

**2.17B**

The Insolvency Act 1986

**Statement of administrator's proposals**

Name of Company  Sinus Personnel Limited	Company number  07307033
In the High Court of Justice, Chancery Division, Manchester District Registry  (full name of court)	Court case number  3443 of 2014

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

I/We (a)  
Lisa Marie Moxon  
Dow Schofield Watts Business Recovery LLP  
7700 Daresbury Park  
Daresbury  
Cheshire  
WA4 4BS

Christopher Benjamin Barrett  
Dow Schofield Watts Business Recovery LLP  
7700 Daresbury Park  
Daresbury  
Cheshire  
WA4 4BS

\*Delete as applicable

attach a copy of ~~my~~our proposals in respect of the administration of the above company

A copy of these proposals was sent to all known creditors on

(b) 16 February 2015

Signed

  
Joint Administrator(s)

Dated

16/2/2015

**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 researchers of the public record

Lisa Marie Moxon  
Dow Schofield Watts Business Recovery LLP  
7700 Daresbury Park  
Daresbury  
Cheshire  
WA4 4BS

DX Number

0844 7762740  
DX Exchange

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



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COMPANIES HOUSE

WEDNESDAY

**Joint Administrators' Proposals  
Relating to**

**Sirius Personnel Limited ("the Company")  
– In Administration**

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Christopher Benjamin Barrett and Lisa Marie Moxon of Dow Schofield Watts Business Recovery LLP are the Joint Administrators of the Company and these are the Joint Administrators' statutory proposals relating to the Company

I consider that the EC Regulation on Insolvency Proceedings applies and that these are "main" proceedings as defined in Article 3 of the EC Regulation as the centre of main interests of the Company is in the United Kingdom.

## **1. Background and Events Leading to Appointment**

The Company was incorporated on 7 July 2010 as Mike Hickman Logistics Limited, with Michael Andrew Hickman ("Mike Hickman") appointed as sole director of the Company

The original intention was for the Company to acquire an existing logistics business that the director was involved in. However, the transaction did not complete and as a result the Company sat dormant until mid-2011

In August 2011 Michael Dixon was appointed director of the Company. The Company's authorised share capital consisted of 2 ordinary shares of which both ordinary shares were issued and held by Mike Hickman and Michael Dixon. The Company changed its name to Driving Link Limited on 18 August 2011.

The directors were offered an opportunity in 2011 to purchase the goodwill of a transport recruitment business. The goodwill of the business was purchased for £50,000. This was funded personally by the directors, who remain creditors of the Company.

The Company continued to trade, specialising in training, temporary and permanent recruitment to large corporate businesses, central and local government, public bodies and the SME sector. It traded from leasehold premises at Hewitt House, Winstanley Road, Orrell, Wigan, WN5 7XA.

To assist with the working capital requirements of the Company, in October 2011, the Company entered into a factoring agreement with Bibby Financial Services Limited ("Bibby"). Bibby was granted an assignment of the Company's book debts and a debenture dated 11 October 2011, creating fixed and floating charges over the Company assets.

The first year of trading required substantial working capital and resource in order for the Company to comply with legislation in respect of driver compliance, working time directive and health and safety requirements. The financial statements for the year ended 1 September 2012 reveal that the Company achieved turnover of £815,864 and a small net profit after tax of £5,566.

The business progressed into its second year of trading, however it became apparent that limited new business was being brought in. The directors disagreed on the business plan to drive the Company forward which resulted in Michael Dixon resigning his position as director of the Company in February 2013. Due to the terms of Michael Dixon's employment contract, the former director continued to receive all salary and contractual benefits for the subsequent 12 months.

This was ultimately a cost burden which resulted in further cash flow difficulties for the Company. As a result, Mike Hickman took on a more active operational role in the business in an attempt to drive turnover and reduce the overheads.

In 2013, the Company had accrued arrears in VAT and PAYE with H M Revenue and Customs ("HMRC") As the Company was not in a position to discharge the liabilities, a time to pay agreement was entered into with HMRC

In 2013 Mike Hickman sought external investment in the Company Barry Davies, a contact of Mike Hickman agreed to purchase 50% of the Company's ordinary shares from Michael Dixon

On 25 June 2013 Jessica Ann Evans was appointed director of the Company and on the same date, Mike Hickman resigned as a director.

Following a short period of time, on 31 October 2013 Jessica Ann Evans resigned as director and Simon Haig Parry was appointed as a director of the Company The Company's name was changed to Advanced Training and Recruitment (UK) Limited in November 2013

Throughout 2013, the Company's turnover increased and the accounts for the year ended 31 August 2013 show that the Company's turnover had reached £1,355,056, however, despite the increase in turnover, a loss of £90,212 was incurred

In order to reduce the overheads of the Company, redundancies were effected Despite the attempt to reduce overheads the Company was in default of its time to pay agreement with HMRC A second time to pay agreement was negotiated, however the Company was struggling to maintain the monthly payments.

Simon Haig Parry resigned as director on 28 August 2014 and Craig Buckley was appointed as the sole director of the Company on the same date The Company changed its name to Sirius Personnel Limited on 15 September 2014

A summary of the Company's recent trading performance is shown below

	Financial Statements YE 31/08/2013 £	Financial Statements YE 01/09/2012 £
<b>Trading Profit and Loss account</b>		
Turnover	1,355,056	815,864
Cost of Sales	(1,191,780)	(647,110)
<b>Gross Profit</b>	<b>163,276</b>	<b>168,754</b>
Administrative Expenses	(245,516)	(155,879)
Operating Profit/(Loss)	(82,240)	12,875
Interest Receivable	37	7
Interest Payable	(12,932)	(5,413)
<b>Profit/(Loss) For The Financial Year</b>	<b>(95,135)</b>	<b>7,469</b>
Tax on (Loss)/Profit activities	(643)	(1,903)
Profit and loss account b/f	5,566	0
Profit and loss account c/f	<u>(90,212)</u>	<u>5,566</u>
<b>Directors' remuneration</b>		
Remuneration and benefits	40,122	55,000

Dividends	0	0
<b>Balance Sheet</b>		
<b>Fixed Assets</b>	7,675	4,658
<b>Current Assets</b>		
Stock	2,588	2,608
Debtors	240,800	280,834
Cash at Bank and in hand	8	22,457
	<u>243,396</u>	<u>305,899</u>
<b>Creditors (Due within 1 year)</b>	<u>(339,746)</u>	<u>(304,057)</u>
Net Current (Liabilities)/assets	(88,675)	6,500
<b>Provisions</b>	<u>(1,535)</u>	<u>(932)</u>
Net Assets	<u>(90,210)</u>	<u>5,568</u>
<b>Capital &amp; Reserves</b>		
Called-up equity share capital	2	2
Profit and Loss Account	<u>(90,212)</u>	<u>5,566</u>
Shareholder's Funds	<u>(90,210)</u>	<u>5,568</u>

No management accounts have been prepared since the statutory accounts

On 31 October 2014 the director formally engaged Dow Schofield Watts Business Recovery LLP to review the current financial position of the Company and advise the director on the options available to the Company including the possibility of a Company Voluntary Arrangement ("CVA")

A review of the business mid December 2014 did not identify a point at which trading would generate sufficient surplus cash to pay into a CVA to make it viable. Therefore it was not possible to propose a CVA. It was agreed that the best option would be to market the business for sale with a view to a disposal through a formal insolvency procedure.

Dow Schofield Watts Business Recovery LLP was engaged by the Company to provide Pre-Administration financial advice and undertake accelerated marketing for a disposal of the business.

On 22 December 2014, Christopher Benjamin Barrett and Lisa Marie Moxon were appointed Joint Administrators of the Company.

## 2 Objective of the Administration of the Company and the Joint Administrators' Strategy

The purpose of an administration is to achieve one of the three hierarchical objectives set out in the insolvency legislation, which are to

- (a) rescue the company as a going concern, or

- (b) 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), or
- (c) realise property in order to make a distribution to one or more secured or preferential creditors

Objective (a) could not be achieved as no purchaser could be found for the shares of the Company and the financial circumstances of the Company meant that a Company Voluntary Arrangement was not appropriate

The second objective could not be achieved as the amount due to the Company's secured creditors compared to the value of its assets means that there are only sufficient assets to make a distribution to the secured creditors

As a result, we are seeking to achieve Objective (c) for the Company, and the strategy to do so involved a pre-pack sale of the business and assets of the Company.

### **3. Financial Position of the Company and Action Taken Since Appointment**

The Joint Administrators decided that it was not appropriate to continue the business of the Company and that an immediate sale of the Company's business and assets was the best way to achieve the objective of the administration. As a result, following a period of marketing prior to our appointment as Administrators, on 22 December 2014 I sold the Company's business and certain assets to C-BUK Management Limited ("C-BUK"). Full details of this transaction was circulated to all creditors in my initial Notification of Appointment dated 23 December 2014. A further copy is attached at **Appendix A**

The assets included in the transaction were as follows

	£
Business IP Rights	1
Customer Contracts	1
Office Equipment	2,496
Goodwill	6,000
Seller's Records	1
Work in Progress	6,500
Stock	1
<b>Total</b>	<b><u>15,000</u></b>

Consideration of £5,000 was received on the day of completion with the remaining £10,000 consideration deferred and payable monthly as follows

£2,500 on 31 January 2015  
£2,500 on 28 February 2015  
£2,500 on 27 March 2015  
£2,500 on 30 April 2015

We have received the first payment of £2,500 on 29 January 2015

The going concern sale resulted in the employees of the Company transferring to C-BUK under the Transfer of Undertakings (Protection of Employment) Regulations 2006, therefore avoiding redundancies and the associated claims against the Company.

### ***Financial Position of the Company***

I have asked the director to prepare a summary of the Company's estimated financial position as at 22 December 2014, which is known as a Statement of Affairs. The director is in the process of finalising this document

I have prepared an estimate of the financial position of the Company as at 22 December 2014 from the records of the Company, and that is attached at **Appendix C**, together with a list of names and addresses of all known creditors, and the amounts of their debts. The Joint Administrators' estimate of the financial position of the Company does not take into account the costs of the Administration

Also attached at **Appendix D** is a summary of our receipts and payments relating to the Company for the period from when it entered administration on 22 December 2014, to the date of these proposals

My comments on the estimated financial position and the summary receipts and payments account are detailed below

#### **3.1 Book Debts**

The Company's book debts are assigned to the secured creditor, Bibby. At the date of Administration the Company's book debts totalled £231,834 and Bibby was owed £180,576 (prior to the application of termination and collection charges)

For statement of affairs purposes a specific bad debt provision (to take account of disapprovals) of £19,102 has been applied to the ledger, along with a general bad debt provision of 10% totalling £21,273.33. After the provisions have been applied the estimated to realise value of the assigned book debts totals £191,459

We have provided assistance to Bibby in the recovery of the assigned book debt ledger. To date book debt realisations total £152,919 and the sum of £57,729 remains outstanding to Bibby, including termination and collection charges which have been applied to the account

It is anticipated that there will be sufficient funds generated from the recovery of the assigned book debts to discharge Bibby's core liability in full

#### **3.2 Goodwill**

The goodwill of the Company had a nil book value at the date of appointment. The goodwill included the business name and business rights of the Company and was included in the sale to C-BUK for £6,003. The sum of £6,000 has been received from C-BUK in respect of the goodwill

The goodwill is subject to the fixed charge dated 11 October 2011 in favour of Bibby

### **3.3 Work in Progress ("WIP")**

At the date of Administration the Company had WIP and contracts with a book value of £42,000.

After consideration of the costs that would need to be incurred to complete the WIP and the profit margin, the Joint Administrators sold the WIP to C-BUK for the sum of £6,500. Consideration totalling £1,500 has been received to date, in respect of WIP.

### **3.4 Office Equipment**

At the date of appointment the Company owned office equipment with a book value of £4,362.86. An estimated to realise value of £700 on a forced sale basis and £1,050 on an in-situ basis was placed on the office equipment by JPS Chartered Surveyors ("JPS").

The office equipment was sold to C-BUK for the sum of £2,496. The consideration remains outstanding.

### **3.5 Stock**

At the date of Administration the Company held minimal stationary stock with a book value of £2,588. JPS advised that there was no realisable value.

The stock was sold to C-BUK for the sum of £1. The consideration remains outstanding.

### **3.6 Secured Creditor - Bibby**

Bibby, in addition to an assignment of the Company's book debts, has fixed and floating charges, created on 11 October 2011, over the assets of the Company. Bibby was owed £180,576 at the date of Administration (including termination charges).

As detailed at 3.1 it is anticipated that sufficient funds will be generated from the recovery of the assigned book debt ledger to discharge Bibby's core liability.

### **3.7 Preferential Creditors**

All employees transferred under the Transfer of Undertakings (Protection of Employment) Regulations 2006 (TUPE) to C-BUK, therefore there are no known preferential creditors.

### **3.8 Prescribed Part**

There are provisions of the insolvency legislation that require an administrator to set aside a percentage of a Company's assets for the benefit of the unsecured creditors in cases where the Company gave a "floating charge" over its assets to a lender on or after 15 September 2003.

Bibby is expected to be repaid in full from the assigned book debts and fixed charge realisations and will not be relying on its floating charge; therefore, the prescribed part provisions will not apply in respect of Bibby's floating charge.



### 3.9 Professional Advisors

The following professional advisors have been instructed to assist in this matter

<b>Professional Advisor</b>	<b>Nature of Work</b>	<b>Fee Arrangement</b>
JPS Chartered Surveyors	Valuation and advice on offer	Time Costs / Commission
Bermans LLP	Assisting with appointment formalities, preparation of the sale and purchase agreement and general advice to the Joint Administrators	Time Costs

The choice of professionals and the Joint Administrators' fee arrangement with them was based on our perception of their experience and ability to perform this type of work and the complexity and nature of the assignment

### 4. Proposed Future Actions of Joint Administrators

In order to achieve the objective of the administration of the Company we propose to complete investigations into the Company's affairs in the period prior to the administration and we will seek to realise any further assets that may be identified

We will continue to assist Bibby with recovery of the outstanding book debts and collect the deferred consideration. In addition, we will continue to deal with any creditor queries and monitor creditor claims received

The Company's financial position means that there are insufficient assets to pay a dividend to unsecured creditors, therefore it is anticipated that the Company will be dissolved after completion of the Administration

### 5 Joint Administrators' Investigations

We have a duty to consider the conduct of those who have been directors of the Company at any time in the three years preceding the administration. We are also required to investigate the affairs of the Company in general in order to consider whether any civil proceedings should be taken on its behalf. We should be pleased to receive from you any information you have that you consider will assist us in this duty. We would stress that this request for information forms part of our normal investigation procedure.

### 6. Joint Administrators' Proposals

In order to achieve the objective set out at Section 2 above, Christopher Benjamin Barrett and Lisa Marie Moxon of Dow Schofield Watts Business Recovery LLP, the Joint Administrators, formally propose to creditors that

- a) they continue to manage the business, affairs and property of the Company in order to achieve the purpose of the administration In particular that they
  - (i) assist in realising the outstanding book debts and recover the outstanding deferred consideration,
  - (ii) deal with any creditor queries, monitor creditor claims received and update their records accordingly,
  - (iii) sell the Company's assets at such time(s) and on such terms as they consider appropriate;
  - (iv) investigate and, if appropriate, pursue any claims that the Company may have against any person, firm or company whether in contract or otherwise, including any officer or former officer of the Company or any person, firm or company which supplies or has supplied goods or services to the Company, and
  - (v) do all such things and generally exercise all their powers as Joint Administrators as they consider desirable or expedient in order to achieve the purpose of the administration or protect and preserve the assets of the Company or maximise the realisations of those assets, or of any purpose incidental to these proposals
- b) The Administration shall end where any of the following shall occur
  - (i) If the Joint Administrators think that there are funds available to be distributed to the unsecured creditors, the Company may exit the administration by way of a Creditors Voluntary Liquidation, and that Christopher Benjamin Barrett and Lisa Marie Moxon be appointed the Joint Liquidators of the Company, without any further recourse to creditors In accordance with Paragraph 83(7) to schedule B1 to the Insolvency Act 1986 and with Rule 2 117A of the Insolvency Rules 1986, creditors may nominate a different person(s) as the proposed liquidator(s), but must make the nomination(s) at any time after receipt of these proposals, but before they are approved
  - (ii) If the Joint Administrators think that there are no funds available for distribution to the unsecured creditors, the Company may exit administration by way of dissolution
  - (iii) on the making of a Winding up Order against the Company by the court (or thereafter as the court otherwise directs) the Joint Administrators be permitted to propose that Christopher Benjamin Barrett and Lisa Marie Moxon be appointed the Joint Liquidators of the Company by the court
- c) they shall be authorised to draw their remuneration by reference to time properly spent by them and their staff in dealing with matters relating to the administration of the Company, such time to be charged at the hourly charge out rate of the grade of staff undertaking the work at the time it was undertaken Details of the current

charge out rates for the Joint Administrators and their staff are outlined in **Appendix F** of these proposals

Such remuneration to be paid out of the assets of the Company and drawn on account as and when funds permit without any further recourse to creditors.

- d) they be authorised to draw category 2 expenses as outlined in **Appendix F** of these proposals

## **7. Pre-Administration Costs**

Before a company enters into any form of insolvency proceedings, professional costs are necessarily incurred in order to ensure that

- > The most suitable form of proceedings is chosen, in the interests of creditors.
- > The mechanics of initiating the proceedings and appointing an insolvency practitioner are dealt with appropriately

The basis on which these costs are to be paid varies according to the insolvency procedure adopted. In the case of a company entering into administration, the administrator must make a 'Statement of Pre-Administration Costs', the content of which is prescribed by the Insolvency Rules, and seek approval for their payment from the creditors of the company.

Our Statement of Pre-Administration Costs is set out at **Appendix E**.

In this case, further work was also done in the interests of creditors prior to our appointment as Joint Administrators to prepare for the sale of the business and assets shortly following our appointment. It will be appreciated that, had this commercial opportunity not been available, it would have still been necessary to obtain valuations and instruct agents and solicitors to assist in disposing of the assets following our appointment, and for the Joint Administrators to manage and oversee the asset realisation process. To that extent, these costs are not additional costs that would have been saved, had the assets been disposed of later.

A separate resolution dealing with our pre-administration costs is on the proxy form accompanying this report. I should point out that this resolution does not comprise part of our formal proposals for the conduct of the administration.

## **8. Joint Administrators' Remuneration and Expenses**

We propose that our fees will be charged by reference to the time properly spent by the Joint Administrators and their staff in dealing with the matters relating to the administration of the Company. This time will be charged at the hourly charge out rate of the grade of staff undertaking the work at the time the work is undertaken. Information about current charge out rates is set out in **Appendix E**.

I also propose that we are permitted to charge what are known as category 2 expenses. Information about category 2 expenses is also set out in **Appendix E**.

As stated in section 10, we are not convening a meeting of creditors and consequently it will be for the chargeholder, Bibby to approve our remuneration and category 2 expenses.

In the period up until the date this report is prepared, our time costs amount to £3,242.50 representing 21.70 hours' work, at an average charge out rate of £149.42. **Appendix F** contains information about remuneration and expenses, including the total time spent on the affairs of the Company for the period from when it entered administration, 22 December 2014, to the date of these proposals, and the cost of that time based on the charge out rates of the staff undertaking the work.

Further information relating to Administrator's Remuneration can be found in 'A Creditor's Guide to Administrators' Fees' which can be accessed at the website of the Insolvency Practitioners' Association ([www.insolvency-practitioners.org.uk](http://www.insolvency-practitioners.org.uk) > Regulation and Guidance" > Creditors Guides to Fees), or the Institute of Chartered Accountants in England & Wales ([www.icaew.com](http://www.icaew.com) > Technical Resources > Insolvency > Creditors' Guides). The Guide also gives important information concerning creditors' rights. Alternatively a copy is available free of charge upon request to Dow Schofield Watts Business Recovery LLP.

#### **9. Discharge from Liability**

As there will be no return to unsecured creditors we will, in accordance with legislation, be seeking a resolution from the secured creditor for discharge from liability in respect of any actions of the Joint Administrators to take effect immediately following the Administrators ceasing to act.

#### **10. Meeting of Creditors**

I am not convening a meeting of creditors as in the Joint Administrators' opinion, it will not be possible to achieve the following objectives of an administration set out in the insolvency legislation, which are to

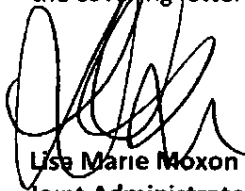
- (a) rescue the company as a going concern
- (b) achieve a better result for the company's creditors as a whole than would be likely if the company were wound up (without first being in administration)

However, creditors whose debts amount to at least 10% of the total debts of the Company can require the Joint Administrators to call a meeting. Such a request must be made to me on Form 2.21B within 8 business days of the date of the letter accompanying these proposals.

If creditors do not require me to convene a meeting of creditors within that time period, then our proposals will be deemed to have been approved.

Creditors are also entitled at a meeting of creditors to establish a Creditors' Committee should they so wish, provided that there are no fewer than three and no more than five wishing to be represented on the Committee.

Should you require any further information relating to these proposals or the administration of the Company please do not hesitate to contact Amy Lowden on the telephone number shown in the covering letter enclosing these proposals or by email to [amy@dswrecovery.com](mailto:amy@dswrecovery.com)

A handwritten signature in black ink, appearing to read 'Lisa Marie Moxon', is written over the printed name.

**Lisa Marie Moxon**  
**Joint Administrator**

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

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

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## **Appendix A**

### **Sirius Personnel Limited – In Administration**

#### **Pre-pack Sale Information**

## Appendix A

The Administrator's intend to pursue the statutory objective of realising property in order to make a distribution to one or more secured or preferential creditors. It is the view of the Administrators that the pre-pack sale enables the statutory purpose to be achieved and that the sale price achieved is the best reasonably obtainable in all the circumstances.

The Company's tangible assets had a relatively low value. If a sale of the business and certain assets could not be concluded it was considered likely that the business would be closed and the realisable value of the assets, including the book debts would be significantly diminished. In addition, the sale of the business and certain assets reduced the level of creditors as the employees transferred to the purchaser under the Transfer of Undertakings (Protection of Employment) Regulations 2006 (TUPE) avoiding redundancies.

- The Administrators' initial introduction was from the Company's advisors on 24 September 2014. At this time the director was considering proposing a Time to Pay Agreement to HM Revenue and Customs. The Time to Pay proposal was drafted on 1 October 2014, however the director took the view that it was no longer viable for the Company. On 31 October 2014, the director formally engaged Dow Schofield Watts Business Recovery LLP to review the current financial position of the Company and advise the director on the options available to the Company, including the possibility of a Company Voluntary Arrangement.
- Following a review of the financial position of the Company and after discussions were held with the director in mid December, it was agreed that the best option would be for us to assist with marketing the business for sale with a view to its disposal through a formal insolvency process.
- The following courses of action were considered by the Administrators:
  - Creditors Voluntary Liquidation / Compulsory Liquidation – The Company would have had to cease to trade and this would have resulted in lower tangible asset realisations and significantly reduced book debt collections due to the lack of continuation of supply for the Company's customers. In addition, employees would have to have been made redundant, resulting in associated preferential and non-preferential claims.
  - Company Voluntary Arrangement ("CVA") – A review of the business did not identify a point at which trading would generate sufficient surplus cash to pay into a CVA to make it viable. Therefore it was not possible to propose a CVA.
- It was not possible to trade the business, and offer it for sale as a going concern for a longer period of time, as there was no funding available or readily realisable assets to fund ongoing trading. Furthermore it was considered that any other external interest was unlikely to result in any offer significantly higher than that obtained from the pre-administration marketing carried out.
- The Company's business and assets were marketed for sale. A sales flyer setting out brief details of the business was circulated to potential interested parties on 15 December 2014 and advertised on the website of JPS Chartered Surveyors. An initial deadline for offers was set for 19 December 2014.

As a result of the marketing, expressions of interest were received from 7 parties, 5 of which signed non-disclosure agreements ("NDA's") with the Company. Following receipt of the signed NDA's they were supplied with further information about the business and its assets.

An offer was received for the business and certain assets of the Company on 18 December 2014 from C-BUK Management Limited, registration number 08837006 ("C-BUK"), a connected entity, in the sum of £15,000. C-BUK is a connected company by virtue of the common directorship of Craig Buckley.

- The Company's tangible assets were valued by Michael Gabel of JPS Chartered Surveyors ("JPS") in accordance with The RICS Valuation Professional Standards. Mr Gabel has confirmed his independence. The desktop valuation was provided on the basis of market value, subject to the following assumptions:
  1. As a whole for use in its working place (in situ)
  2. As individual items for removal from the premises at the expense of the purchaser (ex-situ)
  3. As individual items for removal from the premises at the expense of the purchaser, subject to a restricted marketing period (forced sale)

The valuation is summarised as follows:

Asset	Market Value- In Situ £	Market Value – Ex Situ £	Market Value – Forced Sale £
Office Equipment	1,050	700	450
<b>Total</b>	<b>1,050</b>	<b>700</b>	<b>450</b>

- Upon the advice of JPS, the offer from C-BUK was accepted on 19 December 2014. The Sale and Purchase agreement was completed on 22 December 2014. The transaction was not discussed with the Company's unsecured creditors.
- The assets included in the transaction were as follows:

	£
Business IP Rights	1
Customer Contracts	1
Office Equipment	2,496
Goodwill	6,000
Seller's Records	1
Work in Progress	6,500
Stock	1
<b>Total</b>	<b>15,000</b>

- Consideration of £5,000 was received on the day of completion with £10,000 consideration deferred and payable monthly as follows:

£2,500 on 31 January 2015  
 £2,500 on 28 February 2015  
 £2,500 on 27 March 2015  
 £2,500 on 30 April 2015



The former director, Craig Buckley has provided a personal guarantee in respect of the deferred consideration

- The going concern sale resulted in the employees of the Company transferring to C-BUK under the Transfer of Undertakings (Protection of Employment) Regulations 2006, therefore avoiding redundancies and the associated claims against the Company.
- The director had provided a personal guarantee to Bibby Financial Services Limited ("Bibby"). Bibby are funding the purchaser
- The sale is not part of a wider transaction and no options, buy-back agreements or similar conditions were attached to the Sale and Purchase agreement

## **Appendix B**

### **Sirius Personnel Limited – In Administration**

#### **Statutory Information**

**Company Information**

Company Name	Sirius Personnel Limited
Previous Names	Advanced Training and Recruitment (UK) Limited (changed on 15/09/2014) Driving Link Limited (changed on 07/11/2013) Mike Hickman Logistics Limited (changed on 18/08/2011)
Trading Name	N/a
Company Number	07307033
Date of Incorporation.	07 July 2010
Trading Address	Brunswick House 499 Etruria Rd Stoke-On-Trent Staffordshire ST4 6JR
Current Registered Office	7700 Daresbury Park Daresbury Warrington WA4 4BS
Former Registered Office	Hewitt House Winstanley Road Orrell Wigan Lancashire WN5 7XA
Principal Trading Activity	Employment Agency

**Appointment details**

Date of Appointment	22 December 2014
Appointment made by	Director
Court Name and Reference	High Court of Justice, Chancery Division, Manchester District Registry No 3443 of 2014
Administrators Appointed	Lisa Marie Moxon (IP Number 16370) Dow Schofield Watts Business Recovery LLP 7700 Daresbury Park Daresbury, Warrington WA4 4BS

Christopher Benjamin Barrett (IP Number 9437)  
Dow Schofield Watts Business Recovery LLP  
7700 Daresbury Park  
Daresbury, Warrington  
WA4 4BS

Pursuant to Paragraph 100(2) of Schedule B1 of the Insolvency Act 1986, any function required or authorised to be done by the Joint Administrators may be done jointly by both of them or by any one of them

**Officers of the Company**

**Director:**

Craig Buckley

**Shareholding:**

0%

**Company Secretary:**

N/a

**Share Capital**

2 ordinary shares of £1 each, allotted, called up and fully paid

**Shareholder:**

Barry John Davies

**Charges**

Debenture in favour of Bibby Financial Services Limited dated 11 October 2011

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## **Appendix C**

### **Sirius Personnel Limited – In Administration**

#### **Joint Administrators' Estimate of the Financial Position of the Company as at 22 December 2014**

Sirius Personnel Limited  
Statement Of Affairs as at 22 December 2014

A - Summary of Assets

Assets	Book Value £	Estimated to Realise £	
<b>Assets subject to fixed charge:</b>			
Goodwill		6,003 00	
Book Debts	231,834 76	191,459 03	
Biby Financial Services Limited		(180,576 42)	
		16,885 61	16,885 61
<b>Assets subject to floating charge:</b>			
<b>Uncharged assets:</b>			
Office Equipment	4,362 86		2,496 00
Stock	2,588 00		1 00
WIP	42,000 00		6,500 00
<b>Estimated total assets available for preferential creditors</b>			25,882 61

Signature \_\_\_\_\_ Date \_\_\_\_\_

Sirius Personnel Limited  
Statement Of Affairs as at 22 December 2014

A1 - Summary of Liabilities

	Estimated to Realise £
<b>Estimated total assets available for preferential creditors (Carried from Page A)</b>	25,882 61
<b>Liabilities</b>	
Preferential Creditors -	
<b>Estimated deficiency/surplus as regards preferential creditors</b>	NIL 25,882 61
Debts secured by floating charge pre 15 September 2003	
Other Pre 15 September 2003 Floating Charge Creditors	NIL
	25,882 61
Estimated prescribed part of net property where applicable (to carry forward)	6,377 12
Based on floating charge assets of 16,885 61	
<b>Estimated total assets available for floating charge holders</b>	19,505 49
Debts secured by floating charges post 15 September 2003	
<b>Estimated deficiency/surplus of assets after floating charges</b>	NIL 19,505 49
Estimated prescribed part of net property where applicable (brought down)	6,377 12
<b>Total assets available to unsecured creditors</b>	25,882 61
Unsecured non-preferential claims (excluding any shortfall to floating charge holders)	
Trade & Expense Creditors	11,981 40
Director - Craig Buckley	22,500 00
H M Revenue & Customs - VAT	63,609 52
H M Revenue & Customs - PAYE	29,134 61
Michael Andrew Hickman	45,000 00
	172,225 53
<b>Estimated deficiency/surplus as regards non-preferential creditors (excluding any shortfall in respect of F.C's post 14 September 2003)</b>	(146,342 92)
<b>Estimated deficiency/surplus as regards creditors</b>	(146,342 92)
Issued and called up capital	
Ordinary Shareholders	2 00
	2 00
<b>Estimated total deficiency/surplus as regards members</b>	(146,344 92)

Signature \_\_\_\_\_ Date \_\_\_\_\_

**Dow Schofield Watts Business Recovery LLP**  
**Sirius Personnel Limited**  
**A2 - Secured Creditors Statement of Affairs Figures**

<b>Key</b>	<b>Name</b>	<b>£</b>
CB00	Bibby Financial Services Limited 105 Duke Street Liverpool L1 5JQ	180,576.42
<b>1 Entries Totalling</b>		<b>180,576.42</b>



**Dow Schofield Watts Business Recovery LLP**  
**Sirius Personnel Limited**  
**A5 - Unsecured Creditors Statement of Affairs Figures**

<b>Key</b>	<b>Name</b>	<b>£</b>
CA01	Asset Alliance Limited Richard Burchell Alliance House 85 Main Street Newmains ML2 9BG	3,500 00
CC00	Close Brothers Limited Lows Lane Stanton By Dale Ilkeston Derbyshire DE7 4QU	2,500 00
CC01	@Craig Buckley Hewitt House Winstanley Road Orrell Wigan WN5 7XA	22,500 00
CH00	H M Revenue & Customs Insolvency Claims Handling Unit (ICHU) Benton Park View Longbenton Newcastle NE98 1ZZ	29,134 61
CH01	H M Revenue & Customs National Insolvency Unit 5th Floor Regian House Liverpool L74 1AD	63,609 52
CI00	Industrial Protective & Safetywear Unit 3 Reginald Street Burslem Stoke on Trent Staffordshire ST6 1DU	526 80
CM01	Michael Andrew Hickman Hewitt House Winstanley Road Orrell Wigan WN5 7XA	45,000 00
CP00	P & L Networks (Northern) Limited Solway Court Crewe Business Park Crewe Cheshire CW1 6LD	150 00

**Dow Schofield Watts Business Recovery LLP**  
**Sirius Personnel Limited**  
**A5 - Unsecured Creditors Statement of Affairs Figures**

<b>Key</b>	<b>Name</b>	<b>£</b>
CP01	Piranha Advertising and Marketing The Chambers 53 Guildhall Street Preston Lancashire PR1 3NU	210 00
CP04	Practical Business Solutions (NW) Hewitt House Winstanley Road Orrell Wigan WN5 7XA	4,500 00
CP05	Premium Credit Ltd PO Box 350 Epsom KT17 1WP	0 00
CR00	Rab IT Support Ltd 10 Lighthurst Ave Chorley Lancashire WN5 7XA	34 60
CW00	Wigan Business Equipment Limited 8/10 Orrell Road Orrell Wigan WN5 8HD	560 00
<b>13 Entries Totalling</b>		<b>172,225.53</b>

@ - Denotes associate creditor

## **Appendix D**

**Sirius Personnel Limited – In Administration**

**Joint Administrators' Receipts and Payments Account**

**Sirius Personnel Limited**  
**(In Administration)**  
**Joint Administrators' Abstract of Receipts & Payments**  
**To 16/02/2015**

<b>S of A £</b>		<b>£</b>	<b>£</b>
	<b>SECURED ASSETS</b>		
6,003 00	Goodwill	6,000 00	
191,459 03	Book Debts	NIL	
			6,000 00
	<b>SECURED CREDITORS</b>		
(180,576 42)	Biby Financial Services Limited	NIL	
			NIL
	<b>ASSET REALISATIONS</b>		
2,496 00	Office Equipment	NIL	
1 00	Stock	NIL	
6,500 00	WIP	1,500 00	
			1,500 00
	<b>COST OF REALISATIONS</b>		
	Statutory Advertising	72 00	
			(72 00)
	<b>UNSECURED CREDITORS</b>		
(11,981 40)	Trade & Expense Creditors	NIL	
(22,500 00)	Director - Craig Buckley	NIL	
(63,609 52)	H M Revenue & Customs - VAT	NIL	
(29,134 61)	H M Revenue & Customs - PAYE	NIL	
(45,000 00)	Michael Andrew Hickman	NIL	
			NIL
	<b>DISTRIBUTIONS</b>		
(2 00)	Ordinary Shareholders	NIL	
			NIL
<b>(146,344.92)</b>			<b>7,428.00</b>
	<b>REPRESENTED BY</b>		
	Vat Receivable		14 40
	Bank 1 Current		7,413 60
			<b>7,428.00</b>

## **Appendix E**

**Sirius Personnel Limited – In Administration**

**Pre-Appointment Time Costs and Expenses**

## Statement of Pre-Administration Costs

Pre-administration costs are defined in the Insolvency Rules as fees charged and expenses incurred by the administrator or their firm, or another person qualified to act as an insolvency practitioner, before the company entered administration but with a view to its doing so.

### Summary of the Joint Administrators' Pre-Administration Costs

	£
<b>Pre-administration time costs:</b> Dow Schofield Watts Business Recovery LLP	2,977 50
<b>Pre-administration expenses:</b>	
Legal costs (Including Disbursements)	1,850 00
Agent's costs (including Disbursements)	750 00
<b>Pre-administration disbursements.</b>	
<i>Category 1:</i>	
Company House Search	3 00
<b>Total</b>	<b><u>5,580.50</u></b>

The Joint Administrators will be seeking approval from the secured creditor, Bibby, for payment of their pre-administration costs as an expense of the administration

Further information on each category of pre-administration cost is given below

#### ***Pre-Administration Time Costs of the Joint Administrators***

The Joint Administrators unpaid pre-appointment time costs total £2,977 50 at Dow Schofield Watts Business Recovery LLP standard charging rates (see **Appendix F**) These costs were incurred specifically with a view to administration. These costs relate to

- Confirming that one of the statutory objectives of administration could be achieved,
- Marketing the business for sale and negotiating a pre-packaged sale of the Company's business and assets;
- Liaising with secured creditors and key stakeholders,
- Carrying out all necessary steps in order to place the Company into administration

None of these costs has been paid

#### ***Pre-Administration Expenses***

We instructed Bermans LLP to draft the Purchase and Sale Agreement with C-BUK Management Limited and to deal with the steps necessary to effect our appointment. These pre-administration expenses have been incurred by Bermans LLP on a time cost basis, plus disbursements.

I instructed JPS Chartered Surveyors to carry out an inventory and valuation of the Company's assets on going concern (in situ and ex situ) bases and a forced sale basis. These pre-administration expenses have been incurred by JPS Chartered Surveyors on a time cost basis, plus disbursements.

None of these expenses have been paid

**Other Persons Entitled to Claim**

I am unaware of any additional costs incurred by any other professionals qualified to act as an insolvency practitioner in respect of the Company. Should any such claims subsequently come to light, they will be dealt with in the manner provided for by the Insolvency Rules.

**Not Part of the Joint Administrators' Proposals**

Please note that the request for payment of pre-administration costs is separate to and does not form part of our proposals to creditors for the conduct of the administration.

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## **Appendix F**

### **Sirius Personnel Limited – In Administration**

#### **Joint Administrators' Time Costs and Expenses**



## Information relating to the Joint Administrators' Fees and Expenses

### 1. Fees and disbursement recovery

#### Time recording policy

It is our policy to seek fee approval on a time costs basis. Work undertaken on insolvency appointments is recorded in 6 minute units on an electronic time recording system. Time properly incurred on cases is charged at the hourly charge-out rate of the grade of staff undertaking the work.

The current hourly charge-out rates are as follows -

Staff grade	Hourly rate (£) from 6 May 2014
Partner and Insolvency Practitioner	300
Manager	250
Assistant Manager	225
Senior Case Administrator	175
Case Administrator	105-130
Cashier	125
Trainee	70

#### Disbursements policy

Office holders' disbursements fall under two categories

Category 1 disbursements consist of external supplies of goods or services specifically relating to the case. Where such costs are paid by Dow Schofield Watts Business Recovery LLP, creditor approval is not required for those costs to be recharged to the insolvency estate. Category 1 disbursements will typically include costs such as statutory advertising, specific bond insurance, company search fees, storage, postage, external room hire and travel expenses (excluding business mileage).

Category 2 disbursements are costs that are directly referable to the case but not to a payment to an independent third party. They include shared or allocated costs that can be allocated to the appointment on a proper and reasonable basis. Such disbursements can only be charged to the insolvency estate with the approval of creditors. It is our policy to seek creditor approval for the payment of the following Category 2 disbursements -

Disbursement type	Rate
Mileage	45p per mile

### 2. Existing Fee Arrangements

There are no existing fee arrangements. It is my intention to seek approval from the Company's secured creditor.

### 3. Time and Charge out summary

To 16 February 2015 a total of 21.7 hours have been spent at an average charge out rate of £149.42 bringing the total cost to date to £3,242.50. A summary table is shown overleaf.

# Time Entry - SIP9 Time & Cost Summary

S005 - Sinus Personnel Limited  
Project Code: POST  
To 16/02/2015

Classification of Work Function	Partner	Manager	Other Senior Professionals	Assistants & Support Staff	Total Hours	Time Cost (£)	Average Hourly Rate (£)
Admin & Planning	0.30	0.90	13.50	1.00	15.70	2,204.00	140.38
Case Specific Matters	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Creditors	0.00	1.80	3.10	0.20	5.10	867.00	170.00
Investigations	0.00	0.10	0.00	0.00	0.10	25.00	250.00
Realisation of Assets	0.10	0.10	0.60	0.00	0.80	146.50	183.13
Trading	0.00	0.00	0.00	0.00	0.00	0.00	0.00
<b>Total Hours</b>	<b>0.40</b>	<b>2.90</b>	<b>17.20</b>	<b>1.20</b>	<b>21.70</b>	<b>3,242.50</b>	<b>149.42</b>
<b>Total Fees Claimed</b>						<b>0.00</b>	
<b>Total Disbursements Claimed</b>						<b>0.00</b>	

Summary of chargeout rates for staff members involved with this case

Grade Category	Minimum Rate	Maximum Rate
Partner	300	300
Other Senior Professional	130	175
Manager	225	250
Assistants & Support Staff	125	125

#### **4. Description of work carried out**

Section 3 of this appendix outlines the time costs to date in relation to activities undertaken during this matter. Staff of different levels were involved in the activities below depending on the experience required.

These matters can be summarised as follows:

##### **4.1 Administration and planning**

- Statutory duties associated with the appointment including the filing of relevant notices,
- Notification of the appointment to creditors, members, employees and other interested parties,
- Setting up case files,
- Reviewing available information to determine appropriate strategy,
- Setting up and maintaining bank accounts,

##### **4.2 Investigations**

- Corresponding with the former directors and management,
- Review of questionnaires and comments provided by interested parties,
- Review of company documentation

##### **4.3 Realisation of Assets**

- Liaising with agents in relation to the valuation and offer for the business and assets,
- Liaising with solicitors with regards to the Sale and Purchase Agreement,
- Correspondence and meetings with interested parties,
- Assistance with debt collection

##### **4.4 Creditors**

- Recording and maintaining the list of creditors,
- Dealing with employee related matters,
- Recording creditor claims,
- Reporting to creditors,
- Dealing with creditor queries,
- Corresponding with Hire Purchase Creditors

## 5. Disbursements

The following disbursements have been incurred since the commencement of the administration

	<b>Incurring</b>	<b>This Period</b>
	<b>£</b>	<b>£</b>
<b>Category 1 Disbursements</b>		
Bond	64 80	Nil
Postage	11 27	Nil
Companies House	2 00	Nil
<b>Total</b>	<b>78 07</b>	<b>Nil</b>

No category 2 disbursements have been charged to this matter

## 6. Professional advisors and expenses

The Joint Administrators have incurred administration expenses in connection with the instruction of the following parties

<b>Name</b>	<b>This period</b>	
	<b>Incurring</b>	<b>Paid</b>
	<b>£</b>	<b>£</b>
JPS Chartered Surveyors (Including Disbursements)	249.70	Nil
Bermans LLP (Including Disbursements)	380 00	Nil
<b>Total</b>	<b>629.70</b>	<b>Nil</b>

The above costs exclude VAT

## Rule 2 37

## Creditor's request for a meeting

Name of Company

Sirius Personnel Limited

Company number

07307033

In the  
High Court of Justice, Chancery Division,  
Manchester District Registry  
(full name of court)

Court case number  
3443 of 2014

(a) Insert full name and  
address of the creditor  
making the request

I (a)

(b) Insert full name and  
address of registered  
office of the company

request a meeting of the creditors of (b)  
Sirius Personnel Limited

c/o Dow Schofield Watts Business Recovery LLP  
7700 Daresbury Park  
Daresbury  
Warrington

(c) Insert amount of claim

My claim in the administration is (c)

(d) Insert full name(s) and  
address(es) of creditors  
concurring with the  
request (if any) and their  
claims in the  
administration if the  
requesting creditor's  
claim  
is below the required 10%

(d)

concur with the above request, and I attach copies of their written confirmation of  
concurrence

(e) Insert details of the  
purpose of the meeting

The purpose of the meeting is (e)

Signed

\_\_\_\_\_

Dated

\_\_\_\_\_

## Administration Claim Form

<b>Sirius Personnel Limited – In Administration</b> Date of Administration 22 December 2014	
Name of creditor (If a company please also give company registration number)	
Address for correspondence	
Tel No	REF Contact
Total amount of claim, as at date of Administration Order, including any Value Added Tax and outstanding uncapitalised interest as at the date the company went into administration, less any payments made after that date in respect of such claim, and any adjustment by way of set off	DETAIL CLAIM £
If the amount above includes outstanding uncapitalised interest please state amount	£
Details of any documents by reference to which the debt can be substantiated	
Particulars of how debt arose and date incurred (use space overleaf if necessary)	
Particulars of any security held, the value of the security, and the date it was given	
Particulars of any reservation of title claimed in respect of goods supplied to which the claim relates	
Signature of creditor or person authorised to act on his behalf  Name in BLOCK LETTERS.  Date	
Position with or in relation to creditor	
Address of person signing (if different from above)	

**PLEASE ATTACH ANY DOCUMENTARY EVIDENCE OF CLAIM (eg statements, invoices)**

Admitted to vote for <div style="text-align: right;">£</div>	Admitted for dividend for <div style="text-align: right;">£</div>
Date	Date
Chairman / Administrator	Administrator