

The Insolvency Act 1986

Administrator's progress report**2.24B**

Name of Company Fallapit House Ltd	Company number 05705718
In the High Court of Justice, Chancery Division, Companies Court	Court case number 1062 of 2012

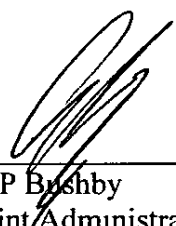
(a) Insert full name(s) and
address(es) of administrator(s)

We (a) Graham Bushby and George Anthony Peter Maloney, RSM Restructuring Advisory LLP, The Pinnacle, 170 Midsummer Boulevard, Milton Keynes MK9 1BP the Joint Administrators of the above company attach a progress report for the period

(b) Insert dates

from (b) 15 May 2015	to (b) 14 November 2015
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Signed


G P Bushby
Joint Administrator

Dated

20 November 2015

SATURDAY



A13
21/11/2015
COMPANIES HOUSE

#395

IN THE MATTER OF

FALLAPIT HOUSE LTD IN ADMINISTRATION

IN THE HIGH COURT OF JUSTICE, CHANCERY DIVISION, COMPANIES COURT NO 1062 OF 2012

JOINT ADMINISTRATORS' PROGRESS REPORT

20 NOVEMBER 2015

**GRAHAM BUSHBY AND GEORGE ANTHONY PETER MALONEY
JOINT ADMINISTRATORS**

**RSM RESTRUCTURING ADVISORY LLP
THE PINNACLE
170 MIDSUMMER BOULEVARD
MILTON KEYNES MK9 1BP**

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3 ASSETS REMAINING TO BE REALISED

I refer to paragraph 2.1 with respect to the North Paddock. Should the transfer of the land not be successful, appropriate steps will have to be taken to realise the asset. Otherwise, there are no assets remaining to be realised.

4 EXTENSION OF THE ADMINISTRATION

As set out in previous reports, the Joint Administrators applied to the Court on 26 January 2015 for an extension of the Administration to February 2016. The Court order was granted on 27 January 2015, extending the Administration to 3 February 2016.

5. CREDITORS' CLAIMS AND DIVIDEND PROSPECTS

Dividend prospects and projected returns to creditors, where known, are detailed in Appendix A, including any amount due to under the prescribed part. Please note that these are indicative only and should not be used as the sole or principal basis for any bad debt provision or other purposes. They may be subject to revision and additional costs.

The agreement of creditors' claims by the Joint Administrators (or any subsequently appointed Supervisor or Liquidator) is a separate matter and will be dealt with as appropriate in due course, initially by reference to the proofs of debt lodged in the proceedings by creditors themselves.

6. RECEIPTS AND PAYMENTS SUMMARY

We attach as Appendix B a summary of our receipts and payments for the period from 15 May 2015 to 14 November 2015.

VAT Basis

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

7 COSTS AND JOINT ADMINISTRATORS' REMUNERATION

The firm's charging, expenses and disbursements policy was provided with the Joint Administrators' proposals. A further copy can be provided on request.

7.1. Pre-administration costs

There were no unpaid pre-appointment costs at the date of appointment.

7.2 Joint Administrators' Remuneration and Disbursements

As there is unlikely to be any return to unsecured creditors, we will, in accordance with legislation, agree our fees and disbursements with the secured creditor, as appropriate.

The Joint Administrators have sought and obtained approval for their remuneration in the sum of £231,259 on account from the secured lender, of which £184,913 has been paid to date. We have incurred time costs of £452,160 plus VAT in respect of RSM Restructuring Advisory LLP for the Administration, of which £36,115 has been incurred in this period, and Baker Tilly Ryan Glennon has incurred time costs of €9,693, of which €820 has been incurred in this period. An analysis of time incurred in the period is attached at Appendix F (i) and (ii).

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

7.3. Other Professional Costs

Appendix E includes details of other professional costs that have been incurred. The receipts and payments abstract at Appendix B sets out which of these costs have been paid. All such costs are subject to review before being paid, and any payments made in the period are disclosed in the receipts and payments account at Appendix B.

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 from 15 May 2015 to 14 November 2015. This report should be read in conjunction with any previous reports that have been issued, copies of which are available on request.

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 the company. Any estimated outcomes for creditors are illustrative and may be subject to significant change.

RSM Restructuring Advisory LLP was previously named Baker Tilly Restructuring and Recovery LLP until 26 October 2015.

Neither the Administrators nor RSM Restructuring Advisory 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 IN THE PREVIOUS SIX MONTHS

2.1 Freehold Property

North Paddock

We previously reported that we have consulted with the current residents and owners at Fallapit estate concerning an exchange of certain obligations the Company has towards landscaping planning to be reduced in exchange for the transference of land known as the North Paddock to the Fallapit Estate Management Company.

This proposal is condition on planning permission and we are still in discussion with the relevant authority in connection with this. The matter has become protracted and as a result we will be required to extend the Administration to allow sufficient time to resolve the matter.

Sales

We are pleased to report that all units have been sold.

2.2. Investigations

In accordance with our statutory obligations, we have filed the appropriate documentation with the Department for Business, Innovation and Skills in relation to the conduct of the directors.

I can advise you that, following my initial assessment, no further investigations were deemed necessary.

2.3 Administration and Planning

This includes dealing with the commencement of the case administration, statutory filing of appointment documents with Companies' House, requesting the submission of the Statement of Affairs, 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, tax issues such as notifying HMRC of the appointment 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, obtaining company searches, maintenance and obtaining books and records, general meetings/correspondence with creditors, statutory and other advertising, insurance, re-directed mail, statutory receipts and payments accounts.

8 CREDITORS' RIGHT TO INFORMATION AND ABILITY TO CHALLENGE REMUNERATION AND 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

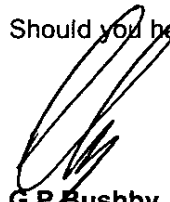
A request for further information must be made in writing within 21 days of receipt of this report

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 Guide to Administrators Fees, which provides information for creditors in relation to the remuneration of an Administrator, can be accessed at <http://rsm.insolvencypoint.com> under 'general information for creditors'. A hard copy can be requested from my office by telephone, email or in writing

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



G P Bushby
RSM Restructuring Advisory LLP
Joint Administrator

Graham Bushby is licensed to act as an Insolvency Practitioner in the UK by the Institute of Chartered Accountants in England and Wales

Insolvency Practitioners are bound by the Insolvency Code of Ethics when carrying out all professional work relating to an insolvency appointment

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, DIVIDEND AND OTHER INFORMATION**

Company Name	Fallapit House Ltd
Joint Administrators	Graham Bushby and George Anthony Peter Maloney
Date of Appointment	3 February 2012
Functions	The Joint Administrators' appointment specified that they would have power to act jointly and severally. The Joint Administrators' have exercised, and will continue to exercise, all of their functions jointly and severally as stated in the notice of appointment.
Previous Company Names	Fallapit House SVP Ltd
Company Number	05705718
Date of Incorporation	10/02/2006
Trading Name	Fallapit House Ltd
Trading Address	The Fallapit Estate, East Allington, Totes, Devon, TW9 7QE
Principal Activity	Construction - Property Development
Registered Office	RSM Restructuring Advisory LLP The Pinnacle 170 Midsummer Boulevard Milton Keynes MK9 1BP
Appointor	IBRC Asset Finance Plc (formerly Anglo Irish Asset Finance Plc of Old Jewry, London, EC2R 8DN)
Details of any extension	Extension order granted on 19 July 2013 to 3 February 2015 Further extension order granted on 27 January 2015 to 3 February 2016 Further extension is being sought through the Court for 12 months
Proposed exit route	Dissolution or if not possible Creditors' Voluntary Liquidation

Dividend Prospects	Owed	Paid to Date	Estimated Prospects	future
Secured creditor (1)	£7,485,337	£2,928,672	Shortfall	
Preferential creditors	n/a	n/a	n/a	
Unsecured creditors	£103,511	NIL	NIL	
Estimated net property	£not specified			
Estimated prescribed part available for unsecured creditors	N/A			
Whether and why the Administrators intend to apply to court under S176(A)(5) IA86	N/A			

Appendix C

JOINT ADMINISTRATORS RECEIPTS AND PAYMENTS ACCOUNT FOR THE PERIOD 15 MAY 2015 TO 14 NOVEMBER 2015

SOA Value £		15/05/2015 to 14/11/2015		Total to 14/11/2015	
		£	£	£	£
SECURED ASSETS					
4,705,000 00	Freehold Land and Property	1 235,833 34		3,031 201 22	
			1,235 833 34		3,031,201 22
COST OF REALISATIONS					
0 00	Agents / Valuers Fees	0 00		(18,785 00)	
0 00	Legal Disbursements	0 00		(130 00)	
0 00	Legal Fees	0 00		(5 000 00)	
0 00	Reservation Fees	0 00		(500 00)	
			0 00		(24,415 00)
SECURED CREDITORS					
(7,854,333 52)	Fixed Charge Claims	(1 187,603 46)		(2,928,671 71)	
			(1,187,603 46)		(2,928,671 71)
ASSET REALISATIONS					
0 00	Bank Interest Gross	160 64		465 17	
0 00	DGS Compensation Payment	0 00		13,400 27	
0 00	Insurance claim Refund	0 00		1 416 00	
0 00	Legal Fees refund	0 00		46 85	
0 00	Refund - Council Tax	1,264 67		3,186 72	
0 00	Refund of phone/broadband charges	0 00		77 07	
0 00	Refund Gas and Electric Charges	112 19		112 19	
0 00	Refund Water Charges	0 00		227 29	
0 00	Refund Zurich Insurance Premium	0 00		44,300 28	
0 00	Retention monies refund	2,500 00		2,500 00	
0 00	Utility refund	0 00		40 24	
			4 037 50		65 772 08
COST OF REALISATIONS					
0 00	1 Bouchard - Council Tax	0 00		(4,599 49)	
0 00	1 De Chalon - Council Tax	0 00		(5,436 04)	
0 00	1 Dufour - Council Tax	0 00		(1,562 59)	
0 00	1 Martel - Council Tax	0 00		(5,436 04)	
0 00	2 Dufour - Council Tax	(683 73)		(2,730 38)	
0 00	2 Martel - Council Tax	0 00		(5,739 37)	
0 00	3 Bouchard - Council Tax	(306 26)		(6,061 69)	
0 00	3 Dufour - Council Tax	(454 73)		(2,501 38)	
0 00	4 Dufour - Council Tax	(454 73)		(2,501 38)	
0 00	5 Dufour - Council Tax	(373 73)		(2 420 38)	
0 00	6 Dufour - Council Tax	0 00		(2 046 65)	
0 00	7 Dufour - Council Tax	(558 46)		(2 605 11)	
0 00	8 Dufour - Council Tax	0 00		(2 046 65)	
0 00	Administrators fees - Ireland	0 00		(7,521 45)	
0 00	Advertisements	0 00		(8 719 00)	
0 00	Agents / Valuers Fees	(33,262 50)		(57 797 50)	
0 00	Appointee Disbursements	0 00		(2,584 00)	
0 00	Appointee Fees	(4,383 29)		(177 391 38)	

**JOINT ADMINISTRATORS RECEIPTS AND PAYMENTS ACCOUNT FOR THE PERIOD 15 MAY
2015 TO 14 NOVEMBER 2015 - CONTINUED**

COST OF REALISATIONS - CONT			
0 00	Bank Charges	(29 33)	(192 75)
0 00	Bank Charges (chaps)	0 00	(325 00)
0 00	Build Costs Architect Fees	0 00	(16,700 00)
0 00	Build Costs Building Regulation	0 00	(4,994 20)
0 00	Build Costs Contractors Fees	(25,055 83)	(828,497 77)
0 00	Build Costs Electrical Works	0 00	(860 00)
0 00	Build Costs Marketing Materials	(3 144 00)	(30 492 29)
0 00	Build Costs Mechanical Engineer	0 00	(20,867 65)
0 00	Consultancy Fees	(2,500 00)	(56,695 00)
0 00	Corporation Tax	0 00	(26 18)
0 00	H&S Inspection	0 00	(2,200 00)
0 00	Insurance	(1 465 65)	(68,913 10)
0 00	Insurance claim - payment of	0 00	(1,416 00)
0 00	Legal Disbursements	(585 55)	(4,434 73)
0 00	Legal Fees	(11 460 00)	(77,104 11)
0 00	Mail Redirection	0 00	(110 00)
0 00	Management Company Costs	0 00	(19,604 55)
0 00	NAMA - VAT Repayment	0 00	16 533 33
0 00	NAMA Interest Charges	0 00	(57 636 69)
0 00	Property General Maintenance	0 00	(4,897 48)
0 00	Security Costs	(500 00)	(129,906 57)
0 00	Service Charge Payments	0 00	(367 88)
0 00	Storage Costs	0 00	(414 29)
0 00	Utilities Electricity	(2,020 11)	(8 197 64)
0 00	Utilities Gas	(2,446 44)	(5 182 33)
0 00	Utilities Water charges	(468 99)	(1,874 52)
0 00	Warranty Insurance	0 00	(29 736 13)
			<u>(90,153 33)</u>
			(1,654,814 01)
UNSECURED CREDITORS			
(3,149,333 52)	Deficiency in Security	0 00	0 00
(93 320 44)	Trade and Expense Creditors	0 00	0 00
			<u>0 00</u>
			0 00
EQUITY			
(100 00)	Ordinary Shares	0 00	0 00
			<u>0 00</u>
			0 00
(6,392,087 48)			<u>(37,885 95)</u>
			(1 510,927 42)
REPRESENTED BY			
	Barclays Bank Plc - Fixed Account		16,563 77
	Barclays Bank Plc - Float Account		122,341 25
	NAMA Facility 1 (£1,776,000)		(1,649,956 07)
	VAT Receivable (Payable)		123 63
			<u>(1,510,927 42)</u>

Appendix C

RSM RESTRUCTURING ADVISORY LLP

JOINT ADMINISTRATORS' CURRENT CHARGE OUT AND DISBURSEMENT RATES

HOURLY CHARGE OUT RATES		
	Rates at commencement £	Current rates £
Partner	405	495
Directors / Associate Directors	295 – 205	205 – 310
Manager	205	205
Assistant Managers	125	125
Administrators	70	70
Support staff	100	70

BAKER TILLY RYAN GLENNON

HOURLY CHARGE OUT RATES		
	Rates at commencement €	Current rates €
Partner	375	375
Directors / Associate Directors	275	275
Manager	190	190
Assistant Managers	105	105
Administrators	105	105
Support staff	50	50

“CATEGORY 2” DISBURSEMENT RATES	
Internal room hire	£25 or £80 per room used
Subsistence	£25 per night (from 3 rd September 2013) £23 per night (up to 2 nd September 2013)
Travel (car)	38p per mile (up to and including 31 March 2010) 40p per mile (from 1 April 2010) 42 5p per mile (from 1 April 2011)
“Tracker” searches	£10 per case

Appendix D

RSM RESTRUCTURING ADVISORY 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	Paid	Unpaid
	£	£
Total	NIL	NIL

Appendix E

STATEMENT OF EXPENSES INCURRED BY THE JOINT ADMINISTRATORS' IN THE PERIOD FROM 15 MAY 2015 TO 14 NOVEMBER 2015

Type and Purpose	Incurred in Period
	£
2 Dufour - Council Tax	683 73
3 Bouchard - Council Tax	306 26
3 Dufour - Council Tax	454 73
4 Dufour - Council Tax	454 73
5 Dufour - Council Tax	373 73
7 Dufour - Council Tax	558 46
Agents/Valuers fees	33,262 50
Building Costs Contractors Fees	25,055 83
Building Costs Marketing Materials	3,144 00
Consultancy Fees	2,500 00
Insurance	1,465 65
Legal disbursements	585 55
Legal Fees	11,573 00
Security costs	500 00
Utilities Electricity	2,020 11
Utilities Gas	2,625 26
Utilities Water	501 89
Courier	20 50
Total	86,085 93

The table above excludes any tax liability as the amounts due will depend on the position at the end of the accounting period. The statement above 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.

Appendix F

JOINT ADMINISTRATORS' TIME COST ANALYSIS

FOR THE PERIOD FROM 15 MAY 2015 TO 14 NOVEMBER 2015

Period	Hours Spent	Partners	Directors / Associate Directors	Managers	Assistant Managers	Administrators	Assistants & Support Staff	Total Hours	Total Time Costs	Average Rates
From	Administration and Planning									
	Case Management	0.2	0.0	0.5	1.4	0.0	0.0	2.1	£ 347.50	165.48
	Receipts and Payments	0.3	0.0	1.6	44.0	3.1	0.0	49.0	£ 6,121.40	124.93
	Tax Matters	0.1	0.0	0.0	1.9	0.0	0.0	2.0	£ 280.00	140.00
	Total	0.6	0.0	2.1	47.3	3.1	0.0	53.1	£ 6,748.90	127.10
	Realisation of Assets									
	Land and Property	5.0	9.0	57.4	44.3	0.0	0.0	115.7	£ 21,995.50	190.11
	Total	5.0	9.0	57.4	44.3	0.0	0.0	115.7	£ 21,995.50	190.11
	Creditors									
	Other Creditor Meetings and Reports	0.0	0.0	0.0	3.7	0.0	0.0	3.7	£ 462.50	125.00
	Secured Creditors	0.0	0.0	8.2	11.8	0.0	0.0	20.0	£ 3,074.00	153.70
	Total	0.0	0.0	8.2	15.5	0.0	0.0	23.7	£ 3,536.50	149.22
	Case Specific Matters - Legal Matters									
	Legal Matters	0.0	0.0	17.1	4.0	0.0	0.0	21.1	£ 3,834.50	181.73
	Total	0.0	0.0	17.1	4.0	0.0	0.0	21.1	£ 3,834.50	181.73
	Total Hours (From Jan 2003)	5.6	9.0	84.8	111.1	3.1	0.0	213.6	£ 36,115.40	169.08
	Total Time Cost (From Jan 2003)	£ 2,730.00	£ 2,790.00	£ 16,494.00	£ 13,887.50	£ 213.90	£ 0.00	£ 36,115.40		
Total Hours		5.6	9.0	84.8	111.1	3.1	0.0	213.6	£ 36,115.40	169.08
Total Time Cost		£ 2,730.00	£ 2,790.00	£ 16,494.00	£ 13,887.50	£ 213.90	£ 0.00	£ 36,115.40		
Average Rates		487.50	310.00	194.50	125.00	69.00	0.00	169.08		

Please note that we have re-designed our SIP9 analysis table to provide a more detailed analysis of the grades of staff within the firm. Please note that this change does not alter the value of time costs recorded, purely the column within the table to which that time, and cost, has been allocated.