

The Insolvency Act 1986**Notice of move from
administration to dissolution****2.35B**


Name of Company Sapphire (Burnley) (No 2) Nominee Limited	Company number 04208919
In the High Court of Justice, Companies Court, Chancery Division	Court case number 6880 of 2010

We, Malcolm Shierson, Daniel Smith and Martin Ellis, of Grant Thornton UK LLP, 30 Finsbury Square, London, EC2P 2YU, having been appointed Joint Administrators of

Sapphire (Burnley) (No 2) Nominee Limited
30 Finsbury Square
London
EC2P 2YU

on 24 August 2010 by Bank of Scotland plc, hereby give notice that the provisions of paragraph 84(1) of Schedule B1 to the Insolvency Act 1986 apply

We attach a copy of the final progress report

Signed 
Joint Administrator

Dated 23 August 2011

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.

Grant Thornton UK LLP	
30 Finsbury Square	
London, EC2P 2YU	Tel 020 7865 2100
DX Number	DX Exchange



A48 25/08/2011 116
COMPANIES HOUSE

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

THURSDAY

The Insolvency Act 1986

Administrator's progress report

Name of Company Sapphire (Burnley) (No 2) Nominee Limited
--

Company number 04208919

In the High Court of Justice, Chancery Division, Companies Court
--

Court case number 6880 of 2009

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

We, Malcolm Sherson, Daniel Smith and Martin Ellis, of Grant Thornton UK LLP, 30 Finsbury Square, London EC2P 2YU, administrators of the above company attach a progress report for the period

from

to

24 February 2011

23 August 2011

(b) Insert dates

Signed


Joint Administrator

Dated

23 AUGUST 2011

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.

Grant Thornton UK LLP, 30 Finsbury Square, London EC2P 2YU	
	Tel 0207 865 2100
DX Number 2100	DX Exchange Euston

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

Our Ref M99826F/MBS/JND/ARK/PF7

To the Creditors

Recovery and Reorganisation

Grant Thornton UK LLP
30 Finsbury Square
London EC2P 2YU

T +44 (0)20 7383 5100
F +44 (0)20 7184 4308
www.grant-thornton.co.uk

23 August 2011

Dear Sirs

Sapphire (Burnley) (No.2) Nominee Limited - In Administration (the Company)
In the High Court of Justice, Chancery Division, Companies Court
Court case number: 6876 of 2010

1 INTRODUCTION

- 1.1 Following the appointment of myself Daniel Smith, Martin Ellis and I as Joint Administrators of the above Company on 24 August 2010, I am now in a position to present a final progress report in this matter. Please also find enclosed the following
- Appendix A - Form 2.24B, together with an account of our receipts and payments for the period ended 19 August 2011 in accordance with Rule 2.47 of the Insolvency Rules 1986
 - Appendix B - Form 2.35B, notice of move from Administration to Dissolution
 - Appendix C - A statement of the remuneration charged by the Joint Administrators in the period 24 August 2010 to 20 August 2011 and a statement of our expenses incurred in the period
 - Appendix D - An analysis of our time costs as required by the Statement of Insolvency Practice 9
 - Appendix E - An extract from the Insolvency Rules 1986 relating to the creditors' rights to request additional information from the Administrators (Rule 2.48A)
 - Appendix F - An extract from the Insolvency Rules 1986 relating to creditors' rights to challenge the Joint Administrators' fees if excessive (Rule 2.109)
- 1.2 This report should be read in conjunction with the Joint Administrators' Statement of Proposals dated 18 October 2010 and the Joint Administrators' Progress Report dated 16 March 2011
- 1.3 There have been no changes in the office holders or their details since appointment

Chartered Accountants

Member firm within Grant Thornton International Ltd

Grant Thornton UK LLP is a limited liability partnership registered in England and Wales: No OC307742. Registered office: Grant Thornton House, Melton Street, Euston Square, London NW1 2EP. A list of members is available from our registered office.

Grant Thornton UK LLP is authorised and regulated by the Financial Services Authority for investment business.

A list of personnel permitted by Grant Thornton to accept appointments as insolvency practitioners and of their respective authorising bodies may be inspected at the above address.

- 1 4 In accordance with paragraph 100 (2) of Schedule B1 to the Insolvency Act 1986 the functions of the Joint Administrators are to be exercised by any or all of them

2 STATUTORY INFORMATION

- 2 1 The Company's statutory details are as follows

Registered number	04222547
Registered office	30 Finsbury Square, London, EC2P 2YU
Former trading address	Harvey Centre, Burnley, Essex, CM20 1XR

3 SUMMARY OF ADMINISTRATOR'S PROPOSALS

- 3 1 In accordance with paragraph 3(1) of Schedule B1 of the Insolvency Act 1986, the Joint Administrators must perform their functions with the objective of either
- i Rescuing the Company as a going concern,
 - ii Realising property in order to make a distribution to one or more of the secured or preferential creditors, or,
 - iii Achieving a better result for the creditors of a company as a whole than would be likely if the Company were wound up (without first being in Administration)
- 3 2 In the Joint Administrators' Statement of Proposals, sent on 18 October 2010, the Joint Administrators stated that they would pursue the objective of realising assets for the benefit of secured and preferential creditors
- 3 3 These proposals were deemed to have been accepted on 1 November 2010
- 3 4 Since the beneficial and legal titles of the Burnley properties are split across a number of the Sapphire Group Entities, they were to be recombined into one of the nominee companies for that property in order to facilitate the sale of the portfolio

4 REPORT AND OUTCOME

- 4 1 The Joint Administrators have recombined the beneficial and legal titles of the Burnley properties into Sapphire (Burnley) Nominee Limited. This was done for the benefit of the secured creditor to assist in the mechanism of value from the Group's assets
- 4 2 The Company, therefore, has no assets remaining to realise and is now dormant

5 EXIT FROM ADMINISTRATION

5 1 As previously reported, the Joint Administrators would either

- i resign their positions
- ii allow the Administration to automatically cease on 23 August 2011, or
- iii to dissolve the Company

5 2 The decision of the Joint Administrators is to dissolve the Company

5 3 This exit route was envisaged in our Statement of Proposals dated 18 October 2010, and were deemed approved by the creditors of the Sapphire Group on 1 November 2010

5 4 I therefore attach form 2 35B at Appendix B

6 ADMINISTRATORS' REMUNERATION AND DISBURSEMENTS

6 1 In accordance with Paragraph 2 of Rule 2 106 of the Insolvency Act 1986, the Joint Administrators have agreed with the secured creditor that their remuneration be calculated according to the time costs properly incurred by the Joint Administrators and their staff in attending to matters arising in the Administration


6 2 In accordance with Statement of Insolvency Practice (SIP 9), I attach at Appendix C a summary of my time costs to 19 August 2011 by grade of staff and type of work Details of any matters which have had a significant impact on the time costs are included at Appendix D

6 3 Please note, all of the time costs incurred in dealing with matters relating to the Company have been charged to the Administration and subsequent liquidation of Sapphire Retail Fund Limited, the ultimate beneficial interest holder

6 4 Background information regarding the fees of Administrators can be found at <http://www.insolvency-practitioners.org.uk> (navigate via 'Technical' to 'Creditors Guides to Fees') Alternatively I will supply this information by post upon request

6 5 Should you have any queries regarding the above please contact Craig King on
020 7865 2648

Yours faithfully
for and on behalf of Sapphire (Burnley) (No 2) Nominee Limited



Malcolm Shierson
" Joint Administrator

*The affairs, business and property of Sapphire (Burnley) (No 2) Nominee Limited are being managed by
Malcolm Shierson, Daniel Smith and Martin Ellis, appointed as Joint Administrators on 24 August 2010*

Enc

APPENDIX A

**Sapphire (Burnley) No.2 Nominee Limited
Joint Liquidators' Abstract Of Receipts And Payments
For the period from 24 August 2010 to 19 August 2011**

RECEIPTS

Total (£)

Total Receipts

0.00

PAYMENTS

Total Payments

0.00

Balance at Bank

0.00

Appendix C:
Remuneration charged and expenses incurred by the Joint Liquidators
to 19 August 2011

	Paid in period of report (£)	Charged/accrued in period but not yet paid (£)	Total (£)
<hr/>			
Joint Liquidators fees:	-	-	-
	-	-	-
Professional fees	-	-	-
	-	-	-
Legal fees	-	-	-
	-	-	-
Insurance	-	-	-
	-	-	-
<hr/>			
Total	-	-	-

Note

Please note, as of section 6.3, all of the time costs incurred in dealing with matters relating to the Company have been charged to the Administration and subsequent liquidation of Sapphire Retail Fund Limited, the ultimate beneficial interest holder

SAPPHIRE (BURNLEY) (NO.2) NOMINEE LIMITED

SIP 9 WIP ANALYSIS FOR THE PERIOD FROM 24 AUGUST 2010 TO 19 AUGUST 2011		Partner		Manager		Executive		Admin/Support		Total		Average Hourly Rate
		Hrs	£	Hrs	£	Hrs	£	Hrs	£	Hrs	£	
Administration and Planning												
Investigations												
Realisation of Assets												
Creditors												
Grand Total		-	-	-	-	-	-	-	-	-	-	

Less Joint Liquidators' fee drawn to date

Joint Administrators' net outstanding fee to date

Administration & Planning

Includes General administration and planning, reporting, statutory returns, court filings, physical filings, internal compliance review, case planning, statutory obligations, maintenance of cash and estate records and general correspondence

Investigations

Includes Initial consideration of approach to investigation into the Companies and directors

Realisation of Assets

Includes Collection of pre-appointment bank balances, monitoring of book debt collections, dealing with creditors claims to assets of insurance premium / rates refund

Creditors

Includes Correspondence with preferential and unsecured creditors, dealing with creditor correspondence, preparing reports and circulars to creditors, liaising with secured creditor, assistance to the DTI in relation to their preferential claim, dealing with inquiries to redundancies, employee queries and general creditor queries

Note

Please note, as of section 6 3 all of the time costs incurred in dealing with matters relating to the Company have been charged to the Administration and subsequent liquidation of Sapphire Retail Fund Limited, the ultimate beneficial interest holder

Appendix E

An extract from the Insolvency Rules 1986 relating to the creditors' rights to request additional information from the Administrators

Rule 2 48A

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 ”

Appendix F

Creditors' rights to challenge the Joint Administrators' fees if excessive

Rule 2 109

- (1) Any secured creditor, or any unsecured creditor with either the concurrence of at least 10% in value of the unsecured creditors (including that creditor) or the permission of the court, may apply to the court for one or more of the orders in paragraph (4)
 - (1A) Application may be made on the grounds that—
 - (a) the remuneration charged by the Administrator,
 - (b) the basis fixed for the Administrator's remuneration under Rule 2 106, or
 - (c) expenses incurred by the Administrator,is or are, in all the circumstances, excessive or, in the case of an application under sub-paragraph (b), inappropriate
 - (1B) The application must, subject to any order of the court under Rule 2 48A(4), be made no later than 8 weeks after receipt by the applicant of the progress report which first reports the charging of the remuneration or the incurring of the expenses in question ("the relevant report")
- (2) The court may, if it thinks that no cause is shown for a reduction, dismiss it without a hearing but it shall not do so without giving the applicant at least 5 business days' notice, upon receipt of which the applicant may require the court to list the application for a without notice hearing. If the application is not dismissed, the court shall fix a venue for it to be heard, and give notice to the applicant accordingly
- (3) The applicant shall, at least 14 days before the hearing, send to the Administrator a notice stating the venue and accompanied by a copy of the application, and of any evidence which the applicant intends to adduce in support of it
- (4) If the court considers the application to be well-founded, it must make one or more of the following orders—
 - (a) an order reducing the amount of remuneration which the Administrator was entitled to charge,
 - (b) an order fixing the basis of remuneration at a reduced rate or amount,
 - (c) an order changing the basis of remuneration,
 - (d) an order that some or all of the remuneration or expenses in question be treated as not being expenses of the Administration,
 - (e) an order that the Administrator or the Administrator's personal representative pay to the Company the amount of the excess of remuneration or expenses or such part of the excess as the court may specify,and may make any other order that it thinks just, but an order under sub-paragraph (b) or (c) may be made only in respect of periods after the period covered by the relevant report
- (5) Unless the court orders otherwise, the costs of the application shall be paid by the applicant, and are not payable as an expense of the Administration