

The Insolvency Act 1986

**Administrator's progress report**

Name of Company Macob (Southern) Limited	Company number 02719531
In the High Court of Justice, Chancery Division, Companies Court  {full name of court}	Court case number 1659 of 2014

(a) Insert full name(s) and address(es) of the administrator(s)

I/We (a) W John Kelly of Begbies Traynor (Central) LLP, 3rd Floor, Temple Point, 1 Temple Row Birmingham, B2 5LG and Nigel Price of Begbies Traynor(Central) LLP, 3rd Floor, Temple Point, 1 Temple Row, Birmingham, B2 5LG

administrator(s) of the above company attach a progress report for the period

(b) Insert dates

from

to

(b) 1 August 2015

(b) 23 August 2015

Signed

Joint / Administrator(s)

Dated

**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

Begbies Traynor (Central) LLP	
3rd Floor, Temple Point, 1 Temple Row, Birmingham B2 5LG	
	Tel Number 0121 200 8150
Fax Number 0121 200 8160	DX Number



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COMPANIES HOUSE

If you have completed and signed this form please send it to the Registrar of Companies at  
Companies House, Crown Way, Cardiff, CF14 3UZ  
DX 33050 Cardiff

THURSDAY

W John Kelly and Nigel Price appointed joint administrators on 4 March 2014

The affairs, business and property of the Company are being managed by the joint administrators, who act as the Company's agents and without personal liability

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## **Macob (Southern) Limited (In Administration)**

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Final Progress Report of the joint administrators  
pursuant to Rules 2.47 and 2.110 of The Insolvency  
Rules 1986

Period. 1 August 2015 to 23 August 2015

## **Important Notice**

This final progress report has been produced by the administrators solely to comply with their statutory duty to report to creditors on the progress of the administration. The report is private and confidential and may not be relied upon, referred to, reproduced or quoted from, in whole or in part, by creditors for any purpose other than this report to them, or by any other person for any purpose whatsoever.

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## **Contents**

- Interpretation
- Statutory information
- Details of appointment of administrators
- Progress during the period
- Outcome for creditors
- Administrators' proposals
- Summary of steps taken during the administration
- Pre-administration costs
- Remuneration and disbursements
- Expenses
- Creditors' rights
- Assets that remain to be realised
- Other relevant information
- Conclusion
- Appendices
  - 1 Account of receipts and payments
  - 2 Summary of administrators' proposals, including major amendments to, and deviations from them
  - 3 Time costs and disbursements

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## 1. INTERPRETATION

<u>Expression</u>	<u>Meaning</u>
"the Company"	Macob (Southern) Limited (In Administration)
"the administration"	The appointment of administrators under Schedule B1 to the Insolvency Act 1986 on 4 March 2014
"the administrators", "we", "our", "us"	W John Kelly of Begbies Traynor (Central) LLP, 3rd Floor, Temple Point, 1 Temple Row, Birmingham, B2 5LG  and  Nigel Price of Begbies Traynor(Central) LLP, 3rd Floor, Temple Point, 1 Temple Row, Birmingham, B2 5LG
"the Act"	The Insolvency Act 1986 (as amended)
"the Rules"	The Insolvency Rules 1986 (as amended)
"secured creditor" and "unsecured creditor"	Secured creditor, in relation to a company, means a creditor of the company who holds in respect of his debt a security over property of the company, and "unsecured creditor" is to be read accordingly (Section 248(1)(a) of the Act)
"security"	(i) In relation to England and Wales, any mortgage, charge, lien or other security (Section 248(1)(b)(i) of the Act), and  (ii) In relation to Scotland, any security (whether heritable or moveable), any floating charge and any right of lien or preference and any right of retention (other than a right of compensation or set off) (Section 248(1)(b)(ii) of the Act)
"preferential creditor"	Any creditor of the Company whose claim is preferential within Sections 386, 387 and Schedule 6 to the Act.

## 2. STATUTORY INFORMATION

Name of Company	Macob (Southern) Limited
Trading name(s)	Macob Southern
Date of Incorporation	2 June 1992
Company registered number	02719531
Company registered office	Temple Point, 1 Temple Row, Birmingham, B2 5LG

## 3. DETAILS OF APPOINTMENT OF ADMINISTRATORS

Names of administrators	W John Kelly, a Licensed Insolvency Practitioner of Begbies Traynor (Central) LLP, 3rd Floor, Temple Point, 1 Temple Row, Birmingham, B2 5LG  and  Nigel Price, a Licensed Insolvency Practitioner of Begbies Traynor (Central) LLP, 3rd Floor, Temple Point, 1 Temple Row, Birmingham, B2 5LG
Date of appointment	4 March 2014
Date of resignation	n/a
Court	High Court of Justice, Chancery Division, Companies Court
Court Case Number	1659 of 2014
Person(s) making appointment / application	The Directors
Acts of the administrators	The administrators act as officers of the court and as agents of the Company without personal liability. Any act required or authorised under any enactment to be done by an administrator may be done by any one or more persons holding the office of administrator from time to time.
EC Regulation on Insolvency Proceedings	The EC Regulation on Insolvency Proceedings (Council Regulation (EC) No 1346/2000) applies to these proceedings which are 'main proceedings' within the meaning of Article 3 of the Regulation.
Extensions of the administration period	The administration was extended with the consent of creditors for a period of 6 months until 3 September 2015.

## 4. PROGRESS DURING THE PERIOD

Attached at Appendix 1 is our abstract of receipts and payments for the period from 1 August 2015 to 23 August 2015, including a cumulative receipts and payments account from commencement of the Administration on 4 March 2014

There have been no receipts or payments during the short period of this report

## 5. OUTCOME FOR CREDITORS

### **Secured creditors**

As previously reported, Barclays Bank plc ("the Bank" and "Barclays") was owed £7,118,357 (before interest and charges) at the date of appointment. The debt related to facilities provided across a group of companies and is subject to various debentures and charges registered across the group. In addition to the principal indebtedness there is a further debt of £2,100,000 that the group has guaranteed.

Barclays have received £10,000 in respect of its fixed and floating charge from the Company. The overall outcome for the Bank will be determined by the total level of realisations across the group.

### **Preferential creditors**

As previously reported, the Redundancy Payments Office ("RPO") has made a claim against this Company. The claim has been rejected and we are continuing to liaise with the RPO in respect of this matter. The issue will be resolved in the Liquidation.

### **Prescribed Part for unsecured creditors pursuant to Section 176A of the Act**

To the best of our knowledge and belief, there are no unsatisfied floating charges created or registered on or after 15 September 2003 and, consequently, there is no net property as defined in Section 176A(6) of the Act and, therefore, no prescribed part of net property is available for distribution to the unsecured creditors.

### **Unsecured creditors**

Any return to the unsecured creditors is wholly dependent upon the realisation of the remaining land, buildings and profit share agreements held in other members of the group, which will all impact on the potential recovery from intercompany debtors.

### **Exit from administration**

As creditors are already aware from previous correspondence dated 17 August 2015, we have filed the Notice of move from administration to creditors' voluntary liquidation (Form 2 34B) with the Registrar of Companies. The Notice was registered by the Registrar on 24 August 2015 and consequently the Company is in creditors' voluntary liquidation with effect from the date of registration in accordance with paragraph 83(6) of Schedule B1 to the Act with the former administrators acting in the capacity as joint liquidators of the Company.

## 6. ADMINISTRATORS' PROPOSALS

Attached at Appendix 2 is a summary of our proposals as deemed approved under Rule 2 33(5) of the Rules in the absence of an initial meeting of creditors.

## 7. SUMMARY OF STEPS TAKEN DURING THE ADMINISTRATION

- Preparing appointment documentation and all statutory documentation,
- Arranging collection of the books and records,
- Carrying out all statutory duties,
- Attending meetings with the Company's directors,
- Instruct Leslie Keats to assist with the contract debtors and retentions,
- Producing update report for the Bank,
- Dealing with creditor queries,
- Preparation of the joint administrators' report and proposals,
- Reviewing correspondence from contract debtors,
- Liaising with Leslie Keats regarding contract debtor realisations,
- Reconciliation and calculation of expenses and holding costs associated to strategy,
- Carrying out investigations into the affairs of the Company and preparing the necessary reports,
- Dealing with all statutory duties including the preparation of the joint administrators' progress reports,
- Obtaining the necessary extension consent

## 8. PRE-ADMINISTRATION COSTS

As previously reported, we have decided not to seek approval of the pre-administration costs that were unpaid at the date of our appointment in the total sum of £151 50 (plus VAT)

## 9. REMUNERATION & DISBURSEMENTS

Our remuneration has been fixed by the secured creditor on 16 June 2014 in accordance with Rule 2 106(5A) of the Rules, by reference to the time properly given by us (as administrators) and the various grades of our staff calculated at the prevailing hourly charge out rates of Begbies Traynor (Central) LLP in attending to matters arising in the administration. We are also authorised to draw disbursements for services provided by our firm and/or entities within the Begbies Traynor group, in accordance with our firm's policy, details of which accompanied the Statement of Proposals for achieving the purpose of administration and which are attached at Appendix 2 of this report. We have also since written to those creditors that may have a preferential claim and we have obtained consent from this source of creditor as well.

Our time costs for the period from 1 August 2015 to 23 August 2015 amount to £547 which represents 2 90 hours at an average rate of £188 62 per hour.

The following further information in relation to our time costs and disbursements is set out at Appendix 3

- ☐ Narrative summary of time costs incurred
- ☐ Table of time spent and charge-out value for the period 1 August 2015 to 23 August 2015
- ☐ Begbies Traynor (Central) LLP's policy for re-charging disbursements
- ☐ Begbies Traynor (Central) LLP's charge-out rates

To 23 August 2015, we have drawn the total sum of £20,000 on account of our remuneration, against total time costs of £57,336 incurred since the date of our appointment. In addition to the time costs information disclosed at Appendix 3 for the period since our last progress report, our previous progress reports contained details of the time costs we had incurred as at the date of each report.

To 23 August 2015, we have also drawn disbursements in the sum of £292 32

Details of the Category 2 disbursements and also disbursements that should be treated as Category 2 disbursements that have been drawn since the necessary approval was obtained in the total sum of £135 are provided in the narrative summary of time costs incurred which is at Appendix 2

A copy of 'A Creditors Guide to Administrators' Fees (E&W) 2011' which provides guidance on creditors' rights on how to approve and monitor an Administrator's remuneration and on how the remuneration is set can be obtained online at [www.begbies-traynor.com/creditorsguides](http://www.begbies-traynor.com/creditorsguides) Alternatively, if you require a hard copy of the Guide, please contact our office and we will arrange to send you a copy

## 10. EXPENSES

There have not been any expenses incurred or paid during this period

## 11. CREDITORS' RIGHTS

### **Right to request further information**

Pursuant to Rule 2.48A of the Rules, within 21 days of the receipt of this report a secured creditor, or an unsecured creditor with the concurrence of at least 5% in value of the unsecured creditors including that creditor (or an unsecured creditor with less than 5% in value of the unsecured creditors, but with the permission of the court) may request in writing that we provide further information about our remuneration or expenses (other than pre-administration costs) which have been detailed in this progress report

### **Right to make an application to court**

Pursuant to Rule 2.109 of the Rules, any secured creditor or an unsecured creditor with the concurrence of at least 10% in value of the unsecured creditors including that creditor, (or any unsecured creditors with less than 10% in value of the unsecured creditors, but with the permission of the court) may within 8 weeks of receipt of this progress report make an application to court on the grounds that the remuneration charged or the expenses incurred by us as set out in this progress report are excessive or, in relation to the basis fixed for our remuneration, inappropriate

## 12. ASSETS THAT REMAIN TO BE REALISED

The following assets remain outstanding

- Contractual debtors including retentions,
- Inter-company debtors

## 13. OTHER RELEVANT INFORMATION

### **Report on Directors conduct**

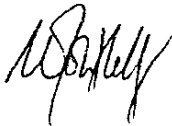
As detailed in our statement of proposals, we have a duty to submit a report to the Department for Business, Innovation and Skills on the conduct of the directors. We have complied with our duties in this respect.

### **Extension of administration**

The administration has been extended for a period of six months with the consent of creditors. The extended administration was due to expire on 3 September 2015.

## 14. CONCLUSION

Following the filing of the Notice to move from administration to creditors' voluntary liquidation (Form 2 34B) with the Registrar of Companies on 24 August 2015, the Company is now in Liquidation and I shall be writing to you in my capacity as Joint Liquidator.



**W John Kelly**  
Former Joint Administrator

Date 28 August 2015

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## ACCOUNT OF RECEIPTS AND PAYMENTS

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Period. 1 August 2015 to 23 August 2015

**Macob (Southern) Limited**  
**(In Administration)**  
**Joint Administrators' Abstract of Receipts & Payments**

Statement of Affairs	From 01/08/2015 To 23/08/2015	From 04/03/2014 To 23/08/2015
	<b>ASSET REALISATIONS</b>	
	Office Equipment & Computers	NIL 40 00
Uncertain	Contracts Debts & Retentions	NIL 38,651 83
54,715 46	VAT Refund	NIL 49,987 34
	Bank Interest Gross	NIL 45 08
NIL	Debtor Macob Property Holdings Limit	NIL
		<u>NIL</u>
		88,724 25
	<b>COST OF REALISATIONS</b>	
	Office Holders Fees	NIL 20,000 00
	Office Holders Expenses	NIL 292 32
	Other Professionals	NIL 1,800 00
	Legal Fees (1)	NIL 1,500 00
	Legal Disbursements	NIL 58 86
	Re-direction of mail	NIL 120 00
	Transfer to Macob Administration Limit	NIL 6,750 00
	Storage Costs	NIL 1,999 44
	Statutory Advertising	NIL 338 40
	Bank Charges	NIL 25 00
		<u>NIL</u>
		(32,884 02)
	<b>FLOATING CHARGE CREDITORS</b>	
	Distribution to Floating Charge Creditor	NIL 10,000 00
(7,018,357 02)	Barclays Bank Plc	NIL
		<u>NIL</u>
		(10,000 00)
	<b>UNSECURED CREDITORS</b>	
(613,917 06)	Trade Creditors	NIL NIL
(140,122 00)	Subcontractors	NIL NIL
(6,571 00)	Subcontractors Retentions	NIL NIL
(4,628 00)	CIS tax	NIL NIL
(10,193 24)	Macob Limited	NIL NIL
(78,737 70)	Macob Developments Limited	NIL NIL
(596,501 39)	Macob Administration Limited	NIL NIL
		<u>NIL</u>
		NIL
	<b>DISTRIBUTIONS</b>	
(200,002 00)	Ordinary Shareholders	NIL
		<u>NIL</u>
		NIL
<u>(8,614,313.95)</u>		<u>NIL</u>
		<u>45,840 23</u>
	<b>REPRESENTED BY</b>	
	Bank 1 Current	43,826 19
	Vat Control Account	2,014 04
		<u>45,840 23</u>
		<u>45,840 23</u>

## SUMMARY OF ADMINISTRATORS' PROPOSALS, INCLUDING MAJOR AMENDMENTS TO AND DEVIATIONS FROM THEM

### **Proposals deemed approved under Rule 2.33(5) of the Insolvency Rules 1986**

#### ***Purpose of the Administration***

We are required to set out our proposals for achieving the purpose of the administration which in this context means one of the objectives specified in paragraph 3 of Schedule B1 to the Act as set out at Section 3 of this report above

For the reasons set out in this report, it is not reasonably practicable to achieve either of the objectives specified in sub-paragraph 3(1)(a) and 3(1)(b), because the Company ceased trading upon appointment and therefore, would be unable to enter into a Company Voluntary Arrangement and, at this stage, there is unlikely to be a return to any class of creditor other than the secured creditor

Consequently, the most appropriate objective to pursue in this case is that specified in sub-paragraph 3(1)(c), namely realising property in order to make a distribution to one or more secured or preferential creditors. Furthermore, we consider that pursuing this objective should not unnecessarily harm the interests of the creditors of the Company as a whole

The purpose of the Administration will be achieved by maximising the value of contractual debts and retentions, together with the recovery of other floating charge assets and then distributing the net proceeds to the secured creditor pursuant to its floating charge. The estimated return available through any of the intercompany debtors remains very uncertain due to the level of secured creditor debt that would first need to be repaid across the group

In order that the purpose of the administration may be fully achieved, we propose to remain in office as administrators in order to conclude the realisation of the Company's property and conclude the statutory duties

Following these events we propose to finalise distributions to the secured creditor

#### ***Exit from Administration***

##### (1) Contingency plan – extending the administration

It is anticipated that due to the nature of the Company's assets, it may not be possible to finalise the administration as envisaged within one year of the date of our appointment. In particular, this situation will arise if we are not able to conclude the sale of the various shares and investments. Paragraph 76 of Schedule B1 to the Act provides that the appointment of an administrator shall cease to have effect at the end of the period of one year beginning with the date on which it takes effect. However, our term of office may be extended either by court order for a specified period or by consent of the creditors for a specified period not exceeding six months. It may therefore become necessary at some future time for us to seek creditor consent to extending the period of the administration for up to a further six months following the anniversary of our appointment in order to ensure that the objective of the administration can be fully achieved

## (2) Dissolution

On present information we consider that the Company will have insufficient property to enable a distribution to be made to unsecured creditors. Consequently, as soon as we are satisfied that we have fully discharged our duties as administrators and that the purpose of the administration has been fully achieved, we propose to implement the provisions of Paragraph 84 of Schedule B1 to the Act. Under these provisions, on the registration of a notice sent by us to the Registrar of Companies, our appointment as administrators ceases to have effect, and at the end of three months the Company will automatically be dissolved.

Where an administrator sends such a notice of dissolution to the Registrar of Companies, he must also file a copy of the notice with the court and send a copy to each creditor of the Company, and on application by any interested party the court may suspend or disapply the automatic dissolution of the Company.

## (3) Creditors' voluntary liquidation

Notwithstanding the above, in the unlikely event that there becomes, or is likely to become, sufficient funds to enable a distribution to the unsecured creditors then the Administrators do not have a general power to make a distribution to unsecured creditors and may only do so if the court gives permission. It is considered that the court will only grant such permission in exceptional circumstances where the normal course for making distributions to unsecured creditors in a voluntary liquidation is inappropriate. Additionally, there may be matters for enquiry concerning a company's affairs which are not within the scope of an administrator's powers and which can only be properly dealt with by a liquidator.

Consequently, as soon as we are satisfied that we have fully discharged our duties as administrators and that the purpose of the administration has been fully achieved, we propose to implement the provisions of Paragraph 83 of Schedule B1 to the Act whereby on the registration of a notice sent to the Registrar of Companies, our appointment as administrators shall cease to have effect and the Company will automatically be placed into creditors' voluntary liquidation. Paragraph 83(7) provides:

The liquidators for the purpose of the winding up shall be-

- (a) a person nominated by the creditors of the company in the prescribed manner and within the prescribed period, or
- (b) if no person is nominated under paragraph (a), the administrator

We confirm that as part of our proposals we propose that we act as joint liquidators in the subsequent winding up of the Company. Creditors may nominate a different person as the proposed liquidator provided that the nomination is made after the receipt of the proposals and before the proposals are approved. The appointment of a person nominated as liquidator takes effect by the creditors' approval, with or without modification, of our proposals.

It is proposed that for the purpose of the winding up, any act required or authorised under any enactment to be done by the joint liquidators is to be done by all or any one or more of the persons for the time being holding office.

## (4) Contingency plan – unforeseen surplus funds

If (whether or not an extension to the period of administration actually becomes necessary) it ultimately transpires that there are indeed surplus funds enabling a distribution to the unsecured creditors, then unless the court makes an order permitting such a distribution on our application, we will issue revised proposals for consideration by creditors dealing with the most appropriate exit strategy from the administration in those circumstances.

### ***Pre-administration costs***

In the period before Southern entered administration, we carried out work consisting of meetings with directors and funders to review options available to MPHL (and the wider group) and implementing a strategy to deal with the Group's financial position ("the Work"). The Work was carried out pursuant to an agreement made between us and the directors and the secured creditors entered into on 21 February 2014 ("the Agreement")

In relation to this case, the Pre-administration costs are as follows

Our fees are in the total sum of £151 50 (plus VAT). There are no disbursements.

The Pre-administration costs detailed above are unpaid. We are not seeking approval to recover these unpaid costs.

### ***Remuneration***

We propose that the basis of our remuneration be fixed under Rule 2.106 of the Rules by reference to the time properly given by us (as administrators) and the various grades of our staff calculated at the prevailing hourly rates of Begbies Traynor (Central) LLP in attending to matters arising in the administration.

These proposals contain a statement by us, in accordance with paragraph 52(1)(c) of Schedule B1 to the Act, that neither of the objectives specified in paragraph 3(1)(a) and (b) can be achieved. In these circumstances, if there is no creditors' committee, or the committee does not make a determination, it is for each secured creditor and the preferential creditors of the Company to determine the basis of our remuneration under Rule 2.106 of the Rules. In the absence of an initial meeting of creditors (see section 11 Conclusion, below) and the establishment of a creditors' committee, our remuneration is fixed by the approval of the secured and preferential creditors in accordance with Rule 2.106 (5A).

Appendix 3 sets out our firm's hourly charge out rates and the time that we and our staff have spent in attending to matters arising in the administration since 4 March 2014.

### ***Disbursements***

We propose that disbursements, including disbursements for services provided by our firm (defined as Category 2 disbursements in Statement of Insolvency Practice 9) be charged in accordance with our firm's policy, details of which are set out at Appendix 3. These disbursements will be identified by us and subject to the approval of those responsible for determining the basis of our remuneration.

## TIME COSTS AND DISBURSEMENTS

- a Begbies Traynor (Central) LLP's policy for re-charging expenses/disbursements,
- b Begbies Traynor (Central) LLP's charge-out rates,
- c Narrative summary of time costs incurred,
- d Table of time spent and charge-out value for the period from 1 August 2015 to 23 August 2015 and
- e Cumulative table of time spent and charge-out value for the period from 4 March 2014 to 23 August 2015

## **BEGBIES TRAYNOR CHARGING POLICY**

### **INTRODUCTION**

This note applies where a licensed insolvency practitioner in the firm is acting as an office holder of an insolvent estate and seeks creditor approval to draw remuneration on the basis of the time properly spent in dealing with the case. It also applies where further information is to be provided to creditors regarding the office holder's fees following the passing of a resolution for the office holder to be remunerated on a time cost basis. Best practice guidance<sup>1</sup> requires that such information should be disclosed to those who are responsible for approving remuneration.

In addition, this note applies where creditor approval is sought to make a separate charge by way of expenses or disbursements to recover the cost of facilities provided by the firm. It also applies where payments are to be made to parties other than the firm, but in relation to which the office holder, the firm or any associate has an interest. Best practice guidance<sup>2</sup> indicates that such charges should be disclosed to those who are responsible for approving the office holder's remuneration, together with an explanation of how those charges are calculated.

### **OFFICE HOLDER'S FEES IN RESPECT OF THE ADMINISTRATION OF INSOLVENT ESTATES**

The office holder has overall responsibility for the administration of the estate. He/she will delegate tasks to members of staff. Such delegation assists the office holder as it allows him/her to deal with the more complex aspects of the case and ensures that work is being carried out at the appropriate level. There are various levels of staff that are employed by the office holder and these appear below.

The firm operates a time recording system which allows staff working on the case along with the office holder to allocate their time to the case. The time is recorded at the individual's hourly rate in force at that time which is detailed below.

### **EXPENSES INCURRED BY OFFICE HOLDERS IN RESPECT OF THE ADMINISTRATION OF INSOLVENT ESTATES**

Best practice guidance classifies expenses into two broad categories.

- ❑ *Category 1 disbursements (approval not required)* - specific expenditure that is directly related to the case and referable to an independent external supplier's invoice. All such items are charged to the case as they are incurred.
- ❑ *Category 2 disbursements (approval required)* - items of expenditure that are directly related to the case which include an element of shared or allocated cost and are based on a reasonable method of calculation, but which are not payable to an independent third party.

(A) The following items of expenditure are charged to the case (subject to approval)

- Internal meeting room usage for the purpose of statutory meetings of creditors is charged at the rate of £100 (London £150) per meeting,
- Car mileage is charged at the rate of 45 pence per mile,
- Storage of books and records (when not chargeable as a *Category 1 disbursement*) is charged on the basis that the number of standard archive boxes

<sup>1</sup> Statement of Insolvency Practice 9 (SIP 9) – Remuneration of insolvency office holders in England & Wales

<sup>2</sup> Ibid 1

held in storage for a particular case bears to the total of all archive boxes for all cases in respect of the period for which the storage charge relates

(B) The following items of expenditure will normally be treated as general office overheads and will not be charged to the case although a charge may be made where the precise cost to the case can be determined because the item satisfies the test of a *Category 1 disbursement*

- Telephone and facsimile
- Printing and photocopying
- Stationery

#### **BEGBIES TRAYNOR CHARGE-OUT RATES**

Begbies Traynor is a national firm. The rates charged by the various grades of staff that may work on a case are set nationally, but vary to suit local market conditions. The rates applying to the Birmingham office as at the date of this report are as follows

	<b>Standard</b>
	<b>1 May 2011 –</b>
	<b>until further notice</b>
	<b>Regional</b>
Partner	395
Director	345
Senior Manager	310
Manager	265
Assistant Manager	205
Senior Administrator	175
Administrator	135
Trainee Administrator	110
Support	110

Time spent by support staff such as secretarial, administrative and cashiering staff is charged directly to cases. It is not carried as an overhead.

Time is recorded in 6 minute units

## SUMMARY OF OFFICE HOLDERS' TIME COSTS

CASE NAME Macob (Southern) Limited  
CASE TYPE ADMINISTRATION  
OFFICE HOLDERS W John Kelly and Nigel Price  
DATE OF APPOINTMENT 4 March 2014

### 1 CASE OVERVIEW

1.1 This overview and the time costs analysis attached is intended to provide sufficient information to enable the body responsible for the approval of the office holders' fees to consider the level of those fees in the context of the case

#### 1.2 Complexity of the case

This is a complex case involving a group of companies of which eight companies have been placed into administration. This Company carried out ground works on sites across South Wales for residential house builders and contractors.

#### 1.3 Exceptional responsibilities

None

#### 1.4 The office holders' effectiveness

The retained staff brought the financial and accounting records up-to-date which included the contract debtors and retentions.

Professional quantity surveyors, Leslie Keats, continue to assist with the realisation of the contract debtors.

#### 1.5 Nature and value of property dealt with by the office holders'

To date, the sum of £38,651.83 has been realised from contract debtors and retentions. A Pre-appointment VAT refund has realised the sum of £49,987.34.

#### 1.6 Anticipated return to creditors

Secured creditor An interim distribution of £10,000 was paid to the floating chargeholder, Barclays Bank Plc ("Barclays") on 31 July 2014. Based on present information there will be a further distribution to Barclays although the quantum and timing is uncertain.

Preferential creditors As detailed in the main body of the report, the Administrators have rejected the Redundancy Payments Office preferential claim on the basis that they consider the claim should be made against another group company, Macob Administration Limited, which is also in Administration.

Unsecured creditors The Administrators consider that there may be a return to the unsecured creditors but only if the secured creditor is repaid in full from the assets of the Company and the wider group companies.

#### 1.7 Time costs analysis

An analysis of time costs incurred between 1 August 2015 and 23 August 2015 prepared in accordance with Statement of Insolvency Practice 9 is attached showing the number of hours spent by each grade of staff on the different types of work involved in the case, and giving the average hourly rate charged for each work type.

The time costs analysis provides details of work undertaken by the office holders and their staff following their appointment only.

**1 8 The views of the creditors**

We have reported to the creditors on an interim basis and have responded to any queries received in a timely manner. Should any creditors have any queries or concerns they should contact us either in writing or by telephone.

**1 9 Approval of fees**

We have obtained the consent of the secured and preferential creditors for our fees.

**1 10 Approval of Expenses and Disbursements**

A resolution for fees was accepted by secured creditors for the approval of our disbursements and expenses. It was subsequently approved by the RPO notwithstanding the uncertainty regarding the preferential claim.

**1 11 Category 2 Disbursements**

In accordance with the resolution obtained in relation to expenses and disbursements, the following Category 2 disbursements and disbursements which should be treated as Category 2 disbursements have been charged to the case since the date of my appointment.

Other amounts paid or payable to the office holder's firm	
Type and purpose	Amount £
Mileage – to site and return	135 00
<b>TOTAL</b>	<b>135 00</b>

**1 12 Other professionals employed & their costs**

Eversheds LLP were instructed to provide assistance with the legal aspects of placing the companies into administration and all post appointment legal matters. Their fee will be based on a time cost basis.

Leslie Keats were instructed to assist with the contract debtor and retention collection exercise. Their fee will be based on a time cost basis as well as an initial set up fee.

**2 SUMMARY OF WORK CARRIED OUT SINCE OUR LAST REPORT**

Since the date of our last report, the following work has been carried out:

- Dealing with creditor queries,
- Prepare and circulate the Administrators interim progress report,
- File the notice to exit the Administration via a Creditors' Voluntary Liquidation,
- Prepare the Administrators' Final Progress Report

**Macob (Southern) Limited**

Hours

**Macob (Southern) Limited**  
Time costs analysis for the period from 4 March 2014 to 23 August 2015

[illegible]