

The Insolvency Act 1986

# Notice of move from administration to dissolution

Name of Company <b>Webb Ivory (Burton) Limited</b>	Company number <b>00715338</b>
In the <b>High Court of Justice, Leeds District Registry</b> <small>[full name of court]</small>	Court case number <b>329 of 2012</b>

(a) Insert name(s) and address(es) of administrator(s) I/We (a) Francis Graham Newton and Paul James Bates of BDO LLP, 1 Bridgewater Place, Water Lane, Leeds, LS11 5RU

(b) Insert name and address of registered office of company having been appointed administrator(s) of (b) Webb Ivory (Burton) Limited, BDO LLP, 1 Bridgewater Place, Water Lane, Leeds, LS11 5RU

(c) Insert date of appointment

(d) Insert name of applicant / appointor

On (c) 2 March 2012 by (d) The Directors

hereby give notice that the provisions of paragraph 84(1) of Schedule B1 to the Insolvency Act 1986 apply

I/We attach a copy of the final progress report

Signed

Joint Administrator(s)

Dated

27.8.2013

## Contact Details:

You do not have to give any contact information in the box opposite but if you do, it will help Companies House to contact you if there is a query on the form. The contact information that you give will be visible to searchers of the public record.

BDO LLP, 1 Bridgewater Place, Water lane,	
Leeds, LS11 5RU	
Our Ref 014829/DB/00173006/C15	Tel 0113 244 3839
DX Number	DX Exchange

When completed and signed this form please send it to the Registrar of Companies at

Companies House, Crown Way, Cardiff, CF14 3UZ

DX 33050 Cardiff



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A20 28/08/2013 #286

COMPANIES HOUSE

WEDNESDAY

**TO ALL KNOWN CREDITORS AND MEMBERS****23 August 2013**

Our Ref SB/00177159/A6

Please ask for Steph Budby  
Direct Line 0113 290 6129  
Email steph.budby@bdo.co.uk

Dear Sirs

**Webb Ivory (Burton) Limited - In Administration ("the Company")**

This is our final report in respect of this Administration

We enclose a summary of our receipts and payments to date showing a nil balance, together with a copy of our abstract receipts and payments account covering the final period, and report as follows.

**1 Statutory Information**

- 1 1 Francis Graham Newton and Paul James Bates of BDO LLP, 1 Bridgewater Place, Water Lane, Leeds, LS11 5RU were appointed Joint Administrators of the Company on 2 March 2012
- 1.2 An extension to the Administration was approved by Endless LLP ("Endless"), in its capacity as secured creditor, until 1 September 2013.
- 1 3 Under the provisions of paragraph 100(2) of Schedule B1 to the Insolvency Act 1986, the Administrators carry out their functions jointly and severally and either Administrator has exclusive power to exercise any function.
- 1 4 The Administrators were appointed by the Directors of the Company pursuant to Paragraph 22 of Schedule B1 to the Insolvency Act 1986. The Administration proceedings are dealt with in the Leeds District Registry and the court case number is 349 of 2012.
- 1 5 The Company's registered office is situated at BDO LLP, 1 Bridgewater Place, Water Lane, Leeds, LS11 5RU and the registered number is 00715338

**2 Receipts**

- 2.1 The receipts shown in the receipts and payments account are self-explanatory.

**3 Costs in the Administration**

- 3 1 Payments to our solicitor, Addleshaw Goddard LLP, totalled £8,546 plus VAT in respect of legal advice provided during the Administration. Our agent, Fox Lloyd Jones Limited, has been paid professional costs and disbursements totalling £28,894 plus VAT.



**4 Future of the Company**

- 4 1 All matters are now completed and, as detailed in our proposals, the Company will exit Administration by way of dissolution pursuant to Paragraph 84 of Schedule B1 to the Insolvency Act 1986.
- 4 2 The Company will be dissolved three months after the date on which this report is filed with the Registrar of Companies

**5 Prospects for Creditors****5.1 Prescribed Part**

- 5 1.1 Under Section 176A of the Insolvency Act 1986 where after 15 September 2003 a company has granted to a creditor a floating charge, a proportion of the net property of the company must be made available purely for the unsecured creditors
- 5.1.2 Given the net property of the Company is nil, there are no Prescribed Part funds.

**5.2 Secured Creditors**

- 5.2.1 Endless has charges dated 8 June 2010, 2 March 2011 and 13 June 2011 providing fixed and floating charge security over the Company's assets.
- 5.2.2 Endless has composite cross guarantees and debentures in place against the Company and other Webb Group companies that entered Administration in March 2012. Endless will suffer a shortfall against its £5,604,000 liability.
- 5 2 3 A distribution of £13,000 has been made to Endless under its fixed charge security.

**5.3 Preferential Creditors**

- 5 3.1 Preferential claims totalled £21,973 in respect of unpaid employee wages and holiday pay There has been no distribution to preferential creditors.

**5.4 Non-Preferential Creditors**

- 5.4 1 Non-preferential claims received to date total £1,664,832 There has been no distribution to non-preferential creditors.

**6 Administrators' remuneration and disbursements**

- 6 1 The creditors have already approved the Administrators' remuneration on a time cost basis
- 6 2 We have drawn fees totalling £88,779 plus VAT No disbursements have been paid.
- 6 3 The attached schedule details the total time incurred in dealing with this matter, representing 1,382 hours at an average rate of £160 per hour.

Please find attached an extract from the Insolvency Rules 1986 setting out the rights of creditors to request further information and/or challenge the remuneration or fees within the Administration

Should you have any queries do not hesitate to contact Steph Budby on 0113 290 6129

Yours faithfully  
For and on behalf of  
Webb Ivory (Burton) Limited



Paul Bates  
Joint Administrator

FG Newton and PJ Bates are authorised by the Insolvency Practitioners Association  
The Joint Administrators act as agents of the Company and without personal liability

**Statement from the Insolvency Rules 1986 (as amended) regarding the rights of creditors in respect of the Joint Administrators' fees and expenses:-**

**Rule 2.48A Creditors' request for further information**

- (1) If—
- (a) within 21 days of receipt of a progress report under Rule 2.47—
    - (i) a secured creditor, or
    - (ii) an unsecured creditor with the concurrence of at least 5% in value of the unsecured creditors (including the creditor in question), or
  - (b) with the permission of the court upon an application made within that period of 21 days, any unsecured creditor, makes a request in writing to the administrator for further information about remuneration or expenses (other than pre-administration costs) set out in a statement required by Rule 2.47(1)(db) or (dc), the administrator must, within 14 days of receipt of the request, comply with paragraph (2)
- (2) The administrator complies with this paragraph by either—
- (a) providing all of the information asked for, or
  - (b) so far as the administrator considers that—
    - (i) the time or cost of preparation of the information would be excessive, or
    - (ii) disclosure of the information would be prejudicial to the conduct of the administration or might reasonably be expected to lead to violence against any person, or
    - (iii) the administrator is subject to an obligation of confidentiality in respect of the information, giving reasons for not providing all of the information
- (3) Any creditor, who need not be the same as the creditor who requested further information under paragraph (1), may apply to the court within 21 days of—
- (a) the giving by the administrator of reasons for not providing all of the information asked for, or
  - (b) the expiry of the 14 days provided for in paragraph (1),
- and the court may make such order as it thinks just
- (4) Without prejudice to the generality of paragraph (3), the order of the court under that paragraph may extend the period of 8 weeks provided for in Rule 2.109(1B) by such further period as the court thinks just

**Rule 2.109 Creditors' claim that remuneration is or other expenses are excessive**

- (1) Any secured creditor, or any unsecured creditor with either the concurrence of at least 10% in value of the unsecured creditors (including that creditor) or the permission of the court, may apply to the court for one or more of the orders in paragraph (4)
- (1A) Application may be made on the grounds that—
- (a) the remuneration charged by the administrator,
  - (b) the basis fixed for the administrator's remuneration under Rule 2.106, or
  - (c) expenses incurred by the administrator,
- is or are, in all the circumstances, excessive or, in the case of an application under sub-paragraph (b), inappropriate
- (1B) The application must, subject to any order of the court under Rule 2.48A(4), be made no later than 8 weeks after receipt by the applicant of the progress report which first reports the charging of the remuneration or the incurring of the expenses in question ("the relevant report")
- (2) The court may, if it thinks that no sufficient cause is shown for a reduction, dismiss it without a hearing but it shall not do so without giving the applicant at least 5 business days' notice, upon receipt of which the applicant may require the court to list the application for a without notice hearing. If the application is not dismissed, the court shall fix a venue for it to be heard, and give notice to the applicant accordingly.

Statement from the Insolvency Rules 1986 (as amended) regarding the rights of creditors in respect of the Joint Administrators' fees and expenses (continued):-

**Rule 2.109 (continued)**

- (3) The applicant shall, at least 14 days before the hearing, send to the administrator a notice stating the venue and accompanied by a copy of the application, and of any evidence which the applicant intends to adduce in support of it
- (4) If the court considers the application to be well-founded, it must make one or more of the following orders—
  - (a) an order reducing the amount of remuneration which the administrator was entitled to charge,
  - (b) an order fixing the basis of remuneration at a reduced rate or amount,
  - (c) an order changing the basis of remuneration,
  - (d) an order that some or all of the remuneration or expenses in question be treated as not being expenses of the administration,
  - (e) an order that the administrator or the administrator's personal representative pay to the company the amount of the excess of remuneration or expenses or such part of the excess as the court may specify,  
and may make any other order that it thinks just, but an order under sub-paragraph (b) or (c) may be made only in respect of periods after the period covered by the relevant report
- (5) Unless the court orders otherwise, the costs of the application shall be paid by the applicant, and are not payable as an expense of the administration

**Webb Ivory (Burton) Limited  
(In Administration)**

**JOINT ADMINISTRATORS' RECEIPTS AND PAYMENTS ACCOUNT**

	Statement of affairs £	From 02/03/2013 To 22/08/2013 £	From 02/03/2012 To 22/08/2013 £
<b>RECEIPTS</b>			
Intellectual Property		0.00	13,000.00
Goodwill	13,000.00	0.00	0 00
Stock	60,000.00	0.00	0 00
Book Debts	50,000 00	0.00	59,936 23
Cash at Bank	18,438 00	0.00	35,311 63
Endless contribution to costs		4,008.11	70,308.11
Petty cash		0.00	1,427.96
Interest Gross		8 14	28.55
Sundry Refunds		0 00	10,406.77
Trf re Contribution to Wages		4,008 11	4,008.11
Floating Charge (1)		4,008 11	4,008 11
VAT Payable		0.00	2,556 00
VAT Control Account		4,877.17	24,031.77
		<u>16,909 64</u>	<u>225,023 24</u>
<b>PAYMENTS</b>			
Legal Fees & Disbs		0 00	8,546.43
Agents' Fees & Disbs		0 00	10,000 00
Endless LLP - Fixed Charge Security		0.00	13,000 00
Trf re Contribution to Wages		4,008 11	6,091.44
Administrators' Fees		3,778 80	88,778 80
Agents' Fees & Disbs		15,000 00	15,000 00
Agents' Fees & Disbs		3,894 00	3,894 00
Telephone & Internet		0 00	149.64
Stationery & Postage		1,722 10	7,459 79
Payroll Service Costs		0.00	2,157 93
Gas & Electric		0 00	924 82
Wages & Salaries		0 00	38,009.67
Bank Charges		1 90	414.84
Floating Charge (1)		4,008.11	4,008.11
VAT Receivable		4,877 17	26,587.77
		<u>37,290.19</u>	<u>225,023 24</u>
<b>BALANCE - 22 August 2013</b>			<u><u>0.00</u></u>

### Summary of Time Charged and Rates Applicable for the period 2 March 2012 to 23 July 2013

Description	PARTNER		MANAGER		ASSISTANT MANAGER		SENIOR/ADMINISTRATOR		GRAND TOTALS		AV RT
	Hours	Total	Hours	Total	Hours	Total	Hours	Total	Hours	Total	
A. Pre-Appointment Matters											
99 Other Matters			15.50	3,639.75	0.50	92.50	21.15	3,142.10	37.15	2,074.35	190.43
A. Pre-Appointment Matters			15.50	3,639.75	0.50	92.50	21.15	3,142.10	37.15	2,074.35	
B Steps on Appointment											
02 Statutory Documentation											
07 Attendance at Premises			2.75	706.25	1.60	206.00	14.50	2,465.00	16.10	2,761.00	171.49
08 Preparation of Proposals											
99 Other Matters											
B Steps on Appointment Total			2.75	706.25	1.60	206.00	14.50	2,465.00	16.10	2,761.00	
C Planning and Strategy											
05 Review Options Available	4.00	1,404.00									
07 Strategy Planning	11.75	4,359.75	14.95	3,690.70							
C Planning and Strategy	15.75	5,843.75	14.95	3,690.70							
D General Administration											
01 Insurance Matters											
02 VAT											
03 Taxation											
05 Conduct Reports			0.25	56.00	0.10	16.50	0.20	19.60	0.20	19.60	96.00
07 Records/Parliament Account	1.00	371.00									
09 Statutory Matters					1.30	240.30	5.20	811.20	5.50	576.45	111.93
14 General Declarations			28.05	1,443.70			219.15	1,547.20	219.15	1,547.20	153.86
15 General Correspondence					27.00	4,995.00	210.15	20,533.60	274.20	30,293.75	139.55
16 Maritime Internal Files							4,262.50	4,262.50	25.25	4,262.50	170.00
99 Other Matters			1.75	617.25	12.35	2,264.75	154.25	16,989.85	168.35	18,897.85	133.40
D General Administration Total	1.00	371.00	36.15	8,650.80	40.75	7,538.75	424.75	61,500.00	602.95	84,290.85	
E Assets Realisation/Dealing											
04 Asset Insurance/Leasing											
05 Sales Info Preparation			2.55	691.05			3.40	465.90	3.40	465.90	137.03
06 Property Related Matters			22.30	4,063.50			0.25	38.00	0.25	38.00	271.00
07 Debt Collection							0.25	38.00	0.25	38.00	156.00
08 Dealing with Chattel Assets			7.75	2,002.75			8.00	1,180.50	15.75	3,183.25	156.00
09 Dealing with Other Assets							7.85	951.00	7.85	951.00	121.15
12 Leasing Matters	4.25	1,576.75	3.00	637.00	2.20	407.00	32.50	5,153.00	41.95	7,973.75	190.08
14 Sale of Businesses/Assets			0.50	135.50			0.60	83.60	1.10	229.10	206.27
99 Other Matters					2.20	407.00	0.60	100.60	0.60	100.60	167.27
E Assets Realisation/Dealing Total	4.25	1,576.75	37.10	8,349.80	2.20	407.00	53.75	8,089.40	57.30	14,402.95	188.14
G Employee Matters											
02 Dealing with Employees			2.25	537.75	0.50	92.50	81.60	9,893.70	84.35	10,323.95	122.42
03 EPA Matters					0.60	111.00	5.00	687.10	5.60	606.10	144.30
04 Pension Issues			0.20	40.40			9.45	1,029.70	9.45	1,029.70	108.86
99 Other Matters			1.60	340.45			9.40	1,052.40	11.00	1,322.65	20.22
G Employee Matters Total			4.05	918.60	1.10	203.50	95.26	12,433.60	110.40	13,558.60	172.79
H Creditor Claims											
04 Non-Prefential Creditors	2.00	742.00	6.00	1,194.00	35.70	7,151.10	376.45	60,421.85	425.15	69,508.65	163.49
06 Other Creditors	0.75	278.25	1.35	356.85			18.50	1,809.00	18.50	1,809.00	67.78
99 Other Matters			2.75	1,020.25	38.76	7,151.10	15.25	2,221.70	17.35	1,584.50	189.27
H Creditor Claims Total	2.75	1,020.25	7.35	1,552.85	38.76	7,151.10	412.20	63,815.35	451.00	73,539.65	
I Reporting											
01 Statutory Reporting			7.35	1,705.20	2.00	481.00	1.50	255.00	11.45	2,441.20	213.21
02 Reporting to Auditor	21.50	7,919.50	5.65	1,507.35					27.35	9,483.85	346.76
04 Reporting to Creditors	6.00	2,226.00	5.00	1,218.50			11.25	1,881.50	22.25	5,326.00	239.37
06 Reporting to Other Bodies			1.00	232.00					1.00	232.00	232.00
99 Other Matters			1.50	340.00					1.50	340.00	232.00
I Reporting Total	27.50	10,202.50	20.70	5,011.05	2.50	481.00	12.75	2,136.50	63.35	17,831.05	260.35
J Distribution and closure											
04 Closure Documentation											
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