

The Insolvency Act 1986

**Administrator's progress report**

Name of Company

Green's of Southery Limited

Company number

06291764

In the  
High Court of Justice, Chancery Division,  
Manchester District Registry

(full name of court)

Court case number  
3118 of 2012(a) Insert full  
name(s) and  
address(es) of  
administrator(s)I (a)  
David Bennett  
Grant Thornton UK LLP  
Colmore Plaza  
Colmore Circus  
Birmingham  
B4 6AT

administrator(s) of the above company attach a progress report for the period

From

To

(b) Insert date

(b) 20 September 2013

(b) 14 October 2013

Signed

Administrator(s)

Dated

11/12/13

**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

David Bennett  
Grant Thornton UK LLP  
Colmore Plaza  
Colmore Circus  
Birmingham  
B4 6AT

DX Number

0161 953 6900  
DX Exchange

THURSDAY



\*A2N2IOPF\*

A29

12/12/2013

#139

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

Our Ref DJB/ZLC/BZM/TXA/G00741/

To the creditors

11 December 2013

Dear Sirs

**Recovery and Reorganisation**

**Grant Thornton UK LLP**  
4 Hardman Square  
Spinningfields  
Manchester M3 3EB

T +44 (0)161 953 6900  
F +44 (0)161 953 6405  
[www.grantthornton.co.uk](http://www.grantthornton.co.uk)

**Green's of Southery Limited - In Administration**  
**High Court of Justice, Chancery Division, Manchester District**  
**Registry, No 3118 of 2012**

**1 Introduction**

1.1 Following my appointment as administrator of the above Company by the directors on 8 October 2012, I now report on the progress of the administration to 14 October 2013 and attach

- Appendix A, Form 2.24B, together with an account of my receipts and payments for the period from 20 September 2013 to 14 October 2013 and also for the whole administration to date
- Appendix B, a statement of the remuneration charged by the administrator in the period 20 September 2013 to 14 October 2013 and a statement of expenses incurred in the period
- Appendix C, an analysis of my time costs as required by Statement of Insolvency Practice 9
- Appendix D, an extract from the Insolvency Rules 1986 relating to creditors' rights to request additional information from the administrator (Rule 2.48A)
- Appendix E, an extract from the Insolvency Rules 1986 relating to creditors' rights to challenge the administrator's remuneration or expenses, if excessive (Rule 2.109)

1.2 Paul Addison was also appointed as administrator on 8 October 2012 but has now left the firm and was removed from this case with effect from 14 October 2013

1.3 David Bennett is authorised by the Insolvency Practitioners Association to act as an insolvency practitioner

**2 Statutory information**

2.1 The Company's statutory details are as follows

Registered number 06291764

Registered office c/o Grant Thornton UK LLP, 4 Hardman Square, Spinningfields, Manchester, M3 3EB

**Chartered Accountants**

Grant Thornton UK LLP is a member firm of Grant Thornton International Ltd (GTIL). GTIL and the member firms are not a worldwide partnership. Services are delivered by the member firms. GTIL and its member firms are not agents of, and do not obligate, one another and are not liable for one another's acts or omissions. Please see [grantthornton.co.uk](http://grantthornton.co.uk) for further details.

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 Conduct Authority.

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.

### **3 Progress report**

#### **Trade debtors**

- 3 1 As previously reported, ABN AMRO Commercial Finance PLC (ABN) provided a confidential invoice discounting facility to the Company and holds a fixed and floating charge over the Company's assets
- 3 2 I have continued to assist ABN with the collection of book debts and have now settled 22 accounts. Debtor realisations to date total £292,789. Book debt receipts have been paid directly into ABN's account and, as such, do not appear in the Administrators' receipts and payments account attached at Appendix A
- 3 3 There are two debtor accounts which remain outstanding, I am continuing to work with ABN and our solicitors, Squire Sanders (UK) LLP, to recover the remaining debts due to the Company

#### **Outcome to the secured creditor**

- 3 4 At the date of our appointment, ABN's indebtedness was £212,977 in respect of the Company's confidential invoice discounting facility, before applying any charges. In addition, the Company had entered into a secured guarantee whereby it guaranteed the indebtedness of an associated company, Pet Brokers UK Limited to ABN. Furthermore, ABN is also owed £177,500 by the Company in respect of a loan provided under the Enterprise Finance Guarantee scheme
- 3 5 Based on current realisations and anticipated future realisations, ABN is likely to suffer a shortfall against its total lending

#### **Outcome to the preferential and unsecured creditors**

- 3 6 As previously advised, it is unlikely that there will be sufficient funds to enable distributions to be made to the preferential and unsecured creditors

### **4 Administrators' remuneration and expenses**

- 4 1 My fees for acting as administrator have been fixed by reference to my time costs, as resolved by the secured and preferential creditors on 11 December 2012. Time costs from 8 October 2012 to 14 October 2013 total £172,448 representing 749 hours at an average of £230 per hour. An analysis of time in accordance with the SIP 9 is attached at Appendix C
- 4 2 As set out in my receipts and payments account, fees drawn to date are £90,000
- 4 3 In addition, I have drawn expenses of £1,522 in respect of travel and storage costs
- 4 4 Background information regarding the fees of administrators can be found at [www.insolvency-practitioners.org.uk](http://www.insolvency-practitioners.org.uk) (navigate via 'Regulation and Guidance' to 'Creditors Guides to Fees'). Alternatively, we will supply this information by post on request. Time is charged in 6 minute units

**5 Other expenses incurred by the administrator**

- 5.1 I have provided at Appendix B, a summary of my expenses charged and accrued during the period 8 October 2012 to 14 October 2013

**6 Other matters**

- 6.1 If you should require any further information in respect of the contents of this report, please contact Becky Mitten on 0161 953 6427

Yours faithfully  
for and on behalf of Green's of Southery Limited



David Bennett  
Administrator

The affairs, business and property of Green's of Southery Limited are being managed by David Bennett, appointed as administrator on 8 October 2012

Enc

Green's of Southery Limited - in administration  
Summary of receipts and payments  
from 8 October 2012 to 14 October 2013

Statement of Affairs £	From 08/10/2012 to 19/09/2013 £	From 20/09/2013 to 14/10/2013 £	Total £
<b>Receipts</b>			
Sales	41,739 76	0 00	41,739 76
Plant & Machinery	75,000 00	0 00	75,000 00
Scrap metal	6,801 74	0 00	6,801 74
Stock	7,000 00	0 00	7,000 00
VAT Refund	6,275 61	0 00	6,275 61
Cash at Bank	2,943 92	0 00	2,943 92
Bank/ISA InterestGross	21 33	0 00	21 33
Vat on Sales	16,292 34	0 00	16,292 34
HMRC - VAT received/paid	(12,900 29)	17,266 49	4,366 20
	<b>143,174 41</b>	<b>17,266 49</b>	<b>160,440 90</b>
<b>Payments</b>			
Gas For Use in Trading	2,853 53	0 00	2,853 53
Rates	746 60	0 00	746 60
Heat & Light	3,903 62	2,293 07	6,196 69
Carriage	1,063 33	0 00	1,063 33
Insurance	2,789 05	0 00	2,789 05
Professional Fees	6,095 00	0 00	6,095 00
Bank Charges	15 00	0 00	15 00
Hire of Equipment	1,376 05	0 00	1,376 05
Property Expenses	224 17	0 00	224 17
Net Wages	9,517 57	0 00	9,517 57
ROT	300 00	0 00	300 00
Administrators Fees	90,000 00	0 00	90,000 00
Administrators Expenses	1,522 29	0 00	1,522 29
Agents/Valuers Fees (1)	340 08	0 00	340 08
Legal Fees (1)	87 03	0 00	87 03
Storage Costs	366 75	0 00	366 75
Re-Direction of Mail	110 00	0 00	110 00
Statutory Advertising	76 50	0 00	76 50
Bank Charges	60 00	0 00	60 00
Vat on Purchases	21,439 26	458 61	21,897 87
	<b>142,885 83</b>	<b>2,751 68</b>	<b>145,637 51</b>
<b>Net Receipts/(Payments)</b>	<b>288.58</b>	<b>14,514 81</b>	<b>14,803 39</b>

Green's of Southery Limited - in administration  
 Summary of receipts and payments  
 from 8 October 2012 to 14 October 2013

Statement of Affairs	From 08/10/2012 to 19/09/2013	From 20/09/2013 to 14/10/2013	Total
£	£	£	£

Made up as follows

Floating Current Account N I B 29 09 13	288 58	14,514 81	14,803 39
	<u>288 58</u>	<u>14,514.81</u>	<u>14,803.39</u>

## B Remuneration charged and expenses incurred by the administrators in the period

	Charged/incurred in period 20/09/2013 to 14/10/2013	Cumulative charged/incurred to 14/10/2013	Of which paid to 14/10/2013
	£	£	£
<b>Joint administrators' fees.</b>			
Time costs	4,586 45	172,448 10	90,000
Expenses	146 25	1,668 54	1,522 29
<b>Professional fees</b>			
Insol Employee Solutions Limited	0 00	675 00	675 00
Electrical Engineering Services	0 00	1,200 00	1,200 00
Pinfields Limited	0 00	120 00	120 00
George Hazell & Co	0 00	4,440 00	4,440 00
<b>Legal fees</b>			
William Fry	0 00	87 03	87 03
<b>Insurance</b>			
JLT Speciality Limited	0 00	2,789 05	2,789 05

## C SIP 9 information

### Introduction

The following information is provided in connection with the administrator's remuneration and disbursements in accordance with SIP 9

Explanation of Grant Thornton UK LLP charging and disbursement recovery policies

### Time costs

All partners and staff are charged out at hourly rates appropriate to their grade, as shown on the attached schedule. Details of the hourly charge-out rates are made available to creditors or committees at the time of fixing the basis of our fees. Support staff (ie secretaries, cashiers and filing clerks) are charged to the case for the time they work on it.

	From 01/07/12	From 01/07/13
	£	£
Partners up to	580	600
Managers up to	440	455
Administrators up to	310	320
Assistants and support staff up to	210	220

### Disbursements

Out of pocket expenses are charged at cost. Mileage is charged at standard rates which comply with HM Revenue and Customs limits or AA recommended rates. VAT is added to disbursement charges as necessary.



# Green's of Southery Limited - in Administrati - G30200741 - SIP 9 TIME COST ANALYSIS

Job(s) Administration, CMU

Transaction period 08/10/2012 to 14/10/2013

[Export version - standard](#) [Export version - detail](#) [Detailed Version](#)

Standard	Partner		Manager		Executive		Administrator		Total		
	Hrs	£	Hrs	£	Hrs	£	Hrs	£	Hrs	£	Avg Hrlly Rate
Administration and Planning	1 55	707 00	35 95	12,587 00	37 44	8,151 85	176 57	25,839 50	251 51	47,285 35	188 01
Creditors	55	242 00	67 45	19,994 50	24 75	5,452 50	22 00	3,179 75	114 75	28,868 75	251 58
Hiatus period											
Investigations	1 50	660 00			5 00	1,100 00	2 00	300 00	8 50	2,060 00	242 35
Realisation of Assets			165 10	51,485 00	65 50	14,435 00	50 25	5,805 00	280 85	71,725 00	255 39
Trading	25	110 00	54 70	16,032 00	14 50	3,220 00	16 95	1,017 00	86 40	20,379 00	235 87
Unclassified			7 10	2,130 00					7 10	2,130 00	300 00
<b>Total</b>	<b>3 85</b>	<b>1,719 00</b>	<b>330 30</b>	<b>102,228 50</b>	<b>147 19</b>	<b>32,359 35</b>	<b>267 77</b>	<b>36,141.25</b>	<b>749.11</b>	<b>172,448 10</b>	<b>230 20</b>

Total fees billed to date (Time) : £ 90,000

## D An extract from the Insolvency Rules 1986 relating to creditors' rights to request additional information from the administrator

### Rule 2.48A

- (1) 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

## E An extract from the Insolvency Rules 1986 relating to creditors' rights to challenge the administrator's remuneration or expenses 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