In accordance with Rule 18 6 of the Insolvency (England & Wales) Rules 2016

AM10

Notice of administrator's progress report



A71 H360H

A16 24/12/2018 COMPANIES HOUSE

#84

1	Company details	
Company number	0 3 1 2 0 4 7 3	→ Filling in this form Please complete in typescript or in
Company name in full	Moorfields Properties Limited	bold black capitals
2	Administrator's name	
Full forename(s)	Kerry	
Surname	Bailey	-
3	Administrator's address	
Building name/number	3 Hardman Street	
Street	Spinningfields	-
		-
Post town	Manchester	-
County/Region		-
Postcode	M 3 3 A T	
Country		-
4	Administrator's name •	
Full forename(s)	Francis Graham	• Other administrator
Surname	Newton	Use this section to tell us about another administrator.
5	Administrator's address @	
Building name/number	Central Square	⊘ Other administrator
Street	29 Wellington Street	Use this section to tell us about another administrator.
		- 1
Post town	Leeds	
County/Region		- : ·
Postcode	L S 1 4 D L	
Country	· · · · · · · · · · · · · · · · · · ·	

AM10 Notice of administrator's progress report

6	Period of progress report		
From date	2 6 0 5 2 0 1 8		
To date	2 5 7 7 7 7 8		
7	Progress report		
	☑ I attach a copy of the progress report		
ρ	Sign and date		····
8	Sign and date		
8 Administrator's signature	Sugnature	×	
Administrator's		×	

AM10

Notice of administrator's progress report

Pres	enter information
you do it v	t have to give any contact information, but if will help Companies House if there is a query m. The contact information you give will be searchers of the public record.
Contact rame	Kerry Bailey
Company name	BDO LLP
Address	3 Hardman Street
	Spinningfields
Post town	Manchester
County/Region	
Postcode	M 3 3 A T
Country	
DX	
Telephone	0161 817 7683
✓ Chec	klist
	eturn forms completed incorrectly or mation missing.
following The col informa You ha	mpany name and number match the ation held on the public Register. ve attached the required documents.
You ha	ve signed the form.

Important information

All information on this form will appear on the public record.

☑ Where to send

You may return this form to any Companies House address, however for expediency we advise you to return it to the address below:

The Registrar of Companies, Companies House, Crown Way, Cardiff, Wales, CF14 3UZ. DX 33050 Cardiff.

Further information

For further information please see the guidance notes on the website at www.gov.uk/companieshouse or email enquiries@companieshouse.gov.uk

This form is available in an alternative format. Please visit the forms page on the website at www.gov.uk/companieshouse

Moorfields Properties Limited (In Administration) Joint Administrators' Summary of Receipts & Payments

ement Affairs	From 26/05/2018 To 25/11/2018	From 21/01/2014 To 25/11/2018
£	£	Í
FIXED CHARGE ASSETS		
Dale Street, Liverpool	NIL	1,260,240.00
Service charge at Mason Owen, Dale St	NIL	30,444.07
•	NL	1,290,684.07
FIXED CHARGE COSTS		
Agent's fees and expenses, Dale Street	NIL	25,297.30
Utilities, Dale Street	NIL	4,905.34
Security and maintenance, Dale Street	NIL	12,905.55
Rates	NIL	1,885.00
Sale costs, Dale Street	NIL	2,330.00
Insurance Dale Street	NIL	38,190.65
Legal fees and expenses, Dale Street	NIL	13,683.96
Legal Fees and Disbursements	NIL	8,250.00
Joint Administrators' Disbursements	NIL	743.00
Joint Administrators' Fees	NIL	25,204.80
	NIL	(133,395.60)
FIXED CHARGE CREDITORS		
Distributions to Chargeholder	NIL	1,059,909.14
	NIL	(1,059,909.14)
FLOATING CHARGE REALISATIONS		
IRHP Redress	NIL	706,388.12
VAT charges	NIL	(1,881.11)
Sundry refunds	NIL	270.00
Bank Interest Gross	526.73	2,772.98
Bank Interest Net of Tax	NIL	3,883.82
	526.73	711,433.81
FLOATING CHARGE COSTS		
Joint Administrators' Disbursements	NIL	38.78
Joint Administrators' Fees	15,000.00	55,000.00
Legal Fees & Disbs	4,002.90	30,517.80
Accountancy tees	NIL	3,800.00
Corporation Tax	NIL.	273.80
Non-Reclaimable VAT	NIL	200.25
IRHP advice	NIL	1,180.00
Statutory Advertising	NIL	96.19
Insurance	NIL	560.00
Bank Charges	NIL	24.00
	(19,002.90)	(91,690.82)
FLOATING CHARGE CREDITORS		
Promontoria (Chestnut) Ltd	NIL	450,000.00
	NIL	(450,000.00)
	(18,476.17)	267,122.32
REPRESENTED BY	The second secon	
bank i - Current		Z07,UZY.YZ
Vat Control Account		92.40
		267,122.32



Tel: +44 (0)151 237 4500 Fax: +44 (0)151 237 4545

www.bdo.co.uk

5 Temple Square Temple Street Liverpool L2 5RH

21 December 2018

Our Ref 00239152/3800/KB/VN

Please ask for Vicki Noonan Direct dial: 0151 237 4422 Email: BRCMT@bdo.co.uk

TO ALL CREDITORS AND SHAREHOLDERS

Dear Sirs

Moorfields Properties Limited - In Administration (the 'Company')

It is now 59 months since my appointment in respect of the Company. In accordance with Rule 18.6 of the Insolvency (England and Wales) Rules 2016, I am now reporting the progress made in implementing the approved proposals and achieving the statutory purpose of the Administration for the period from 26 May 2018 to 25 November 2018 (the 'Period').

1 Statutory Information

The Joint Administrators are Kerry Bailey (officeholder number: 8780) of BDO LLP, 3 Hardman Street, Spinningfields, Manchester, M3 3AT and Francis Graham Newton (officeholder number: 9310) of BDO LLP, Central Square, 29 Wellington Street, Leeds, LS1 4DL and they were appointed in respect of the Company on 21 January 2014. Under the provisions of Paragraph 100(2) of Schedule B1 to the Insolvency Act 1986 the Administrators carry out their functions jointly and severally meaning any action can be done by one Administrator or by both of them.

The Joint 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 High Court of Justice, Leeds District Registry and the court case number is 38 of 2014.

The Company's registered office is situated c/o BDO LLP, 5 Temple Square, Temple Street, Liverpool, L2 5RH and the registered number is 03120473.

2 Receipts and Payments

I enclose, for your information, a summary of my receipts and payments to date showing a balance in hand of £267,122, together with a copy of my summary account covering the Period.

The only receipt in the Period was bank interest of £572.

Other than in relation to Joint Administrators' fees, which are discussed later in this report, the only payments in the Period were legal fees of £4,003. These fees were



incurred in relation to assistance provided in applying to Court for an extension of the Administration.

Further legal fees have accrued for the work of solicitors in relation to the surrender premium claim detailed in section 3 of this report, however the quantum of these fees has yet to be agreed.

3 Future of the Administration

I have been working in conjunction with my solicitors to seek to make recoveries for the benefit of creditors in respect of surrender premiums that were paid to the Company's director prior to my appointment.

I have liaised separately with the unsecured creditors regarding the progress of this claim. I anticipate that there will be receipts into the Administration estate in relation to the Company's claim, which will be available (after costs) to enable payment of a dividend to unsecured creditors.

At the outset of the Administration it was anticipated that there would not be sufficient funds available to enable payment of any dividend to unsecured creditors. As a result, the formal proposals did not contain provision for the Company to move from Administration to Creditors' Voluntary Liquidation.

The Administration is currently due to expire on 20 January 2019, having previously been extended by the Court. Given that funds are now anticipated to be available to enable a dividend to be paid to unsecured creditors, it is the intention of the Joint Administrators that the Company will exit Administration via Creditors' Voluntary Liquidation prior to that date so that the dividend can then be paid. In order that this exit route can be utilised, it is necessary for the Administrators' proposals to be amended.

The Joint Administrators' have therefore produced revised proposals, which are enclosed for the consideration of creditors together with notice of a decision procedure via deemed consent. The proposed move to Creditors' Voluntary Liquidation will enable a dividend to be paid to unsecured creditors once matters pertaining to the recovery of the surrender premiums are concluded.

4 Investigation

The Joint Administrators have a duty to investigate the affairs of the Company and also the conduct of the directors and in this latter respect to submit a confidential statutory report to the Secretary of State. I confirm that a report has been submitted.

5 Prospects for Creditors

Secured Creditors

The secured creditor was Clydesdale Bank Plc ('the Bank') which was granted a mortgage debenture conferring fixed and floating charges over the Company's assets on 26 January 2007. The Bank also had the benefit of legal mortgages created in 2007 and 2012 securing the Magdalen House and Dale Street properties, which have



been sold as detailed in my previous reports. The liability to the Bank at the time of my appointment was in the order of £10,000,000.

The Bank received distributions of £1,029,909 under its security in the Administration. In addition, £4,819,663 was previously applied against the Company's secured indebtedness following a distribution from the LPA Receivership of Magdalen House, and redress of £2,790,014 in relation to an interest rate hedging product was applied directly against the outstanding debt.

The Bank's security and its remaining debt were subsequently assigned to Promontoria (Chestnut) Limited ('Promontoria'), which therefore now ranks as the secured creditor in relation to the Company.

To date, Promontoria have received distributions totalling £30,000 in respect of fixed charge funds and £450,000 in respect of floating charge funds.

Preferential Creditors

There are no preferential creditors in this Administration.

Unsecured Creditors

Unsecured claims totalling £784,654 have been received to date. It is anticipated that a dividend will be available to unsecured creditors following the Company's move from Administration to Liquidation.

Prescribed Part

Under Section 176A of the Insolvency Act 1986, where after 15 September 2003 a company has granted a floating charge to a creditor, a proportion of the net property of said company must be made available purely for the unsecured creditors. The Company did grant a floating charge to a creditor after this date, therefore, the prescribed part applies in this matter.

Based on present information the Joint Administrators estimate that, after allowing for costs, the value of the Company's net property will be £598,578 and this means that the prescribed part would be £122,716. The final amount which will be available via the prescribed part will be known once receipts and payments in the Administration are complete and I will keep creditors updated in this respect.

6 Joint Administrators' Remuneration

Pursuant to the Rules, the Joint Administrators are obliged to fix their remuneration in accordance with Rule 18.16. This permits remuneration to be fixed either:

- (1) As a percentage of the assets realised and distributed; and/or
- (2) By reference to the time the Joint Administrators and their staff have spent attending to matters in the Administration; and/or
- (3) As a set amount; and/or



(4) As a combination of the above.

The Joint Administrators' remuneration in this matter has previously been approved by the secured creditor on a combination of the above bases as detailed below:

- A percentage of realisations (2%) in relation to the sale of the Company's freehold property;
- A time costs basis (capped at £40,000) for work undertaken in resolving the interest rate hedging product redress claim;
- A fixed fee of £15,000 for further statutory work and general matters within the Administration as from 10 March 2017; and
- A time costs basis (capped at £10,000) in relation to any litigation undertaken to enable recovery of the surrender premiums.

To date, the Joint Administrators have drawn £80,204 in respect of remuneration as shown on the enclosed Receipts and Payments account, £15,000 of which was drawn in the Period.

I attach two schedules detailing the time costs incurred. The first schedule covers the period of this report, 26 May 2018 to 25 November 2018. This records time costs of £18,152 which represents 62 hours spent at an average charge out rate of £293 per hour.

The majority of the time costs incurred in this Period (£11,118) were for work in dealing with asset realisations, specifically the surrender premium matter referred to earlier in this report. The balance of time related to reporting and other statutory and administrative obligations.

The second schedule covers the whole period of appointment and records time costs of £340,811 which represents 1,168 hours spent at an average charge out rate of £292 per hour.

If the approval of creditors is obtained via the deemed consent procedure to the revised proposal to exit the Administration via Creditors' Voluntary Liquidation, I will separately provide creditors with details of the proposed fees in the Liquidation following the conversion. I will also report separately at that stage regarding the fees incurred in the Administration in dealing with the surrender premiums.

For guidance, I enclose a document that outlines the policy of BDO LLP in respect of fees and disbursements.

7 Disbursements

Where disbursements are recovered in respect of precise sums expended to third parties there is no necessity for these costs to be authorised. These are known as category 1 disbursements. Since my last report no category 1 disbursements have been incurred.



Some Administrators recharge expenses, for example printing, photocopying and telephone costs, which cannot economically be recorded in respect of each specific case. Such expenses, which are apportioned to cases, require the approval of the creditors before they can be drawn, and these are known as category 2 disbursements. The policy of BDO LLP in respect of this appointment is not to charge any category 2 disbursements with the exception of mileage on the basis of the mileage scale approved by HMRC, being 45p per mile unless otherwise disclosed to the creditors. No category 2 disbursements have accrued during this period.

Total disbursements of £782 have been incurred in this Administration as detailed below. These have been discharged in full.

Cat 1 (£)	Cat 2 (£)	Total (£)
75.82	-	75.82
320.00	-	320.00
338.91	-	338.91
	47.05	47.05
734.73	47.05	781.78
	75.82 320.00 338.91	75.82 - 320.00 - 338.91 - 47.05

8 Creditors' Decision Process

Notice of a decision procedure via deemed consent is attached in relation to the Joint Administrators' revised proposal to exit the Administration via Creditors' Voluntary Liquidation.

Formal notice of Decision Process by correspondence is also attached to enable creditors to consider appointing a Creditors' Committee should they so wish. Creditors may indicate their decision by completing and returning the written resolution form to this office by no later than the Decision Date, which is 14 January 2019. If a creditor has not already submitted a proof of debt, they must include one, when returning the written resolution. Votes received after the Decision Date will not be counted.

If creditors want to consider the resolutions at a physical meeting they must notify me in writing within five business days of delivery of the attached notice. A meeting will be convened if sufficient creditors notify the convenor within the timeframe. Section 246ZE the insolvency Act sets the minimum number of creditors for requisitioning a meeting at any of the following:

- (a) 10% in value of the creditors or contributories;
- (b) 10% in number of the creditors or contributories;
- (c) 10 creditors or contributories.

9 Creditor Rights and Enquiries

Creditors with the concurrence of at least 5% in value of the unsecured creditors may within 21 days of this report request in writing further information regarding the



remuneration and expenses set out in this report. In accordance with Rule 18.9(3) of the Rules within 14 days of a request I will provide further information or explain why further information is not being provided.

Creditors may access information setting out creditors' rights in respect of the approval of Administrators' remuneration at

https://www.r3.org.uk/what-we-do/publications/professional/fees

Creditors with the concurrence of at least 10% of the creditors may apply to the Court if they consider that the remuneration of the Joint Administrators, or the basis fixed for the remuneration of the Joint Administrators, or the expenses charged by the Joint Administrators are excessive (Rule 18.34 of the Rules). Such an application must be made within 8 weeks of receiving this draft report. The text of Rules 18.9 and 18.34 are set out at the end of this report.

The Joint Administrators are bound by the Insolvency Code of Ethics when carrying out all professional work relating to this appointment. A copy of the code is at http://www.icaew.com/en/members/regulations-standards-and-guidance/ethics/code-of-ethics-d.

The Insolvency Service has established a central gateway for considering complaints in respect of insolvency practitioners. In the event that you make a complaint to me but are not satisfied with the response from me then you should visit https://www.gov.uk/complain-about-insolvency-practitioner where you will find further information on how you may pursue the complaint.

If you require any further information, please contact me or my colleague Vicki Noonan at BRCMT@bdo.co.uk.

Yours faithfully For and on behalf of

Moorfields Properties Limited

Kerry Bailey

Joint Administrator

Authorised by the Institute of Chartered Accountants in England & Wales in the UK

Enclosures

Statutory Information

Receipts and Payments Account

SIP 9 Time Cost Report for the Period of Report

SIP 9 Time Cost Report for the Period of Administration

BDO LLP Policy in Respect of Fees and Disbursements

Statement of Creditors' Rights in respect of Fees and Disbursements

Notice of Deemed Consent Procedure

Notice of Decision Procedure by Correspondence

Voting Form

Proof of Debt Form

Moorfields Properties Limited In Administration

Statutory Information

Company Number: 03120473

Date of Incorporation: 31 October 1995

Former Name(s): None

Address of Registered Office: c/o BDO LLP, 5 Temple Square, Temple Street,

Liverpool, L2 5RH

Formerly: 14th Floor, The Plaza, 100 Old Hall Street,

Liverpool, L3 9QJ

Former Trading Address 14th Floor, The Plaza, 100 Old Hall Street, Liverpool, L3

9QJ

Company Directors Paul Rooney

Susan Rooney

Company Shareholder Linenhall Property Investments - 1,123 Ord £0.01 shares

Nature of Business Letting of own properties

Date of Administration Appointment 21 January 2014

Appointees Kerry Bailey

BDO LLP

3 Hardman Street Spinningfields Manchester M3 3AT

Graham Newton

BDO LLP Central Square 29 Wellington Street

Leeds LS1 4DL

Appointed By The directors of the Company

Court and Court Reference High Court of Justice

Leeds District Registry

38 of 2014

EU Regulations The European Community Regulation on Insolvency

Proceedings applies to Moorfields Properties Limited

and the proceedings are main proceedings.

Moorfields Properties Limited (In Administration) Joint Administrators' Summary of Receipts & Payments

From 21/01/2014 To 25/11/2016	From 26/05/2018 To 25/11/2018 £		Statement of Affairs £
	L		
		FIXED CHARGE ASSETS	
1,260,240.00	NIL	Dale Street, Liverpool	
30,444.07	NIL NIL	Service charge at Mason Owen, Dale St	
1,290,684.07	NIL	EIVED CHARGE COSTS	
25 207 20	MIII	FIXED CHARGE COSTS	
25,297.30	NIL	Agent's fees and expenses, Dale Street	
4,905.34	NIL	Utilities, Dale Street	
12,905.55	NIL	Security and maintenance, Dale Street	
1,885.00	NIL NIL	Rates	
2,330.00 38,190.65	NIL NIL	Sale costs, Dale Street Insurance Dale Street	
13,683.96	NIL		
8,250.00	NIL NIL	Legal fees and expenses, Dale Street	
743.00	NIL NIL	Legal Fees and Disbursements Joint Administrators' Disbursements	
25,204.80	NIL	Joint Administrators' Fees	
(133,395.60)	NIL	Joint Administrators rees	
(133,373.00)	INIL	FIXED CHARGE CREDITORS	
1,059,909.14	NIL	Distributions to Chargeholder	
(1,059,909.14)	NIL	Distributions to chargeholder	
(1,037,707.14)	1412	FLOATING CHARGE REALISATIONS	
706,388.12	NIL	IRHP Redress	
(1,881.11)	NIL	VAT charges	
270.00	NIL	Sundry refunds	
2,772.98	526.73	Bank Interest Gross	
3,883.82	NIL	Bank Interest Net of Tax	
711,433.81	526.73		
,		FLOATING CHARGE COSTS	
38.78	NIL	Joint Administrators' Disbursements	
55,000.00	15,000.00	Joint Administrators' Fees	
30,517.80	4,002.90	Legal Fees & Disbs	
3,800.00	NIL	Accountancy fees	
273.80	NIL	Corporation Tax	
200.25	NIL	Non-Reclaimable VAT	
1,180.00	NIL	IRHP advice	
96.19	NIL	Statutory Advertising	
560.00	NIL	Insurance	
24.00	NIL	Bank Charges	
(91,690.82)	(19,002.90)		
		FLOATING CHARGE CREDITORS	
450,000.00	NIL	Promontoria (Chestnut) Ltd	
(450,000.00)	NIL		
267,122.32	(18,476.17)		
		REPRESENTED BY	
267,029.92		Bank 1 - Current	
92.40		Vat Control Account	
267,122.32			

00239152 **Moorfields Properties Limited** Name of Assignment

Summary of Time Charged and Rates Applicable for the Period From 26/05/2018 to 25/11/2018

	Æ	PARINER	MANAGER	GER	\$18818	ASSISTANT	SENIOR	OR	VIDMINISTRATOR	RATOR	OTHERSIAFF	SLAFF	GRAVE	GRAND TOTAL	A R.
					12	MINACER	ADMINISTRATOR	TRATOR							
Description	Hours	Lotal	Hours	Total	Hours	lotaí	Hours	Fotal	Hours	[olo]	Hours	lotal	Hours	Total	**
		**		#		.		7		ч		54		7	
C. Planning and Strategy	2.00	1,066.00										l	2.00	1.066.00	533.0
D. Ceneral Administration	8 <u>7</u>	692.90	0.80	178.00	1.55	196.10	97.1	176.39	515	368.00	0.15	17.40	10.35	1.628.70	157.3
E. Assets Realisation/Dealing			33.00	11,118,00	_								33,00	11.118.00	336.9
I. Reporting		:	11.55	3,896.25	1.00	124,00	0.25	29.00	4.30	290.50			17.10	4,339,75	253.7
									•		•				
	3.30	1,758.90	45,35	15,192,25	2.55	320.10	1.65	205.30	5+'6	658.50	0.15	17.40			
										Net Total	72		62.48	18,152.45	
										Secreta	Secretarial Expense			0.00	
										Other D Billed	Other Disbursements Billed	4		0.00	
										Grand Total	Total			18,152.45	

00239152 **Moorfields Properties Limited** Name of Assignment

Detail of Time Charged and Rates Applicable for the Period From 21/01/2014 to 25/11/2018

	PARTAER	\ER	MAN	MANAGER	4884	ASSISTANI	3.5	SENIOR	SINOV	ADMINISTRATOR	ОТИЕ	OTHER STAFF	GRAN	GRAND TOTAL
Description					N N	MANAGER	NIMO	ADMINISTRATOR						
	Hour	Total	Hours	lotal	Hours	lotal	Hur	Lotal	Hour	Folal	Hour	Lotal	Hours	Foral
		44		£		'4 2		144		Spp.		بين		4
A. Pre Appointment Matters														
02 Director Debtor meetings			3.60	1,150 50									3.80	1,150 50
64 Decumentation Review	1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1	115 25	1 80	531 00									2 05	646.25
08 Pre appointment Report	98	922.00	91 5	05 619				1 102 103					4 30	1,541 50
99 Other Matters			12.00	1,540 00									12.00	3,540 00
sub 10stal - A. Pre Appointment Matters	2.25	1,037.25	19.80	5,841.00									22.05	6,878.25
B. Steps on Appointment			586	2,905 75									58.6	5° 800,5
14 Meet Directors Debtors etc	8	461 00										•		74-
(18 Detail Documentation Review	8 -	520 00		P									S	520 00
sub total . B. Steps on Appointment	2.00	081.00	9.85	2,905.75									11.85	3,886.75
C. Planning and Strategy 02 Review Financial Position		1,018 00											300	1,018 00
05 Review Options Available	90.0	1,538 00											3.00	1.538 00
07 Strategy Planting	2.50	1,326 (10	01 2	1,603 70									09 6	2,929 70
							•							

Moorfields Properties Limited

00239152

Detail of Time Charged and Rates Applicable for the Period From 21/01/2014 to 25/11/2018 Name of Assignment

	PARINER	VER	MAN	MANAGER	ASSISTAN	TANI	8	SENIOR	INIMOV	ADMINISTRATOR	OTHERSTAFF	STAFF	CRAN	GRAND TOTAL
Description					MAN	MANAGER	NIMON	APMINISTRATOR						
	Hour	Total	Hour	Total	Hours	lotai	Hour	lend	Hours	Fotal	Hour	Total	Hours	Total
		4		£		अ		44		भ		અ		4
sub total . C. Planning and Strategy	7.50	3,882.00	7.10	1,603.70						And the state of t			14.60	5,485.70
D. General Administration (1) Insurance Matters			99 +	1,202 00					010	15.50			4.70	1,217 50
02 VAT			58.70	16,140 30	0.15	<u>\$</u>	·		06 9	1,233,25			65 75	17,392 15
03 Taxation	050	420 00	14 25	4.231 70			1 10	237 60					15 85	4.889 30
OH Instruct Liase Solicitors	90 c	7,344 50	050	DD FA1									05-6	4 507 50
05 Investigations	90 1	509.00											00.1	\$09 00
(W. Conduct Reports			1 70	50150									1.70	501 50
07 Receipts Payments Accounts	0.20	08 96 8	7.90	1,655 40	3 65	9 17	š6 01	1,886 00	41 35	\$4.772.45	27.0	55 099	73.80	9,120 60
08 Remuneration Issues	010	94	300	778.50									3.10	824 60
09 Statutory Matters			\$6.04	15,371 55	050	63.50	0 15	58 41	150	236 50			62 69	15,689 40
13 General Meetings	8 -	941 (40											96 1	161 00
14 General Discussions	0.50	266 50	230	00 102									2 80	967.50
15 Gen Admin Correspondence	39.1	10.012.60	00.05	8.229 75			ê 7.	90 35	28 45	3 132.60			75.85	21,465 30
99 Other Matters	0.20	92.20				terre de la companya	0.30	(4) (4)					0 \$ 0	152.80

Moorfields Properties Limited

00239152

Detail of Time Charged and Rates Applicable for the Period From 21/01/2014 to 25/11/2018 Name of Assignment

	PVR	PVRIVER	N.V.	MANAGER	ASSI	ASSISTANT	38	SENIOR	ADMINI	ADMINISTRATOR	OTHER	OTHER STAFF	GRAN	GRAND TOTAL
Description					MAN	MANAGER	NIMON	ADMINISTRATOR						
	Hour	Foral	Hour	Total	Hours	Intel	Hour	Fotal	Hour	ואסו	Hours	Total	Hours	lotal
		*		Ŧ		અ		**		भ		1		3 4
sub total - D. General Administration	30.15	16,248.70	182.40	48,974.70	4.30	626.50	13.25	2,292,40	78.30	8,895.30	9.75	660.55	318.15	77,698.15
E. Assets Realisation/Dealing (H. Agent Instruction Liasing				32480									09 1	324 80
06 Property Related Matters	2.60	4 <u>2.2</u> (80	163 45	48,357 00									165 45	49.279.00
07 Debt Collection			7 x0	2,301 00									7 80	2,301.00
UR Dealing with Chattel Assets			030	05 88									030	88 50
09 Dealing with other Assets	8 7	1.844 00	324 90	101,210 75									328.40	101,054 75
14 Sale of Business Assets	27.51	5,973.75	11.73	2,385.25									24.50	8 359 (0)
99 (Aher Maners			+3 84	13,008 50									41.85	13,008 50
sub total - E. Assets Realisation/Dealing	18.75	8,739,75	597155	167,675.80									570.40	176,415.55
F. Trading Related Matters 06 Montton Supervise Trading			0+0	118.00									0+0	118 00
0x Trading Accounts			25.30	7,463,50		_			0.25	43.00			25.55	7 506 50
99 (ther Matters				-					0, 0	108 50			0.70	108 50
sub total . F. Trading Related Matters			25.70	7,581,50					\$6.0	151.50			26.65	7,733.00

00239152

Detail of Time Charged and Rates Applicable for the Period From 21/01/2014 to 25/11/2018

Moorfields Properties Limited

Name of Assignment

	PARTNER	VER	,th	MANAGER	ASSISTANT	TAN	38	SFNIOR	NINGS	ADMINISTRATOR	ОТНЕ	OTHER STAFE	GRAN	GRAND TOTAL
Description					MAN	MANAGER	NIMON	VDWINIS I RATOR		·				
	Hours	Lotal	Hours	Total	Heurs	Fotal	Hour	Fotal	Hour	Iotal	Hours	lota	Hours	letal
		*		£		અ		- F		બ		₩		4
H. Creditor Claims														
02 Secured Creditors	0\$+	2,074.50	12.60	4,089 00							_		17 10	6,163 50
04 Non-Preferential Creditors	2:00	00 810,1	24.10	27.972.7									26 10	8,597 75
sub total - H. Creditor Claims	6.50	3,092.50	36.70	11,668.75									43.20	14,761.25
1. Reporting O1. Statutory, Reporting			23.25	5.488 75	8 -	124 00	÷ ;	284,20	25 52	874.40			38.70	6.771 35.
02. Reporting to Appointer	00 81	9,321.50	42.25	12.613 00									60.25	21,934.50
04 Reporting to Creditors	8 25	3,814.75	41.55	12.251 05									19 80	16,065 80
05 Reporting to Court	۶۲ ()	363.00	6.75	27 155,1									7.50	1,884 75
sub total -	27.00	13,499,25	113.80	31,874,55	1.00	124.00	2.45	284.20	12.40	874,40			156.25	46,656,40
J. Distribution and Closure Of Closure Planning			2 (00)	90 % #									5.00	118 (0)
02 Distributions			3 65	848 25				· , _ · · · · · · · · · · · · · · · · ·					265	848 25
sub total - J. Distribution and Closure			4.65	1,296.25									4.65	1,296.25

Detail of Time Charged and Rates Applicable for the Period From 21/01/2014 to 25/11/2018

Name of Assignment

Description

				_				r
GRAND TOTAL	Total	7	340,811,30	0.00	0.00	0.00	340,811,30	
CBA.	Hours			W. F. S. ii				
OTHER STAFF	Total	*		*	ınts			
ОТНЕ	Hours		otal	Secretarial Expense	Other Disbursements		Grand Total	
ADMINISTRATOR	Iotal	3	Net Total	Secret	Other	Billed	Gran	
ADMI	Hours							
SENIOR ADMINISTRATOR	Ional	Ŧ.						
SEA ADMINIS	Hour							
ASSISTANT	[cual	3						
ISS)	Hours							
MANYGER	Тока	3						
MA	Hours							
3	fotal	+4						
PARTVER	Hours							



Moorfields Properties Limited - In Administration

In accordance with best practice I provide below details of the policies of BDO LLP in respect of fees and expenses for work in relation to the above insolvency.

The current charge out rates per hour of staff within my firm who may be involved in working on the insolvency are as follows:

GRADE	£	
Partner	533	
Manager	235-411	
Assistant Manager	212	
Senior Administrator	200-212	
Administrator	71-180	
Other Staff	75	

This in no way implies that staff at all such grades will work on the case. The rates charged by BDO LLP are reviewed in December and July each year and are adjusted to take account of inflation and the firm's overheads.

Time spent on casework is recorded directly to the relevant case using a computerised time recording system and the nature of the work undertaken is recorded at that time. Units of time can be as small as 3 minutes. BDO LLP records work in respect of insolvency work under the following categories:

Pre Appointment
Steps upon Appointment
Planning and Strategy
General Administration
Asset Realisation/Management
Trading Related Matters
Employee Matters
Creditor Claims
Reporting
Distribution and Closure
Other Issues

Under each of the above categories the work is recorded in greater detail in sub categories. Please note that the 11 categories provide greater detail than the six categories recommended by the Recognised Professional Bodies who are responsible for licensing and monitoring insolvency practitioners.

Where an officeholder's remuneration is approved on a time cost basis the time invoiced to the case will be subject to VAT at the prevailing rate.

Where remuneration has been approved on a time costs basis a periodic report will be provided to any committee appointed by the creditors or in the absence of a committee to the creditors. The report will provide a breakdown of the remuneration drawn and will enable the recipients to see the average rates of such costs.

Other Costs

Where expenses are incurred in respect of the insolvent estate they will be recharged. Such expenses can be divided into two categories.

(a) Category 1

This heading covers expenses where BDO LLP has met a specific cost in respect of the insolvent estate where payment has been made to a third party. Such expenses may include items such as advertising, couriers, travel (by public transport), land registry searches, fees in respect of swearing legal documents etc. In each case the recharge will be reimbursement of a specific expense incurred.

(b) Category 2

We propose to recover from the estate the cost of travel where staff use either their own vehicles or company cars in travelling connected with the insolvency. In these cases a charge of 45p per mile is raised which is in line with the HM Revenue & Customs Approved Mileage Rates (median - less than 10,000 miles per annum) which is the amount the firm pays to staff. Where costs are incurred in respect of mileage, approval will be sought in accordance with the Insolvency (England and Wales) Rules 2016 to recover this disbursement.

Where applicable, all disbursements will be subject to VAT at the prevailing rate.

BDO LLP

Statement from the Insolvency (England and Wales) Rules 2016 regarding the rights of creditors in respect of the Joint Administrators' fees and expenses:

Creditors' and members' requests for further information in administration, winding up and bankruptcy

- **18.9.**—(1) The following may make a written request to the office-holder for further information about remuneration or expenses (other than pre-administration costs in an administration) set out in a progress report under rule 18.4(1)(b), (c) or (d) or a final report under rule 18.14—
 - (a) a secured creditor;
 - (b) an unsecured creditor with the concurrence of at least 5% in value of the unsecured creditors (including the creditor in question);
 - (c) members of the company in a members' voluntary winding up with at least 5% of the total voting rights of all the members having the right to vote at general meetings of the company;
 - (d) any unsecured creditor with the permission of the court; or
 - (e) any member of the company in a members' voluntary winding up with the permission of the court.
- (2) A request, or an application to the court for permission, by such a person or persons must be made or filed with the court (as applicable) within 21 days of receipt of the report by the person, or by the last of them in the case of an application by more than one member or creditor.
- (3) The office-holder must, within 14 days of receipt of such a request respond to the person or persons who requested the information by—
 - (a) providing all of the information requested;
 - (b) providing some of the information requested; or
 - (c) declining to provide the information requested.
- (4) The office-holder may respond by providing only some of the information requested or decline to provide the information if—
 - (a) the time or cost of preparation of the information would be excessive; or
 - (b) disclosure of the information would be prejudicial to the conduct of the proceedings;
 - (c) disclosure of the information might reasonably be expected to lead to violence against any person; or
 - (d) the office-holder is subject to an obligation of confidentiality in relation to the information.
- (5) An office-holder who does not provide all the information or declines to provide the information must inform the person or persons who requested the information of the reasons for so doing.
- (6) A creditor, and a member of the company in a members' voluntary winding up, who need not be the same as the creditor or members who requested the information, may apply to the court within 21 days of—
 - (a) the office-holder giving reasons for not providing all of the information requested; or
 - (b) the expiry of the 14 days within which an office-holder must respond to a request.
- (7) The court may make such order as it thinks just on an application under paragraph (6).

Remuneration and expenses: application to court by a creditor or member on grounds that remuneration or expenses are excessive

- **18.34.**—(1) This rule applies to an application in an administration, a winding-up or a bankruptcy made by a person mentioned in paragraph (2) on the grounds that—
 - (a) the remuneration charged by the office-holder is in all the circumstances excessive;
 - (b) the basis fixed for the office-holder's remuneration under rules 18.16, 18.18, 18.19, 18.20 and 18.21 (as applicable) is inappropriate; or
 - (c) the expenses incurred by the office-holder are in all the circumstances excessive.
- (2) The following may make such an application for one or more of the orders set out in rule 18.36 or 18.37 as applicable—

- (a) a secured creditor,
- (b) an unsecured creditor with either-
 - (i) the concurrence of at least 10% in value of the unsecured creditors (including that creditor), or
 - (ii) the permission of the court, or
- (c) in a members' voluntary winding up-
 - (i) members of the company with at least 10% of the total voting rights of all the members having the right to vote at general meetings of the company, or
 - (ii) a member of the company with the permission of the court.
- (3) The application by a creditor or member must be made no later than eight weeks after receipt by the applicant of the progress report under rule 18.3, or final report or account under rule 18.14 which first reports the charging of the remuneration or the incurring of the expenses in question ("the relevant report").

Applications under rules 18.34 and 18.35 where the court has given permission for the application

- 18.36.—(1) This rule applies to applications made with permission under rules 18.34 and 18.35.
- (2) Where the court has given permission, it must fix a venue for the application to be heard.
- (3) The applicant must, at least 14 days before the hearing, deliver to the office-holder a notice stating the venue and accompanied by a copy of the application and of any evidence on which the applicant intends to rely.
- (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 office-holder is entitled to charge;
 - (b) an order reducing any fixed 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 is not to be treated as expenses of the administration, winding up or bankruptcy;
 - (e) an order for the payment of the amount of the excess of remuneration or expenses or such part of the excess as the court may specify by -
 - (i) the administrator or liquidator or the administrator's or liquidator's personal representative to the company, or
 - (ii) the trustee or the trustee's personal representative to such person as the court may specify as property comprised in the bankrupt's estate;
 - (f) any other order that it thinks just.
- (5) An order under paragraph (4)(b) or (c) may only be made in respect of periods after the period covered by the relevant report.
- (6) Unless the court orders otherwise the costs of the application must be paid by the applicant, and are not payable as an expense of the administration, winding up or bankruptcy.

Applications under rule 18.34 where the court's permission is not required for the application

- **18.37.**—(1) On receipt of an application under rule 18.34 for which the court's permission is not required, the court may, if it is satisfied that no sufficient cause is shown for the application, dismiss it without giving notice to any party other than the applicant.
- (2) Unless the application is dismissed, the court must fix a venue for it to be heard.
- (3) The applicant must, at least 14 days before any hearing, deliver to the office-holder a notice stating the venue with a copy of the application and of any evidence on which the applicant intends to rely.
- (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 office-holder is entitled to charge;
- (b) an order reducing any fixed 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 or winding up or bankruptcy;
- (e) an order for the payment of the amount of the excess of remuneration or expenses or such part of the excess as the court may specify by
 - (i) the administrator or liquidator or the administrator's or liquidator's personal representative to the company, or
 - (ii) the trustee or the trustee's personal representative to such person as the court may specify as property comprised in the bankrupt's estate;
- (f) any other order that it thinks just.
- (5) An order under paragraph (4)(b) or (c) may only be made in respect of periods after the period covered by the relevant report.
- (6) Unless the court orders otherwise the costs of the application must be paid by the applicant, and are not payable as an expense of the administration or as winding up or bankruptcy.

Rule 15.7 Insolvency (England and Wales) Rules 2016

The Insolvency Act 1986 - NOTICE OF DEEMED CONSENT PROCEDURE

To consider approving the Joint Administrators' revised proposals dated 21 December 2018.

Name of Company

Moorfields Properties Limited

In the

High Court of Justice, Business and Property Courts in Leeds, Insolvency and Companies List (ChD) Company number

03120473

Court case number 38 of 2014

The Joint Administrators are Kerry Bailey (Officeholder No: 8780) and Francis Graham Newton (officeholder No: 9310) of BDO LLP, 5 Temple Square, Temple Street, Liverpool, L2 5RH, who were appointed on 21 January 2014. The Joint Administrators may also be contacted via Vicki Noonan at BRCMT@bdo.co.uk.

NOTICE IS GIVEN, pursuant to Paragraph 51 of Schedule B1 to the Insolvency Act 1986 that the Joint Administrators' revised proposals will be dealt with by deemed consent by the Decision date: 14 January 2019. The proposals are:

(1) The Joint Administrators exit the Administration by way of a Creditors' Voluntary Liquidation and Kerry Bailey and Francis Graham Newton will be appointed Joint Liquidators and will act jointly and severally.

NB. Under Paragraph 83(7)(a) of Schedule B1 to the Insolvency Act 1986 and Rule 3.60(6)(b) creditors may nominate different Liquidators, but in the absence of such nomination the above named would become the Liquidators.

In order to object to the Joint Administrators' revised proposals a creditor must deliver, to me at the address below, by no later than 4 January 2019, a written notice stating that the creditor objects to the nomination. The objection must be accompanied by a proof of debt (form attached) otherwise the creditor's objection will be disregarded. A creditor with a 'small debt' £1,000 or less must still submit a proof of debt if submitting a notice of objection. The threshold is 10% in value of the creditors who are entitled to vote.

It is the convenor's responsibility to aggregate the objections to see if the threshold is met. If the threshold is met the deemed consent procedure will terminate. It will then be necessary for the convenor to arrange for a meeting of creditors to decide on the resolutions put to creditors. If less than 10% in value of creditors object, the creditors are treated as having approved the nominated joint liquidators, above.

Appeals against decisions (Rule.15.35): Creditors may appeal to the court in respect of the convener's decision. Any appeal must be made within 21 days of the Decision date stated above.

Date: 21 December 2018

Kerry Bailey

Joint Administrator and Convenor of the decision process

Objections to the Revised Joint Administrators' proposals, together with proof of claim must be forwarded to Kerry Bailey c/o Business Restructuring, BDO LLP, 5 Temple Square, Temple Street, Liverpool, L2 5RH, by no later than 4 January 2019.

Reference: 00239152/3800/KB/VN

Rule 15.8 Insolvency (England and Wales) Rules 2016

The Insolvency Act 1986 - NOTICE OF ARRANGING A DECISION PROCEDURE FOR CREDITORS BY CORRESPONDENCE

Name of Company

Moorfields Properties Limited

Company number

03120473

In the

High Court of Justice, Business and Property Courts in Leeds, Insolvency and Companies List (ChD) Court case number 38 of 2014

The Joint Administrators are Kerry Bailey (Officeholder No: 8780), BDO LLP, 3 Hardman Street, Spinningfields, Manchester, M3 3AT and Francis Graham Newton (officeholder No: 9310) of BDO LLP, Central Square, 29 Wellington Street, LS1 4DL, who were appointed on 21 January 2014. The Joint Administrators may also be contacted via Vicki Noonan on BRCMT@bdo.co.uk.

NOTICE that the Creditors of the above-named Company are invited to make decisions as to whether to approve or reject the resolutions below.

Decision Procedure: The creditors are invited to indicate by correspondence whether they approve or reject the resolutions. A Decision by Correspondence form is attached for recording your vote. The completed form, together with details of your claim, if not already provided, must be sent to the Joint Administrators, whose details are below and on the attached form. Your response must be delivered to before the Decision date below otherwise it cannot be counted.

Decision date: 14 January 2019

Creditors may within five business days of this notice require a physical meeting be held to consider the matter. This is explained in more detail overleaf.

Any response may be sent by correspondence, using the attached form. To be valid your response must be received by the Administrator by no later than the Decision date which is 14 January 2019.

RESOLUTION

1. That a creditors' committee be established if sufficient creditors are willing to be members.

Date: 21 December 2018

Kerry Bailey

Joint Administrator and Convenor of the decision process

Certain Rules apply to decision procedures. The full text of the Rules is attached but the effect of those Rules is summarised below:

Creditor Voting rights (R.15.28): Every creditor who has this notice is entitled to vote in respect of the debt due to the creditor. Where there is a physical meeting the creditor must submit a proxy form (not relevant at this stage). Creditors, including creditors whose debt is treated as a 'small debt' (£1,000 or less) must still deliver a proof for voting purposes, they have not already done so.

Calculation of creditors voting rights (R.15.31): In respect of this Administration creditors' claims will be calculated as at the date the company entered Administration being: 21 January 2014. Claims that have an uncertain value will be subject to £1, or a higher value if the chairman allows.

Requisite majority of creditors for making a decision (15.34): An Administration decision is approved if a majority of creditors, by value vote, in favour by the Decision date.

Appeals against decisions (R.15.35): Decisions of the Joint Administrator in convening the Decision Procedure and dealing with voting is subject to appeal to the court by a creditor. Any appeal must be made within 21 days of the Decision date.

Physical Meeting: If creditors want to consider the resolutions at a physical meeting they must notify in writing the Joint Administrator, whose details are above, within five business days of delivery of this notice. A meeting will be convened if sufficient creditors notify the Administrators within the timeframe. Section 246ZE The insolvency Act sets the "minimum number" of creditors for requisitioning a meeting at any of the following:

- (a) 10% in value of the creditors or contributories;
- (b) 10% in number of the creditors or contributories;
- (c) 10 creditors or contributories.

Extract from the Insolvency (England and Wales) Rules 2016

Creditors' voting rights

- **15.28.**—(1) In an administration, an administrative receivership, a creditors' voluntary winding up, a winding up by the court and a bankruptcy, a creditor is entitled to vote in a decision procedure or to object to a decision proposed using the deemed consent procedure only if—
 - (a) the creditor has, subject to 15.29, delivered to the convener a proof of the debt claimed in accordance with paragraph (3), including any calculation for the purposes of rule 15.31 or 15.32, and
 - (b) the proof was received by the convener-
 - (i) not later than the decision date, or in the case of a meeting, 4pm on the business day before the meeting, or
 - (ii) in the case of a meeting, later than the time given in sub-paragraph (i) where the chair is content to accept the proof; and
 - (c) the proof has been admitted for the purposes of entitlement to vote.
- (2) In the case of a meeting, a proxy-holder is not entitled to vote on behalf of a creditor unless the convener or chair has received the proxy intended to be used on behalf of that creditor.
- (3) A debt is claimed in accordance with this paragraph if it is-
 - (a) claimed as due from the company or bankrupt to the person seeking to be entitled to vote; or
 - (b) in relation to a member State liquidator, claimed to be due to creditors in proceedings in relation to which that liquidator holds office.
- (4) The convener or chair may call for any document or other evidence to be produced if the convener or chair thinks it necessary for the purpose of substantiating the whole or any part of a claim.
- (5) In a decision relating to a proposed CVA or IVA every creditor, secured or unsecured, who has notice of the decision procedure is entitled to vote in respect of that creditor's debt.
- (6) Where a decision is sought in an administration under sub-paragraph 3.52(3)(b) (pre administration costs), paragraph 18.18(4) (remuneration: procedure for initial determination in an administration) or paragraph 18.26(2) (first exception: administrator has made statement under paragraph 52(1)(b) of Schedule B1), creditors are entitled to participate to the extent stated in those paragraphs.

Calculation of voting rights

- 15.31.-(1) Votes are calculated according to the amount of each creditor's claim-
 - (a) in an administration, as at the date on which the company entered administration, less-
 - (i) any payments that have been made to the creditor after that date in respect of the claim, and
 - (ii) any adjustment by way of set-off which has been made in accordance with rule 14.24 or would have been made if that rule were applied on the date on which the votes are counted;
 - (b) in an administrative receivership, as at the date of the appointment of the receiver, less any payments that have been made to the creditor after that date in respect of the claim;
 - (c) in a creditors' voluntary winding up, a winding up by the court or a bankruptcy, as set out in the creditor's proof to the extent that it has been admitted;
 - (d) in a proposed CVA-
 - (1) at the date the company went into liquidation where the company is being wound up,
 - (ii) at the date the company entered into administration (less any payments made to the creditor after that date in respect of the claim) where it is in administration,
 - (iii) at the beginning of the moratorium where a moratorium has been obtained (less any payments made to the creditor after that date in respect of the claim), or
 - (iv) where (i) to (iii) do not apply, at the decision date;
 - (e) in a proposed IVA-
 - (i) where the debtor is not an undischarged bankrupt—
 - (aa) at the date of the interim order, where there is an interim order in force,
 - (bb) otherwise, at the decision date,

- (ii) where the debtor is an undischarged bankrupt, at the date of the bankruptcy order.
- (2) A creditor may vote in respect of a debt of an unliquidated or unascertained amount if the convener or chair decides to put upon it an estimated minimum value for the purpose of entitlement to vote and admits the claim for that purpose.
- (3) But in relation to a proposed CVA or IVA, a debt of an unliquidated or unascertained amount is to be valued at £1 for the purposes of voting unless the convener or chair or an appointed person decides to put a higher value on it.
- (4) Where a debt is wholly secured its value for voting purposes is nil.
- (5) Where a debt is partly secured its value for voting purposes is the value of the unsecured part.
- (6) However, the value of the debt for voting purposes is its full value without deduction of the value of the security in the following cases—
 - (a) where the administrator has made a statement under paragraph 52(1)(b) of Schedule B1 and the administrator has been requested to seek a decision under paragraph 52(2); and
 - (b) where, in a proposed CVA, there is a decision on whether to extend or further extend a moratorium or to bring a moratorium to an end before the end of the period of any extension.
- (7) No vote may be cast in respect of a claim more than once on any resolution put to the meeting; and for this purpose (where relevant), the claim of a creditor and of any member State liquidator in relation to the same debt are a single claim.
- (8) A vote cast in a decision procedure which is not a meeting may not be changed.
- (9) Paragraph (7) does not prevent a creditor or member State liquidator from-
 - (a) voting in respect of less than the full value of an entitlement to vote; or
 - (b) casting a vote one way in respect of part of the value of an entitlement and another way in respect of some or all of the balance of that value.

Requisite majorities

- 15.34.—(1) A decision is made by creditors when a majority (in value) of those voting have voted in favour of the proposed decision, except where this rule provides otherwise.
- (2) In the case of an administration, a decision is not made if those voting against it-
 - (a) include more than half in value of the creditors to whom notice of the decision procedure was delivered; and
 - (b) are not, to the best of the convener or chair's belief, persons connected with the company.
- (3) Each of the following decisions in a proposed CVA is made when three-quarters or more (in value) of those responding vote in favour of it—
 - (a) a decision approving a proposal or a modification;
 - (b) a decision extending or further extending a moratorium; or
 - (c) a decision bringing a moratorium to an end before the end of the period of any extension.
- (4) In a proposed CVA a decision is not made if more than half of the total value of the unconnected creditors vote against it.
- (5) For the purposes of paragraph (4)-
 - (a) a creditor is unconnected unless the convener or chair decides that the creditor is connected with the company;
 - (b) in deciding whether a creditor is connected reliance may be placed on the information provided by the company's statement of affairs or otherwise in accordance with these Rules; and
 - (c) the total value of the unconnected creditors is the total value of those unconnected creditors whose claims have been admitted for voting.
- (6) In a case relating to a proposed IVA-
 - (a) a decision approving a proposal or a modification is made when three-quarters or more (in value) of those responding vote in favour of it;
 - (b) a decision is not made if more than half of the total value of creditors who are not associates of the debtor vote against it.
- (7) For the purposes of paragraph (6)-
 - (a) a creditor is not an associate of the debtor unless the convener or chair decides that the creditor is an associate of the debtor:
 - (b) in deciding whether a creditor is an associate of the debtor, reliance may be placed on the information provided by the debtor's statement of affairs or otherwise in accordance with these Rules; and
 - (c) the total value of the creditors who are not associates of the debtor is the total value of the creditors who are not associates of the debtor whose claims have been admitted for voting.

Appeals against decisions under this Chapter

- 15.35.—(1) A decision of the convener or chair under this Chapter is subject to appeal to the court by a creditor, by a contributory, or by the bankrupt or debtor (as applicable).
- (2) In a proposed CVA, an appeal against a decision under this Chapter may also be made by a member of the company.
- (3) If the decision is reversed or varied, or votes are declared invalid, the court may order another decision procedure to be initiated or make such order as it thinks just but, in a CVA or IVA, the court may only make an order if it considers that the circumstances which led to the appeal give rise to unfair prejudice or material irregularity.
- (4) An appeal under this rule may not be made later than 21 days after the decision date.
- (5) However, the previous paragraph does not apply in a proposed CVA or IVA, where an appeal may not be made after the end of the period of 28 days beginning with the day—
 - (a) in a proposed CVA, on which the first of the reports required by section 4(6) or paragraph 30(3) of Schedule A1 was filed with the court(a); or
 - (b) in a proposed IVA-
 - (i) where an interim order has not been obtained, on which the notice of the result of the

consideration of the proposal required by section 259(1)(a) has been given, or

- (ii) otherwise, on which the report required by section 259(1)(b)(b) is made to the court.
- (6) The person who made the decision is not personally liable for costs incurred by any person in relation to an appeal under this rule unless the court makes an order to that effect.
- (7) The court may not make an order under paragraph (6) if the person who made the decision in a winding up by the court or a bankruptcy is the official receiver or a person nominated by the official receiver.

Extract from the Insolvency Act 1986 (as amended)

Section 246ZE Decisions by creditors and contributories: general

- (1) This section applies where, for the purposes of this Group of Parts, a person ("P") seeks a decision about any matter from a company's creditors or contributories.
- (2) The decision may be made by any qualifying decision procedure P thinks fit, except that it may not be made by a creditors' meeting or (as the case may be) a contributories' meeting unless subsection (3) applies.
- (3) This subsection applies if at least the minimum number of creditors or (as the case may be) contributories make a request to P in writing that the decision be made by a creditors' meeting or (as the case may be) a contributories' meeting.
- (4) If subsection (3) applies P must summon a creditors' meeting or (as the case may be) a contributories' meeting.
- (5) Subsection (2) is subject to any provision of this Act, the rules or any other legislation, or any order of the court—
 - (a) requiring a decision to be made, or prohibiting a decision from being made, by a particular qualifying decision procedure (other than a creditors' meeting or a contributories' meeting);
 - (b) permitting or requiring a decision to be made by a creditors' meeting or a contributories' meeting.
- (6) Section 246ZF provides that in certain cases the deemed consent procedure may be used instead of a qualifying decision procedure.
- (7) For the purposes of subsection (3) the "minimum number" of creditors or contributories is any of the following-
 - (a) 10% in value of the creditors or contributories;
 - (b) 10% in number of the creditors or contributories;
 - (c) 10 creditors or contributories.
- (8) The references in subsection (7) to creditors are to creditors of any class, even where a decision is sought only from creditors of a particular class.
- (9) In this section references to a meeting are to a meeting where the creditors or (as the case may be) contributories are invited to be present together at the same place (whether or not it is possible to attend the meeting without being present at that place).
- (10) Except as provided by subsection (8), references in this section to creditors include creditors of a particular class.
- (11) In this Group of Parts "qualifying decision procedure" means a procedure prescribed or authorised under paragraph 8A of Schedule 8.

The Insolvency Act 1986 - NOTICE OF CONVENING A DECISION PROCEDURE FOR CREDITORS BY CORRESPONDENCE

Moorfields Properties Limited - In Administration Registered Number: 03120473

RESOLUTION

(* Please indicate voting preference)

1 That a creditors' committee be established if sufficient creditors are willing to be members.

*Approved/Rejected

Do you consent to be a member of the creditors' committee?

*Yes/No

TO BE COMPLETED BY THE CREDITOR WHEN RETURNING FORM

Name of Creditor

Signature of Creditor

(If signing on behalf of creditor, state capacity eg director/solicitor etc)

NOTE: This form must be accompanied by a proof of the amount due to the creditor unless a proof of debt/claim form has already been delivered. Creditors whose debt is treated as a 'small debt' (£1,000 or less) must still deliver a proof for voting purposes otherwise their vote will be disregarded.

This form must be returned to Kerry Bailey (Officeholder IP No: 8780) at BDO LLP, 5 Temple Square, Temple Street, Liverpool, L2 5RH, by no later than the Decision date 14 January 2019.

The Joint Administrators may also be contacted via Vicki Noonan on BRCMT@bdo.co.uk.

Kerry Bailey

Joint Administrator 21 December 2018

Rule 14.4 Insolvency (England and Wales) Rules

Ref: 00239152/1300/KB/VN

Proof of Debt/Claim Form Moorfields Properties Limited - In Administration Company No: 03120473

Debt as at the date of the appointment of Administrators: 21 January 2014

1	Name of creditor (If a company please also give company registration number and where registered).			
2	Address of creditor including email address for correspondence.			
3	Total amount of claim, including any Value Added Tax at the above date.			
4	If amount in 3 above includes outstanding uncapitalised interest please state amount.	£		
5	Particulars of how and when debt incurred. (If you need more space append a continuation sheet to this form).			
6	Particulars of any security held, the value of the security, and the date it was given.			
7	Particulars of any reservation of title claimed in respect of goods supplied to which the claim relates.			
8	Provide details of any documents by reference to which the debt can be substantiated. (Note: There is no need to attach them now but the Administrator may call for any document or evidence to substantiate the claim at their discretion as may the chairman or convener of any meeting).			
9	Signature of creditor or person authorised to act	on his behalf	Dated	
	Name in BLOCK LETTERS		-	
	Position with or in relation to creditor			
	Address of person signing (if different from 2 abo	ove)	-	

Deliver to the Joint Administrator, Kerry Bailey, Business Restructuring, BDO LLP, 5 Temple Square, Temple Street, Liverpool, L2 5RH.