

AM10

Notice of administrator's progress report



Companies House

WEDNESDAY



A19 *A94ZEIWQ* 13/05/2020 #16
COMPANIES HOUSE

1 Company details

Company number 0 6 8 8 2 6 2 2

Company name in full Orchard Care Homes.com (5) Limited

→ Filling in this form
Please complete in typescript or in
bold black capitals.

2 Administrator's name

Full forename(s) Sarah

Surname Rayment

3 Administrator's address

Building name/number 55

Street Baker Street

London

Post town

County/Region

Postcode W 1 U 7 E U

Country

4 Administrator's name ①

Full forename(s) Kerry

Surname Bailey

① Other administrator
Use this section to tell us about
another administrator.

5 Administrator's address ②

Building name/number 3 Hardman Street

Street Spinningfields

Post town Manchester

County/Region

Postcode M 3 3 A T

Country

② Other administrator
Use this section to tell us about
another administrator.

AM10

Notice of administrator's progress report

6

Period of progress report

From date	d	1	d	5	m	1	m	1	y	2	y	0	y	1	y	9
To date	d	1	d	3	m	0	m	5	y	2	y	0	y	2	y	0

7

Progress report

☒ I attach a copy of the progress report

8

Sign and date

Administrator's
signature

Signature

X



X

Signature date

d	1	d	3	m	0	m	5	y	2	y	0	y	2	y	0
---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---

AM10

Notice of administrator's progress report



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 **Sarah Rayment**

Company name **BDO LLP**

Address **5 Temple Square
Temple Street**

Post town **Liverpool**

County/Region

Postcode **L 2 5 R H**

Country

DX

Telephone **01512 374 500**



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

Orchard Care Homes.com (5) Limited
(In Administration)
Joint Administrators' Summary of Receipts & Payments

Statement of Affairs £	From 15/11/2019 To 13/05/2020 £	From 15/05/2018 To 13/05/2020 £
	FIXED CHARGE ASSETS	
	Leasehold Property	NIL 2.00
	Goodwill	NIL 2.00
	Intellectual Property	NIL 2.00
	Customer Contracts	NIL 2.00
	Sellers Records	NIL 2.00
		<u>NIL 10.00</u>
	FIXED CHARGE CREDITORS	
	Secured Creditor	NIL 10.00
		<u>NIL (10.00)</u>
	ASSET REALISATIONS	
256,919.00	Book debts	NIL 81,142.30
141,172.00	Cash at Bank	NIL 217,840.84
21,000.00	Furniture & Equipment	NIL 21,000.00
98,021.00	Intercompany Debt	NIL 98,020.76
	Interest Gross	NIL 746.41
	Legal Retainer	NIL 10,204.20
	Sundry Refunds	NIL 118.26
		<u>NIL 429,072.77</u>
	COST OF REALISATIONS	
	Administrators' Disbursements	1,708.80 1,708.80
	Administrators' Fees	74,826.69 74,826.69
	Agents' Fees & Disbs	NIL 2,660.95
	Bank Charges	NIL 37.21
	Corporation Tax	NIL 127.30
	Employee Agents	NIL 1,020.00
	Insurance	NIL 5,099.67
	Irrecoverable VAT	15,511.09 29,373.82
	Legal Fees & Disbs	NIL 59,009.50
	PR agents	NIL 1,393.22
	Property Agents' Fees & Disbs	NIL 6,250.00
		<u>(92,046.58) (181,507.16)</u>
	PREFERENTIAL CREDITORS	
	Preferential RPS	2,593.85 2,593.85
		<u>(2,593.85) (2,593.85)</u>
	FLOATING CHARGE CREDITS	
	Floating Charge (1)	NIL 193,019.00
		<u>NIL (193,019.00)</u>
	UNSECURED CREDITORS	
(1,027,503.00)	Trade & Expense Creditors	43,531.94 43,531.94
	Unsecured HMRC	7,444.91 7,444.91
	Unsecured RPS	975.91 975.91
		<u>(51,952.76) (51,952.76)</u>
	DISTRIBUTIONS	
(101.00)	Ordinary Shareholders	NIL NIL
		<u>NIL NIL</u>
<u>(510,492.00)</u>		<u><u>(146,593.19)</u> NIL</u>
		<u><u>NIL</u></u>

Note:

A first and final preferential dividend of 100 pence in the pound was declared on 16 April 2020 which totalled £2,593.85

A first and final unsecured dividend of 27.71 pence in pound was declared on 16 April 2020 which totalled £51,952.76.



Tel: +44 (0)151 237 4500
Fax: +44 (0)151 237 4545
www.bdo.co.uk

5 Temple Square
Temple Street
Liverpool
L2 5RH

TO ALL KNOWN CREDITORS AND SHAREHOLDERS

13 May 2020

Our Ref : 00283383/C3/SMR/AM

Please ask for
David Forster
0151 237 4530
BRCMT@bdo.co.uk

Dear Madams/Sirs

Orchard Care Homes.com (5) Limited - In Administration ('the Company')
Registered number: 06882622
In the High Court of Justice Chancery Division Companies Court No 004019 of 2018

I now supply my final report in respect of this Administration reporting on the progress made in implementing the approved proposals ('the Proposals') and achieving the statutory purpose of the Administration.

This report covers the period of 15 November 2019 to 13 May 2020 ('the Final Period') and should be read in conjunction with previous reports.

The Company will now move from Administration to dissolution in accordance with the Proposals.

1 Statutory Information

The Joint Administrators are Sarah Rayment (officeholder number: 9162) of BDO LLP, 55 Baker Street, London, W1U 7EU and Kerry Bailey (officeholder number: 8780) of BDO LLP, 3 Hardman Street, Spinningfields, Manchester, M3 3AT and they were appointed in respect of the Company on 15 May 2018.

Under the provisions of paragraph 100(2) of Schedule B1 to the Insolvency Act 1986 the Administrators carry out their functions jointly and severally meaning any action can be done by one Administrator or by both of them.

The Joint Administrators were appointed by the landlords of the Company, Hollyblue Healthcare (Chorley & Norton Lees) Limited and Hollyblue Healthcare (Haslingden) Limited ('the Landlords'), in their capacity as qualifying floating charge holders, pursuant to Paragraph 14 of Schedule B1 to the Insolvency Act 1986. The Administration proceedings are dealt with in the High Court of Justice Chancery Division Companies Court and the court case number is 004019 of 2018.

The Company's registered office is situated at 3 Hardman Street, Spinningfields, Manchester, M3 3AT and the registered number is 06882622.

2 Receipts & Payments

I enclose, for your information, a summary of my receipts and payments to date showing a nil balance in hand, together with a copy of my summary account covering the Final Period.

BDO LLP, a UK limited liability partnership registered in England and Wales under number OC305127, is a member of BDO International Limited, a UK company limited by guarantee, and forms part of the international BDO network of independent member firms. A list of members' names is open to inspection at our registered office, 55 Baker Street, London W1U 7EU. BDO LLP is authorised and regulated by the Financial Conduct Authority to conduct investment business

The Joint Administrators are Data Controllers as defined by the General Data Protection Regulations. BDO LLP will act as Data Processor on the instruction of the Data Controllers. Personal data will be kept secure and processed only for matters relating to the Administration of Orchard Care Homes.com (5) Limited. Please see the privacy statement at <https://www.bdo.co.uk/en-gb/privacy-notice/insolvencies>

The transactions shown are self-explanatory, with the payments made to preferential and unsecured creditors and in relation to Joint Administrators' fees and disbursements, discussed in further detail later in the report.

3 Costs in the Administration

No professional fees and other expenses have been paid in the Final Period and no further professional fees are anticipated.

4 Summary of the Joint Administrators Proposals

- (a) The first objective is the rescuing the Company as a going concern (i.e. restructuring the Company's business, resulting in the survival of the Company). This objective was not achievable for the Company due to the total liabilities exceeding the Company's assets.
- (b) The second objective is to achieve a better result for the Company's creditors as a whole than would be likely if the Company were wound up (without first being in Administration). This objective was achieved with a distribution being made to each class of creditor.
- (c) The final objective is realising property in order to make a distribution to one or more secured or preferential creditors. This objective has been achieved as discussed in further detail in section 7 of this report.

Please see below a summary of the Joint Administrator's Proposals presented to creditors on 9 July 2018 and approved on 26 July 2018.

- (a) They continue to realise assets in accordance with Objective 3 of the statutory purpose of the Administration, and they make payments to the secured and preferential creditors and distribute to the unsecured creditors from the Prescribed Part.

As detailed above, this proposal was achieved due to a distribution being made to all classes of creditors in this Administration, as discussed further in section 7.

- (b) They exit the Administrations by way of a dissolving the Company under paragraph 84 of Sch. B1 to the Act.

The Joint Administrators will now take the necessary steps to move the Company to dissolution in accordance with proposal (b).

- (c) That a creditors' committee be established if sufficient creditors are willing to be members. (such committee must comprise of between 3 and 5 creditors)

Creditors did not seek to form a committee in accordance with resolution (c).

4 Future of the Administration

The Joint Administrators have achieved the statutory purpose of the Administration and will now take the necessary steps to move the Company to dissolution.

5 Assets

All assets have now been realised.

I can confirm that there are no assets of a peculiar or special nature which cannot be sold. Consequently there has been no distribution of unsold assets to creditors, as mentioned in Rules 18.10114.13 of the Insolvency (England & Wales) Rules 2016.

6 Investigations

The Joint Administrators have a duty to investigate the affairs of the Company to establish if there any actions that can be pursued for the benefit of investors and creditors as a whole, including investigations into the conduct of the Company officers (including de facto and shadow officers).

In this latter respect, the Joint Administrators must submit a confidential report to the Secretary of State regarding the conduct of all directors and shadow directors during three years preceding the Administration appointments and I can confirm a report has been submitted.

I have completed my review of the Company's affairs and assets to establish whether there are any actions that can be investigated for the benefit of the creditors and concluded there are no causes of action to be pursued.

7 Prospects for Creditors

Secured Creditors

As previously reported, the Landlords have the benefit of debentures conferring fixed and floating charges over the Company and their undertaking, which were both created on 18 March 2013. The Landlords also have the benefit of two Rent Security Deposit Deeds over rent deposit accounts held by Knight Frank LLP, which were created on 19 March 2013.

The Landlords were owed £200,787 for unpaid rent up to March 2018. Further rent liabilities and other costs have accrued and not been paid since March 2018, which have in part been settled from the Rent Security Deposit Deeds. The Landlords total claim now equals £883,189.

A floating charge distribution totalling £193,019 has been made to the Landlords as shown on the enclosed Receipts and Payments account. It is anticipated that there will be no further distribution to the secured creditors and therefore the Landlords will suffer a shortfall in respect of the liabilities due from the Company.

Preferential Creditors

Preferential claims are defined as monies owed to former employees in respect of arrears of wages and accrued holiday pay at the date of the Administration. No arrears of wages or accrued holiday pay claims are anticipated in this matter.

The Redundancy Payments Service ('RPS') had a preferential claim totalling £2,594 in respect of unpaid pension contributions.



As shown on the enclosed Receipts and Payments account a first and final preferential dividend of 100 pence in the pound was declared and paid on 16 April 2020 to the RPS, which totalled £2,594.

The preferential creditors have been paid in full. There will be no further distribution to the preferential creditors.

Unsecured Creditors & Prescribed Part

To date, unsecured creditor claims totalling £1,018,311 have been received. Based on present information, I can confirm that there will be no dividend payable in this matter, other than by way of the prescribed part.

Under Section 176A of the Insolvency Act 1986 where after 15 September 2003 a company has granted a floating charge to a creditor, a proportion of the net property of that company must be made available purely for the unsecured creditors.

The prescribed part provisions will apply in this matter. A first and final unsecured dividend of 27.71 pence in pound was declared during the Final Period which totalled £51,953 as shown on the enclosed Receipts and Payments account. There are no funds remaining to declare any further dividend to the unsecured creditors.

8 Joint Administrators' Remuneration

The Joint Administrators were obliged to fix their remuneration in accordance with Rule 18.16. This permits remuneration to be fixed either:

- (1) As a percentage of the assets realised and distributed; and/or
- (2) By reference to the time the Joint Administrators and the staff have spent attending to matters in the Administration; and/or
- (3) As a set amount; and/or
- (4) As a combination of the above.

In respect of this Administration, as the Joint Administrators have made a Paragraph 52 (1)(b) statement in their proposals, the Joint Administrators' remuneration will be subject to the approval of the secured and preferential creditors. The secured and preferential creditors have approved the Joint Administrators' remuneration as detailed below.

I attach two schedules detailing the time costs incurred to date. The first schedule covers the period 15 November 2019 to 1 May 2020. This records time costs of £10,846 which represents 58 hours spent at an average charge out rate of £187 per hour.

The second schedule covers the whole period of appointment and records time costs of £86,865 which represents 389 hours spent at an average charge out rate of £223 per hour.

I also attach the Joint Administrators' Fee Estimate annotated with a column showing the time costs accrued in respect of each activity together with a detailed description of the work undertaken.

During the Final Period, the secured and preferential creditors have agreed the Joint Administrators' remuneration on a time costs basis, as set out in the Fees Estimate, but capped at £75,000 plus VAT. The Joint Administrators have drawn final remuneration of £74,826.69 plus VAT and disbursements in line with the fee approval obtained.

For guidance, I a document that outlines the policy of BDO LLP in respect of fees and disbursements.

9 Joint Administrators' Disbursements

Where disbursements are recovered in respect of precise sums expended to third parties there is no necessity for these costs to be authorised. These are known as category 1 disbursements. Since my last report no category 1 disbursements have been incurred.

Some Administrators recharge expenses, for example printing, photocopying and telephone costs, which cannot economically be recorded in respect of each specific case. Such expenses, which are apportioned to cases, require the approval of the creditors before they can be drawn, and these are known as category 2 disbursements. The policy of BDO LLP in respect of this appointment is not to charge any category 2 disbursements with the exception of mileage on the basis of the mileage scale approved by HMRC, being 45p per mile unless otherwise disclosed to the creditors. No category 2 disbursements have accrued during the Final Period.

Total disbursements of £1,709 have been incurred in this Administration as detailed below.

	Cat. 1 (£)	Cat. 2 (£)	Total (£)
Bonding	200.00	-	200.00
Consulting Fees	1,393.22	-	1,393.22
Courier Charges	36.82	-	36.82
Mileage	-	78.76	78.76
Total	1,630.04	78.76	1,708.80

Disbursements totalling £1,709 have been drawn during the Final Period as shown on the enclosed Receipts and Payments account.

10 Joint Administrators' Release from Liability

In accordance with Paragraph 98 of Schedule B1 to the Insolvency Act 1986, I would like to request that the Joint Administrators be discharged from liability.

However, as Paragraph 52(1)(b) of Schedule B1 to the Act applies in this Administration, the Joint Administrators' release from liability will be sought separately from the Company's secured and preferential creditors.

11 Creditors' Rights and Enquiries

The Insolvency Service has established a central gateway for considering complaints in respect of insolvency practitioners. In the event that you make a complaint to me but are not satisfied with the response from me then you should visit



<https://www.gov.uk/complain-about-insolvency-practitioner> where you will find further information on how you may pursue the complaint.

Creditors with the concurrence of at least 5% in value of the unsecured creditors may within 21 days of this report request in writing further information regarding the remuneration and expenses set out in this report. In accordance with Rule 18.9(3) of the Rules within 14 days of a request we will provide further information or explain why further information is not being provided. Creditors may access information setting out creditors' rights in respect of the approval of the Joint Administrators' remuneration at <https://www.bdo.co.uk/en-gb/insights/advisory/business-restructuring/creditors-guides>.

A creditor (who need not be the creditor who asked for the information) may, with the concurrence of at least 5% or more in value of the creditors (including the creditor in question), apply to the court within 21 days of our response or the expiry for the period of my response and the court may make such order as it thinks fit (Rule 18.9(6)&(7) of the Rules).

Creditors with the concurrence of at least 10% of the creditors may apply to the court if they consider that the remuneration of the Administrators, or the basis fixed for the remuneration of the Administrator or expenses charged by the Administrator are excessive (Rule 18.34 of the Rules). Such an application must be made within 8 weeks of receiving this report. The text of Rules 18.9 and 18.34 are set out at the end of this report.

The Joint Administrators are bound by the Insolvency Code of Ethics when carrying out all professional work relating to this appointment. A copy of the code can be found at: <https://www.icaew.com/technical/ethics/icaew-code-of-ethics/icaew-code-of-ethics>.

Please contact me or my colleague David Forster at BRCMT@bdo.co.uk if you require further information.

Yours faithfully
for and on behalf of
Orchard Care Homes.com (5) Limited

Sarah Rayment
Joint Administrator
Authorised by the Insolvency Practitioners Association in the UK

Enclosures:
Receipts and Payments Account
SIP 9 Time Cost Report for the Final Period
SIP 9 Time Cost Report for the period of Administration
Fees Estimate to Accrued Time Comparison
Last Notice to Creditors about Dividend
BDO LLP Policy in Respect of Fees and Disbursements
Statement of Creditors' Rights in respect of Fees and Disbursements

Orchard Care Homes.com (5) Limited
(In Administration)
Joint Administrators' Summary of Receipts & Payments

Statement of Affairs £	From 15/11/2019 To 13/05/2020 £	From 15/05/2018 To 13/05/2020 £
	FIXED CHARGE ASSETS	
	Leasehold Property	NIL 2.00
	Goodwill	NIL 2.00
	Intellectual Property	NIL 2.00
	Customer Contracts	NIL 2.00
	Sellers Records	NIL 2.00
		<u>NIL 10.00</u>
	FIXED CHARGE CREDITORS	
	Secured Creditor	NIL 10.00
		<u>NIL (10.00)</u>
	ASSET REALISATIONS	
256,919.00	Book debts	NIL 81,142.30
141,172.00	Cash at Bank	NIL 217,840.84
21,000.00	Furniture & Equipment	NIL 21,000.00
98,021.00	Intercompany Debt	NIL 98,020.76
	Interest Gross	NIL 746.41
	Legal Retainer	NIL 10,204.20
	Sundry Refunds	NIL 118.26
		<u>NIL 429,072.77</u>
	COST OF REALISATIONS	
	Administrators' Disbursements	1,708.80 1,708.80
	Administrators' Fees	74,826.69 74,826.69
	Agents' Fees & Disbs	NIL 2,660.95
	Bank Charges	NIL 37.21
	Corporation Tax	NIL 127.30
	Employee Agents	NIL 1,020.00
	Insurance	NIL 5,099.67
	Irrecoverable VAT	15,511.09 29,373.82
	Legal Fees & Disbs	NIL 59,009.50
	PR agents	NIL 1,393.22
	Property Agents' Fees & Disbs	NIL 6,250.00
		<u>(92,046.58) (181,507.16)</u>
	PREFERENTIAL CREDITORS	
	Preferential RPS	2,593.85 2,593.85
		<u>(2,593.85) (2,593.85)</u>
	FLOATING CHARGE CREDITS	
	Floating Charge (1)	NIL 193,019.00
		<u>NIL (193,019.00)</u>
	UNSECURED CREDITORS	
(1,027,503.00)	Trade & Expense Creditors	43,531.94 43,531.94
	Unsecured HMRC	7,444.91 7,444.91
	Unsecured RPS	975.91 975.91
		<u>(51,952.76) (51,952.76)</u>
	DISTRIBUTIONS	
(101.00)	Ordinary Shareholders	NIL NIL
		<u>NIL NIL</u>
<u>(510,492.00)</u>		<u><u>NIL</u></u>
		<u><u>NIL</u></u>

Note:

A first and final preferential dividend of 100 pence in the pound was declared on 16 April 2020 which totalled £2,593.85

A first and final unsecured dividend of 27.71 pence in pound was declared on 16 April 2020 which totalled £51,952.76.

Summary of Time Charged and Rates Applicable for the Period From 15/11/2019 to 01/05/2020

Description	PARTNER		MANAGER		ASSISTANT MANAGER		SENIOR ADMINISTRATOR		ADMINISTRATOR		OTHER STAFF		GRAND TOTAL		AV'RI
	Hours	Total £	Hours	Total £	Hours	Total £	Hours	Total £	Hours	Total £	Hours	Total £	Hours	Total £	
D. General Administration			3.75	603.10		133.35	1.35	748.05	10.05	748.05			15.15	1,484.50	97.9
H. Creditor Claims			6.10	2,238.20				817.80	11.50	817.80			17.60	3,056.00	173.6
I. Reporting	1.70	1,050.30	3.40	972.80		144.10	1.10	529.05	7.25	529.05			13.45	2,696.25	200.4
J. Distribution and Closure			11.65	3,609.05									11.65	3,609.05	309.7
	1.70	1,050.30	24.90	7,423.15	0.00	0.00	2.45	277.45	28.80	2,094.90	0.00	0.00	57.85	10,845.80	

Net Total	57.85	10,845.80
Secretarial Expense		0.00
Other Disbursements Billed		0.00
Grand Total		10,845.80

Detail of Time Charged and Rates Applicable for the Period From 15/05/2018 to 01/05/2020

Description	PARTNER		MANAGER		ASSISTANT MANAGER		SENIOR ADMINISTRATOR		ADMINISTRATOR		OTHER STAFF		GRAND TOTAL	
	Hours	Total £	Hours	Total £	Hours	Total £	Hours	Total £	Hours	Total £	Hours	Total £	Hours	Total £
B. Steps on Appointment														
02. Statutory Documentation			3.20	1,056.60	10.75	2,225.25	2.05	238.25	9.75	655.75			25.75	4,175.85
04. Meet Directors Debtors etc.			3.25	1,082.25	8.45	1,749.15			8.50	1,496.00			3.25	1,082.25
07. Attendance at Premises													16.95	3,245.15
08. Detail Documentation Review	0.10	53.30											0.10	53.30
09. Preparation of Proposals			3.10	622.00					7.40	501.30			10.50	1,123.30
12. Setting up Internal Files					2.40	496.80			1.40	93.80			3.80	590.60
sub total -	0.10	53.30	9.55	2,760.85	21.60	4,471.20	2.05	238.25	27.05	2,746.85			60.35	10,270.45
B. Steps on Appointment														
D. General Administration														
02. VAT									0.45	31.05			0.45	31.05
03. Taxation			5.50	1,875.50	0.25	53.00							5.75	1,928.50
04. Instruct Live Solicitors			11.25	3,836.25	0.80	169.60							12.05	4,005.85
05. Investigations			1.00	341.00									1.00	341.00
06. Conduct Reports					0.60	127.20			1.95	226.20			2.55	353.40
07. Receipts Payments Accounts			15.30	4,514.95	0.30	50.70	4.95	537.75	12.65	653.35	0.25	16.95	33.45	6,073.70

Detail of Time Charged and Rates Applicable for the Period From 15/05/2018 to 01/05/2020

Description	PARTNER		MANAGER		ASSISTANT MANAGER		SENIOR ADMINISTRATOR		ADMINISTRATOR		OTHER STAFF		GRAND TOTAL	
	Hours	Total £	Hours	Total £	Hours	Total £	Hours	Total £	Hours	Total £	Hours	Total £	Hours	Total £
08. Remuneration Issues			1.60	486.20			4.10	515.70	2.00	138.00			1.60	486.20
09. Statutory Matters			1.10	260.50									7.20	914.20
13. General Meetings			0.75	249.75									0.75	249.75
15. Gen. Admin Correspondence	6.20	4,419.30	6.60	2,024.60	5.10	1,055.70	5.05	606.55	38.15	2,683.25			61.10	10,789.40
sub total -	6.20	4,419.30	43.10	13,588.75	7.05	1,456.20	14.10	1,660.80	55.20	4,031.85	0.25	16.95	125.00	25,173.05
D. General Administration														
E. Assets Realisation/Dealing			3.50	1,165.50	2.25	465.75							5.75	1,631.25
06. Property Related Matters			10.25	3,495.25									10.25	3,495.25
07. Debt Collection			1.50	499.50									1.50	499.50
08. Dealing with Chattel Assets			1.00	341.00									1.00	341.00
09. Dealing with other Assets														
12. Retention of Title					2.35	489.95							2.35	489.95
14. Sale of Business/Assets	1.50	1,121.00	17.00	5,733.00	7.70	1,593.90							26.20	8,447.90
sub total -	1.50	1,121.00	33.25	11,234.25	12.30	2,549.60							47.05	14,904.85
E. Assets Realisation/Dealing														
F. Trading Related Matters														
01. Establish Business Control	1.00	741.00											1.00	741.00

Detail of Time Charged and Rates Applicable for the Period From 15/05/2018 to 01/05/2020

Description	PARTNER		MANAGER		ASSISTANT MANAGER		SENIOR ADMINISTRATOR		ADMINISTRATOR		OTHER STAFF		GRAND TOTAL	
	Hours	Total £	Hours	Total £	Hours	Total £	Hours	Total £	Hours	Total £	Hours	Total £	Hours	Total £
06. Monitor Supervise Trading			4.25	1,415.25									4.25	1,415.25
08. Trading Accounts	0.10	53.30	7.75	2,612.75	0.50	106.00							8.35	2,772.05
99. Other Matters					2.20	458.90							2.20	458.90
sub total -	1.10	794.30	12.00	4,028.00	2.70	564.90							15.80	5,387.20
F. Trading Related Matters														
G. Employee Matters														
02. Dealing with Employees			3.75	1,248.75	1.15	238.05			0.50	90.00			5.40	1,576.80
sub total -			3.75	1,248.75	1.15	238.05			0.50	90.00			5.40	1,576.80
G. Employee Matters														
H. Creditor Claims														
02. Secured Creditors			3.50	1,193.50									3.50	1,193.50
03. Preferential Creditors			6.50	2,431.00									6.50	2,431.00
04. Non-Preferential Creditors			1.20	287.00	9.95	2,059.65			25.95	1,864.05			37.10	4,210.70
99. Other Matters					0.30	38.10			0.80	56.80			1.10	94.90
sub total -			11.20	3,911.50	10.25	2,097.75			26.75	1,920.85			48.20	7,930.10
H. Creditor Claims														
I. Reporting														
01. Statutory Reporting	0.50	391.50	19.70	6,571.00	7.90	1,674.80	4.95	633.05	20.25	1,463.55			53.30	10,733.90
02. Reporting to Appointor	1.00	741.00	8.50	2,898.50									9.50	3,639.50

Detail of Time Charged and Rates Applicable for the Period From 15/05/2018 to 01/05/2020

Description	PARTNER		MANAGER		ASSISTANT MANAGER		SENIOR ADMINISTRATOR		ADMINISTRATOR		OTHER STAFF		GRAND TOTAL	
	Hours	Total £	Hours	Total £	Hours	Total £	Hours	Total £	Hours	Total £	Hours	Total £	Hours	Total £
04. Reporting to Creditors	2.20	1,191.80	5.40	1,615.80									7.60	2,807.60
sub total -														
1. Reporting	3.70	2,324.30	33.60	11,085.30	7.90	1,674.80	4.95	633.05	20.25	1,463.55			70.40	17,181.00
J. Distribution and Closure														
01. Closure Planning			0.20	49.40									0.20	49.40
02. Distributions			14.45	4,299.25					1.10	92.40			15.55	4,391.65
sub total -														
J. Distribution and Closure			14.65	4,348.65					1.10	92.40			15.75	4,441.05
Net Total														86,864.50
Secretarial Expense														0.00
Other Disbursements														0.00
Billed														0.00
Grand Total														86,864.50



Orchard Care Homes.com (5) Limited - In Administration
Sarah Rayment of BDO LLP, 55 Baker Street, London, W1U 7EU and Kerry Bailey of BDO LLP, 3 Hardman Street, Spinningfields, Manchester, M3 3AT were appointed Joint Administrators on 15 May 2018.

**Fees Estimate as at 27 February
2020 compared to time accrued as
at 1 May 2020**

Joint Administrators' Fees	Total Hours	Blended Rate £	Accrued Fee £	Estimated Fee £
Summary Activity				
A. Pre Appointment Matters	1.00	741.00	741.00	-
B. Steps on Appointment	60.35	170.18	10,270.45	10,270.45
C. Planning and Strategy	-	-	-	-
D. General Administration	125.90	212.54	25,173.05	25,500.00
E. Assets Realisation/Dealing	47.05	316.78	14,904.85	14,904.85
F. Trading Related Matters	15.80	341.00	5,387.80	5,387.80
G. Employee Matters	5.40	292.00	1,576.80	2,000.00
H. Creditor Claims	48.20	190.57	7,930.10	8,500.00
I. Reporting	70.40	262.69	17,181.00	17,500.00
J. Distribution & Closure	15.75	256.22	4,441.05	4,000.00
TOTAL	388.85	235.35	86,864.50	88,063.10

Expenses Estimate

Officeholder CAT 1 Disbursements	1,630.04	1,630.04
Officeholder CAT 2 Disbursements	78.76	78.76
Other Expenses		
Agent's Costs	8,910.95	8,910.95
Solicitor's costs	59,009.50	59,009.50

The fees that have accrued are within the level of the Fees Estimate and I do not anticipate exceeding the estimate in the Administration. The secured and preferential creditors have agreed the Joint Administrators' remuneration on a time costs basis, as set out in the Fees Estimate, but capped at £75,000 plus VAT and disbursements.

Detail of Work Undertaken

The majority of the work undertaken during the Period relates to agreeing creditor claims, making the distributions to creditors, preparing the case for closure and reporting to creditors.



Last Notice to Creditors about Dividend (Rule 14.37) of the Insolvency (England and Wales) Rules 2016

Orchard Care Homes.com (5) Limited - In Administration ('the Company')
Registered Number: 06882622

In the Matter of the Insolvency Act 1986

All of the Company's assets have been realised and the funds have already been distributed to creditors and used to meet expenses of the insolvency proceedings. There are no funds remaining to declare any further dividend to creditors.

.....
Sarah Rayment
Joint Administrator
Authorised by the Insolvency Practitioners Association in the UK

The Joint Administrators are Sarah Rayment (officeholder number: 9162) of BDO LLP, 55 Baker Street, London, W1U 7EU and Kerry Bailey (officeholder number: 8780) of BDO LLP, 3 Hardman Street, Spinningfields, Manchester, M3 3AT and they were appointed in respect of the Company on 15 May 2018.

BDO LLP, a UK limited liability partnership registered in England and Wales under number OC305127, is a member of BDO International Limited, a UK company limited by guarantee, and forms part of the international BDO network of independent member firms. A list of members' names is open to inspection at our registered office, 55 Baker Street, London W1U 7EU. BDO LLP is authorised and regulated by the Financial Conduct Authority to conduct investment business

The Joint Administrators are Data Controllers as defined by the General Data Protection Regulations. BDO LLP will act as Data Processor on the instruction of the Data Controllers. Personal data will be kept secure and processed only for matters relating to the Administration of Orchard Care Homes.com (5) Limited. Please see the privacy statement at <https://www.bdo.co.uk/en-gb/privacy-notice/insolvencies>



Orchard Care Homes.com (5) Limited - In Administration

In accordance with best practice, I provide below details of policies of BDO LLP in respect of fees and expenses for work in relation to the above insolvency.

The current charge out rates per hour of staff within my firm who may be involved in working on the insolvency, follows:

GRADE	£
Partner	549-783
Manager	242-380
Assistant Manager	218
Senior Administrator	206
Administrator	119-185
Other Staff	73-77

This in no way implies that staff at all such grades will work on the case. The rates charged by BDO LLP are reviewed on a regular basis and are adjusted to take account of inflation and the firm's overheads.

Time spent on casework is recorded directly to the relevant case using a computerised time recording system and the nature of the work undertaken is recorded at that time. Units of time can be as small as 3 minutes. BDO LLP records work in respect of insolvency work under the following categories:-

Pre Appointment
Steps upon Appointment
Planning and Strategy
General Administration
Asset Realisation/Management
Trading Related Matters
Employee Matters
Creditor Claims
Reporting
Distribution and Closure
Other Issues.

Under each of the above categories, the work is recorded in greater detail in sub categories. Please note that the 11 categories provide greater detail than the six categories recommended by the Recognised Professional Bodies who are responsible for licensing and monitoring insolvency practitioners.

Where an officeholder's remuneration is approved on, a time cost basis the time invoiced to the case will be subject to VAT at the prevailing rate.

Where remuneration has been approved on a time costs basis a periodic report will be provided to any committee appointed by the creditors or in the absence of a committee to the creditors. The report will provide a breakdown of the remuneration drawn and will enable the recipients to see the average rates of such costs.

1) Other Costs

Where expenses are incurred in respect of the insolvent estate, they will be recharged. Such expenses can be divided into two categories



2) Category 1

This heading covers expenses where BDO LLP has met a specific cost in respect of the insolvent estate where payment has been made to a third party. Such expenses may include items such as advertising, couriers, travel (by public transport), land registry searches, fees in respect of swearing legal documents etc. In each case, the recharge will be reimbursement of a specific expense incurred.

3) Category 2

We propose to recover from the estate the cost of travel where staff use either their own vehicles or company cars in travelling connected with the insolvency. In these cases a charge of 45p per mile is raised which is in line with the HM Revenue & Customs Approved Mileage Rates (median - less than 10,000 miles per annum) which is the amount the firm pays to staff. Where costs are incurred in respect of mileage, approval will be sought in accordance with the Insolvency (England and Wales) Rules 2016 to recover this disbursement.

Where applicable, all disbursements will be subject to VAT at the prevailing rate.

BDO LLP
13 May 2020



Statement from the Insolvency (England and Wales) Rules 2016 regarding the rights of creditors in respect of the Joint Administrators' fees and expenses:

Creditors' and members' requests for further information in administration, winding up and bankruptcy

18.9.—(1) The following may make a written request to the office-holder for further information about remuneration or expenses (other than pre-administration costs in an administration) set out in a progress report under rule 18.4(1)(b), (c) or (d) or a final report under rule 18.14—

- (a) a secured creditor;
- (b) an unsecured creditor with the concurrence of at least 5% in value of the unsecured creditors (including the creditor in question);
- (c) members of the company in a members' voluntary winding up with at least 5% of the total voting rights of all the members having the right to vote at general meetings of the company;
- (d) any unsecured creditor with the permission of the court; or
- (e) any member of the company in a members' voluntary winding up with the permission of the court.

(2) A request, or an application to the court for permission, by such a person or persons must be made or filed with the court (as applicable) within 21 days of receipt of the report by the person, or by the last of them in the case of an application by more than one member or creditor.

(3) The office-holder must, within 14 days of receipt of such a request respond to the person or persons who requested the information by—

- (a) providing all of the information requested;
- (b) providing some of the information requested; or
- (c) declining to provide the information requested.

(4) The office-holder may respond by providing only some of the information requested or decline to provide the information if—

- (a) the time or cost of preparation of the information would be excessive; or
- (b) disclosure of the information would be prejudicial to the conduct of the proceedings;
- (c) disclosure of the information might reasonably be expected to lead to violence against any person; or
- (d) the office-holder is subject to an obligation of confidentiality in relation to the information.

(5) An office-holder who does not provide all the information or declines to provide the information must inform the person or persons who requested the information of the reasons for so doing.

(6) A creditor, and a member of the company in a members' voluntary winding up, who need not be the same as the creditor or members who requested the information, may apply to the court within 21 days of—

- (a) the office-holder giving reasons for not providing all of the information requested; or
- (b) the expiry of the 14 days within which an office-holder must respond to a request.

(7) The court may make such order as it thinks just on an application under paragraph (6).

Remuneration and expenses: application to court by a creditor or member on grounds that remuneration or expenses are excessive

18.34.—(1) This rule applies to an application in an administration, a winding-up or a bankruptcy made by a person mentioned in paragraph (2) on the grounds that—

- (a) the remuneration charged by the office-holder is in all the circumstances excessive;
- (b) the basis fixed for the office-holder's remuneration under rules 18.16, 18.18, 18.19, 18.20 and 18.21 (as applicable) is inappropriate; or
- (c) the expenses incurred by the office-holder are in all the circumstances excessive.

(2) The following may make such an application for one or more of the orders set out in rule 18.36 or 18.37 as applicable—

- (a) a secured creditor,
- (b) an unsecured creditor with either—
 - (i) the concurrence of at least 10% in value of the unsecured creditors (including that creditor), or
 - (ii) the permission of the court, or
- (c) in a members' voluntary winding up—
 - (i) members of the company with at least 10% of the total voting rights of all the members having the right to vote at general meetings of the company, or
 - (ii) a member of the company with the permission of the court.

(3) The application by a creditor or member must be made no later than eight weeks after receipt by the applicant of the progress report under rule 18.3, or final report or account under rule 18.14 which first reports the charging of the remuneration or the incurring of the expenses in question (the relevant report).

Applications under rules 18.34 and 18.35 where the court has given permission for the application

18.36.—(1) This rule applies to applications made with permission under rules 18.34 and 18.35.



- (2) Where the court has given permission, it must fix a venue for the application to be heard.
- (3) The applicant must, at least 14 days before the hearing, deliver to the office-holder a notice stating the venue and accompanied by a copy of the application and of any evidence on which the applicant intends to rely.
- (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 office-holder is entitled to charge;
 - (b) an order reducing any fixed 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 is not to be treated as expenses of the administration, winding up or bankruptcy;
 - (e) an order for the payment of the amount of the excess of remuneration or expenses or such part of the excess as the court may specify by —
 - (i) the administrator or liquidator or the administrator's or liquidator's personal representative to the company, or
 - (ii) the trustee or the trustee's personal representative to such person as the court may specify as property comprised in the bankrupt's estate;
 - (f) any other order that it thinks just.
- (5) An order under paragraph (4)(b) or (c) may only be made in respect of periods after the period covered by the relevant report.
- (6) Unless the court orders otherwise the costs of the application must be paid by the applicant, and are not payable as an expense of the administration, winding up or bankruptcy.

Applications under rule 18.34 where the court's permission is not required for the application

18.37.—(1) On receipt of an application under rule 18.34 for which the court's permission is not required, the court may, if it is satisfied that no sufficient cause is shown for the application, dismiss it without giving notice to any party other than the applicant.

- (2) Unless the application is dismissed, the court must fix a venue for it to be heard.
- (3) The applicant must, at least 14 days before any hearing, deliver to the office-holder a notice stating the venue with a copy of the application and of any evidence on which the applicant intends to rely.
- (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 office-holder is entitled to charge;
 - (b) an order reducing any fixed 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 or winding up or bankruptcy;
 - (e) an order for the payment of the amount of the excess of remuneration or expenses or such part of the excess as the court may specify by —
 - (i) the administrator or liquidator or the administrator's or liquidator's personal representative to the company, or
 - (ii) the trustee or the trustee's personal representative to such person as the court may specify as property comprised in the bankrupt's estate;
 - (f) any other order that it thinks just.
- (5) An order under paragraph (4)(b) or (c) may only be made in respect of periods after the period covered by the relevant report.
- (6) Unless the court orders otherwise the costs of the application must be paid by the applicant, and are not payable as an expense of the administration or as winding up or bankruptcy.