*, based on what we currently know.

Class of creditor	Current estimate (p in £)	Previous estimate (p in £)
Secured creditors	N/A	N/A
Preferential creditors	100 (paid)	100
Unsecured creditors	5-10 (Interim dividend of 1.62p paid in January 2019)	5-10

**Please note this guidance on dividends is only an indication and should not be used as the main basis of any bad debt provision or debt trading.*

What you need to do

We've asked for outstanding claims from unsecured creditors so that we can agree them for dividend purposes.

If you haven't already done so, please send your claim to us so that we can agree it. A claim form can be downloaded from our website at www.pwc.co.uk/milbrooke or you can get one by telephoning Madeline Finkill on 0113 289 4075.

All creditors wishing to receive the anticipated dividend payment must submit a proof of debt.

Outcome for creditors

Secured creditors

The Company's secured creditor advised the Administrators that there was no outstanding liability due. No distributions will therefore be paid to the Secured creditor.

Preferential creditors (mainly employees)

We paid preferential creditors in full on 16 May 2018 with the distribution totalling £14,243.66.

Unsecured creditors

Dividends become available for unsecured creditors when there are sufficient funds (after costs of the liquidation) to pay the secured and preferential creditors in full, with an amount left over. In certain circumstances, part of the amount available for secured creditors may be ring-fenced for the benefit of unsecured creditors. This prescribed part is paid out of 'net property', which is floating charge realisations after costs, and after paying - or setting aside enough to pay - preferential creditors in full. But it only has to be made available where the floating charge was created on or after 15 September 2003. Although in this instance, there is a floating charge created after 15 September 2003, the secured creditor has confirmed that there it had no liability outstanding at the date of administration and therefore its floating charge security has no relevance in this instance.

We have estimated the final distribution position to creditors on between 5 and 10p in the £, but this is dependent on: the outcome of the last asset realisation, being the expected recovery of costs arising from longstanding litigation (see later in this report for a summary of events since my last report); the agreement of the costs of the liquidation; and the final level of claims admitted for dividend. In the meantime, we declared and paid an interim dividend of 1.62p in the £ on 23 January 2019.

Progress since we last reported

Realisation of assets

Book debts

As reported to creditors previously, when the Company went in to Administration it had a book debt ledger with a book value of £1,092,626. The Administrators instructed Naismiths to assist in the collection and they have realised a total of £24,204.17 with £17,946.70 held by Naismiths in a client account.

The book debt ledger is made up of both completed contracts and work in progress however due to the nature of the Company's business there was typically a 2 year defect period before debts became due to be settled. Advice from our agents is that many clients are consolidating their debt between completed and unfinished contracts to offset balances against counterclaims they have. Our agents are continuing to negotiate with debtors to reach settlements, but it is not appropriate at this time to provide creditors with an estimate future realisations as this could prove prejudicial to the recovery process.

Ongoing litigation

We disclosed in our last report that the Company had an ongoing costs claim against a customer for significant legal fees incurred by the Company prior to the Administration. During the period covered by this report we have continued, through our lawyers, to pursue the claim and negotiate with the customer's lawyer to seek an early settlement or otherwise to progress with the legal process. There is a provisional court assessment hearing shortly and we intend to proceed with the claim as advised by our lawyer. Creditors will be updated of the outcome in our next report.

Statutory and compliance

We have fulfilled our duties as Liquidators in respect of: reporting to the creditors; filing our annual report and accompanying notices with the Registrar of Companies; and have completed our VAT and tax responsibilities. Prior to closure, we will seek tax clearance from HMRC.

Liquidation' committee

Following our appointment, and on the basis we were informed that a Creditors' Committee had been established in the previous administration, we submitted a standard notice to the Registrar of Companies that the administration Creditors Committee would now continue as the Liquidation Committee, consisting of the following creditors:

1. Moreton C Cullimore (Gravel) Limited
2. Creoda Limited
3. Byfield Services Limited

As creditors may be aware, the creditors' meeting held on 7 July 2017 during the administration had resolved to form a Creditors Committee.

In reviewing administration papers, it appears the Committee may not have been formally established by the Administrators' decision.

Given the lack of definitive documentation evidencing the establishment of the Creditors Committee, we feel it is appropriate to undertake a process to formally confirm the appointment of the Liquidation Committee by way of a decision open to all creditors. I have therefore enclosed with this report a notice of a decision procedure with the relevant voting form. If you could return your voting form by 11 November 2019. Our next meeting with the Committee will then be held to update them.

Creditors should be aware that while the formal ratification of the appointment of the previously proposed members has been requested, creditors are still able to nomination other members to join a committee should they wish to. Please note, a Liquidation Committee must consist of between three and five members. If more than two additional nominations are received, it will be necessary to revert to creditors for a decision on which nominees will form the committee.

Investigations and actions

Nothing has come to our attention during the period under review to suggest that we need to do any more work in line with our duties under the Company Directors' Disqualification Act 1986 and Statement of Insolvency Practice No.2.

Our receipts and payments account

We set out in Appendix A an account of our receipts and payments in the liquidation from 29 August 2018 to 28 August 2019.

Our expenses

We set out in Appendix B a statement of the expenses we've incurred to the date covered by this report and an estimate of our future expenses. The statement excludes any potential tax liabilities that we may need to pay as a liquidation expense in due course because amounts due will depend on the position at the end of the tax accounting period.

Our fees

We set out in Appendix C an update on our fees, disbursements and other related matters. As creditors will be aware, a Remuneration Report dated 11 August 2018 was initially approved by the Committee, and circulated to creditors. A request to amend some of its terms was subsequently received from the Committee and remains pending at the present. Given this and the ambiguous status of the Committee, no fees have been drawn to date. The Remuneration Report can be found on our website at www.pwc.co.uk/millbrooke.

Creditors' rights

Creditors have the right to ask for more information within 21 days of receiving this report as set out in Rule 18.9 IR16. Any request must be in writing. Creditors can also challenge our fees and expenses within eight weeks of receiving this report as set out in Rule 18.34 IR16. This information can also be found in the guide to fees at:

http://www.icaew.com/-/media/corporate/files/technical/insolvency/creditors-guides/2015/guide_to_liquidators_fees_oct_2015.ashx?la=en

You can also get a copy free of charge by telephoning Madeline Finkill on 0113 289 4075.

What we still need to do

As explained earlier in this report, we are awaiting the outcome of the ongoing costs litigation to realise the remaining asset and in order to distribute the final dividend to unsecured creditors. Once this has been completed, we will file the relevant notices with the Registrar to cease to act and to bring the liquidation to a close.

Next report

We expect to send our next report to creditors at the end of the liquidation or in about 12 months, whichever is the sooner.

If you've got any questions, please get in touch with Madeline Finkill, on 0113 289 4075.

Yours faithfully



Ross Connock
Joint liquidator

Ross David Connock and Zelf Hussain were appointed as Joint Liquidators of Milbrooke Construction Limited on 29 August 2017. Ross David Connock and Zelf Hussain are licensed in the United Kingdom to act as insolvency practitioners by the Institute of Chartered Accountants in England and Wales.

*The Joint Liquidators are bound by the Insolvency Code of Ethics which can be found at:
<https://www.gov.uk/government/publications/insolvency-practitioner-code-of-ethics>*

The Joint Liquidators may act as controllers of personal data as defined by UK data protection law depending upon the specific processing activities undertaken. PricewaterhouseCoopers LLP may act as a processor on the instructions of the Joint Liquidators. Personal data will be kept secure and processed only for matters relating to the Joint Liquidators' appointment. Further details are available in the privacy statement on the PwC.co.uk website or by contacting the Joint Liquidators.

Appendix A: Receipts and payments

Milbrooke Construction Limited - in Liquidation				
Receipts and Payments account				
Previously estimated by the Administrators		29 August 2017 to 28 August 2018	29 August 2018 to 28 August 2019	Total
	Receipts	(£)	(£)	(£)
300	Motor vehicles	-	-	-
100	Stock	-	-	-
	IT equipment	1,283.00	-	1,283.00
	Funds from the administration	359,885.10	-	359,885.10
Uncertain	Book debts	6,257.47	-	6,257.47
	Book debts held by agent **	-	17,946.70	17,946.70
Uncertain	Litigation (costs settlement)	21,579.95	-	21,579.95
	Interest	171.84	2,332.42	2,504.26
	Rates refund	453.71	-	453.71
	Total	389,631.07	20,279.12	409,910.19
	Payments			
	Legal fees	(22,967.39)	(7,081.46)	(30,048.85)
	Professional fees	(7,000.00)	(2,750.00)	(9,750.00)
	Statutory advertising	(73.00)	(75.00)	(148.00)
	Liquidators fees	-	-	-
	Liquidators disbursements	-	-	-
	Insurance	(215.33)	(597.30)	(812.63)
	Agents fees	(323.09)	-	(323.09)
	Total	(30,578.81)	(10,503.76)	(41,082.57)
	Preferential dividend at 100p in the £ declared on 16 May 2018	(14,243.66)	-	(14,243.66)
	Unsecured dividend at 1.62p in the £ declared on 23 January 2019	-	(68,155.19)	(68,155.19)
	Vat Control Account	(2,798.12)	1,032.10	(1,766.02)
	Balance at bank*	342,010.48	(57,347.73)	284,662.75
	*Funds held in an interest bearing account			
	** Funds held in a separate trust account			

Appendix B: Expenses

The following table provides details of our expenses. Expenses are amounts properly payable by us as Liquidators from the estate and includes our fees, but excludes distributions to creditors. The table also excludes any potential tax liabilities that we may need to pay as a liquidation expense because amounts becoming due will depend on the position at the end of the tax accounting period.

The table should be read in conjunction with the receipts and payments account at Appendix A, which shows expenses actually paid during the period and the total paid to date.

	Incurring to 28 August 2018	Incurring during the period	Total	Estimated future to incur	Anticipated total	Initial estimate	Variance
	£	£	£	£	£	£	£
Liquidation expenses							
Insurance	215.33	597.30	812.63	-	812.63	215.33	597.30
Advertising costs	73.00	75.00	148.00	75.00	223.00	146.00	77.00
Bank charges	-	-	-	60.00	60.00	60.00	-
Legal fees	22,967.39	7,081.46	30,048.85	15,527.34	45,576.19	45,576.19	-
Agents fees	323.09	9,461.82	9,784.91	4,215.09	14,000.00	14,000.00	-
Professional fees	7,000.00	2,750.00	9,750.00	3,000.00	12,750.00	10,000.00	2,750.00
Liquidators time costs	67,805.50	51,869.75	119,675.25	40,000.00	159,675.25	102,950.00	56,725.25
Liquidators disbursements	696.55	634.73	1,331.28	400.00	1,731.28	796.48	934.80
Total	99,080.86	72,470.06	171,550.92	63,277.43	234,828.35	173,744.00	61,084.35

We think that our expenses will exceed the estimate provided to all creditors in our remuneration report. Our expenses were estimated based on the liquidation lasting two years. As we expect to be in office for a third year in order to continue the litigation and distribute a final dividend to the unsecured creditors, our estimated fees will exceed our original estimate. This does not necessarily reflect the level of fees that will be drawn and it is up to the Liquidation Committee to agree our fees.

Appendix C: Remuneration update

During the period covered by this report, we sought to get fee approval from the Committee. As detailed earlier in this report, we are looking to formally constitute the committee via a decision procedure and once this establishment of the committee has been ratified by the creditors we will seek formal fee approval and draw our liquidation fee.

We set out later in this Appendix details of our work to date, anticipated future work, disbursements, subcontracted work and payments to associates.

Our hours and average rates

From 29 August 2018 to 28 August 2019

Aspect of assignment	Partner (Hrs)	Director (Hrs)	Senior Manager (Hrs)	Manager (Hrs)	Senior Associate (Hrs)	Associate (Hrs)	Support (Hrs)	Total (Hrs)	Time cost £	Average hourly rate £
1 Accounting and treasury	-	-	0.10	0.40	3.55	7.60	-	11.65	2,593.50	222.62
2 Assets	-	-	-	4.40	1.25	-	-	5.65	1,924.00	340.53
3 Creditors	-	3.50	7.10	7.40	57.00	18.85	0.70	94.55	23,323.50	246.68
4 Creditors committee	-	-	-	7.25	1.15	-	-	8.40	2,888.25	343.84
5 Employees and pensions	-	-	-	-	-	-	-	-	-	-
6 Investigations	-	-	-	-	-	-	-	-	-	-
7 Statutory and compliance	-	0.75	2.05	5.55	12.00	0.10	0.90	21.35	5,933.50	277.92
8 Strategy and planning	1.00	1.25	0.50	13.30	6.40	0.25	-	22.70	7,786.50	343.02
9 Tax & VAT	-	-	0.50	4.30	2.15	18.00	0.25	25.20	7,420.50	294.46
Total for the period	1.00	5.50	10.25	42.60	83.50	44.80	1.85	189.50	51,869.75	273.72
Brought forward at 29 August 2018								240.75	67,805.50	
Total								430.25	119,675.25	

Aspect of assignment	Total hours	Total time cost £	Average hourly rate £	Initial estimate £	Variance £
Accounting and treasury	31	6,665	217	6,002	(663)
Assets	32	10,443	326	8,915	(1,528)
Creditors	166	43,804	263	32,579	(11,225)
Creditors committee	55	16,581	304	20,135	3,554
Employees and pensions	1	304	380	440	136
Investigations	6	1,932	325	1,768	(164)
Statutory and compliance	47	11,501	243	17,718	6,217
Strategy and planning	45	15,259	339	5,740	(9,519)
Tax & VAT	47	13,186	278	9,654	(3,532)
Total for the case	430	119,675	278	102,951	(16,724)

Our time charging policy and hourly rates

We and our team charge our time for the work we need to do in the liquidation. We delegate tasks to suitable grades of staff, taking into account their experience and any specialist knowledge that is needed and we supervise them properly to maximise the cost effectiveness of the work done. Anything complex or important matters of exceptional responsibility are handled by our senior staff or us.

All of our staff who work on the liquidation (including our cashiers, support and secretarial staff) charge time directly to the case and are included in any analysis of time charged. Each grade of staff has an hourly charge out rate which is reviewed from time to time. For the avoidance of doubt, work carried out by our cashiers, support and secretarial staff is charged on a time costs basis and is included in the analysis of hourly rates

charged by partners or other staff members. Time is charged in three minute units (i.e. 0.05 units). We don't charge general or overhead costs.

We set out below the maximum charge-out rates per hour for the grades of our staff who already or who are likely to work on the liquidation.

Grade	Up to 30 June 2019 £	From 1 July 2019 £
Partner	640	690
Director	540	595
Senior manager	465	515
Manager	365	405
Senior associate – qualified	275	310
Senior associate – unqualified	200	230
Associate	180	210
Support staff	95	120

We call on colleagues in our Tax, VAT, Real Estate and Pensions departments where we need their expert advice. Their specialist charge-out rates vary but the following are the maximum rates by grade per hour.

Grade	Up to 30 June 2019 £	From 1 July 2019 £
Partner	1,315	1,385
Director	1,210	1,275
Senior manager	1,230	975
Manager	735	775
Senior Associate / consultant	545	575/330
Associate / assistant consultant	270	285/230
Support staff	160	170

In common with many professional firms, our scale rates may rise to cover annual inflationary cost increases.

Payments to associates

We have not made any payments to associates during the period of this report.

Our work in the period

Earlier in this section we have included an analysis of the time spent by the various grades of staff.

Whilst this is not an exhaustive list, in the following table we provide more detail on the key areas of work:-

Area of work	Work undertaken	Why the work was necessary	What, if any, financial benefit the work provided to creditors OR whether it was required by statute
<i>Accounting & Treasury</i>	<ul style="list-style-type: none"> • Regular reconciliations of the bank account; and • Entering receipts and payments into the accounting system. 	<ul style="list-style-type: none"> • To ensure the proper management of the funds of the estate. 	<ul style="list-style-type: none"> • To ensure the proper management of the funds that will in due course be distributed to creditors.
<i>Assets</i>	<ul style="list-style-type: none"> • Liaising with our solicitors and review of the costs claim; • Regular calls regarding the progression of the costs claim; • Agreeing the strategy for pursuing the costs claim; • Liaising with our agent regarding the book debt ledger; and • Review of future expected realisations as per our agent's reports. 	<ul style="list-style-type: none"> • To recover the maximum value for assets. 	<ul style="list-style-type: none"> • To realise the maximum funds to be distributed to the creditors.
<i>Creditors</i>	<ul style="list-style-type: none"> • Receiving proof of debt forms and filing in line with policy; • Liaising with creditors regarding adhoc queries; • Liaising with our agents regarding debtors who may also have a unsecured claim and determining the estimated level of claims that could be received; • Preparing and sending the Notice of intended dividend to all creditors and advertising the notice in the gazette; • Writing to employees separately to agree their claims; • Review of all claims received and adjudication of claims; • Sending out rejection letters where necessary and corresponding with creditors • Calculation of the interim dividend; • Preparing and sending the notice declaring the interim unsecured dividend; and 	<ul style="list-style-type: none"> • To ensure valid claims are admitted for dividend purposes; • To distribute funds to creditors; and • To provide creditors with information requested. 	<ul style="list-style-type: none"> • To ensure the correct distribution of funds.

	<ul style="list-style-type: none"> • <i>Paying the interim dividend via cheque.</i> 		
<i>Creditors committee</i>	<ul style="list-style-type: none"> • <i>Circulating documents with the committee following their request at the last committee meeting;</i> • <i>Updates to the committee via email; and</i> • <i>Reviewing the issue regarding the constitution of the committee and seeking internal advice regarding the steps needed to constitute the Liquidation Committee.</i> 	<ul style="list-style-type: none"> • <i>To inform creditors of matters in their interest.</i> 	<ul style="list-style-type: none"> • <i>To inform creditors of matters in their interest</i>
<i>Statutory and compliance</i>	<ul style="list-style-type: none"> • <i>Preparing and circulating the first annual report;</i> • <i>Conducting case reviews every six months;</i> • <i>Management of books and records held for statutory purposes.</i> 	<ul style="list-style-type: none"> • <i>To meet the statutory duties of the Liquidators.</i> 	<ul style="list-style-type: none"> • <i>Statutory duties of the Liquidators.</i>
<i>Strategy and planning</i>	<ul style="list-style-type: none"> • <i>Holding team meetings to discuss the status of the liquidation and the timing of an interim unsecured dividend;</i> • <i>Review of time costs against budget prepared for the Remuneration Report.</i> 	<ul style="list-style-type: none"> • <i>To ensure proper and efficient management of the liquidation.</i> 	<ul style="list-style-type: none"> • <i>To efficiently plan for the closure of the case.</i>
<i>Tax and VAT</i>	<ul style="list-style-type: none"> • <i>Preparation and submission of a VAT 426 to recover outstanding VAT receivable;</i> • <i>Preparing corporation tax returns and submission to HMRC.</i> 	<ul style="list-style-type: none"> • <i>To ensure all amounts due back to the Company are recovered;</i> • <i>To meet the statutory duties of the Liquidators.</i> 	<ul style="list-style-type: none"> • <i>Statutory duties of the Liquidators.</i>

Our future work

We still need to do the following work in the liquidation.

Area of work	Work we need to do	Estimated cost £	Whether or not the work will provide a financial benefit to creditors
<i>Accounting & Treasury</i>	<ul style="list-style-type: none"> • <i>Processing receipts and payments;</i> • <i>Ongoing bank reconciliations; and</i> • <i>Closure of the bank account and release of the bond.</i> 	<ul style="list-style-type: none"> • <i>1,500</i> 	<ul style="list-style-type: none"> • <i>To ensure funds that are to be distributed to creditors are managed efficiently.</i>

<i>Assets</i>	<ul style="list-style-type: none"> • Continued liaising with our solicitors regarding the ongoing costs claim seeking recovery through litigation or settlement and if appropriate, attending arbitration; and • Liaising with our agents regarding the outstanding book debts. 	• 3,500	• To maximise the realisations and increase the funds available to creditors.
<i>Creditors</i>	<ul style="list-style-type: none"> • Issuing notice of intended dividend for the final unsecured dividend; • Adjudication of any claims received following the notice of intended dividend; • Payment of unpresented cheques to the Insolvency Service; and • Responding to adhoc creditor queries regarding the claim and the liquidation. 	• 10,000	• To distribute funds to creditors.
<i>Creditors committee</i>	<ul style="list-style-type: none"> • Formal constitution of the Liquidation Committee following a decision procedure; • Updating the committee on progress regarding the costs claim; and • Agreement of Liquidators fees. 	• 5,000	• To update the committee and ensure creditors are informed of matters.
<i>Statutory and compliance</i>	<ul style="list-style-type: none"> • Preparing and submitting the second annual report to the Registrar and to creditors; Preparing and submitting the final annual report to the Registrar and to creditors; • Filing required notices to close the liquidation; and • Arranging for the destruction of books and records in line with internal policy. 	• 6,000	• No financial benefit for creditors.
<i>Strategy and planning</i>	<ul style="list-style-type: none"> • Holding internal meetings to determine the best strategy for dealing with the outstanding matters; and • Progressing the case for closure. 	• 8,000	• To plan for the efficient management and closure of the case.
<i>Tax and VAT</i>	<ul style="list-style-type: none"> • Submitting the final corporation tax return; and • Seeking tax clearance before closure. 	• 6,000	• To ensure all recoverable amounts have been recovered and all tax due has been paid.

Disbursements

We don't need to get approval to draw expenses or disbursements unless they are for shared or allocated services provided by our own firm, including room hire, document storage, photocopying, communication

facilities. These types of expenses are called “Category 2” disbursements and they must be directly incurred on the case, subject to a reasonable method of calculation and allocation and approved by the same party who approves our fees.

Our expenses policy allows for all properly incurred expenses to be recharged to the liquidation but has not yet been approved by the committee where required.

The following disbursements arose in the period of this report.

Category	Policy	Costs incurred £
2	Photocopying - at 5 pence per sheet copied, only charged for circulars to creditors and other bulk copying.	25.91
1	Postage	608.82
Total		634.73

Our relationships

We have no business or personal relationships with the parties who approve our fees or who provide services to the liquidation where the relationship could give rise to a conflict of interest.

Details of subcontracted work

No work which our staff would normally do has been subcontracted during the periods of the report and we do not anticipate such requirement in the future.

Legal and other professional firms

We’ve instructed the following professionals on this case:

Service provided	Name of firm	Reason selected	Basis of fees
Legal advice, including:	Freeths LLP		
• <i>Advising on the Liquidators ability to request a Statement of Affairs</i>		Insolvency expertise	
• <i>Disclaiming the remaining leases</i>	Myerson Solicitors LLP		Time costs basis and disbursements
• <i>Advising on the ongoing litigation with regards to costs recovery</i>		Industry knowledge	
• <i>Responding to the defendants solicitors regarding the costs recovery</i>	Just Costs Solicitors		
Debt recovery and asset agents, including:	Naismiths Limited		
• <i>Liaison with the debtors</i>			
• <i>Review of the contractual debt and realization potential</i>		Industry knowledge	Time costs basis and disbursements
• <i>Realisation of the book debt ledger</i>	JPS Chartered Suveryors		
• <i>Removing personal data from IT equipment and subsequent sale</i>			

Appendix D: Other information

Company's registered name:	Milbrooke Construction Limited- in liquidation
Registered number:	06326999
Registered address:	8 th Floor Central Square, 29 Wellington Street, Leeds, LS1 4DL
Date of the Liquidators' appointment:	29 August 2017
Liquidators' names, addresses and contact details:	Ross David Connock of PricewaterhouseCoopers LLP, 2 Glass Warf, Bristol, BS2 0FR and Zelf Hussain of PricewaterhouseCoopers LLP of 7 More London Riverside, London, SE1 2RT

Appendix E: Decision procedure

In accordance with
paragraph 15.8 and 17.5
of the Insolvency
(England and Wales)
Rules 2016

Notice to creditors seeking a decision by correspondence

<i>Name of Company</i> Milbrooke Construction Limited – in liquidation	<i>Company Number</i> 06326999
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We (a) Ross David Connock of PricewaterhouseCoopers LLP, 2 Glass Wharf, Bristol, BS2 0FR and Zelf Hussain of PricewaterhouseCoopers LLP of 7 More London Riverside, London, SE1 2RT

joint liquidators of the company give notice to creditors that we are seeking a decision by
correspondence on the following resolution(s) (b)

(b) Insert decision

1) THAT the liquidation committee should be established consisting of the following creditors:

1. Moreton C Cullimore (Gravel) Limited
2. Creoda Limited
3. Byfield Services Limited

Information on the formation, rights, duties and functions of a committee can be found on our website at www.pwc.co.uk/milbrooke.

We are also inviting creditors to make further nominations for membership of the liquidation committee.

We therefore invite you to vote on the above. To submit your vote please indicate below whether you are voting for or against the resolution and return this notice to us by post at the address below, to be received by us by 23.59 hrs on (c) 11 November 2019 (the decision date).

(c) Insert date

In order to be entitled to vote we must receive from you by 23.59 hrs on the decision date, a proof in respect of your claim in accordance with the Insolvency (England and Wales) Rules 2016 (IR16), failing which your vote will be disregarded. A proof of debt form which you can use is available at www.pwc.co.uk/milbrooke.

If your debt is treated as a small debt in accordance with rule 14.31(1) IR16 (creditors with claims of £1,000 or less), you must still deliver a proof to us by 23.59 hrs on the decision date if you wish to vote.

If you have opted out from receiving notices you may nevertheless vote if you provide a proof as set out above.

Creditors who meet one of the thresholds in section 246ZE of the Insolvency Act 1986 may, within five business days from the date of delivery of this notice, require a physical meeting to be held to consider the matter(s) set out above. The relevant thresholds are 10% in value of creditors, 10% in number of creditors, or 10 creditors.

If you wish to nominate any other creditor(s) to be members of a liquidation committee, you must deliver your nomination to us by the decision date. A nomination can only be accepted if we are satisfied as to the creditor's eligibility under rule 17.4 IR16.

A creditor may appeal a decision in accordance with rule 15.35 IR16 by applying to court not later than 21 days after the decision date.

Signed  _____

Joint liquidator

Dated 24 October 2019 _____

Address for correspondence Liquidators' postal address: PwC LLP, 8th Floor, Central Square, 29 Wellington Street, Leeds, LS1 4DL

Liquidators' contact telephone number: 0113 289 4075

In accordance with rule
15.9 of the Insolvency
(England and Wales)
Rules 2016

Name of Company
Milbrooke Construction Limited – in Liquidation

Company Number
06326999

To be completed by creditor and returned to the postal address above if you wish to vote

Insert creditor's name
and address, and
registered number if a
company

I/We _____
 Company number (if creditor is a company) _____
 of _____

vote as follows:

	Delete as applicable *
<p>Resolution (2) THAT the liquidation committee should be established consisting of the following creditors:</p> <ol style="list-style-type: none"> 1. Moreton C Cullimore (Graves) Limited 2. Creoda Limited 3. Byfield Services Limited 	<p>* for / against</p>
<p>Should you wish to make a further nominations for membership of the liquidation committee:</p> <p>Committee member: I/we nominate [creditor to insert name of creditor*] _____ to be a member of the committee if one is established. <small>*If you wish to nominate a creditor to be a member of a committee if one is established, please insert here the name of that creditor. A creditor can nominate themselves or another creditor. If the creditor is a company you must insert the company's name</small></p>	
<p>Committee member's consent to act and representative: I/we consent to act as a member of the committee and authorise [insert representative's name here*] _____ to represent me/us on the committee with authority to act generally. <small>* A creditor which is a company or other body corporate must be represented by an individual. A creditor who is an individual can be represented by another individual but does not need to be. If you don't insert the name of a representative, the nominated creditor can still be represented on any committee, but may need to provide a letter</small></p>	

of authority to the representative before they can act. A representative may be authorised to act either generally or specifically. If you wish to authorise your representative to act specifically, please amend the authority above and state in what respect they are authorised to act.

I/we enclose my/our proof of debt (if not previously submitted).

Signature of creditor or person authorised to act on behalf of the creditor:

Name in block capitals:

Position with or relation to the creditor (e.g. director, company secretary, solicitor):

Date: _____