

The Insolvency Act 1986

**Administrator's progress report**

Name of Company Chantstream Limited	Company number 03308541
In the Royal Courts of Justice, Chancery Division, Companies Court  [full name of court]	Court case number 4471/2011

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

H/ We (a) I Best, D Frangou and T Lukicc/o Ernst & Young LLP, No 1 Colmore Square, Birmingham, B4 6HQ

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

from

to

(b) Insert date

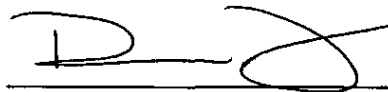
(b)

7 April 2012

(b)

16 October 2012

Signed



Joint Administrator

Dated

15/11/12

**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.

Nicky O'Day	
Ernst & Young LLP, No 1 Colmore Square, Birmingham, B4 6HQ	
	Tel 0121 535 2222
DX Number	DX Exchange

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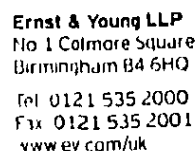
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COMPANIES HOUSE

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

Companies House, Crown Way, Cardiff, CF14 3UZ

DX 33050 Cardiff



15 November 2012

REF: CHG/IR/DE/IDK/NO17/24

Direct line 0121 535 2222  
Direct fax 0121 535 2148

## Nicky O Day

**Chantstream Limited  
Carlson Properties Limited  
Rossmark Properties Limited  
(All in Administration) (together “the Companies”)**

**Royal Courts of Justice, Chancery Division, Companies Court, Numbers 4471 of 2011, 4474 of 2011 and 4475 of 2011 respectively**

**Registered office address: c/o Ernst & Young LLP, No. 1 Colmore Square, Birmingham, B4 6HQ**

*Chantstream Limited*, registered number 03308541, *Carlson Properties Limited*, registered number 03582766, and *Rossmark Properties Limited*, registered number 03971090, entered Administration on 26 May 2011 and D Frangou, T Lukic and I were appointed to act as Joint Administrators. The appointment was made by The Governor and Company of the Bank of Ireland, acting as Security Trustee, under the provisions of paragraph 14 of Schedule B1 to the Insolvency Act 1986. Under the terms of the appointment, any act required or authorised to be done by the Joint Administrators can be done by any one of them.

The purpose of this report is to provide creditors with an update on the progress of the Administrations in accordance with Rule 2.47 of The Insolvency (Amendment) Rules 2003 ("the Rules"). This report should be read in conjunction with the Joint Administrators' Statement of Proposals dated 19 July 2011 ("the Proposals"), and our previous reports to creditors dated 22 December 2011 and 16 April 2012.

This report covers a period slightly greater than six months due to our successful application to vary the contents of our previous report under the Rules

My previous report supported an application to court to extend the Administrations of the Companies pursuant to Rule 2.112 of the Rules to which I am pleased to report was granted by the court on 4 May 2012 for a period of 12 months to 25 May 2013

A summary of statutory information relating to the Companies is attached at Appendix 1

### Summary of progress since the Proposals

Following our appointment, we took control of the business and assets of the Companies with a view to establishing a strategy to meet the prioritised objectives of the Administration process, being

- a) rescuing the Companies as a going concern, or



INVESTOR IN PEOPLE

1. The Commission has completed its initial study  
of the proposed amendments and will submit  
a report to the Council on the progress of its work  
in the near future.

- b) achieving a better result for the Companies' creditors as a whole than would be likely if the Companies were to be wound up (without first being in Administration), or
- c) realising property in order to make a distribution to one or more secured or preferential creditors

In the Proposals we reported that our strategy was to pursue objective (a), as at that time we were in advanced discussions with the Directors of the Companies and Comer Homes Group ("CHG") to rescue the Companies as a going concern. In October 2011, their offer for the Companies was withdrawn and, as a result, a rescue of the Companies as a going concern would no longer be achievable.

The Administrators are now seeking to pursue objectives (b) and/or (c).

### ***Properties***

As detailed in our previous reports, each of the Companies hold a property development at varying stages of completion. These are located at Royal Connaught Park, The Avenue, Bushey, Hertfordshire, WD23 2LW ("Bushey"), Bradstowe House, Harrow, HA1 1NL ("Harrow") and Ocean Views, Portland, Dorset, DT5 1BD ("Portland") (together "the Properties").

Subsequent to the withdrawal of the Directors' offer for the Companies, we instructed valuation and quantity surveying professional agents, Savills Commercial Limited ("Savills") and Davis Langdon LLP ("Davis Langdon"), to provide a valuation and a cost to complete report for the Properties. Following this, a revised strategy to maximise creditor realisations was put forward to the secured creditors, being the Bank of Ireland, HSBC Bank, and BNP Paribas (together "the Banks"). The revised strategy envisaged either a sale of the Properties in their current state ("as is") or a build out in conjunction with a new developer.

Following a period of information gathering and preparing the Properties for marketing and sale, the Properties were placed on the open market by our Real Estate Corporate Finance ("RECF") team in February 2012 and interested parties were invited to submit indicative non-binding bids by early March 2012. The Administrators and the RECF team reviewed the indicative bids and prepared a report to the Banks identifying the preferred bidders, and recommending a short list to progress through a more detailed due diligence process. A number of bidders were given data room access and invited to visit the Properties as part of the due diligence process.

Preferred third party bidders for each of the Properties were selected and their offers communicated to the Banks for their consideration in May 2012. Whilst the Banks were considering these offers, interest was expressed by the Directors of the Companies to purchase the business and assets of the Companies for a collective value in excess of the offers put forward by the preferred third party bidders. After lengthy discussions with the Banks, the Companies' Directors and associated third party advisors, a decision was made to accept the Directors' offer in respect of two out of the three Properties, being Portland and Harrow.

### ***Portland***

I am pleased to report that the business and assets of Rossmark Properties Limited were sold with effect from 3 October 2012 to Fulca Limited, for a total consideration of £8,005,764. This included the sale of the holiday lets and shorthold tenancy agreements referred to in our previous report. An additional £50,000 was received in settlement of intergroup liabilities for

entities in the CHG which fall outside of this insolvency process. It should be noted the Directors of Fulca Limited are Luke Comer and Brian Comer.

#### ***Harrow***

The business and assets of Carlson Properties Limited were sold with effect from 12 October 2012 to Hincroft Limited, for a total consideration of £19,032,202. As set out in our previous report, there were a number of sales agreements in respect of Harrow which were entered into prior to our appointment. Unilateral Notices had been filed against the title at the Land Registry. As a result the transfer of the Harrow title was made by the Banks in their capacity as mortgagee in possession in order to overreach those agreements with their first ranking security. It should be noted the Directors of Hincroft Limited are Luke Comer and Brian Comer.

#### ***Bushey***

On 6 November 2012 the Joint Administrators exchanged contracts in respect of Bushey, with a view to completing by the end of 2012. This followed a notice period provided to the leaseholders of Bushey, giving them right of first refusal to purchase the development at the same level as the purchaser's offer. No offer was made by the leaseholders. The purchaser has imposed a strict confidentiality agreement in respect of the sale of Bushey and as such we are unable to provide any further details at this present time and until a sale is concluded.

#### ***Estate management***

During the early part of the Administration period, Comer Property Management Limited ("CPML") continued to provide estate management services to approximately 30 residents in the completed leasehold units at Bushey and provide estate management services to the residents in the completed, or sold units at Portland in accordance with the Companies' existing management agreement ("the Agreement").

However, as previously reported on 25 January 2012, the Joint Administrators served notice on CPML to terminate the Agreement, effective at 31 March 2012. As a result a number of parties were invited to tender for the estate management contracts at Bushey and Portland in January 2012 and Warwick Estates Property Management Limited ("Warwick Estates") were selected to assume the estate management role at both Bushey and Portland, effective from 1 April 2012.

As freeholders, Chantstream Limited and Rossmark Properties Limited contribute approximately 84% and 82% of the total service charge costs which amounts to c £331,000 and c £241,000 per annum respectively.

With effect from 3 October 2012, the management agreement held with Warwick Estates for Portland was novated over to Fulca Limited. The management agreement in respect of Bushey is expected to be novated to the proposed purchaser on completion of the sale.

#### ***Exchanged properties***

Prior to our appointment contracts had exchanged for three units at Bushey and four units at Portland.

I am pleased to report that we have now completed the sale of all three units at Bushey.

As previously reported, two of the exchanged properties at Portland relate to Prince Andrew House, an apartment block which merely consisted of ground works and a concrete frame. These contracts have now been terminated. We have completed the sale of the remaining two units at Atlantic House, Portland.

We have received the net proceeds from all of the above sales. These proceeds are reflected in the receipts and payments accounts at Appendix 2.

### ***Conduct of the Directors of the Companies***

As previously advised, it is a statutory requirement for Administrators to perform a review of the conduct of Directors that held office in the three years prior to appointment. This has been completed and the resulting report, which is confidential, has been sent to the Secretary of State at the Department for Business, Innovation and Skills.

### ***Receipts and payments accounts***

I enclose receipts and payments accounts for the period from 26 May 2011 to 16 October 2012 for each of the Companies at Appendix 2. These do not reflect estimated future realisations or costs.

Since the previous report, significant movements have occurred in the following principal areas:

#### ***Chantstream Limited - Bushey***

##### ***Income***

- ▶ £1,152,727 received on completion of the sale of two leasehold apartments

##### ***Expenses***

- ▶ £189,784 paid in respect of freeholder contributions for estate management charges,
- ▶ £144,200 paid for insurance,
- ▶ £87,488 paid in respect of legal fees and legal costs to complete the sale of the leasehold units,
- ▶ £73,146 paid for third party security,
- ▶ £53,587 paid in respect of property management costs, and
- ▶ £20,873 paid in respect of agents' fees relating to valuation and quantity surveying services at Bushey.

#### ***Carlson Properties Limited - Harrow***

##### ***Income***

- ▶ £19,032,202 received for the sale of freehold and penalty interest on the sale of freehold to Hincroft Limited, and
- ▶ £180,000 additional funding from the secured creditor to settle third party costs

##### ***Expenses***

- ▶ £63,708 in payment of site maintenance costs, primarily due to the cost of drainage of severe flooding,
- ▶ £57,732 in payment of legal fees,

- ▶ £14,851 paid for third party security, and
- ▶ £4,677 paid in agents' fees

#### ***Rossmark Properties Limited - Portland***

##### ***Income***

- ▶ £8,005,764 received for the sale of freehold to Fulca Limited,
- ▶ £379,927 received from lettings rental income, and
- ▶ £50,000 in settlement of intergroup liabilities for entities in the CHG which fall outside of this insolvency process

Please note that the receipts and payments at Appendix 2c highlights a c £31,000 increase in apartment sales, this is due to an apartment sale reported in the prior period being recorded net of associated costs. The gross amount has now been reflected.

##### ***Expenses***

- ▶ £100,846 paid in respect of freeholder contributions for estate management charges,
- ▶ £68,003 paid in lettings agents' fees,
- ▶ £53,627 paid in respect of property management charges,
- ▶ £61,927 paid in general legal fees and in respect of apartment sales,
- ▶ £36,433 paid for insurance,
- ▶ £34,630 paid in respect of utility costs on unsold units,
- ▶ £33,793 paid for property repairs of which c £26,000 of which relates to roofing repairs required on one apartment, and
- ▶ £14,141 paid in agents' fees

#### **Joint Administrators' remuneration and disbursements**

The basis of remuneration has been agreed with the secured creditors to be fixed on a time-cost basis.

To date the Administrators have incurred time costs of £1,435,818 (£595,256 in Chantsteam Limited, £364,940 in Carlson Properties Limited and £475,622 in Rossmark Properties Limited) against which no sums have been drawn to date. An analysis of the time spent is attached at Appendix 3 to this report. At Appendix 4 there is a statement of the Administrators' policy in relation to charging time and disbursements.

There is an analysis of Category 2 disbursements at Appendix 3.

In certain circumstances, creditors are entitled to request further information regarding the Administrators' remuneration or expenses, or to apply to court on the grounds that the costs are considered to be excessive (Rules 2.48A and 2.109 of the Insolvency Rules 1986). Further information is provided at Appendix 5.

### **Pre-Administration costs**

The Proposals included a statement of pre-Administration costs of £20,327 plus VAT which remained outstanding at the date on which the Companies entered Administration. Approval to pay these costs as an expense of the Administration will be sought from the Banks in accordance with Rule 2.67A of the Insolvency Rules 1986.

### **Secured creditors**

The Banks had a total indebtedness at 26 May 2011 of c £167m, excluding interest and charges.

On 17 October 2012 the Joint Administrators made an interim distribution to the secured creditors of £18,000,000 from Carlson Properties Limited and £7,000,000 from Rossmark Properties Limited. These distributions are not reflected in the receipts and payments shown at Appendix 2.

### **Preferential creditors**

There are no preferential creditors of the Companies in respect of claims for employees' salaries, holiday pay and pension contributions.

### **Non-preferential creditors**

The listing of creditors at the date of our appointment indicated no non-preferential creditors other than those held by intercompany entities. The combined value of intercompany creditors at the date of our appointment was c £60m.

Based on the level of expected realisations and the significant outstanding liability to the secured creditors, we do not anticipate funds being available to make a distribution to non-preferential creditors.

### **The Prescribed Part**

The Prescribed Part is a proportion of floating charge assets set aside for unsecured creditors pursuant to section 176A of the Insolvency Act 1986. The Prescribed Part applies to floating charges created on or after 15 September 2003.

The secured creditors' floating charge for each of the Companies was created after 15 September 2003 and therefore the Prescribed Part applies for the Companies. As commented above it is unlikely that there will be funds available for non-preferential creditors. On this basis, the Joint Administrators do not intend to make an application to the court under section 176A(5) of the Insolvency Act 1986 for an order not to distribute the Prescribed Part to creditors.

### **Corporation tax**

#### ***Pre-appointment tax returns***

The Administrators have been provided with pre-appointment tax returns for the tax years ending 2008 and 2009. We understand that the tax returns for the year ended 2010 have not been filed. Upon review of the information provided to us, we are not aware of any tax losses in the Companies which may be available to the Administrators.

### **Post-appointment tax returns**

The first post-appointment period corporation tax returns for the Companies have been submitted to HM Revenue and Customs ("HMRC"). These relate to the period 26 May 2011 to 30 June 2011. The returns show a nil liability for the Companies for this period. HMRC have raised some queries regarding the quantum of carried forward losses in the Companies and our tax colleagues are currently investigating this matter. We consider that the difference should not create a tax liability in the Companies for this period.

### **VAT**

The Companies were previously registered as part of a VAT group of which the group representative was Opecprime Properties Limited. As we were not appointed Administrators to Opecprime Properties Limited, the Companies were removed from this VAT Group with effect from 25 May 2011. The Companies have since been re-registered for VAT purposes with an effective registration date of 26 May 2011.

The Administrators have complied with all VAT obligations following our appointment and continue to do so.

### **Future conduct of the Administrations**

The primary areas of work which remain outstanding in the Administrations are as follows:

- ▶ Realise the property assets held by Chantstream Limited. The Administrators continue to liaise with the purchaser with regard to completion of the sale.
- ▶ Complete statutory returns to HMRC including those in relation to VAT and corporation tax returns.
- ▶ Settle all costs and expenses of the Administrators, including, with the approval of the Banks, the Joint Administrators' remuneration.
- ▶ Satisfy statutory obligations during the Administrations, including ongoing six monthly reporting to the Companies' creditors.
- ▶ Distribute available funds to the Banks.


### **The end of the Administrations**

It is proposed that if at the end of the Administrations, as is envisaged, the Companies have no property which might permit a distribution to its creditors, the Joint Administrators will send a notice to that effect to the Registrar of Companies. On registration of the notice the Joint Administrators' appointments will come to an end. In accordance with the provisions of paragraph 84(6) of Schedule B1 to the Insolvency Act 1986 the Companies will be deemed to be dissolved three months after the registration of the notice.



I will report to you again at the conclusion of the Administrations or in six months' time, whichever is the sooner

Yours faithfully  
for the Companies

A handwritten signature in black ink, appearing to read 'I Best'.

I Best  
Joint Administrator

Encs	Appendix 1	Statutory information
	Appendix 2	Joint Administrators' receipts and payments accounts
	Appendix 3	Summary of Joint Administrators' time costs and Category 2 disbursements
	Appendix 4	Joint Administrators' policy on fees and disbursements
	Appendix 5	Creditors' request for further information regarding an Administrators' remuneration or expenses

I Best and T Lukic are licensed in the United Kingdom to act as Insolvency Practitioners by The Institute of Chartered Accountants in England and Wales and D Frangou is licensed in the United Kingdom to act as an Insolvency Practitioner by The Association of Chartered Certified Accountants

The affairs, business and property of the Companies are being managed by the Administrators, I Best, T Lukic and D Frangou, who act as agents of the Companies only and without personal liability

We may collect, use, transfer, store or otherwise process (collectively, "Process") information that can be linked to specific individuals ("Personal Data") We may Process Personal Data in various jurisdictions in accordance with applicable law and professional regulations including (without limitation) the Data Protection Act 1998

**Chantstream Limited (In Administration)****Statutory information**

<b>Company information</b>	
Company names and registered numbers	Chantstream Limited (03305841)
Registered office address	Ernst & Young LLP, No 1 Colmore Square, Birmingham, B4 6HQ
Trading name(s)	N/A
Trading address(es)	Royal Connaught Park, The Avenue, Bushey, Herts, WD23 2LW

**Details of the Administrators and of their appointment**

Administrators I Best, D Frangou and T Lukic

Date of appointment 26 May 2011

By whom appointed The appointment was made by the Governor and Company of the Bank of Ireland

Court reference Chantstream Limited (4471 of 2011)

Any of the functions to be performed or powers exercisable by the Administrators may be carried out/exercised by any one of them acting alone or by any or all of them acting jointly

**Statement concerning the EC Regulation**

The EC Council Regulation on Insolvency Proceedings does apply to this Administration and the proceedings are main proceedings. This means that this Administration is conducted according to UK insolvency legislation and is not governed by the insolvency law of any other European Union Member State

Presented below is a summary of the Chantstream Limited's share capital

**Share capital**

<b>Number of ordinary shares (all issued and fully paid)</b>	2
<b>Value of ordinary shares (£)</b>	2

**Carlson Properties Limited (In Administration)****Statutory information**

Company information	
Company names and registered numbers	Carlson Properties Limited (03582766)
Registered office address	Ernst & Young LLP, No 1 Colmore Square, Birmingham, B4 6HQ
Trading name(s)	N/A
Trading address(es)	Bradstowe House, Headstone Road, 1 Junction Road, Harrow, Middlesex, HA1 1NL

**Details of the Administrators and of their appointment**

Administrators	I Best, D Frangou and T Lukic
Date of appointment	26 May 2011
By whom appointed	The appointment was made by the Governor and Company of the Bank of Ireland
Court reference	Carlson Properties Limited (4474 of 2011)

Any of the functions to be performed or powers exercisable by the Administrators may be carried out/exercised by any one of them acting alone or by any or all of them acting jointly

**Statement concerning the EC Regulation**

The EC Council Regulation on Insolvency Proceedings does apply to this Administration and the proceedings are main proceedings. This means that this Administration is conducted according to UK insolvency legislation and is not governed by the insolvency law of any other European Union Member State.

Presented below is a summary of the Carlson Properties Limited's share capital

**Share capital**

Number of ordinary shares (all issued and fully paid)	2
Value of shares (£)	2

**Rossmark Properties Limited (In Administration)****Statutory information**

<b>Company information</b>	
Company names and registered numbers	Rossmark Properties Limited (03971090)
Registered office address	Ernst & Young LLP, No 1 Colmore Square, Birmingham, B4 6HQ
Trading name(s)	N/A
Trading address(es)	Ocean Views, Castle Road, Portland, Dorset, DT5 1BD

**Details of the Administrators and of their appointment**

Administrators: I Best, D Frangou and T Lukic

Date of appointment: 26 May 2011

By whom appointed: The appointment was made by the Governor and Company of the Bank of Ireland

Court reference: Rossmark Properties Limited (4475 of 2011)

Any of the functions to be performed or powers exercisable by the Administrators may be carried out/exercised by any one of them acting alone or by any or all of them acting jointly

**Statement concerning the EC Regulation**

The EC Council Regulation on Insolvency Proceedings does apply to this Administration and the proceedings are main proceedings. This means that this Administration is conducted according to UK insolvency legislation and is not governed by the insolvency law of any other European Union Member State

Presented below is a summary of the Rossmark Properties Limited's share capital

**Share capital**

<b>Number of ordinary shares (all issued and fully paid)</b>	2
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<b>Value of ordinary shares (£)</b>	2
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**Appendix 1****Directors and Company Secretary and their shareholdings for the Companies**

<b>Name</b>	<b>Brian Martin Comer</b>	<b>Luke Andrew Comer</b>	<b>Grosvenor Financial Nominees Limited</b>
<b>Director</b>	✓	✓	✓
<b>Company Secretary</b>	✗	✗	✓
<b>Date appointed</b>	June 1998	June 1998	June 1998
<b>Date resigned</b>	N/A	N/A	N/A
<b>Current shareholding</b>	-	-	-

**Chantstream Limited (In Administration)**
**Administrators' receipts and payments account for the period from 26 May 2011 to 16 October 2012**

	Estimated to Realise as per Directors' Statement of Affairs	26 May 2011 to 6 April 2012	7 April 2012 to 16 October 2012	26 May 2011 to 16 October 2012
	£	£	£	£
<b>RECEIPTS</b>				
Syndicate funding from the Banks <sup>1</sup>	-	175,000		175,000
Apartment sale	-	384,351	1,152,727	1,537,078
Stock and work in progress	23,210,418	-	-	-
Cash at bank	1,602,987	-	-	-
<b>Debtors</b>				
Ground rent	2,474	27,550		27,550
Rossmark Properties Limited	4,209,587	-	-	-
Carlson Properties Limited	2,432,657	-	-	-
Coral Bay Holdings Limited	14,456,098	-	-	-
		586,901	1,152,727	1,739,628
<b>PAYMENTS</b>				
Freeholder contribution		(208,963)	(189,784)	(398,747)
Property management fees		-	(14,513)	(14,513)
Security		(165,168)	(73,146)	(238,314)
Electricity and gas		(15,290)	(10,848)	(26,138)
Legal fees relating to apartment sales		(7,135)	(11,620)	(18,755)
Agents' fees		(14,011)	(20,873)	(34,884)
Legal fees		-	(75,868)	(75,868)
Premier Guarantee		(3,655)	(7,664)	(11,318)
Site improvements		(3,054)	(20,563)	(23,616)
Insurance		-	(144,200)	(144,200)
Sundry items		(246)	(144)	(390)
Irrecoverable VAT		(22,731)	(7,888)	(30,619)
VAT		(11,195)	9,526	(1,669)
		(451,446)	(567,583)	(1,019,030)
<b>BALANCE IN HAND</b>		135,454	585,143	720,598

1. Advances made by the Banks to fund Administration liabilities

**NB**

7 October 2012 to  
16 October 2012

**PAYMENTS**

Insurance (1,100)

VAT (200)

**CASH MOVEMENT** (1,300)

**Carlson Properties Limited (In Administration)**  
**Administrators' receipts and payments account for the period from 26 May 2011 to 16 October 2012**

	Estimated to Realise as per Directors' Statement of Affairs	26 May 2011 to 6 April 2012	7 April 2012 to 16 October 2012	26 May 2011 to 16 October 2012
	£	£	£	£
<b>RECEIPTS</b>				
Syndicate funding from the Banks <sup>1</sup>	-	25,000	180 000	205,000
Sale of freehold	15,770,137	-	19,032,202	19,032,202
Cash at bank	719	-	-	-
<b>Debtors</b>				
Coral Bay Holdings Limited	3,614 024	-	-	-
		<u>25,000</u>	<u>19,212,202</u>	<u>19 237 202</u>
<b>PAYMENTS</b>				
Security		(8 860)	(14 851)	(23,711)
Site maintenance		-	(63,708)	(63,708)
Agents' fees		(9,756)	(4,677)	(14,433)
Legal fees		-	(57 732)	(57,732)
Insurance		(1,590)	(1 100)	(2 690)
Sundry items		(103)	(39)	(142)
VAT		(1,951)	3,464	1 513
		<u>(22 260)</u>	<u>(138,644)</u>	<u>(160,904)</u>
<b>BALANCE IN HAND</b>		<u>2,740</u>	<u>19 073 558</u>	<u>19,076 298</u>

<sup>1</sup> Advances made by the Banks to fund Administration liabilities

<b>NB</b>	
	7 October 2012 to 16 October 2012
<b>RECEIPTS</b>	£
Sale of freehold	19 032 202
	<u>19 032 202</u>
<b>PAYMENTS</b>	
Security and insurance	(800)
Insurance	(1 100)
VAT	470
	<u>(1 430)</u>
<b>CASH MOVEMENT</b>	<u>19 030,773</u>

**Rossmark Properties Limited (In Administration)**  
**Administrators' receipts and payments account for the period from 26 May 2011 to 16 October 2012**

	Estimated to Realise as per Directors' Statement of Affairs	26 May 2011 to 6 April 2012	7 April 2012 to 16 October 2012	26 May 2011 to 16 October 2012
	£	£	£	£
<b>RECEIPTS</b>				
Syndicate funding from the Banks <sup>1</sup>	-	87 000		87,000
Apartment sales	-	375 881	31 030	406,911
Lettings rental income	-	29 233	379,927	409,160
Sale of freehold	22,862,849	-	8,005,764	8 005 764
Settlement funds	-	-	50,000	50 000
Cash at bank	269,617	-	-	-
<b>Debtors</b>				
Ground rent	7 000	16,967	(317)	16,650
Carlson Properties Limited	4,155 412	-	-	-
Coral Bay Holdings Limited	9 730 068	-	-	-
		<u>509,082</u>	<u>8 466 404</u>	<u>8 975,485</u>
<b>PAYMENTS</b>				
Freeholder contribution		(158,217)	(100 846)	(259 062)
Property management fees		-	(53,627)	(53 627)
Electricity and gas		(44,258)	(34,630)	(78 887)
Insurance		-	(36,433)	(36,433)
Agents' fees		(17 520)	(14,141)	(31 661)
Lettings agents' fees		(2 810)	(68 003)	(70,813)
Property repairs		-	(33,793)	(33,793)
Security		(8 060)	-	(8,060)
Legal fees		(3,886)	(53,055)	(56 941)
Legal fees relating to apartment sales		-	(8 872)	(8 872)
Sundry items		(604)	(695)	(1 299)
VAT		(9 961)	25,424	15,463
		<u>(245,316)</u>	<u>(378,672)</u>	<u>(623,987)</u>
<b>BALANCE IN HAND</b>		<u>263 766</u>	<u>8 087,732</u>	<u>8 351,498</u>

<sup>1</sup> Advances made by the Banks to fund Administration liabilities

<b>NB</b>	
	<b>7 October 2012 to 16 October 2012</b>
<b>RECEIPTS</b>	<b>£</b>
Lettings rental income	51 039
	<u>51 039</u>
<b>PAYMENTS</b>	
Electricity and gas	17 264
Property repairs	(50)
Property management fees	(4 785)
Lettings agents' fees	(9 553)
Insurance	(1 100)
VAT	8 915
	<u>10 691</u>
<b>CASH MOVEMENT</b>	<u>61 731</u>



**Chantstream Limited (In Administration)**  
**Summary of Joint Administrators' time costs and Category 2 disbursements from**  
**26 May 2011 to 2 November 2012**

**Time costs and expenses**

Classification of work function	Hours				Total hours	Total time costs £	Total average hourly rate £
	Partner / Director	Manager	Other senior professionals	Assistants & support			
Accounting and administration	91.9	9.5	17.3	-	118.7	19,140.50	161.25
Bank & statutory reporting	38.0	30.3	13.7	136.9	218.9	85,544.50	390.79
Creditors	5.0	6.2	9.8	4.4	25.4	6,957.50	273.92
Immediate tasks	13.2	8.6	11.7	1.8	35.3	7,150.00	202.55
Investigation/CDOA	8.2	0.2	1.5	0.3	10.2	1,569.50	153.87
Job acceptance & strategy	2.1	0.2	-	5.0	7.3	2,489.50	341.03
Legal issues	-	-	-	1.0	1.0	560.00	560.00
Other assets	2.6	-	-	-	2.6	405.00	155.77
Other matters	8.2	0.3	-	-	8.5	1,249.50	147.00
Property	142.8	340.8	296.9	189.7	970.2	374,610.50	388.12
Public relations issues	1.5	-	-	-	1.5	252.50	168.33
Retention of title	9.9	-	-	-	9.9	1,732.50	175.00
Statutory duties	3.5	12.9	16.1	4.5	37.0	9,864.50	266.61
Trading	22.4	69.6	38.3	50.0	180.3	56,364.50	312.62
VAT & taxation	39.2	19.7	16.5	11.1	86.5	27,365.50	316.36
<b>Total hours</b>	<b>388.5</b>	<b>496.3</b>	<b>421.8</b>	<b>404.7</b>	<b>1,713.3</b>	<b>595,266.00</b>	<b>347.43</b>
<b>Total time costs £</b>	<b>196,177.00</b>	<b>219,855.50</b>	<b>119,721.50</b>	<b>60,502.00</b>			
<b>Average hourly rate £</b>	<b>502.39</b>	<b>441.21</b>	<b>283.83</b>	<b>149.50</b>			

Category 1 expenses	£3,196.68
Category 2 expenses	£561.40
<b>Total expenses £</b>	<b>£3,758.08</b>

**Category 2 disbursements**

Nature of expense	Amount (£)	Basis of charge
Mileage – firm's car	300.20	Mileage is charged at 45p per mile
Mileage – own car	261.20	Mileage is charged at 45p per mile
<b>Total</b>	<b>561.40</b>	

## Appendix 3b

### Carlson Properties Limited (In Administration) Summary of Joint Administrators' time costs and Category 2 disbursements from 26 May 2011 to 2 November 2012

#### Time costs and expenses

Classification of work function	Hours				Total hours	Total time costs £	Total average hourly rate £
	Partner / Director	Manager	Other senior professionals	Assistants & support			
Accounting and administration		5.8	13.9	83.0	102.7	18,816.00	183.74
Bank & statutory reporting	74.1	26.9	5.0	33.0	139.0	52,554.50	378.09
Creditors	2.2	6.2	6.0	3.9	18.3	4,767.50	260.52
Immediate tasks	9.3	3.4	4.3	12.0	29.0	7,149.50	248.53
Investigation/CDDA	0.3	0.2	1.5	8.0	10.0	1,542.50	154.25
Job acceptance & strategy		0.2	-	2.4	2.6	417.00	160.38
Legal issues	0.4			-	0.4	218.00	545.00
Other assets				0.4	0.4	70.00	175.00
Other matters		0.6	-	0.8	1.4	311.00	222.14
Property	108.4	184.8	233.3	123.3	649.8	238,878.00	367.62
Retention of title				0.5	0.5	87.50	175.00
Statutory duties	4.6	9.8	15.5	1.7	31.4	8,626.00	274.71
Trading	5.6	35.2	4.7	14.0	59.5	18,397.00	275.58
VAT & taxation	5.0	17.1	6.3	25.2	53.6	17,105.00	319.12
<b>Total hours</b>	<b>209.9</b>	<b>290.0</b>	<b>290.5</b>	<b>308.2</b>	<b>1,098.6</b>	<b>364,939.50</b>	<b>332.19</b>
<b>Total time costs £</b>	<b>101,535.00</b>	<b>131,840.00</b>	<b>86,888.00</b>	<b>44,676.50</b>			
<b>Average hourly rate £</b>	<b>483.73</b>	<b>454.62</b>	<b>299.10</b>	<b>144.96</b>			

Category 1 expenses	£314.88
Category 2 expenses	£20.25
<b>Total expenses £</b>	<b>£335.13</b>

#### Category 2 disbursements

Nature of expense	Amount (£)	Basis of charge
Mileage – firm's car	20.25	Mileage is charged at 45p per mile
<b>Total</b>	<b>20.25</b>	

**Rossmark Properties Limited (In Administration)**  
**Summary of Joint Administrators' time costs and Category 2 disbursements from**  
**26 May 2011 to 2 November 2012**

**Time costs and expenses**

Classification of work function	Hours				Total hours	Total time costs £	Total average hourly rate £
	Partner / Director	Manager	Other senior professionals	Assistants & support			
Accounting and administration	0.5	12.8	15.0	140.1	168.2	27,452.50	163.21
Bank & statutory reporting	49.4	29.5	5.5	35.6	120.0	42,180.50	351.50
Creditors	2.2	6.2	5.0	22.9	36.3	7,088.00	195.26
Debtors	1.5	3.0		9.0	13.5	3,322.50	246.11
Immediate tasks	2.0	3.4	16.3	13.0	34.7	7,711.00	222.22
Investigation/CDDA	0.3	0.2	1.5	8.0	10.0	1,542.50	154.25
Job acceptance & strategy	-	0.2		2.0	2.2	347.00	157.73
Legal issues	0.4				0.4	218.00	545.00
Other assets				0.5	0.5	87.50	175.00
Other matters	-			6.3	6.3	922.50	146.43
Property	166.4	199.2	256.9	114.1	736.6	276,823.50	375.81
Public relations issues				0.2	0.2	36.00	180.00
Statutory duties		9.7	14.8	2.3	26.8	6,530.00	243.66
Trading	32.1	105.6	70.9	51.8	260.4	70,880.00	272.12
VAT & taxation	8.4	23.1	8.6	79.6	119.7	30,276.50	252.94
Retention of title		0.7			0.7	224.0	320.00
<b>Total hours</b>	<b>263.2</b>	<b>393.4</b>	<b>394.5</b>	<b>485.4</b>	<b>1,536.5</b>	<b>475,622.00</b>	<b>309.55</b>
<b>Total time costs £</b>	<b>126,010.50</b>	<b>168,977.00</b>	<b>109,810.50</b>	<b>70,824.00</b>			
<b>Average hourly rate £</b>	<b>478.76</b>	<b>429.53</b>	<b>276.35</b>	<b>145.91</b>			

Category 1 expenses	£949.19
Category 2 expenses	£68.40
<b>Total expenses £</b>	<b>£1,017.59</b>

**Category 2 disbursements**

Nature of expense	Amount (£)	Basis of charge
Mileage - own car	68.40	Mileage is charged at 45p per mile
<b>Total</b>	<b>68.40</b>	

## Statement of Administrators' charging policy for remuneration and disbursements pursuant to Statement of Insolvency Practice No. 9

### Administrators' charging policy for remuneration

The Administrators have engaged managers and other staff to work on the Administrations. The work required is delegated to the most appropriate level of staff taking account of the nature of the work and the individual's experience. Additional assistance is provided by accounting and treasury executives dealing with the Companies' bank accounts and statutory compliance diaries. Work carried out by all staff is subject to the overall supervision of the Administrators.

All time spent by staff working directly on case-related matters is charged to a time code established for the case. Each member of staff has a specific hourly rate, which is subject to change over time. The average hourly rate for each category of staff over the period is shown below, as are the current hourly rates used. The current hourly rates are higher than the average rates, since hourly rates have increased over the period covered by this fee request.

### Administrators' charging policy for disbursements

Statement of Insolvency Practice No. 9 divides disbursements into two categories.

Category 1 disbursements are defined as specific expenditure relating to the administration of the insolvent's affairs and referable to payment to an independent third party. Such disbursements can be paid from the insolvent's assets without approval from the Creditors' Committee or the general body of creditors. In line with Statement of Insolvency Practice No. 9, it is our policy to disclose Category 1 disbursements drawn but not to seek approval for their payment. We are prepared to provide such additional information as may reasonably be required to support the disbursements drawn.

Category 2 disbursements are charges made by the office holder's firm that include elements of shared or overhead costs. Statement of Insolvency Practice No. 9 provides that such disbursements are subject to approval as if they were remuneration. It is our policy, in line with the Statement, to seek approval for Category 2 disbursements before they are drawn.

### Current hourly charge out rates

Grade descriptions	Job title	Rates 26/5/11 - 30/6/11 (£)	Rates 1/7/11 - 30/6/12 (£)	Rates 1/7/12 onwards
Partner / Director	Partner	520	545	570
	Partner (tax)	875	920	1115
	Account director	425	445	470
Manager	Assistant director (real estate)	620	650	685
	Assistant director (tax)	720	730	725
	Senior executive	290	305	305
	Senior executive (tax)	380	565	545
	Senior executive (real estate)	445	465	465
Other senior professionals	Executive	210	220	230
	Executive (real estate)	320	335	350
Assistants & support	Analyst	90-105	125-175	135-185
	Support	100	110	110

**Creditors' request for further information regarding an administrators' remuneration or expenses – Rule 2.48A, Insolvency Rules 1986**

(1) If-

(a) within 21 days of receipt of a progress report under Rule 2 47-

(i) a secured creditor, or

(ii) an unsecured creditor with the concurrence of at least 5% in value of the unsecured creditors (including the creditor in question), or

(b) with the permission of the court upon an application made within that period of 21 days, any unsecured creditor, makes a request in writing to the administrator for further information about remuneration or expenses (other than pre-administration costs) set out in a statement required by Rule 2 47(1)(db) or (dc), the administrator must, within 14 days of receipt of the request, comply with paragraph (2)

(2) The administrator complies with this paragraph by either-

(a) providing all of the information asked for, or

(b) so far as the administrator considers that-

(i) the time or cost of preparation of the information would be excessive, or

(ii) disclosure of the information would be prejudicial to the conduct of the administration or might reasonably be expected to lead to violence against any person, or

(iii) the administrator is subject to an obligation of confidentiality in respect of the information, giving reasons for not providing all of the information

(3) Any creditor, who need not be the same as the creditor who requested further information under paragraph (1), may apply to the court within 21 days of-

(a) the giving by the administrator of reasons for not providing all of the information asked for, or

(b) the expiry of the 14 days provided for in paragraph (1),

and the court may make such order as it thinks just.

(4) Without prejudice to the generality of paragraph (3), the order of the court under that paragraph may extend the period of 8 weeks provided for in Rule 2 109(1B) by such further period as the court thinks just "

**Creditors' claim that remuneration is excessive – extract from Rule 2.109 of the Insolvency Rules 1986**

"(1) Any secured creditor, or any unsecured creditor with either the concurrence of at least 10% in value of the unsecured creditors (including that creditor) or the permission of the court, may apply to the court for one or more of the orders in paragraph (4)

(1A) Application may be made on the grounds that—

(a) the remuneration charged by the administrator,

(b) the basis fixed for the administrator's remuneration under Rule 2.106, or

(c) expenses incurred by the administrator,

is or are, in all the circumstances, excessive or, in the case of an application under sub-paragraph (b), inappropriate

(1B) The application must, subject to any order of the court under Rule 2.48A(4), be made no later than 8 weeks after receipt by the applicant of the progress report which first reports the charging of the remuneration or the incurring of the expenses in question ("the relevant report") "

The Insolvency Act 1986

**Administrator's progress report**

Name of Company  
Chantstream Limited

Company number  
03308541

In the  
Royal Courts of Justice, Chancery Division,  
Companies Court

[full name of court]

Court case number  
4471/2011

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

I/ We (a) I Best, D Frangou and T Lukicc/o Ernst & Young LLP, No. 1 Colmore Square, Birmingham, B4 6HQ

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

from

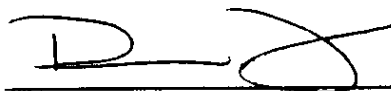
to

(b) Insert date

(b) 7 April 2012

(b) 16 October 2012

Signed



Joint Administrator

Dated

15/11/12

**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.

Nicky O'Day

Ernst &amp; Young LLP, No 1 Colmore Square, Birmingham, B4 6HQ

Tel 0121 535 2222

DX Number

DX Exchange

Companies House receipt date  
barcode

When 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

The Insolvency Act 1986

**Administrator's progress report**

Name of Company  
Carlson Properties Limited

Company number  
03582766

In the  
Royal Courts of Justice, Chancery Division,  
Companies Court

(full name of court)

Court case number  
4474/2011

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

I/ We (a) I Best, D Frangou and T Lukicc/o Ernst & Young LLP, No. 1 Colmore Square, Birmingham, B4 6HQ

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

from

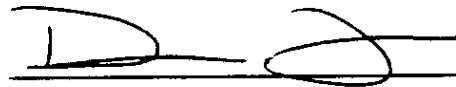
to

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(b) 7 April 2012

(b) 16 October 2012

Signed



Joint Administrator

Dated

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DX 33050 Cardiff



The Insolvency Act 1986

**Administrator's progress report**

Name of Company

Rossmark Properties Limited

Company number

03971090

In the

Royal Courts of Justice, Chancery Division,  
Companies Court

[full name of court]

Court case number

4475/2011

(a) Insert full name(s)  
and address(es) of  
administrator(s)I/ We (a) I Best, D Frangou and T Lukicc/o Ernst & Young LLP, No. 1 Colmore Square, Birmingham, B4 6HQ

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

from

to

(b) Insert date

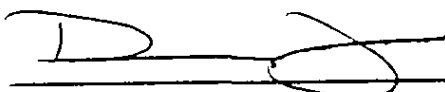
(b)

7 April 2012

(b)

16 October 2012

Signed



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15/11/12

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Tel 0121 535 2222

DX Number

DX Exchange

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barcode

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Companies House, Crown Way, Cardiff, CF14 3UZ

DX 33050 Cardiff