

Rule 1.26/  
1.54

The Insolvency Act 1986  
 Notice to Registrar of  
 Companies of Supervisor's  
 Abstract of Receipts and  
 Payments  
 Pursuant to Rule 1.26(2)(b) or  
 Rule 1.54 of the  
 Insolvency Rules 1986

# R.1.26(2)(b)/ R.1.54

For Official Use

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To the Registrar of Companies

Company Number

04317613

Name of Company

Broomco (2705) Limited

 We  
 Martin G Ellis  
 30 Finsbury Square  
 London  
 EC2P 2YU

Andrew L Hosking  
 30 Finsbury Square  
 London  
 EC2P 2YU

supervisor(s) of a voluntary arrangement taking effect on

17 August 2006

present overleaf my/our abstract of receipts and payments for the period from

17 August 2007

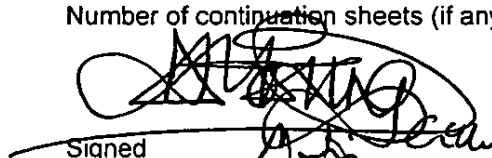
to

16 August 2008

Number of continuation sheets (if any) attached

☐

Signed



Date

5/10/08

Grant Thornton UK LLP  
 30 Finsbury Square  
 London  
 EC2P 2YU

Ref: B11173/ALH/MGE/APS/CXB/LCM

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Insolvency

WEDNESDAY



\*A6BR38UN\*

A18

08/04/2009

COMPANIES HOUSE

351

<b>RECEIPTS</b>		<b>£</b>
Brought forward from previous Abstract (if any)		15,393,073.77
Capital Distribution from Subsidiary		239,539.34
Bank/ISA InterestGross		26,292.13
Rayner Indemnity Trade&Expense Creditors		150,000.00
Carried forward to * continuation sheet / next abstract		15,808,905.24
<b>PAYMENTS</b>		<b>£</b>
Brought forward from previous Abstract (if any)		14,548,505.51
Supervisors Fees		110,000.00
Professional Fees		8,048.45
Bank Charges		236.40
Rayner & Co Indemnity Discharge Pay		5,497.90
RFG Indemnity Discharge Payment		50,000.00
Repayments to loan noteholders		619,750.00
Pension fund as per agreements		395,250.00
Vat Receivable		61,704.67
Carried forward to * continuation sheet / next abstract		15,798,992.93

\* Delete as appropriate

\* Delete as appropriate

Note - The receipts and payments must severally be added up at the foot of each sheet and the totals carried forward from one abstract to another without any intermediate balance so that the gross totals shall represent the total amounts received and paid by the supervisor since he was appointed.

**THE INSOLVENCY ACT 1986 AND THE INSOLVENCY RULES 1986**

**IN THE MATTER OF: THE VOLUNTARY ARRANGEMENT OF  
BROOMCO (2705) LIMITED**

**STATEMENT OF SUPERVISORS' ACCOUNT AND REPORT  
PURSUANT TO RULE 1.26 OF THE INSOLVENCY RULES 1986**

**FOR THE PERIOD FROM 17 AUGUST 2007 TO 16 AUGUST 2008**

**RECEIPTS AND PAYMENTS**

Please find below an account of the joint supervisors' receipts and payments for the company voluntary arrangement ("CVA") for Broomco (2705) Limited ("Broomco") from the anniversary of the approval of the CVA Proposal to 16 August 2008. The joint supervisors' comments in relation to this account are set out on the following page.

	Realised to 16/08/07 £	Realised 17/08/07 to 16/08/08 £	Total realised to 16/08/08 £
<b>RECEIPTS</b>			
Distributions from subsidiaries	15,250,610	239,539	15,490,149
Bank interest	126,065	26,292	152,357
VAT refunds	16,398	-	16,398
	<u>15,393,073</u>	<u>265,831</u>	<u>15,658,904</u>
<b>PAYMENTS</b>			
Payments under indemnity - Rayner & Co	3,178,653	(144,502)	3,034,151
Payments under indemnity - RFG	-	50,000	50,000
Rayner & Co, Ltd Pension Fund	4,060,284	395,250	4,455,534
Repayments to Loan Noteholders	7,007,123	619,750	7,626,873
Legal Fees	120,064	8,048	128,112
Professional Fees	116,600	-	116,600
Nominees' and Supervisors' Fees & Expenses	20,375	110,000	130,375
VAT - proportion irrecoverable (refer text)	44,982	61,705	106,687
Bank Charges	424	236	660
	<u>14,548,505</u>	<u>1,100,487</u>	<u>15,648,992</u>
<b>BALANCE</b>	<u>844,568</u>	<u>(834,656)</u>	<u>9,912</u>

## **SUPERVISORS' COMMENTS**

You will recall that the CVA Proposal was confirmed by the creditors and members at the meetings held on 17 August 2006.

### **Receipts**

The final distribution up from the subsidiary, Rayner & Co (Investments) Limited ("RIL"), totalling £38,604 was received on 4 April 2008. These funds were the residual net proceeds from the disposal of the shares that RIL held in Cauldron Foods Limited. A final meeting was held by the liquidator of RIL on 13 June 2008, and the company has subsequently been dissolved.

We are also pleased to note that the anticipated VAT refund in respect of VAT charged on agent's fees in relation to the Cauldron Foods sale of £430,007.50 was received in April 2008.

The receipt in relation to this VAT agent's fees was in effect a further distribution from a subsidiary company, i.e. RIL. Therefore, the total receipts from subsidiary companies into the CVA Fund during the period was the combined total of the whole two amounts, i.e. £468,612. However, residual fixed charge receivers' fees of £229,072 (plus VAT of £40,088) in relation to the restructuring of Cauldron Foods Limited needed to be discharged, ultimately leaving net distributions up from the subsidiary of £199,451 in the twelve month period.

The only other amount received into the CVA Fund during the twelve month period was total accrued interest of £26,292. In the period since 16 August 2008 a further £307 of interest has accrued.

The only realisation still anticipated is further VAT refunds in relation to VAT receivable on those fees drawn in dealing with the CVA, and also those subsidiary companies pursuant to the RFG Indemnity. We are currently uncertain of the precise amounts to be recovered, but potentially it could be c.£40,000.

### **Payments**

During the period there were final distributions to various classes of creditor under the CVA:

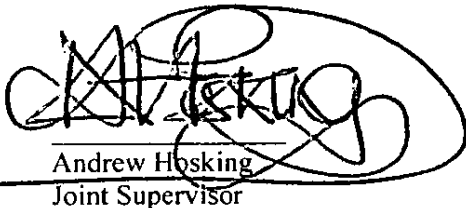
- £395,250 paid in April 2008, to the Rayner & Co Pension Fund, pursuant to the terms of a Participation Deed dated 17 October 2003 agreed between the Pension Fund and Broomco loan noteholders, and, like the Rayner indemnity, incorporated into the CVA Proposal.
- £619,750 in total paid in April 2008 to the loan noteholders, in accordance with the terms of the Participation Deed/CVA Proposal.

Other payments made in the period were

- £61,750 paid to Rayner Food Group Limited in respect of the indemnity provided by Broomco to RFG, and under the terms of a separate CVA that had been entered into by RFG.
- £5,498 being the liquidators' remuneration of £5,000 plus disbursements in relation to the Members' Voluntary Liquidation of John Burgess & Sons Limited, a dormant company for which the parent company was Rayner & Company, Limited. The amount of £5,498 was offset against a return of capital of £150,000 previously transferred to Rayner and Company, Limited in accordance with the indemnity given, and transferred back.
- £8,048 of legal fees
- As Supervisor I have received a fee of £110,000 plus VAT which is in accordance with the terms of the CVA Proposal, and which was approved by the loan noteholders. As you are aware £20,000 plus VAT has been drawn in respect of Nominees' fees.
- Bank charges of £231

The CVA Proposal also provided for the Joint Supervisors' remuneration to be fixed on the basis of the time costs. As per Statement of Insolvency Practice (SIP 9), attached at Appendix A is a summary of my time costs in the CVA for the annual period to 16 August 2008 by grade of staff and type of work. This shows time costs of £37,998 for this period, representing 142 hours at an average rate of £268 per hour. My total time costs to date are £200,683, against which I have drawn fees of £130,000. There have not been any specific individual matters which have had a significant impact on the time costs. Disbursements have not been charged during the period under review.

DATED THIS 30th DAY OF MARCH 2009



Andrew Hosking  
Joint Supervisor

BROOMCO (2705) LIMITED - VOLUNTARY ARRANGEMENT							
SIP 9 TIME COST ANALYSIS FOR THE PERIOD FROM 17 AUGUST 2007 TO 16 AUGUST 2008							
Classification of work function	Partner Hours	Manager Hours	Other senior profession als Hours	Assistants and support staff Hours	Total Hours	Time cost £	Average hourly rate £
Administration and planning	0.90	65.50	12.30	21.20	99.90	25,386.00	254.11
Realisation of assets		2.60			2.60	780.00	300.00
Creditors		39.40			39.40	11,832.00	300.30
Total hours and cost	0.90	107.50	12.30	21.20	141.90	37,998.00	267.78

**Notes:**

Administration and planning      Includes: managing bank accounts, tax issues, VAT returns and reconciliation, statutory matters, general correspondence and filing.

Realisation of assets      VAT reclaim

Creditors      Includes: correspondence with loan noteholders and pension fund creditors and distributions.