In accordance with Rule 18.8 of the Insolvency (England & Wales) Rules 2016.

WU07

Notice of progress report in a winding-up by the court

Companies House

For further information, please refer to our guidance at

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COMPANIES HOUSE

bold black capitals.

1 Company details

Company number	0 5 1 7 6 9 0 2
Company name in full	Bournston Estates Limited

2 Liquidator's name

Full forename(s)	Kevin
Surname	Coates

3 Liquidator's address

Building name/number	
Street	6 New Street Square
Post town	London
County/Region	
Postcode	E C 4 A 3 B F
Country	

4 Liquidator's name ❶

Full forename(s)	Simon
Surname	Wilson

❶ Other liquidator
Use this section to tell us about another liquidator.

5 Liquidator's address ❷

Building name/number	
Street	6 New Street Square
Post town	London
County/Region	
Postcode	E C 4 A 3 B F
Country	

❷ Other liquidator
Use this section to tell us about another liquidator.

WU07

Notice of progress report in a winding-up by the court

6 Period of progress report

From date	d 3 d 0	m 0 m 7	y 2 y 0 y 1 y 7
To date	d 2 d 9	m 0 m 7	y 2 y 0 y 1 y 8

7 Progress report

☑ The progress report is attached

8 Sign and date

Liquidator's signature	Signature X	X
Signature date	d 1 d 4	m 0 m 9 y 2 y 0 y 1 y 8

WU07

Notice of progress report in a winding-up by the court

Presenter information

You do not have to give any contact information, but if you do it will help Companies House if there is a query on the form. The contact information you give will be visible to searchers of the public record.

Contact name: Melissa Fielding

Company name: AlixPartners UK LLP

Address: The Zenith Building

26 Spring Gardens

Post town: Manchester

County/Region:

Postcode: M 2 1 A B

Country:

DX:

Telephone: 0161 838 4529

Checklist

We may return forms completed incorrectly or with information missing.

Please make sure you have remembered the following:

- ☐ The company name and number match the information held on the public Register.
- ☐ You have attached the required documents.
- ☐ You have 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

AlixPartners
when it really matters

Liquidators' Progress Report for the period 30 July 2017 to 29 July 2018

Bournston Estates Limited
In Liquidation

14 September 2018

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1. Why this report been prepared

1.1 As you will be aware Ryan Grant and Simon Wilson (the **Liquidators**) were appointed Liquidators of Bournston Estates Limited (the **Company**) on 30 July 2013 following a winding up order made on 29 July 2013.

1.2 Ryan Grant resigned as joint appointee on 22 March 2018 following his departure from AlixPartners and Kevin Coates was appointed as joint appointee by block transfer on the same date. The change in appointees has not impacted the Liquidation.

1.3 In accordance with UK insolvency legislation, Liquidators are required to provide a report to creditors covering the progress of the Liquidation during the 12 months since the date of the Liquidators' appointment, and following every subsequent 12 month period. This report covers the period 30 July 2017 to 29 July 2018 (the **Period**).

1.4 This report has been prepared in accordance with rule 18.8 of the Insolvency (England and Wales) Rules 2016.

1.5 The purpose of this report is to provide statutory and financial information about the Company and to provide an update on the progress of the Liquidation, including details of assets realised during the Period, details regarding the Liquidators' fees and the expected outcome for each class of creditor.

1.6 Details of the Liquidators' fees and costs incurred are detailed in Appendices C to F.

1.7 More information relating to the Liquidation process, Liquidators' fees and creditors' rights can be found on AlixPartners' creditor portal **(http://www.alixpartnersinfoportal.com)**. Log-in details to access this information can be found within the covering letter you have received.

1.8 If you require a hard copy of this report or have any queries in relation to its contents, or the Liquidation generally, please contact Melissa Fielding on 0161 838 4529, by email creditorreports@alixpartners.com or in writing to the offices of AlixPartners at The Zenith Building, 26 Spring Gardens, Manchester, M2 1AB.

2. Summary of information for creditors

Dividend distributions

Description	Estimated debt £	Likely level of return £
Secured creditor	674,369	Uncertain
Unsecured creditors	10,567	Uncertain

Notes:

The estimated debt of the secured creditor has been taken from the Company's statement of affairs provided in the preceding Administration; therefore it does not include accrued interest and charges. The secured creditor also holds cross-guarantees from a number of subsidiaries of the Company.

Any potential return is unknown at this stage given the uncertainty regarding the outcome of the associated insolvency processes disclosed in section 3 of this report.

Funds available for distribution and dividend rates are uncertain at this stage and subject to the matters outlined in section 3 of this report. Please note that the amounts due to unsecured creditors will accrue no interest charges after the date of the appointment.

The Company had no employees and as such, no preferential claims have been received or are anticipated.

In respect of unsecured creditors, UK insolvency legislation stipulates that creditors of the same class should be treated equally. Hence the funds available for distribution are split on a pro-rata basis amongst all creditors of each class, regardless of the size of their claims.

3. Progress of the Liquidation

3.1 The Liquidators' Receipts and Payments Account for the Period, together with a Cumulative Account for the period since appointment is attached at Appendix B. All costs incurred to date have been paid.

3.2 This report should be read in conjunction with the final Administration report dated 4 July 2013 and the previous Liquidation progress reports.

3.3 The costs of the Liquidation to date have been met by way of a contribution from the Company's secured creditor.

Bournston Developments Limited (BDL)

3.4 As previously reported, a loan was due from BDL to the Company of £1.6 million. It was initially expected that BDL would not be able to repay these monies as it was placed into liquidation on 22 April 2013, however it later transpired that a potential shareholder surplus may be available to BDL from its subsidiary, Bournston Property Limited (**BPL**) which is itself in administration.

3.5 Since the last report, the Liquidators of the Company have continued their dialogue with the liquidators of BDL, who have in turn frequently corresponded with the administrators of BPL to understand the status of the administration and the quantum and timing of any potential distribution.

3.6 The administrators of BPL have advised that, following completion of the sale of BPL's main property asset in May 2015, they continued to work on outstanding matters in the Administration, which included finalising BPL's tax position, the agreement of its unsecured creditor claims, preparing for and completing a distribution to unsecured creditors, and the consideration of the most appropriate exit route from the administration.

3.7 A number of the above matters remain outstanding at the date of the administrators' most recent progress report for the period to 10 May 2018. The main progress in the last twelve months has been that all of the necessary corporation tax returns have been submitted and the administrators are working with H M Revenue and Customs to obtain clearance in treating these as final. This in turn will allow the administrators to finalise the corporation tax liability and update the outcome statement to better understand the return to creditors and shareholders.

3.8 The liquidators of BDL continue to monitor the administration of BPL to ensure that all steps are being taken to expedite matters in light of the ongoing delays experienced in bringing the administration process to its conclusion.

3.9 The administrators of BPL have indicated that funds in the region of £480,000 are expected to become available to its shareholder based on current estimates which is an increase of £230,000 from the update provided in our last report. However, they have confirmed that they are not prepared to review the position in relation to the purported transfer of the shareholding prior to the liquidation of BDL (as detailed in previous creditor reports) until all other administration matters are complete.

3.10 The administrators have not provided an indication of the timescales to finalise the outstanding matters and in light of the expiry of the administration on 11 November 2018 they will be seeking for an extension by way of court application.

3.11 The administrators have confirmed that they only intend to submit an application to court for directions in relation to the shareholder issue after all outstanding matters in the administration of BPL have been resolved.

3.12 As Liquidators of the Company, we will continue to monitor the position and liaise with the liquidator of BDL for updates in respect of progress on a regular basis. A further update will be provided in the next report.

Administration (including statutory reporting)

3.13 In addition to their duties relating to realising and distributing assets, the Liquidators must comply with certain statutory compliance matters in accordance with the Insolvency Act 1986. These include, notifying the stakeholders of the appointment, preparing annual reports to creditors advising of the progress of the Liquidation and communicating with all stakeholders on progress. The Liquidators are responsible for liaising with HM Revenue and Customs to determine the final position in respect of corporation tax and any other taxes that may be owed by the Company.

3.14 In order to ensure the matters of the Liquidation are being progressed sufficiently, the Liquidators have a duty to conduct periodic case reviews and complete case checklists. In addition, the Liquidators' treasury function will also comply with cash accounting requirements including raising payments, processing journal vouchers and posting receipts, preparing bank reconciliations and statutory returns.

3.15 The time taken for statutory tasks is largely fixed, insofar as the cost of preparing a report to creditors or filing an annual return is similar for most cases, except where cases are very large or complex. Where the costs of statutory compliance and reporting to creditors exceeds the initial estimates, it will generally be because the duration of the case has been longer than expected, due to for example protracted realisation of assets, and therefore additional periodic reports have had to be prepared and distributed to stakeholders.

Creditors (claims and distribution)

3.16 Details of the estimated outcome for creditors can be found in section 4.

4. Estimated outcome for creditors

Secured creditor – AIB Group (UK) Plc

4.1 The Company granted fixed and floating charges to the secured creditor on 23 December 2010. The secured creditor also has the benefit of cross-guarantees from the subsidiaries, meaning that the Company is jointly and severally liable for the subsidiaries' liabilities as well as its own. At the date of appointment the secured creditor was owed £674,369 (excluding interest and accrued charges) from the Company. Both on an entity and group basis, the secured creditor will suffer a shortfall.

Preferential creditors

4.2 The Company had no employees and consequently there are no preferential creditors.

Unsecured Creditors' Fund

4.3 Where there is a floating charge which was created on or after 15 September 2003, the Liquidators are required to create a fund from the Company's net property available for the benefit of unsecured creditors (**Unsecured Creditors' Fund**), commonly known as the 'Prescribed Part'.

4.4 As the Company granted a floating charge to the secured creditor after 15 September 2003, the Liquidators are required to create an Unsecured Creditors' Fund in this case. Based on current information, unsecured creditors total approximately £10,567 and therefore there is a prospect of unsecured creditors being repaid in full.

5. What happens next

Creditors' rights

5.1 Within 21 days of the receipt of the report, a secured creditor, or an unsecured creditor (with the agreement of at least 5% of the value of the unsecured creditors) may request in writing that the Liquidators provide further information about their fees or expenses which have been itemised in this progress report.

5.2 Any secured creditor, or an unsecured creditor (with the concurrence of at least 10% of the value of unsecured creditors) may, within eight weeks of receipt of this progress report, make an application to court on the grounds that the basis fixed for the Liquidators' fees is inappropriate, or that the fees or the expenses incurred by the Liquidators as set out in this progress report are excessive.

Next report

5.3 The Liquidators are required to provide a progress report within two months of the end of the next year of the Liquidation or sooner if the Liquidation has been completed before then.

Yours faithfully

Catherine Williamson
For Kevin Coates
Liquidator

Encs

Appendix A. Statutory information

Company information

Company name	Bournston Estates Limited
Registered number	05176902
Registered office	The Zenith Building, 26 Spring Gardens, Manchester, M2 1AB
Former registered office	Ossington Chambers, 6-8 Castle Gate, Newark, Nottinghamshire, NG24 1AX
Trading addresses	N/A
Trading names	N/A
Date of winding up petition	29 July 2013
Court details	High Court of Justice, Chancery Division, Birmingham District Registry
Court reference	6406 of 2013

Liquidators' information

Name	Address	IP number	Name of authorising body
Kevin James Coates	AlixPartners UK LLP, 6 New Street Square, London, EC4A 3BF	9261	Insolvency Practitioners Association
Simon Wilson	The Zenith Building, 26 Spring Gardens, Manchester, M2 1AB	8963	Insolvency Practitioners Association

Other relevant information

As approved by creditors, any act required or authorised to be done by the Liquidators may be done by all or any one or more of them. Any reference to the Liquidators should be read as the Joint Liquidators.

Appendix B. Receipts and Payments Account for the period 30 July 2017 to 29 July 2018 and a Cumulative Account for the period since appointment

	Period £	Cumulative £
Floating charge assets		
Receipts		
Contribution to costs	-	22,359
Petitioner's deposit	-	1,165
Bank interest	-	15
	-	**23,539**
Payments		
Official Receivers' remuneration	-	2,235
Liquidators' fees	-	15,000
Secretary of state fees	10	510
Legal fees	-	4,359
Corporation tax	-	3
ISA quarterly fees	35	299
Bank charges	51	143
	(96)	**(22,549)**
Balance of floating charge assets	**(96)**	**990**
Represented by		
Insolvency services account		990
		990

Note: The above is subject to small rounding differences.

Statement of Insolvency Practice 7 states that the headings used in the Receipts and Payments account should follow those used in any prior statement of affairs (**SOA**) or estimated outcome statement. The SOA was not provided by the Company's directors in the preceding Administration and therefore a comparison cannot be made.

Appendix C. Time Analysis for the period 30 July 2017 to 29 July 2018

The Liquidators' time costs for the Period are £9,301. This represents 34 hours at an average rate of £277 per hour. Detailed below is a Time Analysis for the Period which provides details of the costs incurred by area of activity.

	Employee grade (hours)					£	
	Managing director /director	Senior Vice president	Vice president / consultant	Treasury/support	Hours incurred	Cost incurred	Average rate per hour
Administration and planning							
Strategy and control	- -	0.5 -	5.7 -	-	**6.2**	1,784.00	288
Statutory duties	- -	0.5 -	- -	0.7	**1.2**	285.50	238
Case administration	- -	1.7 -	1.5 -	0 1	**3.3**	1,095.50	332
Accounting and treasury	0.8 -	1.0 -	0 5 -	4 6	**6.9**	1,460.50	212
Internal documentation	- -	- -	2.7 -	-	**2.7**	744 00	276
Realisation of assets - fixed charge							
Sale of assets	0.5 -	- -	- -	-	**0.5**	232.50	465
Realisation of assets - floating charge							
Recovery of assets	- -	1.7 -	- -	-	**1.7**	654.50	385
Dealing with third party assets	- -	- -	0.1 -	-	**0.1**	15.50	155
Asset accounting and administration	- -	- -	- -	3.0	**3.0**	352.00	117
Creditors							
Creditor claims	- -	- -	0.2 -	-	**0.2**	31.00	155
Reporting to creditors	1.0 -	3.0 -	3.8 -	-	**7.8**	2,646.00	339
Totals	**2.3**	**8.4**	**14.5**	**8.4**	**33.6**	**9,301.00**	**277**

Appendix D. Cumulative Time Analysis for the period since appointment

	Employee grade (hours)					£	
	Managing director /director	Senior Vice president	Vice president / consultant	Treasury/support	Hours incurred	Cost incurred	Average rate per hour
Administration and planning							
Strategy and control	4.1	4.1	6.7	-	**14.9**	5,279.00	354
Statutory duties	0.1	0.5	4.4	1.8	**6.8**	1,440.00	212
Case administration	0.1	1.7	5.8	0.4	**8.0**	2,202.50	275
Accounting and treasury	1.9	1.4	1.4	13.6	**18.3**	3,178.50	174
Internal documentation	*0.1*	*2.5*	*8.6*	-	*11.2*	*3,031.50*	*271*
Realisation of assets - fixed charge							
Asset realisation strategy	-	0.1	-	-	**0.1**	36.00	360
Sale of assets	0.5	-	-	-	**0.5**	232.50	465
Asset accounting and administration	0.2	0.4	0.3	-	**0.9**	299.00	332
Realisation of assets - debtors							
Internal and external documentation	2.8	-	0.2	-	**3.0**	1,206.00	402
Realisation of assets - floating charge							
Recovery of assets	-	12.7	-	-	**12.7**	4,539.00	357
Dealing with third party assets	-	-	0.1	-	**0.1**	15.50	155
Asset accounting and administration	-	1.2	-	7.0	**8.2**	1,214.50	148
Creditors							
Creditor claims	-	0.1	0.2	-	**0.3**	65.00	217
Internal documentation	1.0	-	-	0.3	**1.3**	448.00	345
Reporting to creditors	3.8	4.5	19.1	-	**27.4**	7,858.00	287
Secured creditors	-	0.6	-	-	**0.6**	206.00	343
Unsecured creditors	-	0.6	-	-	**0.6**	220.50	368
Employees	-	-	0.3	-	**0.3**	72.00	240
Totals	**14.6**	**30.4**	**47.1**	**23.1**	**115.2**	**31,543.50**	**274**

Appendix E. Liquidators' fees and disbursements

Fees

A copy of 'A Creditors' Guide to Liquidations' can be downloaded from AlixPartners' creditor portal (http://www.alixpartnersinfoportal.com). If you would prefer this to be sent to you in hard copy please contact the Liquidators and they will forward a copy to you.

A meeting of creditors which was held on 8 May 2012 in the preceding Administration resolved that the basis of the Administrators' fees be fixed by reference to the time properly spent by the Administrators and their staff on matters arising in the Administration.

The resolution passed in the Administration is valid and remains in place for the Liquidation of the Company.

To date, Liquidators' fees of £15,000 have been drawn from funds contributed by the secured creditor towards the costs of the Liquidation. In addition, Official Receivers' remuneration of £2,235 has also been paid.

Disbursements

Category 1 disbursements do not require approval by creditors. Category 1 *disbursements may include external supplies of incidental services specifically identifiable* to the case, e.g. postage, case advertising, invoiced travel and external printing, room hire or document storage. Any properly reimbursed expenses incurred by the Liquidators and their staff will also be chargeable.

Category 2 disbursements do require prior approval by creditors before they are paid. If they are incurred, they will be drawn in accordance with the resolution approved by creditors. The Liquidators confirm that the following category 2 disbursements have been approved:

- photocopying: charged at the rate of 10 pence per sheet for notifications and reports to creditors and other copying;
- printing: charged at the rate of 10 pence per sheet for black and white printing and 15 pence per sheet for colour; and
- business mileage for staff travel: charged at the rate of 45 pence per mile.

Appendix F. Additional information in relation to the Liquidators' fees pursuant to Statement of Insolvency Practice 9

Policy

Detailed below is AlixPartners' policy in relation to:

- staff allocation and the use of sub-contractors;
- professional advisors; and
- disbursements.

Staff allocation and the use of sub-contractors

The Liquidators' general approach to resourcing their assignments is to allocate staff with the skills and experience to meet the specific requirements of the case.

The case team will usually consist of a managing director, a senior vice president, a vice president and a consultant. The exact case team will depend on the anticipated size and complexity of the assignment and the experience requirements of the assignment. On larger, more complex cases, several staff at all grades may be allocated to meet the demands of the case. The Liquidators' charge-out rate schedule below provides details of all grades of staff and their experience level.

With regard to support staff, time spent by cashiers in relation to tasks such as recording transactions and dealing with bank accounts is charged but secretarial time is only recovered if a large block of time is incurred, e.g. report compilation and distribution.

The Liquidators have not utilised the services of any sub-contractors in this case.

Professional advisors

On this assignment the Liquidators have used the professional advisors listed below. The Liquidators have also indicated the basis of their fee arrangement with them, which is subject to review on a regular basis.

Name of professional advisor	Basis of fee arrangement
Squire Patton Boggs LLP (legal advice)	Hourly rate and disbursements

The Liquidators' choice was based on their perception of the professional advisors' experience and ability to perform this type of work, the complexity and nature of the assignment and the basis of their fee arrangement with them.

Charge-out rates

A schedule of AlixPartners' charge-out rates for this assignment effective from 1 January 2018 is detailed below, together with those applicable prior to that date. Time is charged by managing directors and case staff in units of six minutes.

Description	Rates from 1 January 2018 £	Rates pre 1 January 2018 £
Managing director	485-535	465-510
Director	465	445
Senior Vice president*	405	385
Vice President*	285-320	270-305
Consultant*	210-315	155-270
Treasury and support	105-250	90-175

* A firm-wide renaming of certain staffing grades of AlixPartners has been implemented with effect from 2 January 2018. The Senior Vice President grade was formerly Vice President, Vice President was formerly Associate, and Consultant was formerly Analyst.