The Insolvency Act 1986

Administrator's progress report

Name of Company

Botany Bay Shipping Company Limited

Company number

02406555

High Court of Justice, Chancery Division, Companies Court

Court case number 8897 of 2012

We

Alastair Beveridge Zolfo Cooper 10 Fleet Place London EC4M 7RB

Fraser Gray Zolfo Cooper Cornerstone 107 West Regent Street Glasgow G2 2BA

Anne O'Keefe Zolfo Cooper The Zenith Building 26 Spring Gardens Manchester **M2 1AB**

administrators of the above company attach a progress report for the period

From

21 November 2012

20 May 2013

Signed

Joint Administrator

Dated

46/13

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

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08/06/2013

COMPANIES HOUSE

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Companies House, Crown Way, Cardiff CF14 3UZ DX 33050 Cardiff



Joint Administrators' Progress Report for the period 21 November 2012 to 20 May 2013

Botany Bay Shipping Company Limited, Barton (Treasure) Limited, Barton Shipping Company Limited and Barton Partner Limited All in Administration

7 June 2013



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1 Statutory information

- Alastair Beveridge was appointed Joint Administrator of Botany Bay Shipping Company Limited (Botany), Barton (Treasure) Limited (BTL), Barton Shipping Company Limited (BSCL) and Barton Partner Limited (BPL) (together the Companies) together with Fraser Gray and Anne O'Keefe on 21 November 2012 by the director of the Companies, Rodney Bruce Fox, c/o Zolfo Cooper LLP, The Zenith Building, 26 Spring Gardens, Manchester, M2 1AB.
- 1.2 The Administrations are being handled by Zolfo Cooper's Manchester office, situated at The Zenith Building, 26 Spring Gardens, Manchester, M2 1AB
- 1.3 The Administrations are registered in the High Court of Justice, Chancery Division, Companies Court, under reference numbers 8897 of 2012 for Botany, 8895 of 2012 for BTL, 8896 of 2012 for BSCL and 8894 of 2012 for BPL
- 1 4 The trading address of the Companies was 1 Finsbury Circus, London, EC2M 7SH The businesses traded under the name Botany.
- 1.5 The registered office of the Companies has been changed to c/o Zolfo Cooper LLP,
 The Zenith Building, 26 Spring Gardens, Manchester, M2 1AB and their registered numbers
 are 02406555 for Botany, 03522293 for BTL, 01970335 for BSCL and 03039587 for BPL.
- 1 6 In accordance with paragraph 100(2) of schedule B1 of the Insolvency Act 1986, all functions of the Joint Administrators are to be exercised by any or all of the Joint Administrators

2 Progress of the Administrations

- 2.1 Attached at Appendix A are the Joint Administrators' Receipts and Payments Accounts for the period 21 November 2012 to 20 May 2013.
- 2.2 Botany's analysis of receipts and payments for the period excludes £11,330 of debt collection costs which are due to CCI Legal Services Limited (CCI) and £2,000 of agent's fees due to Hilco Appraisal Europe Limited (Hilco). These costs will be paid within the agreed period. All costs incurred to date by the remaining companies have been paid.
- 2.3 As detailed in the Joint Administrators' Statement of Proposals dated 10 January 2013 (the Proposals), the Joint Administrators are pursing the second objective of an Administration, achieving a better result for the Companies' creditors as a whole than would be likely if the Companies were wound up (without first being in Administration)

Debtors and work in progress

- 2.4 As previously reported, Botany raised invoices on behalf of BTL, BSCL and BPL, and at the date of the Joint Administrators' appointment, there were outstanding invoices in relation to shipping and port authority debts totalling US \$505,791 (£317,587).
- 2.5 The Joint Administrators sought legal advice to confirm which of the Companies would be entitled to any recoveries made in relation to the debts. On 1 July 2010, BTL, BSCL and BPL signed an assignment document assigning their earnings and obligations to Botany. As a result of this, all realisations made in relation to the outstanding debts will be available in the Administration of Botany.



- The Joint Administrators have appointed CCI to act as book debt collection agents on the debts, on a 'no win, no fee' basis. Book debt collections to date total £40,898. In addition to the realisations shown on the Receipts and Payments Account, CCI are currently in receipt of further debtor realisations totalling £17,947 which are due to be remitted to Botany shortly.
- 2.7 CCI continue to liaise with the debtors in respect of the remaining balances, however, a number of counter claims have been raised which are likely to have an impact on the level of future recoveries. In addition, the majority of debtors are located overseas, which has complicated the debt recovery process further
- 2.8 As previously reported, BSCL was mid-way through completion of a contract when its charter of the vessel M V Botany Troubadour was terminated. As the contract was partially completed, BSCL was entitled to receive payment of £53,552. This payment has been received, and for the reasons detailed above, is shown on Botany's Receipts and Payments Account.

Cash and credit cards

- 2 9 Only one bank account was operated by the Companies, and this was held by Botany. At the date of the Joint Administrators' appointment there was a balance of £146,073, which has been transferred to the Administration account.
- 2.10 Botany held two pre-paid credit cards, which had a balance of £9,677 at the date of the Joint Administrators' appointment. The Joint Administrators liaised with the providers and the balance was refunded
- 2.11 Prior to the Administration of Botany, the directors transferred £75,000 to the provisional liquidator of Botany Bay Shipping Company PTE Limited (Pte), an associated company, to cover the costs of placing Pte into liquidation. The provisional liquidators' costs were less than the £75,000, resulting in a surplus of £17,323 being returned to Botany.

Refunds

- 2.12 The Companies operated within a VAT group and the final VAT return up to the date of the Joint Administrators' appointment showed a refund due from H M Revenue and Customs of £13,961. These monies have been received and are shown on the Receipts and Payments Account of Botany, as the representative of the VAT group.
- 2 13 The Companies' pre-appointment insurance policies have been cancelled resulting in overall refunds of £6,371 being available in Botany

Contribution to costs

2.14 As previously reported, Botany transferred £75,000 to BTL, BSCL and BPL prior to the Joint Administrators' appointment. As all of the Companies' assets sit in Botany, the transfers were made to cover the costs of the respective Administrations. Once all of the costs of the Administrations have been settled, any surplus monies will be transferred back to Botany.



3 Assets still to be realised

Book debts

3.1 As detailed in section 2, CCI continue to liaise with the debtors in relation to the outstanding debts due to Botany.

Fixtures and fittings and motor vehicle

3.2 The Joint Administrators appointed Hilco to sell the office fixtures and fittings which were owned by Botany. In addition, Hilco were also instructed to sell Botany's motor vehicle. These assets have now been sold realising £375 and £3,800 respectively. The monies are currently held by Hilco and will be forwarded in due course.

4 Investigations

The Joint Administrators conducted investigations into the conduct of the director and transactions entered into prior to the Companies' insolvencies, as required by the Company Directors Disqualification Act, and Statement of Insolvency Practice 2 - Investigations by Office Holders in Administrations and Insolvent Liquidations. Based upon the outcome of the Joint Administrators' investigations, there were no matters identified that required further action

5 Joint Administrators' remuneration

- 5.1 The unsecured creditors approved that the basis of the Joint Administrators' remuneration be fixed by reference to the time properly spent by the Joint Administrators and their staff on matters arising in the Administrations. This approval was received on 28 January 2013 for Botany and BPL, and on 19 February 2013 for BTL and BSCL.
- 5.2 The Joint Administrators' time costs for the period 21 November 2012 to 20 May 2013 are detailed below:

| Company # 100 | Time costs £ | Total hours - Averag | e rate per hour |
|------------------|-----------------|----------------------|-----------------|
| . Botany | 87,413 | 284 | 308 |
| BTL | 17,896 | 70 | 255 |
| BSCL | 17,721 | 69 | 257 |
| † BPL | 21,759 | 80 | 272 |

- 5.3 Attached at Appendix B are Time Analyses for the period, which provide details of the costs incurred by activity and by staff grade for each of the Companies. Approval of the Joint Administrators' remuneration has been sought in accordance with rule 2 106 of the Insolvency Rules 1986 as amended.
- 5.4 Principal areas of activity during the period are discussed in further detail below.
 - Administration and planning time has been incurred formulating and implementing
 the initial case strategy, complying with statutory duties and performing general
 administrative work. Case related treasury and support time is also recorded here. A



- significant amount of time was spent dealing with the owners of the vessels and this time is recorded here
- Investigations time has been incurred conducting investigations into the director's conduct together with the Companies' dealings prior to the appointment of the Joint Administrators, and the submission of a report to the Department for Business, Innovation and Skills pursuant to the Company Directors Disqualification Act 1986.
- Realisation of assets floating charge time spent liaising with Hilco in relation to the sale of the fixtures and fittings and the motor vehicle. Time has been spent corresponding with a number of leasing companies to arrange for the collection of assets from the Companies' premises.
- Realisation of assets debtors time has been incurred reviewing the Companies' book debt ledgers and liaising with the director regarding likely realisations. Time has been charged to communicating with CCI regarding outstanding balances and dealing with disputes.
- **Creditors** time has been incurred notifying all creditors of the appointments, preparing statutory reports and holding meetings of creditors. Time has also been spent dealing with employee claims.
- A copy of 'A Creditors' Guide to Administrations' which includes guidance on Administrators' fees can be downloaded from Zolfo Cooper's creditor portal (http://www.zcinfoportal.com). If you would prefer this to be sent to you in hard copy please contact Meda Tranca on 0161 838 4570 or mtranca@zolofcooper.eu.
- 5.6 No fees have been drawn on account to date. Disbursements of £545 have been drawn on account in Botany, £228 in BTL, £148 in BSCL and £213 in BPL
- 5 7 The Joint Administrators can confirm that the following category 2 disbursements have been incurred but not yet taken
 - Photocopying charged at the rate of ten pence per sheet for notifications and reports to creditors and other copying.
 - Printing charged at the rate of ten pence per sheet for black and white printing and 15 pence per sheet for colour.
 - Business mileage for staff travel charged at the rate of 45 pence per mile.
- 5.8 Information in relation to the Joint Administrators' policy on staffing, the use of sub-contractors, payment of disbursements and details of current charge-out rates by staff grade is provided at Appendix C.

6 Estimated outcome for creditors

Secured creditor

6.1 The Companies have not granted any fixed or floating charge security over their assets.

Preferential creditors

6.2 At the date of the Joint Administrators' appointment, Botany had two employees who were immediately made redundant. As the employees had been paid up to date and had already taken their holiday entitlement in full, there will be no preferential claims.



6.3 BTL, BSCL and BPL did not have any employees, therefore there will be no preferential claims in any of the Companies

Unsecured creditors

- 6 4 Unsecured creditor claims received to date total £1,396,390 in Botany, £1,104 in BTL, £246 in BSCL and £1,724,748 in BPL.
- The Joint Administrators anticipate that there will be a surplus available in Botany for unsecured creditors. However they are unable to quantify the level of these funds or the rate of any unsecured dividend until the remaining assets are realised and claims have been agreed
- 6.6 The Joint Administrators' solicitors have confirmed that BTL, BSCL and BPL each have a claim against Botany for any liabilities arising under the various charter agreements. Therefore, once the agreement of unsecured claims has been completed, the Joint Administrators will submit unsecured claims in Botany for the value of any claims submitted in the respective Administrations of BTL, BSCL and BPL, and a dividend will be paid by Botany in respect of these claims. On this basis, all unsecured creditors will receive an equal dividend, regardless of which entity their claim resides in

7 Ending the Administrations

- 7.1 The Joint Administrators believe there will be a dividend available to the unsecured creditors of each of the Companies. In this case, the Joint Administrators will file notices with the Registrar of Companies in order that the Administrations cease and that the Companies will move automatically into Creditors' Voluntary Liquidation (CVL). It is proposed that the Joint Administrators become Joint Liquidators of the CVLs. Furthermore, it is not considered appropriate for the distributions of dividends to be made in the Administrations and an application to the court will not be made in this respect.
- 7.2 The Joint Administrators will be discharged from liability under paragraph 98 of schedule B1 to the insolvency Act 1986 directly after their appointment as Joint Administrators ceases to have effect.

8 Creditors' rights

- 8.1 Within 21 days of the receipt of this report, a secured creditor, or an unsecured creditor (with the agreement of at least 5% of the value of the unsecured creditors) may request in writing that the Joint Administrators provide further information about their remuneration or expenses (other than pre-administration costs) which have been itemised in this progress report.
- Any secured creditor, or an unsecured creditor (with the agreement of at least 10% of the value of unsecured creditors) may, within eight weeks of receipt of this report, make an application to court on the grounds that the basis fixed for the Joint Administrators' remuneration is inappropriate, or that the remuneration charged or the expenses incurred by the Joint Administrators as set out in this report are excessive



9 Next report

9.1 The Joint Administrators are required to provide a progress report within one month of the end of the next six months of the Administrations, or earlier if the Administrations have been finalised.

For and on behalf of The Companies

Anne O'Keefe Joint Administrator

Encs



Receipts and Payments Account for the period 21 November 2012 to 20 May 2013

Appendix A

Botany Bay Shipping Company Limited

| Statement | |
|------------|--|
| of Affairs | |

| of Affairs | | |
|------------|--------------------------------------|----------|
| £ | | <u> </u> |
| | Receipts | |
| | Work in progress | 53,552 |
| 230,000 | Book debts | 40,898 |
| | VAT refund | 13,961 |
| | Insurance refund | 6,371 |
| 151,474 | Cash at bank | 146,073 |
| 8,469 | Credit card refund | 9,677 |
| | Floating bank interest | 33 |
| | Cash held by third party | 17,323 |
| | Sundry refund | 24 |
| | | 287,912 |
| | Payments | |
| | Category 1 disbursements | |
| | Statutory advertising | 169 |
| | Stationery, postage and photocopying | 376 |
| | Payroll agent's fees | 250 |
| | Legal fees | 9,404 |
| | Insurance of assets | 307 |
| | Bank charges | 6 |
| | | (10,512 |
| | Balance | 277,400 |
| | Represented by | |
| | Current account | 275,374 |
| | VAT receivable | 2,026 |
| | YAT TECETYADIC | 277,400 |
| | | |



(7,523)

Receipts and Payments Account for the period 21 November 2012 to 20 May 2013 (cont'd)

Appendix A

Barton (Treasure) Limited

Statement

| of Affairs | | |
|------------|--------------------------|--------|
| £ | | £ |
| | Receipts | |
| | Contribution to costs | 75,000 |
| | Bank interest | 19 |
| | | 75,019 |
| | Payments | |
| | Category 1 disbursements | |
| | Stationery and postage | 143 |
| | Statutory advertising | 85 |
| | Legal fees | 7,293 |
| | Bank charges | 2 |



70,191

Receipts and Payments Account for the period 21 November 2012 to 20 May 2013 (cont'd)

Appendix A

Barton Shipping Company Limited

| Statement | | |
|------------|--------------------------|---------|
| of Affairs | | |
| £ | | £ |
| | Receipts | |
| | Contribution to costs | 75,000 |
| | Bank interest | 34 |
| | | 75,034 |
| | Payments | |
| | Category 1 disbursements | |
| | Stationery and postage | 63 |
| | Statutory advertising | 85 |
| | Legal fees | 4,692 |
| | Bank charges | 3 |
| | | (4,843) |
| | Balance | 70,191 |
| | Represented by | |
| | Current account | 69,223 |
| | VAT receivable | 968 |
| | | |



Receipts and Payments Account for the period 21 November 2012 to 20 May 2013 (cont'd)

Appendix A

Barton Partner Limited

| Statement | |
|---------------------------|----------------|
| of Affairs | |
| £ | : |
| Receipts | |
| Contribution to costs | 75,0 00 |
| Bank interest | 19 |
| | 75,019 |
| Payments | |
| Category 1 disbursements: | |
| Stationery and postage | 59 |
| Statutory advertising | 154 |
| Legal fees | 10,516 |
| Bank charges | 2 |
| | (10,731 |
| Balance | 64,288 |
| Represented by | |
| Current account | 62,142 |
| VAT receivable | 2,146 |
| | 64,288 |



Time Analysis for the period 21 November 2012 to 20 May 2013

Appendix B

Botany Bay Shipping Company Limited

| | Employee grade (hours) | | | | | E | |
|---|------------------------|-----------------|------------|-----------------|-------------|------------|------------------|
| | | Associate | | · · · | - | | |
| | Partner/ | director/senior | Associate/ | Junior analyst/ | | | Average rate per |
| | director | associate | analyst | support | Total hours | Total cost | hou |
| Administration and planning | | | | · | | | |
| Planning | 3 3 | 38 | - | | 71 | 3,190 00 | 452 |
| Strategy and control | 37 1 | 27 4 | 17 | 23 | 68 5 | 31,997 50 | 467 |
| Statutory duties | - | 09 | 0 5 | 22 | 36 | 867 00 | 241 |
| Case administration | 0 2 | 24 | 16 | 87 | 12 9 | 2,881 00 | 223 |
| Accounting and treasury | 0 3 | 04 | 2 2 | 11 1 | 14 0 | 2,438 00 | 174 |
| Internal documentation | - | 17 | · | 38 7 | 40 4 | 6,461 00 | 160 |
| investigations | | | | | 1 | | |
| Director conduct reports | 0.5 | 0.5 | 03 | 3 5 | 46 | 1,165 50 | 243 |
| Other investigations | 1 0 | 2 2 | • | 04 ' | 3 6 | 1,328 00 | 369 |
| Realisation of assets debtors | | | | | | | |
| Debt collection | • | 17 2 | 86 | 18 9 | 44 7 | 12,289 00 | 275 |
| Debtor litigation | • | 80 | - | | 80 | 3,120 00 | 390 |
| Internal and external documentation | | 08 | | | 0 8 | 296 00 | 370 |
| Realisation of assets - floating charge | | | | | | | |
| Asset identification and valuation | - | 05 | • | 8 0 | 13 | 325 00 | 250 |
| Sale of assets | • | 27 | | | 2.7 | 999 00 | 370 |
| Recovery of assets | | 24 | | | 2 4 | 888 00 | 376 |
| Asset accounting and administration | • | | 10 | 2 5 | 3 5 | 680 00 | 194 |
| Creditors | | | | | | | |
| Creditor claims | 2 3 | | | | 2 3 | 1,222.50 | 537 |
| Internal documentation | - | 0.4 | | 1 3 | 17 | 343 00 | 202 |
| Creditor strategy | 1 5 | • | | | 1 5 | 862 50 | 579 |
| Reporting to creditors | 0 2 | 3 1 | 11 2 | 1.4 | 15 9 | 4,942.00 | 311 |
| Creditor meetings | | 1.8 | | | 1.8 | 666 00 | 370 |
| Unsecured creditors | 10 | 10.3 | 71 | 21 5 | 39 9 | 9,811 00 | 246 |
| Employees | | 0.3 | 16 | 0 2 | 2 1 | 641 00 | 30! |
| Totals | 47.4 | 86 8 | 35 8 | 113 5 | 283 5 | 87,413 00 | 308 |

Barton (Treasure) Limited

| | | Employee grade (hours) | | | | £ | |
|---------------------------------|----------|------------------------|------------|-----------------|-------------|------------|------------------|
| | | Associate | | | | | |
| | Partner/ | director/senior | Associate/ | Junior analyst/ | | | Average rate per |
| | director | associate | analyst | support | Total hours | Total cost | hour |
| Administration and planning | | | | | | | |
| Strategy and control | | 45 | 06 | 11 | 62 | 2,045 00 | 330 |
| Statutory duties | | 09 | 02 | 14 | 25 | 640 00 | 256 |
| Case administration | 0 2 | 3 4 | 04 | 3 5 | 75 | 2,145 00 | 286 |
| Accounting and treasury | 0 1 | 14 | 04 | 4.4 | 63 | 1,261 50 | 200 |
| Internal documentation | • | | • | 7 9 | 79 | 1,188 00 | 150 |
| Investigations | | | | | | | |
| Director conduct reports | 0.5 | 0.5 | 01 | 1 5 | 26 | 784 50 | 302 |
| Other investigations | • | 1 6 | • | 0.4 | 20 | 656 00 | 328 |
| Realisation of assets - debtors | | | | | | | |
| Debt collection | • | 3 0 | 2 2 | 6.4 | 11 6 | 2,921 50 | 252 |
| Creditors | | | | | | | |
| Reporting to creditors | 02 | t B | 5 5 | 12 | 87 | 2,690 50 | 309 |
| Creditor meetings | | 1.8 | 02 | 2 2 | 4 2 | 1,057 00 | 252 |
| Unsecured creditors | • | 20 | 23 | 6.5 | 108 | 2,506 50 | 232 |
| Totals | 10 | 20 9 | 119 | 36 5 | 70 3 | 17,895 50 | 255 |



Time Analysis for the period 21 November 2012 to 20 May 2013 (cont'd)

Appendix B

Barton Shipping Company Limited

| | Employee grade (hours) | | | | | | £ | |
|---|------------------------|-----------------|------------|-----------------|-------------|------------|------------------|--|
| | | Associate | | | _ | | | |
| | Partner/ | director/senior | Associate/ | Juntor analyst/ | | | Average rate per | |
| | director | associate | analyst | support | Total hours | Total cost | hour | |
| Administration and planning | | | | | | | | |
| Strategy and control | - | 43 | 06 | 11, | 60 | 1,971 00 | 329 | |
| Statutory duties | | 09 | 02 | 14 | 2 5 | 640 00 | 256 | |
| Case administration | 0 2 | 1 4 | 04 | 20 | 40 | 1,100 00 | 275 | |
| Accounting and treasury | 0 2 | 1.4 | 0.6 | 57' | 79 | 1,519 00 | 192 | |
| Internal documentation | | - | | 61, | 6 1 | 918 00 | 150 | |
| Investigations | | | | 1 | | | | |
| Director conduct reports | 0 5 | 0.5 | 01 | 1 5 | 26 | 784 50 | 302 | |
| Other investigations | | 1 6 | | 03 | 19 | 640 00 | 337 | |
| Realisation of assets - debtors | | | | | | | | |
| Debt collection | | 5 3 | 2 3 | 66 | 14 2 | 3,869 00 | 272 | |
| Realisation of assets - floating charge | | | | i | | | | |
| Asset accounting and administration | | | • | 0 1 | 01 | 9 50 | 95 | |
| Creditors | | | | 1 | | | | |
| Reporting to creditors | 0 2 | 18 | 56 | 12 ' | 8 8 | 2,721 00 | 309 | |
| Creditor meetings | | 18 | 02 | 24 | 44 | 1,087 00 | 247 | |
| Unsecured creditors | | 20 | 2 3 | 6.2 1 | 10 5 | 2,461 50 | 234 | |
| Totals | 11 | 21 0 | 12.3 | 346 | 69 0 | 17,720 50 | 257 | |

Barton Partner Limited

| | Employee grade (hours) | | | | | £ | |
|---|------------------------|-----------------|------------|-----------------|-------------|------------|------------------|
| | | Associate | | | _ | | |
| | Partner/ | director/senior | Associate/ | Junior analyst/ | | | Average rate per |
| | director | associate | analyst | support ' | Total hours | Total cost | hour |
| Administration and planning | | | | , | | | |
| Strategy and control | - | 91 | 06 | 11 ! | 10 8 | 3,747 00 | 347 |
| Statutory duties | • | 09 | 02 | 14 📜 | 2 5 | 640 00 | 256 |
| Case administration | 02 | 14 | 03 | 29 | 48 | 1,204 50 | 251 |
| Accounting and treasury | 01 | 14 | 04 | 39 | 5 8 | 1,187 50 | 205 |
| Internal documentation | • | | | 73 | 73 | 1,098 00 | 150 |
| Investigations | | | | ł | | | |
| Director conduct reports | 0.5 | 0.5 | 0 1 | 15 ' | 2 6 | 784 50 | 302 |
| Other investigations | | 5 5 | | 0.3 • | 5 8 | 2,083 00 | 359 |
| Realisation of assets - debtors | | | | à. | | | |
| Debt collection | | 35 | 2 4 | 71 | 13 0 | 3,290.50 | 253 |
| Realisation of assets - floating charge | | | | • | | | |
| Asset realisation strategy | • | 04 | | ì | 0.4 | 148 00 | 370 |
| Asset Identification and valuation | | | • | 0.3 | 0 3 | 45 00 | 150 |
| Dealing with third party assets | | | 02 | ! | 0 2 | 61 00 | 305 |
| Creditors | | | | | | | |
| Creditor claims | 1.0 | | | į | 10 | 450 00 | 450 |
| Reporting to creditors | 02 | 1.8 | 5 1 | 13 } | 8.4 | 2,584 50 | 308 |
| Creditor meetings | • | 10 | | ! | 1 0 | 370 00 | 370 |
| Unsecured creditors | - | 5 4 | 2.4 | 83 | 16 1 | 4,065 00 | 252 |
| Totals | 20 | 30 9 | 11 7 | 35 4 | 80 0 | 21,758 50 | 272 |



Additional information in relation to the Joint Administrators' remuneration pursuant to Statement of Insolvency Practice 9

Appendix C

1 Policy

Detailed below is Zolfo Cooper's policy in relation to:

- staff allocation and the use of sub-contractors;
- professional advisors; and
- disbursements.

1.1 Staff allocation and the use of sub-contractors

The Joint Administrators' general approach to resourcing their assignments is to allocate staff with the skills and experience to meet the specific requirements of the case.

The case team will usually consist of a partner, a senior associate, an associate and an analyst. The exact case team will depend on the anticipated size and complexity of the assignment and the experience requirements of the assignment. On larger, more complex cases, several staff at all grades may be allocated to meet the demands of the case. The Joint Administrators' charge-out rate schedule below provides details of all grades of staff and their experience level.

With regard to support staff, time spent by treasury in relation to specific tasks on an assignment is charged but secretarial time is only recovered if a large block of time is incurred, eg report compilation and distribution.

The following services are being provided on this assignment by external sub-contractors.

| (Service:type : • N → | Service provider | Basis of fee arrangement? | Cost to date Li |
|---------------------------|----------------------------------|---------------------------|-----------------|
| Employee claim processing | Insol Employee Solutions Limited | Rate per employee | 250 |
| ' Debt collection | CCI Legal Services Limited | Percentage of collections | - |

1.2 Professional advisors

On this assignment the Joint Administrators have used the professional advisors listed below. The Joint Administrators have also indicated the basis of their fee arrangement with them, which is subject to review on a regular basis.

| Name of professional advisor | Basis of fee arrangement |
|--|-------------------------------|
| Stephenson Harwood (legal advice) | Hourly rate and disbursements |
| Willis Limited (insurance) | Risk based premium |
| Hilco Appraisal Europe Limited (valuation and disposal advice) | Set fee |

The Joint Administrators' choice was based on their perception of the professional advisors' experience and ability to perform this type of work, the complexity and nature of the assignment and the basis of their fee arrangement with them.



1.3 Disbursements

Category 1 disbursements do not require approval by creditors. Category 1 disbursements may include external supplies of incidental services specifically identifiable to the case eg postage, case advertising, invoiced travel and external printing, room hire and document storage. Any properly reimbursed expenses incurred by the Joint Administrators and their staff will also be chargeable.

Category 2 disbursements do require prior approval by creditors before they are paid. If they are incurred, they will be drawn in accordance with the resolution approved by creditors. Category 2 disbursements that may be incurred are as follows:

- Photocopying charged at the rate of ten pence per sheet for notifications and reports to creditors and other copying.
- Printing charged at the rate of ten pence per sheet for black and white printing and
 15 pence per sheet for colour
- Business mileage for staff travel charged at the rate of 45 pence per mile.

2 Charge-out rates

A schedule of Zolfo Cooper charge-out rates for this assignment effective from 1 April 2013 is detailed below, together with those applicable prior to that date. Time is charged by partners and case staff in units of six minutes.

| | Rates from | | Rates pre |
|---------------------------|--------------|---------------------------|--------------|
| | 1 April 2013 | | 1 April 2013 |
| Description | £ | Description | £ |
| Partner 1* | 595 | Partner 1* | 575 |
| Partner 2* | 540 | Partner 2* | 520 |
| Director | 470 | Director | 450 |
| Associate director* | 430 | Senior associate 1* | 410 |
| Senior associate | 390 | Senior associate 2* | 370 |
| Associate | 320 | Associate | 305 |
| Analyst | 280 | Analyst | 280 |
| Junior analyst | 160 | Junior analyst | 150 |
| Senior treasury associate | 230 | Senior treasury associate | 220 |
| Treasury associate | 155 | Treasury associate | 150 |
| Treasury analyst | 100 | Treasury analyst | 95 |
| Support | 84 | Support | 80 |
| W | | | |

^{*}Key

Partner 1 - partners with three or more years' experience at partner level

Partner 2 - partners with fewer than three years' experience at partner level

Promotion from senior associate to associate director from 1 April 2013 is on the basis of performance and experience Prior to that, the distinction from senior associate 2 to senior associate 1 was made for staff with two or more years' experience at senior associate level