

**Liquidator's Progress  
Report****S.192****Pursuant to Sections 92A and 104A and 192  
of the Insolvency Act 1986**

To the Registrar of Companies

Company Number

**6397117**

Name of Company

**Milestone Homes (Burgess Hill) Ltd**

I / We

Simon James Bonney  
81 Station Road  
Marlow  
Bucks  
SL7 1NSFrank Wessely  
81 Station Road  
Marlow  
Bucks  
SL7 1NSthe liquidator(s) of the company attach a copy of my/our Progress Report  
under section 192 of the Insolvency Act 1986

The Progress Report covers the period from 28/06/2011 to 27/06/2012

Signed



Date

**17/6/12**RSM Tenon Recovery  
81 Station Road  
Marlow  
Bucks  
SL7 1NS

Ref 8026746A/SJB/FAW/CRN/JMT/SKP

THURSDAY



QIQ

\*Q1DY2RJN\*

26/07/2012

#95

COMPANIES HOUSE

**Milestone Homes (Burgess Hill) Ltd  
(In Liquidation)  
Joint Liquidators' Abstract of Receipts & Payments**

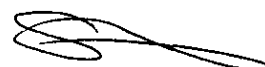
**Statement  
of Affairs**

**From 28/06/2011  
To 27/06/2012**

**NIL**

REPRESENTED BY

**NIL**



Simon James Bonney  
Joint Liquidator

# RSM Tenon

**Private and Confidential  
To All Known Creditors and Members**

**RSM Tenon Recovery**  
81 Station Road, Marlow, Bucks, SL7 1NS  
T 01628 478100  
F 01628 472829  
www.rsmtenon.com

Our Ref SJB/FAW/CRN/JMT/SKP  
Your Ref

20 July 2012

When telephoning or emailing please contact Jack Towison on 01628 478100 or  
jack.towison@rsmtenon.com

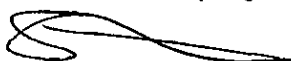
Dear Sir

**Milestone Homes (Burgess Hill) Ltd – In Liquidation ("the Company")**

I enclose a copy of the Joint Liquidators' first progress report in relation to the above liquidation

Should you require any further information relating to this report, please do not hesitate to contact this office on the number above

Yours faithfully  
For and on behalf of  
Milestone Homes (Burgess Hill) Ltd



**Simon Bonney**  
Joint Liquidator  
*Licensed in the United Kingdom to act as an Insolvency practitioner by the Insolvency Practitioners Association*

Enclosures.

- > Joint Liquidators' Report
- > Appendix I Statutory Information
- > Appendix II Information relating to Joint Liquidators' Fees and Expenses

**Milestone Homes (Burgess Hill) Ltd (“the Company”) – In  
Liquidation**

**Joint Liquidators’ First Progress Report  
for the year from appointment on 28 June 2011 to 27 June 2012**

**Issued on: 20 July 2012**

**Milestone Homes (Burgess Hill) Ltd – In Liquidation ("the Company")**

**JOINT LIQUIDATORS' FIRST PROGRESS REPORT AS AT 20 JULY 2012**

Simon James Bonney and Frank Wessely are the Joint Liquidators of the Company and this is their first progress report, to the creditors and members of the Company, showing how the liquidation has been conducted. The report covers the period from 28 June 2011 to 27 June 2012.

**1. Statutory Information**

Statutory information relating to the Company is attached at **Appendix I**

**2. Joint Liquidators' Receipts and Payments Account**

No receipts and payments account is attached due to the fact that no payments have been received nor expenses incurred to date.

**3 Action taken by the Joint Liquidators since Appointment**

The Company was placed into administration on 16 January 2009 and Simon James Bonney and Frank Wessely were appointed Joint Liquidators on 28 June 2011 following the conclusion of the prior administration.

As per my final report in the administration, I have previously sold all plots for a total consideration of £4,899,823. The Company was subsequently moved paid directly to the secured charge holder.

The Joint Liquidators have a duty to submit confidential reports to the government's Disqualification Unit on the conduct of those persons who acted as directors of the Company in the three year period before the liquidation. These have been completed.

**4. Future Actions of the Joint Liquidators**

All matters have been resolved and there are no further lines of enquiry for the Joint Liquidators. It is anticipated that the liquidation will shortly be closed with the Company being dissolved.

**5. Liabilities and Dividends**

**Secured Creditors**

BOS has a fixed and floating charge in its favour dated 9 April 2008 and is owed approximately £2,600,000 before taking into account any expenditure incurred regarding the development during the Administration.

Wolsey has a second legal charge in its favour dated 9 April 2008 and is owed approximately £910,000 before taking into account any expenditure incurred regarding the development during the Administration.

Aurelian has a legal charge in its favour dated 9 April 2008 and is owed £180,000. Aurelian ranks behind both BOS and Wolsey.

It should be noted that the secured creditors agreed that the funding of the administration and completion of the development, which has been provided by BOS and Wolsey, is to be recovered in priority to fixed charge realisations

The primary secured charge holder, BOS, has received full repayment of the initial facility provided to the Company and the further facility provided to fund the completion of the development

Wolsey, as the secondary secured charge holder has to date received £698,911 under its security for repayment of the initial facility provided to the Company and the further funds provided to the Company regarding completion of the development totaling £1,017,530. Wolsey is expected to suffer a shortfall in this respect as no further distributions are anticipated

There are insufficient funds with which to make a distribution to Aurelian which ranks behind BOS and Wolsey as the third secured charge holder

#### **Preferential Creditors**

The Company had no employees therefore it is not anticipated that there will be any preferential claims.

#### **Prescribed Part**

There are provisions of the insolvency legislation that require a liquidator to set aside a percentage of a company's assets for the benefit of the unsecured creditors in cases where the company gave a 'qualifying floating charge' over its assets to a lender on or after 15 September 2003. This is known as the 'prescribed part of the net property'. A company's net property is that left after paying the preferential creditors, but before paying the lender who holds a floating charge. A liquidator has to set aside

- 50% of the first £10,000 of the net property, and
- 20% of the remaining net property up to a maximum of £600,000

As the net property is less than the prescribed minimum of £10,000, the Joint Liquidators, taking into account the significant sums due to creditors, consider that the cost of making a distribution would be disproportionate to the benefits. Hence there will be no prescribed part distribution to creditors.

#### **Ordinary Unsecured Creditors**

Notice is given that no dividend will be declared to unsecured creditors as the funds realised have already been distributed, used or allocated for defraying the expenses of administration.

#### **6. Remuneration, Disbursements and Expenses of the Former Administrators**

In the Joint Administrators' final report to creditors dated 11 February 2011 it was reported that the final time costs were £38,907.75. In accordance with Statement of Insolvency Practice 9, a full breakdown was included in that report.

Of those costs, £4,907.75 remuneration had not been drawn at the date of ceasing to act as Joint Administrators but have subsequently been paid in full.

## 7 Joint Liquidators' Remuneration, Disbursements and Expenses

### Basis of Remuneration and Disbursements

At the initial meeting of creditors held in the previous Administration of the Company on the 24 March 2009 it was resolved that the Joint Administrators be remunerated with reference to time properly spent in dealing with the administration and that their disbursements would be drawn in accordance with the tariff outlined in **Appendix II**

As the Joint Liquidators were formerly the Joint Administrators the same basis of remuneration applies to them in their new capacity as Liquidators

### Remuneration Charged and Drawn in the Period

The Joint Liquidators' time costs were charged (exc VAT) as follows:

	Incurring	Paid
For this period from appointment – 28 June 2011 to 27 June 2012	£5,061 00	£5,000 00

In accordance with Statement of Insolvency Practice 9, attached at **Appendix II** is a breakdown of these time costs

### Disbursements Incurred and Drawn

The Joint Liquidators' disbursements incurred and reimbursed are summarised below. Details are in the attached **Appendix III**

	Incurring	Paid
Category 1 disbursements for this period from appointment -28 June 2011 to 27 June 2011	£Nil	£Nil
Category 2 disbursements for this period from appointment -28 June 2011 to 27 June 2012	£Nil	£Nil
<b>Total</b>	<b>£Nil</b>	<b>£Nil</b>

### Expenses (Professional Advisors) Charged and Drawn in the Period

The following professional advisors have been instructed in this matter

Professional Advisor	Nature of Work	Fee Arrangement
Laytons Solicitors	Solicitors Legal advice	Time Costs

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

Details of the costs incurred and paid by the Liquidators in relation to liquidation expenses for the period are also attached at **Appendix II**

### **Creditors' Guide to Fees and Statement of Creditors' Rights**

Creditors have a right to request further information from the Joint Liquidators and additionally have a right to challenge the Joint Liquidators' remuneration and expenses: time limits apply. Details can be found in the document 'Remuneration Guidelines Liquidation (post 6 April 2010)' which you can access and download at <http://www.rsmtenon.com/creditorguides>. Alternatively a copy is available free of charge upon request from the address above.

### **8. Conclusion of the Liquidation**

Now that all issues have been dealt with, it is the intention of the Joint Liquidators to move the Company to dissolution.



**Simon Bonney**  
Joint Liquidator

*Licensed in the United Kingdom to act as an insolvency practitioner by the Insolvency Practitioners Association*



## Appendix I

### Statutory Information

#### Company Information

Company Name	Milestone Homes (Burgess Hill) Ltd
Previous Name	N/A
Company Number	06397117
Date of Incorporation	11 October 2007
Trading Address	Chancery Court, Queen Street, Horsham, West Sussex
Current Registered Office	81 Station Road, Marlow, Buckinghamshire, SL7 1NS
Former Registered Office	Chancery Court, Queen Street, Horsham, West Sussex
Principal Trading Activity	Property Development

#### Appointment details

Joint Liquidators' name and address	Simon James Bonney of RSM Tenon Recovery, 81 Station Road, Marlow, Bucks, SL7 1NS and Frank Wessely of RSM Tenon Recovery 81 Station Road, Marlow, Bucks, SL7 1NS
Commencement of liquidation	28 June 2011
Date of appointment	28 June 2011
Appointment made by	Directors
The Joint Liquidators act jointly and severally	

## **Appendix II – Information relating to the Joint Liquidators' Fees and Expenses**

**Milestone Homes (Burgess Hill) Ltd****Information relating to the Joint Liquidators' Fees and Expenses****1. Explanation of Liquidators' charging and disbursement recovery policies****1.1. Time recording**

Work undertaken on cases is recorded in 6 minute units in an electronic time recording system. Time properly incurred on cases is charged at the hourly rate of the grade of staff undertaking the work that applies at the time the work is done. The current hourly charge-out rates are:

Director	£395 00
Senior Manager	£315 00
Manager	£265 00
Assistant Manager	£235 00
Senior Administrator	£210 00
Administrator	£170 00
Junior Administrator	£110 00
Case Accountant	£160 00
Assistant Case Accountant	£125 00
Administration Assistant	£100 00

Secretarial and support staff are not charged to the cases concerned, being accounted as an overhead of RSM Tenon Recovery.

**1.2. Disbursement recovery**

Disbursements are categorised as either Category 1 or Category 2.

Category 1 disbursements will generally comprise external supplies of incidental services specifically identifiable to the case. Where these have initially been paid by RSM Tenon Recovery and then recharged to the case, approval from creditors is not required. The amount recharged is the exact amount incurred.

Examples of Category 1 disbursements include postage, case advertising, specific bond insurance, company search fees, case management software system, invoiced travel and properly reimbursed expenses incurred by personnel in connection with the case, (including business mileage up to HMRC approved rate for cases commenced before 1 November 2011). Also included will be services specific to the case where these cannot practically be provided internally such as printing, room hire and document storage.

Category 2 disbursements include elements of shared or allocated costs incurred by RSM Tenon Recovery and recharged to the estate; they are not attributed to the estate by a third party invoice and/or they may include a profit element. These disbursements are recoverable in full, subject to the basis of the disbursement charge being approved by creditors in advance. Examples of Category 2 disbursements are

photocopying, all business mileage (for cases commencing on or after 1 November 2011), internal room hire and internal storage

The current levels of Category 2 disbursements recovered by RSM Tenon Recovery are as follows:

<b>Stationery / photocopying</b>	<b>Cost per page/ envelope</b>
1 page of headed paper	0 09
1 page of continuation paper	0 06
1 page of photocopying paper (includes cost of photocopying)	0 01
Envelope (all sizes)	0 08
<b>Postage</b>	<b>Postage rate</b>
Postage – 1 <sup>st</sup> class	0 44

The costs recharged are based upon the actual cost of the materials used or the costs which would have been incurred if that service had been sourced externally

## **2 Description of work carried out in the current period**

Section 3 of this appendix outlines the time costs to date in relation to activities undertaken during this period. These can be summarised as follows:

### **2.1. Administration and planning**

The following activities have been undertaken:

- > Statutory duties associated with the appointment,
- > Notification of the appointment to creditors,
- > Setting up case files;
- > Reviewing available information to determine appropriate strategy,
- > Setting up and maintaining bank accounts,
- > Progress reviews of the case

Staff of different levels were involved in the above activities depending upon the experience required

### **2.2. Investigations**

The time spent includes:

- > Corresponding with the former directors and management,
- > Review of questionnaires and comments provided by interested parties,
- > Review of company documentation;
- > Completion of statutory returns to the Insolvency Service

### 2.3. Realisation of assets

Please refer to the main body of the report but in summary the time spent includes

- > Liaising with agents and solicitors,
- > Correspondence and meetings with interested parties,
- > Monitoring and chasing of deposits,
- > Identifying, securing and insuring of assets
- > Agreement of contracts

### 2.4. Creditors and distributions

The time spent includes the following matters

- > Recording and maintaining the list of creditors,
- > Recording creditor claims
- > Reporting to creditors,
- > Dealing with creditor queries,
- > Reviewing and evaluating creditor claims,

## 3. Time and charge out summary

For the period of this report from appointment on 28 June 2011 to 27 June 2012, a total of 25 65 hours have been spent at an average charge out rate of £197 31 bringing the total charged to £5,061 00

The table below shows details of the time costs charged (exc VAT) in the current period

<b>MILESTONE HOMES (BURGESS HILL) LIMITED- IN LIQUIDATION JOINT LIQUIDATORS' TIME COSTS FOR THE PERIOD FROM 28 JUNE 2011 TO 27 JUNE 2012</b>							
<b>SIP 9 TIME SUMMARY</b>							
Classification of work function	Hours					Total Cost £	Average hourly rate £
	Director	Manager	Other Senior Professional	Assistants And Support Staff	Total Hours		
Admin and correspondence	0 60	1 30	7.80	5 35	15 05	2,714 50	180 37
Creditors	0 00	3 70	1 70	0 00	5 40	1,356 50	251 20
Realisation of Assets	0 00	1 20	2 40	0 40	4 00	786 00	196 50
Investigations	0 00	0 00	1 20	0 00	1 20	204 00	170 00
<b>Total hours and costs</b>	<b>0 60</b>	<b>6 20</b>	<b>13 10</b>	<b>5 75</b>	<b>25 65</b>	<b>5,061 00</b>	<b>197 31</b>

## 4 Disbursements

No disbursements have been incurred in the liquidation

#### 5 Professional advisors and expenses

The Joint Liquidators have incurred liquidation expenses in connection with the instruction of the following parties, covering the current period,

Name & Activity	This period	
	Incurred £	Paid £
Laytons Solicitors	£1,469 00	£1,469 00
<b>Total</b>	<b>£1,469.00</b>	<b>£1,469.00</b>

The above costs exclude VAT