

The Insolvency Act 1986

Administrator's progress report**2.24B**

Name of Company	Company number
Forsters Shelfco 233 Limited	05540453
In the High Court of Justice, Chancery Division	Court case number
[full name of court]	1845 / 2012

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

We (a) Alan Lovett and Bruce Mackay, Baker Tilly Restructuring and Recovery LLP, 25 Farringdon Street, London EC4A 4AB the Joint Administrators of the above company attach a progress report for the period

from	to
(b) 28 February 2012	(b) 27 August 2012

Signed

Joint Administrator

Dated 26 September 2012

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 searches of the public record.

Benjamin Dymant	
Baker Tilly Restructuring and Recovery LLP, 25 Farringdon Street, London EC4A 4AB	
Tel 0203 201 8000	
DX Number 1040	DX Exchange Chancery Lane

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

Companies House, Crown Way, Cardiff, CF14 3UZ

DX33050 Cardiff

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29/09/2012

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COMPANIES HOUSE

**IN THE MATTER OF
FORSTERS SHELF CO 233 LIMITED
IN ADMINISTRATION**

**IN THE
HIGH COURT OF JUSTICE
CHANCERY DIVISION
NO 1845 OF 2012**

JOINT ADMINISTRATORS' PROGRESS REPORT

26 SEPTEMBER 2012

**ALAN LOVETT AND BRUCE MACKAY
JOINT ADMINISTRATORS**

APPOINTED 28 FEBRUARY 2012

**BAKER TILLY RESTRUCTURING AND RECOVERY LLP
25 FARRINGDON STREET
LONDON EC4A 4AB**

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1. PURPOSE OF REPORT

This report has been prepared in accordance with insolvency legislation to provide creditors with information relating to the progress of the administration in the period 28 February 2012 to 27 August 2012.

This report has been prepared solely to comply with the statutory requirements of Rule 2.47 of the Insolvency Rules 1986 (as amended). It has not been prepared for use in respect of any other purpose, or to inform any investment decision in relation to any debt or financial interest in Forsters Shelfco 233 Limited ("the Company"). Any estimated outcomes for creditors are illustrative and may be subject to significant change. Neither the Administrators nor Baker Tilly Restructuring and Recovery LLP accept any liability whatsoever arising as a result of any decision or action taken or refrained from as a result of information contained in this report.

2. PROGRESS OF THE ADMINISTRATION

Please refer to the Proposals and Report dated 23 April 2012 ("the Proposal") for details of the Administrators' actions immediately following appointment. Statutory information is reproduced at Appendix A.

Realisation of Assets

Floating Charge Estate

Rent

The Administrators' solicitors, Berwin Leighton Paisner LLP ("BLP"), advised the Administrators that rents generated by the Millers Walk Shopping Centre ("Millers Walk") are a floating charge asset in the administration.

Since the date of our appointment, the first two quarters rent has been collected in full.

Trading

With the assistance of Jones Lang LaSalle ("JLL") trading of Millers Walk Shopping Centre and has continued on a 'business as usual' basis, insofar as possible.

Trading has been profitable and there has been no need to utilise any working capital facilities to fund trading.

The trading account attached at Appendix C is provided on a cash basis. Details of additional trading expenses incurred in the period are detailed at Appendix D. Please note that neither the trading account nor the statement of trading expenses includes future trading receipts and they may therefore indicate a trading loss when one is not anticipated.

Investigations

In accordance with our statutory obligations under the Company Directors' Disqualification Act 1986, we have filed the appropriate documentation on the conduct of the Company's management with the Department of Business, Enterprise & Regulatory Reform

Administration and Planning

The Administrators and their staff have dealt with the following matters during the reporting period.

- statutory filing of appointment documents at Companies House,
- case planning and strategy;
- requesting submission of Statement of Affairs,
- handling receipts and payments,
- submitting post appointment quarterly VAT returns,
- corporation Tax issues,
- correspondence with creditors; and
- monthly reporting to the secured creditor

3. ASSETS REMAINING TO BE REALISED

Units 14 and 15 of Millers Walk Shopping Centre

As advised in the Proposals, the Company owns Units 14 and 15 of Millers Walk Shopping centre, which is a scheme of 15 retail units including The remaining units are owned by Millers Walk Fakenham Limited – In Administration, which is also under our control as Administrators A commercial decision has been made to sell the Shopping Centre as one investment in order to maximise value

When the Shopping Centre is sold the consideration received will be apportioned appropriately between the two companies in respect of the title held

The Shopping Centre was brought to the market on 22 June 2012 Following a “best and final” offer process, an offer was accepted The legal process to exchange and complete a sale is progressing

4. EXTENSION OF THE ADMINISTRATION

There have been no extensions of the administration

5. CREDITORS' CLAIMS AND DIVIDEND PROSPECTS

Secured Creditors

The Company has one secured creditor, Lloyds Banking Group PLC ("the Bank"). As previously mentioned the Company has also provided the Bank with a guarantee in respect of liabilities of Millers Walk Fakenham Limited – In Administration. BLP has advised that this guarantee agreed on 22 March 2006 is enforceable.

The Bank has fixed and floating charges over the Company's assets. BLP has advised the Administrators the Bank's security is valid.

The Bank's gross debt due from both the Company and Millers Walk Fakenham is £8,863,000. The Bank is expected to suffer a shortfall on its lending.

Preferential Creditors

There are no preferential creditors.

Unsecured Creditors

It is unlikely that there will be sufficient funds available to pay any dividend to the unsecured creditors, other than by way of a prescribed part distribution ("see below").

The Administrators propose to make an application to court under paragraph 65(3) of Schedule B1 the Insolvency Act 1986 to enable them to make the prescribed part distribution to unsecured creditors during the administration.

Prescribed Part

The "Prescribed Part" is a statutory amount, calculated as a percentage of net floating charge realisations, which entitles unsecured creditors to a share of realisations. This is calculated on a sliding scale up to maximum of £600,000 before costs.

To date unsecured creditor claims total £1,097 70. These claims have not been agreed.

The amount of the Prescribed Part of the assets under Section 176A of the Insolvency Act 1986 (as amended) is currently estimated at c. £41,000.

We do not propose to make an application to court under Section 176A(5) of the Insolvency Act 1986 (as amended) for an order dis-applying the Prescribed Part provisions.

6. RECEIPTS AND PAYMENTS SUMMARY

We attach as Appendix B a summary of our receipts and payments for the period 28 February 2012 to 27 August 2012.

As previously stated, an account of the Administrators' trading, which is prepared on a cash basis, for the period 28 February 2012 to 27 August 2012 can be found at Appendix C. Please see Section 2 for further details of the estimated final position in respect of trading

VAT Basis

Receipts and payments are shown net of VAT, with any amount due to or from HM Revenue & Customs shown separately.

7. COSTS AND JOINT ADMINISTRATORS' REMUNERATION

Pre-administration costs

The Joint Administrators' proposals dated 23 April 2012 detailed un-paid pre-administration costs totalling £18,068.25, as set out in Appendix E. The Bank approved the payment of £7,500 of these costs, £5,250 of which have been paid directly by the Bank leaving a balance of £12,818.25 of which £2,250 is due to be paid out of the estate and the remainder will be written off.

Joint Administrators' Remuneration and Disbursements

The Joint Administrators' remuneration was approved on a time cost basis by the Bank on 28 March 2012. We have accrued time costs of £22,915 plus VAT since the date of our appointment. Of this, none has been paid and £22,915 remains outstanding.

SIP 7 requires that we disclose sums paid to us in respect of supervision of trading separately. However, we do not allocate fees drawn against specific categories of work and it can therefore be assumed that any fees drawn are allocated equally against each category. On this basis, as noted, above we have incurred time costs of £22,915 but are yet to draw fees. It should therefore be assumed that fees drawn in respect of the supervision of trading are nil.

Approval was also given to the drawing of disbursements, including category 2 disbursements. Details of the current rates are attached at Appendix D.

Remuneration and Disbursements incurred in the period from 28 February 2012 to 27 August 2012

We have accrued time costs of £22,915 plus VAT in the current period. An analysis of time incurred in the period is attached at Appendix G.

Category 2 disbursements incurred in the period are detailed in Appendix H.

8. JOINT ADMINISTRATORS' STATEMENT OF EXPENSES

A statement of the expenses incurred during the period, is attached at Appendix D. This includes all expenses incurred by the Joint Administrators in the period of the report irrespective of whether they have been paid or not and may include estimated amounts where actual invoices have not been received. The receipts and payments abstract at

Appendix B sets out the expenses actually paid in the period together with cumulative figures

9. CREDITORS' RIGHT TO INFORMATION AND ABILITY TO CHALLENGE EXPENSES

In accordance with the provisions of Rules 2.48A and 2.109 of the Insolvency Rules 1986 creditors have a right to request further information about remuneration or expenses (other than pre-administration costs) and to challenge such remuneration or expenses

A request for further information must be made in writing within 21 days of receipt of this report

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 court that the remuneration charged, the basis fixed or expenses incurred by the administrator are in all the circumstances excessive

Any such challenge must be made no later than eight weeks after receipt of the report which first discloses the charging of remuneration or incurring of the expenses in question.

A Creditors Guide to Administrators' Fees, a guide in relation to the remuneration of Administrators, can be accessed at the website of the Association of Business Recovery Professionals at.

www.r3.org.uk (SIP 9: Statement of Insolvency Practice 9 – Remuneration of Insolvency Office Holders England & Wales)

Alternatively, we can provide you with a copy on written request to our office

Should you have any further queries please do not hesitate to contact me



Alan Lovett
Baker Tilly Restructuring and Recovery LLP
Joint Administrator

Alan Lovett is licensed to act as an Insolvency Practitioner in the UK by the Institute of Chartered Accountants in England and Wales
Bruce Mackay is licensed to act as an Insolvency Practitioner in the UK by the Institute of Chartered Accountants in England and Wales

The affairs, business and property of the Company are being managed by the Joint Administrators who act as agents of the Company and without personal liability

Appendix A**STATUTORY INFORMATION**

Company Name	Forsters Shelfco 233 Limited
Functions	<p>The Joint Administrators' appointment specified that they would have power to act jointly and severally.</p> <p>The Joint Administrators' have exercised, and will continue to exercise, all of their functions jointly and severally as stated in the notice of appointment</p>
Previous Company Names	Forsters Shelfco 233 Limited
Company Number	05540453
Date of Incorporation.	18/8/2005
Trading Name.	Forsters Shelfco 233 Limited
Trading Address	8 Newburgh Street, London, W1F 7RJ
Principal Activity.	Development and selling of real estate
Registered Office.	Baker Tilly Restructuring and Recovery LLP 25 Farringdon Street London EC4A 4AB
Appointor	Mark Booth, Greenhill Farm, Pancake Hill, Chedworth, Gloucestershire, GL54 4AP

Receipts and Payments Abstract Forsters Shelfco 233 Limited- In Administration

 28 February 2012 to 27 August 2012

SOA Value £	£	£
POST APPOINTMENT TRADING		
Trading Surplus	105,723 53	105,723 53
COST OF REALISATIONS		
0 00 Bank Charges	(2 52)	
0 00 JLL - Property Management Internal	(2,500 00)	
0 00 Pre Appointment Legal Fees	(7,665 00)	
0 00 Ransom Payment	(2,500 00)	
		(12,667 52)
0 00		<u>93,056 01</u>
REPRESENTED BY		
Bank - Floating (Lloyds)	103,292 52	
Jones Lang LaSalle Client Account	5,000 00	
VAT Receivable (Payable)	(15,236 51)	
		93,056 01
		<u>93,056 01</u>

Profit and Loss (Trading): Forsters Shelfco 233 Limited In Administration	
From 28/02/2012 To 19/09/2012 (Cash Basis)	
	£
Post Appointment Sales (Trading)	
Rent	107,940 00
Total Post Appointment Sales (Trading)	107,940 00
Gross Profit:	107,940.00
Purchases	
Trading Expenditure	
EPC's	(624 00)
JLL - Property Management Fees	(1,592 47)
Total Trading Expenditure	(2,216 47)
Net Trading Income:	105,723.53
Net Income:	105,723.53

Appendix D

STATEMENT OF EXPENSES INCURRED BY THE JOINT ADMINISTRATORS' IN THE PERIOD FROM 28 FEBRUARY 2012 TO 27 AUGUST 2012

Type and Purpose	Incurred in Period
	£
Property Management Fees - JLL	2,500 00
Pre Appointment Legal Fees – Berwin Leighton Paisner LLP	7,665 00
Ransom Payment – Wildmoor Properties	2,500
Bank Charges	2 52
Total	12,667.52

APPENDIX E

ANALYSIS OF PRE-ADMINISTRATION COSTS

Pre-Administration Costs Charged / Incurred			
	£		
	Charged / Incurred	Paid	Unpaid
Administrators' Fees	18,068.25	5,250 00	12,818.25
Administrators' Expenses	Nil	N/A	N/A
Fees charged (by another Insolvency Practitioner)	N/A	N/A	N/A
Expenses incurred (by another Insolvency Practitioner)	N/A	N/A	N/A
Total	18,068.25	5,250.00	12,818.25

Pre-Administration Costs Paid & Identity of Payer		
	By whom paid	Amount (£)
Administrators' Fees	Lloyds Banking Group	5,250 00
Administrators' Expenses	N/A	N/A
Fees charged (by another Insolvency Practitioner)	N/A	N/A
Expenses incurred (by another Insolvency Practitioner)	N/A	N/A
Total	Lloyds Banking Group	5,250.00

BAKER TILLY RESTRUCTURING AND RECOVERY LLP***CURRENT CHARGE OUT AND DISBURSEMENT RATES***

CHARGE OUT RATES		
	Rate at commencement £	Current rate £
Partner	400-485	400-485
Manager	200-400	200-400
Administrator	105-185	105-185
Support staff	105	105

It is the office holder's policy to ensure that work undertaken is carried out by the appropriate grade of staff required for each task, having regard to its complexity and the skill and experience actually required to perform it. Baker Tilly Restructuring and Recovery LLP's charge out rates are reviewed periodically

"CATEGORY 2" DISBURSEMENTS

"Category 2" disbursements will be recovered, where funds are available, at the following rates as set out in the body of the report.

"CATEGORY 2" DISBURSEMENT RATES (TABLE A)	
Travel & Subsistence	
Motor travel	40p per mile (from 1 April 2010)
Subsistence	£23
Circulars to Members / Creditors	
Labels	£ 0 16 (BT) or £0.01 (avery plain – 7163) each
Headed paper	£ 0 08 per sheet
Plain paper (continuation)	£ 0.08 per sheet
Large envelopes	£ 0.22 each
Small envelopes	£ 0.08 each
Photocopying charge	£ 0.04 (b&w) £ 0 20 (colour) per sheet
Stationery	
Lever arch files	£ 0 75 per file
Cashiering files	£ 0.75 per file
A-Z dividers	£1 75 per set
1-31 dividers	£2 88 per set
Coloured dividers (5 part)	£0 49 per set
Coloured dividers (10 part)	£0.99 per set
Multi-punch pockets	£0.03 per pocket
Storage boxes	£1 50 per box
Sundry	
Faxes	N/a
Internal room hire (for meetings)	£50-200 dependent on room

BAKER TILLY RESTRUCTURING AND RECOVERY LLP

CHARGING, EXPENSES AND DISBURSEMENTS POLICY STATEMENT

Charging policy

- Partners, directors, managers, administrators, cashiers, secretarial and support staff are allocated an hourly charge out rate which is reviewed from time to time.
- Work undertaken by cashiers, secretarial and support staff will be or has been charged for separately and such work will not or has not also been charged for as part of the hourly rates charged by partners, directors, managers and administrators.
- Time spent by partners and all staff in relation to the insolvency estate is charged to the estate
- Time is recorded in 6-minute units at the rates prevailing at the time the work is done
- The current charge rates for Baker Tilly Restructuring and Recovery LLP London are attached
- Time billed is subject to Value Added Tax at the applicable rate.
- It is the office holder's policy to ensure that work undertaken is carried out by the appropriate grade of staff required for each task, having regard to its complexity and the skill and experience actually required to perform it
- Baker Tilly Restructuring and Recovery LLP's charge out rates are reviewed periodically.

Expenses and disbursements policy

- Only expenses and disbursements properly incurred in relation to an insolvency estate are re-charged to the insolvency estate
- Expenses and disbursements which comprise external supplies of incidental services specifically identifiable to the insolvency estate require disclosure to creditors, but do not require creditors approval prior to being drawn from the insolvency estate These are known as "Category 1" disbursements
- Expenses and disbursements which are not capable of precise identification and calculation (for example any which include an element of shared or allocated costs) or payments to outside parties that the firm or any associate has an interest in, require the approval of creditors prior to being drawn from the insolvency estate These are known as "Category 2" disbursements.
- A resolution to consider approving "Category 2" disbursements at the rates prevailing at the time the cost is incurred to Baker Tilly Restructuring and Recovery LLP London will be proposed to creditors in general meeting
- General office overheads are not re-charged to the insolvency estate as a disbursement.
- Any payments to outside parties in which the office holder or his firm or any associate has an interest will only be made with the approval of creditors.
- Where applicable, expenses and disbursements re-charged to or incurred directly by an insolvency estate are subject to VAT at the applicable rate

Forsters Shelfco 233 Limited - In Administration
SIP Time Cost Analysis for the period 28 February 2012 to 27 August 2012

HOURS SPENT	Partners	Managers	Administrators	Assistants	Total Hours	Total Time Costs	Average rates
Administration and Planning							
Case Management	0.9	1.3	5.2	1.8	9.2	£1,941.50	£211.03
Director(s)/debtor/bankrupt	0.0	1.0	1.5	0.0	2.5	£570.00	£228.00
Post-appointment - general	0.3	1.2	8.8	0.0	10.3	£2,048.00	£296.54
Post-appointment taxation	0.0	0.0	0.4	0.0	0.4	£72.00	£180.00
Receipts and Payments	0.0	0.2	8.3	0.0	8.5	£1,354.00	£159.29
Shareholders/Director/Debtor/ Bkpt	1.4	0.7	1.6	0.0	3.7	£1,177.00	£318.11
Statement of Affairs	0.0	0.0	0.7	0.0	0.7	£126.00	£180.00
Tax Matters	0.5	0.2	1.8	0.0	2.5	£626.50	£250.60
Totals	3.1	4.6	28.3	1.8	37.8	£7,915.00	£217.10
Investigations							
Investigations/CDDA	0.0	0.1	1.2	0.0	1.3	£241.00	£185.38
Totals	0.0	0.1	1.2	0.0	1.3	£241.00	£185.38
Realisation of Assets							
Assets - general/other	0.0	0.5	1.8	0.0	2.3	£474.00	£206.09
Debtors & sales finance	0.4	0.0	0.0	0.0	0.4	£194.00	£485.00
Land and Property	3.6	10.8	4.0	0.0	18.4	£5,706.00	£310.11
Sale of business	2.5	0.5	0.0	0.0	3.0	£1,362.50	£454.17
Totals	6.5	11.8	5.8	0.0	24.1	£7,736.50	£321.02
Trading							
Trading	0.5	3.0	0.3	0.0	3.8	£1,196.50	£314.87
Totals	0.5	3.0	0.3	0.0	3.8	£1,196.50	£314.87
Creditors							
1st creditors/shareholders meetings and reports	0.0	1.2	6.1	0.0	7.3	£1,433.00	£196.30
Secured Creditors	3.2	3.0	7.7	0.0	13.9	£3,838.00	£276.12
Totals	3.2	4.2	13.8	0.0	21.2	£5,271.00	£248.63
Case Specific Matters - Legal Matters							
Legal Matters	0.7	0.0	1.2	0.0	1.9	£555.50	£292.37
Totals	0.7	0.0	1.2	0.0	1.9	£555.50	£292.37
TOTAL HOURS	14.0	23.7	50.6	1.8	90.1	£22,915.50	£254.33
TOTAL TIME COST	£6,790.00	£7,070.00	£8,866.50	£189.00		£22,915.50	

NOTES TO APPENDIX G

JOINT ADMINISTRATORS' TIME COST ANALYSIS

a) Administration and Planning

This includes dealing with the commencement of the case administration, together with day-to-day case administration duties, maintenance of records and ongoing statutory obligations. These include but are not limited to handling receipts and payments, VAT and Income tax issues, pension queries and general correspondence. Other matters which are required to be dealt with as part of the appointment and which will fall under this heading include case planning and strategy, case reviews, bonding, maintenance and obtaining books and records, general meetings / correspondence, statutory and other advertising, insurance, re-directed mail, and statutory reports.

b) Investigations

Where appropriate this will include such matters as investigation of pre-appointment transactions in accordance with the relevant Statement of Insolvency Practice (SIP 2), and the investigation of any potential antecedent transactions such as transactions at under value and preferences which may result in legal action resulting in a recoverable asset.

c) Realisation of Assets

This includes dealing with all aspects of the realisation of assets including identifying, securing and insuring assets, and (where applicable), property, business and asset sales, retention of title claims and debt collection. Other matters dealt with during the case administration which will relate to asset realisation may commonly include effecting disclaimers, dealing with landlords, liaising with agents, undertaking inventories, meetings with purchasers / directors, arranging collection of leased assets, obtaining insurance, pursuing antecedent claims identified as part of the investigation work set out above. Details of the specific asset realisation work undertaken on this case are set out in the main body of the report. Asset realisation is considered to be a key aspect of the case administration.

d) Trading

Where the business of the debtor has been traded (by the trustee) following the appointment our staff will have had to set up accounts with suppliers in order to trade on an ongoing basis. Payments to suppliers and general correspondence with these have been undertaken. Where trading has ceased, accounts will have been closed and final bills paid. Other matters will also have been dealt with in accordance with the usual trading obligations such as dealing with employees and payroll.

e) Creditors

Queries from and correspondence with creditors and employees have been necessary aspects of the case administration process. Reports to creditors are also an important part of ongoing matters relating to this aspect of the case.

f) Case Specific Matters

Any case specific matters will generally be set out in the body of the report but will commonly include meetings, correspondence and telephone calls relating to specific issues in the case which do not fall into any of the categories set out above and are specific to the case in question. This may include work done in relation to litigation, general advice or other major issues.

Appendix H

BAKER TILLY RESTRUCTURING AND RECOVERY LLP

JOINT ADMINISTRATORS' CATEGORY 2 DISBURSEMENTS TABLE

Amounts paid or payable to the Office Holder's firm or to any party in which the office holder or his firm or any associate has an interest			
Recipient, Type and Purpose	Category	Paid	Unpaid
		£	£
Total		Nil	Nil