

# AM10

## Notice of administrator's progress report



Companies House

WEDNESDAY



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04/11/2020

#73

COMPANIES HOUSE

### 1 Company details

Company number 07516554  
Company name in full Ffreese Family Finance Limited

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

### 2 Administrator's name

Full forename(s) Alex  
Surname Cadwallader

### 3 Administrator's address

Building name/number Leonard Curtis  
Street 5th Floor  
Grove House  
Post town 248a Marylebone Road  
County/Region London  
Postcode NW16BB  
Country

### 4 Administrator's name ①

Full forename(s) Andrew  
Surname Duncan

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

### 5 Administrator's address ②

Building name/number Leonard Curtis  
Street 5th Floor  
Grove House  
Post town 248a Marylebone Road  
County/Region London  
Postcode NW16BB  
Country

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

AM10

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**6** Period of progress report

From date	d	2	d	9	m	0	m	3	y	2	y	0	y	2	y	0
To date	d	2	d	8	m	0	m	9	y	2	y	0	y	2	y	0

**7** Progress report

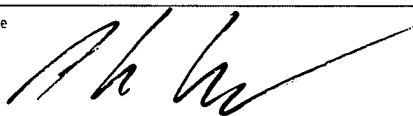
☒ I attach a copy of the progress report

**8** Sign and date

Administrator's  
signature

Signature

X



X

Signature date	d	2	d	6	m	1	m	0	y	2	y	0	y	2	y	0
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# 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	Dane O'Hara
Company name	Leonard Curtis
Address	5th Floor
	Grove House
	248a Marylebone Road
Post town	London
County/Region	
Postcode	N W 1 6 B B
Country	
DX	
Telephone	020 7535 7000



### 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](http://www.gov.uk/companieshouse) or email [enquiries@companieshouse.gov.uk](mailto: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](http://www.gov.uk/companieshouse)



**LEONARD CURTIS**  
BUSINESS RESCUE & RECOVERY

**FFREES FAMILY FINANCE LIMITED  
(IN ADMINISTRATION)**

Registered Number: 07516554

Court Ref: CR-2019-002237

High Court of Justice, Business and Property Courts of England and Wales

**Joint Administrators' third progress report in accordance  
with Rule 18.3 of the Insolvency (England and Wales) Rules 2016**

**Report period  
29 March 2020 to 28 September 2020**

**26 October 2020**

**Alex Cadwallader and Andrew Duncan - Joint Administrators**  
Leonard Curtis  
5th Floor, Grove House, 248a Marylebone Road, London NW1 6BB  
Tel: 020 7535 7000 Fax: 020 7723 6059  
General email: [recovery@leonardcurtis.co.uk](mailto:recovery@leonardcurtis.co.uk)  
Ref: L/30/DH/FFR01/1010

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**STRICTLY PRIVATE AND CONFIDENTIAL  
NOT FOR PUBLICATION**

**TO: THE REGISTRAR OF COMPANIES  
ALL CREDITORS  
ALL MEMBERS**

**1 INTRODUCTION**

- 1.1 This report has been produced in accordance with Rule 18.3 of the Insolvency (England and Wales) Rules 2016 ("the Rules") to provide creditors with an update on the progress of the Administration of Ffreess Family Finance Limited ("the Company") for the period from 29 March 2020 to 28 September 2020. This is the Joint Administrators' third progress report to creditors.
- 1.2 Much of the information contained in this report encompasses the whole period of the Administration. Please be aware, however, that where reference is made to "the period of this report", this specifically means 29 March 2020 to 28 September 2020, being the period since the end of the period covered by the last progress report.

**2 STATUTORY INFORMATION**

- 2.1 Alex Cadwallader and Andrew Duncan were appointed as Joint Administrators of the Company in the jurisdiction of High Court of Justice, Business and Property Courts of England and Wales, number CR-2019-002237 on 29 March 2019. The Administration appointment was made by the Director. The Joint Administrators can confirm that there has been no change in office-holder since the date of Administration.
- 2.2 The Administration is being handled by the London office of Leonard Curtis, which is situated at 5th Floor, Grove House, 248a Marylebone Road, London NW1 6BB.
- 2.3 The principal trading address of the Company was Electric Works, Sheffield Digital Campus, Sheffield S1 2BJ. The Company traded as 'U' and 'Ffreess'.
- 2.4 The registered office address of the Company at the date of the appointment of the Joint Administrators was Electric Works, Sheffield Digital Campus, Sheffield S1 2BJ. Following the appointment, this was changed to C/o Leonard Curtis, 5th Floor, Grove House, 248a Marylebone Road, London NW1 6BB. The registered number of the Company is 07516554.
- 2.5 For the purposes of Paragraph 100(2) of Schedule B1 to the Insolvency Act 1986 (as amended), it should be noted that during the period in which the Administration is in force, any act or function required or authorised under any enactment to be done by the Joint Administrators may be exercised by all or any of the persons holding that office.
- 2.6 The Company's Centre of Main Interest is based in the UK. The Recast EU Regulation on Insolvency Proceedings ("the Regulation") applies and the proceedings are main proceedings under the Regulation.

**3 JOINT ADMINISTRATORS' PROPOSALS**

- 3.1 Attached at Appendix A is a summary of the Joint Administrators' approved proposals for achieving one of the three statutory purposes of Administration ("the Proposals").
- 3.2 The Proposals were approved by the general body of creditors on 23 April 2019.

- 3.3 There have been no major amendments to, or deviations from, the Proposals during the course of the Administration to date.
- 3.4 The Joint Administrators must perform their functions with the purpose of achieving one of the following objectives:
- (a) rescuing the Company as a going concern, or (if this cannot be achieved);
  - (b) achieving 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 (if (a) and (b) cannot be achieved);
  - (c) realising property in order to make a distribution to one or more secured or preferential creditors.
- 3.5 The Joint Administrators are obliged to perform their functions in the interests of the Company's creditors as a whole and, where the objective of the Administration is to realise property in order to make a distribution to secured or preferential creditors, the Joint Administrators have a duty not to unnecessarily harm the interests of the creditors as a whole.
- 3.6 It was not reasonably practicable to achieve objective (a) unless external funds were introduced to provide significant working capital to finance a Company Voluntary Arrangement and the Company was unable to survive in its current form regardless.
- 3.7 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 to be wound up (without first being in Administration). In the opinion of the Joint Administrators, this objective has been achieved as the sale of the business and certain assets has enabled enhanced values for the Company's assets to be achieved, resulting in a better return for creditors, as a whole, and funds being available to distribute to the Company's unsecured creditors. In addition, a sale has allowed for all employees to be transferred to the purchaser under Transfer of Undertakings (Protection of Employment) Regulations 2006 ("TUPE"), reducing preferential and unsecured creditor claims against the Company and saving 84 jobs. The achievement of this objective will not unnecessarily harm the interest of the creditors as a whole.
- 3.8 As objective (b) is capable of being achieved it is not, at this stage, necessary to consider objective (c). However, this objective could not be achieved as there are no secured creditors and no preferential claims anticipated.
- 3.9 We confirm that, in our opinion, the business sale will enable a statutory purpose to be achieved and that the sale price achieved was the best reasonably obtainable in all the circumstances.
- 3.10 The Administration has been, and will continue to be, financed by monies received from asset realisations.

#### **4 PROGRESS OF THE ADMINISTRATION**

- 4.1 Attached at Appendix B is the Joint Administrators' receipts and payments account for the period from 29 March 2020 to 28 September 2020. All transactions are shown net of VAT.
- 4.2 Sale of Business**
- 4.2.1 As previously reported to creditors, the business and assets of the Company were sold on 29 March 2019 to U Holdings Limited ('the Purchaser'). The Purchaser is a connected party within the definition of Section 249 of the Act by virtue of Alexander Letts, Nigel Medhurst and Stephen Woodford being common directors and shareholders.
- 4.2.2 As previously advised, the agreed sale consideration was £150,000, all of which was received on completion. The sale contract provided for additional consideration based on 17.5% of the Purchaser's net profit for the first 24 months following completion. In addition, should the Purchaser sell the business or assets or the shares in U Holdings Limited in the two years following the sale, the sale contract provided for an uplift consideration to become payable to the Company.

- 4.2.3 In June 2019, the Purchasers' shares were bought by Morses Club Plc, through its fully owned subsidiary Shelby Finance Limited. The Joint Administrators are currently pursuing the additional consideration that has fallen due under the terms of the sale agreement and investigating the circumstances of the onward sale. The Joint Administrators will provide a further update to creditors in due course.

#### **4.3 Trade Debtors**

- 4.3.1 In accordance with the directors' Statement of Affairs ("SOA"), the Company was owed trade debtors totalling £32,432.
- 4.3.2 The Joint Administrators have received further debtor payments totalling £9,692.64 from Avinity Limited during the period covered by this report. Further recoveries against the debtors may be possible and creditors will be provided with additional information in this regard in the Joint Administrators' next progress report.

#### **4.4 Bank Interest**

- 4.4.1 Bank interest of £5 has accrued on the Administration estate account balance held during the period of this report.

### **5 ASSETS STILL TO BE REALISED**

- 5.1 As mentioned above, the following assets are yet to be realised in the Administration:
- Any additional consideration which falls due following the sale of the business and assets as set out in section 4.2.
  - Outstanding debtor balances as set out in section 4.3.

### **6 INVESTIGATIONS**

- 6.1 Following their appointment, the Joint Administrators considered the information acquired in the course of appraising and realising the business and assets of the Company, together with information provided by the Company's directors and its creditors, to identify any further possible realisations for the estate and what further investigations, if any, might be appropriate.
- 6.2 The Joint Administrators investigations are still ongoing in this respect, especially in regards to the onward sale. Further information will be reported to creditors in due course.
- 6.3 Regardless of the above, the Joint Administrators have complied with their statutory obligations under the Company Directors Disqualification Act 1986 and the appropriate report has been submitted to the relevant authority.



## 7 JOINT ADMINISTRATORS' REMUNERATION AND DISBURSEMENTS

### Pre-Administration Costs

7.1.1 On 23 April 2019, the general body of creditors consented to the following pre-Administration costs and expenses being paid as an expense of the Administration:

Charged by	Services provided	Total amount charged £	Total amount paid £	Total amount unpaid £
Leonard Curtis Limited	Meetings with the Company and Directors, assessing the financial position of the Company, providing insolvency advice, assessing the appropriate strategy and consideration of whether an Administration purpose could be achieved. Dealing with the appointment documentation.	35,061.50	35,061.50	-
	Exploring, managing and dealing with the sales process, negotiating with interested parties and completing a sale of the business and assets through a pre-packaged sale.			
	Instructing agents and solicitors regarding the sale of the business and certain assets.			
	Time was also spent assisting the Directors in managing the financial position of the Company and cash flow monitoring.			
Crowell & Moring LLP	Preparing the Joint Administrators' appointment documents. Drafting the sale and purchase agreement and ancillary documents, and providing legal advice generally.	13,865.00 (Time Costs)	13,862.70 (Time Costs)	2.50 (Time Costs)
		85.00 (Expenses)	85.00 (Expenses)	- (Expenses)
Hilco	Valuation of the business and assets, and advice regarding a potential sale of the business and assets through a pre-packaged sale, including recommending the offer for acceptance.	6,500.00	6,500.00	-
IUI Global	Assistance with drafting the sales teaser and preparing the sales pack of information to circulate to interested parties. Provision of summary of previous marketing campaign and fund raising round.	8,500.00	8,500.00	-
	Reviewing the Company's previous marketing list to identify any parties that may still have an interest in the business and be able to act within the timescales available. Assistance with identifying any other potentially interested parties who could be approached as part of the targeted marketing process.			
	Assistance with engagement with loan note holders.			
	Providing further information to assist with our engagement of our agents and solicitors and providing assistance with any requests for further information from any interested party.			

- 7.1.2 These costs have now been paid and are detailed in the receipts and payments account attached at Appendix B.

#### **Joint Administrators' Remuneration**

- 7.2.1 On 23 April 2019, the general body of creditors agreed that the basis of the Joint Administrators' remuneration be fixed by reference to time properly spent by them and their staff in attending to matters arising from the Administration for an amount not exceeding £42,320, as set out in a Fees Estimate ("the Fees Estimate").
- 7.2.2 The time charged by the Joint Administrators for the period of this report amounts to £18,956. This represents 41.3 hours at an average rate of £458.98 per hour. A summary of time costs incurred in the period is set out at Appendix C, together with a detailed description of work undertaken in the period, attributable to each category of time costs, and an explanation of why it was necessary for that work to be performed.
- 7.2.3 Attached, at Appendix D, is a summary of time costs incurred to date compared with time costs as set out in the Joint Administrators' original Fees Estimate.
- 7.2.4 You will note that time costs incurred to date do exceed the time as set out in the Fees Estimate. As demonstrated at Appendix D, costs attributable to each category of time generally fall within those anticipated. The areas where significant variance has occurred relate to:

#### **- Assets**

In accordance with the Fees Estimate, the Joint Administrators had initially estimated time costs of £5,522.50 would be incurred under this category. To date, £30,634 has been incurred in this respect of which £6,630 was incurred during the period of this report.

The variance is as a result of additional work being undertaken by the Joint Administrators and their staff in attending to matters set out in the sale and purchase agreement, specifically the onward sale and additional consideration as detailed in paragraph 4.2.

#### **- Liabilities**

In accordance with the Fees Estimate, the Joint Administrators had initially estimated time costs of £4,385 would be incurred under this category. To date, £20,287.50 has been incurred in this respect of which £937 was incurred during the period of this report.

The variance is as a result of the Joint Administrators spending additional time corresponding with creditors and dealing with the novation of supplier agreements to the Purchaser.

#### **- Post appointment creditor reporting**

In accordance with the Fees Estimate, the Joint Administrators had initialled estimated time costs of £9,525 would be incurred under this category. To date, £15,645 has been incurred in this respect of which £2,228 has been incurred in the period of this report.

The variance is as a result of the Joint Administrators spending additional time dealing with statutory creditor reporting than originally envisaged, primarily due to the length of time that the Company has remained in Administration.

#### **- Investigations**

In accordance with the Fees Estimate, the Joint Administrators had initially estimated time costs of £3,320 would be incurred under this category. To date, £18,889.50 has been incurred in this respect of which £8,762.50 was incurred during the period of this report.

The variance is as a result of the Joint Administrators spending additional time reviewing the Company's accounts and bank statements and conducting investigations in connection with the onward sale of the Company's business and assets by the Purchaser.

7.2.5 The Administration is not yet complete and it is therefore anticipated that further time costs will be incurred in dealing with this matter. However, at this time the Joint Administrators will not be seeking approval from the relevant body of creditors for an increased Fees Estimate. The information provided above is therefore for information purposes only, although it should be expected that the Joint Administrators will request an increased Fees Estimate at a later date.

7.3 Further guidance may be found in "A Creditors' Guide to Administrators' Fees" (Version 4 – April 2017) which may be downloaded from:

<https://www.r3.org.uk/technical-library/england-wales/technical-guidance/fees/>

7.4 If you would prefer this to be sent to you in hard copy please contact Dane O'Hara of this office on 020 7535 7000.

7.5 The remuneration drawn by the Joint Administrators to date totals £42,320 plus VAT, none of which has been recovered in the period of this report

## 8 JOINT ADMINISTRATORS' EXPENSES

8.1 Creditors will recall that the Joint Administrators have previously circulated a 'Statement of Likely Expenses' in this matter.

Expenses are separated into the following categories:

- (i) Standard Expenses: this category includes expenses payable by virtue of the nature of the Administration process and / or payable in order to comply with legal or regulatory requirements.
- (ii) Case Specific Expenses: this category includes expenses likely to be payable by the Joint Administrators in carrying out their duties in dealing with issues arising in a particular case. Also included within this category are costs that are directly referable to the Administration but are not paid to an independent third party (and which may include an element of allocated costs).

These are known as "Category 2 disbursements" and are subject to the approval of the creditors. On 23 April 2019, the general body of creditors also approved that category 2 disbursements could be drawn by the Joint Administrators, as detailed at Appendix F.

8.2 A copy of the Joint Administrators' statement of likely expenses, together with comparative details of expenses incurred during the current reporting period and confirmation as to whether those amounts are paid or unpaid is set out at Appendix E.

8.3 You will note that, in general, the nature and value of expenses incurred to date fall within those anticipated within the original statement of expenses.

8.4 I can confirm that the following expenses have exceeded the estimate given to creditors in the Joint Administrators' report dated 3 April 2019 for the reasons shown:

Type	Description	Estimated £	Actual £	Reason for increase
Legal Fees (Crowell & Moring LLP)	Costs of appointed solicitors. General advice and dealing with contract novations.	5,000.00	8,501.90	Additional legal costs have been incurred as a result of the Joint Administrators obtaining general advice and dealing with contract novations.

8.5 None of the above expenses were incurred in the period covered by this report.

8.6 During the Administration, the following professional advisors ("PA") and / or subcontractors ("S") have been used:

Name of Professional Advisor	PA / S	Service Provided	Basis of Fees
Crowell & Moring LLP	PA	General advice and dealing with contract novations.	Time Costs
IUI Global	S	Assistance provided to the directors with the preparation of the SOA.	Fixed Cost
Ardenta Consulting Ltd	PA	IT data back-up of Company records.	Fixed Cost

8.7 No costs have been incurred with the above professional advisors or subcontractors in the period covered by this report.

8.8 IUI Global were instructed to assist the directors with the preparation of the SoA. Whilst this task could have been completed by the Joint Administrators IUI Global's knowledge of the Company's accounts and nature of its assets and liabilities enabled them to complete this work more efficiently and accurately than could have been achieved by the Joint Administrators. The Joint Administrators therefore believe that instructing IUI Global in this regard was in the best interest of the Company's creditors.

8.9 Attached at Appendix F is additional information in relation to the firm's policy on staffing, the use of subcontractors, disbursements and details of our current charge-out rates by staff grade. Please be aware that the firm's charge out rates have been amended with effect from 1 August 2019.

8.10 Under Rule 18.9 of the Rules, within 21 days of receipt of this report, a secured creditor, or an unsecured creditor with either the concurrence of at least 5% in value of the unsecured creditors (including the creditor in question), or with the permission of the Court, may make a written request to the Joint Administrators for further information about remuneration or expenses set out in this report.

8.11 Under Rule 18.34 of the Rules, any secured creditor, or any unsecured creditor with either the concurrence of at least 10% in value of the unsecured creditors (including that creditor) or the permission of the Court, may apply to the Court, on the grounds that the basis fixed for the Joint Administrators' remuneration is inappropriate, or the remuneration or expenses charged by the Joint Administrators are, in all the circumstances, excessive.

8.12 The application must be made no later than eight weeks after receipt of the progress report that first reports the fee basis, the charging of the remuneration or the incurring of the expenses in question.

8.13 Unless the Court orders otherwise, the costs of the application shall be paid by the applicant and are not payable as an expense of the Administration.

## 9 ESTIMATED OUTCOME FOR CREDITORS

9.1 In order to assist the various classes of creditors in assessing the quantum of any dividend which may or may not be payable to them, we have produced an Estimated Outcome Statement. This is attached at Appendix G.

### 9.2 Secured Creditors

9.2.1 There are no secured creditors.

### 9.3 Preferential Claims

9.3.1 No preferential claims are anticipated, as the employees were transferred to the Purchaser in accordance with TUPE.

**9.4 Prescribed Part**

- 9.4.1 As the Company has no unsatisfied post-Enterprise Act charges, there will be no requirement to set aside a prescribed part in this case.

**9.5 Unsecured Non-Preferential Claims**

- 9.5.1 In accordance with the Estimated Outcome Statement enclosed at Appendix G, the Joint Administrators anticipate that a dividend may become payable to the unsecured non-preferential creditors of the Company. However, the final quantum of any such dividend is dependent on the final costs of the Administration (which are subject to the Joint Administrators seeking approval of a Revised Fees Estimate), any additional asset recoveries as defined in Section 5 of this report and final creditors' claims.

- 9.5.2 Furthermore, should it be determined that a dividend will become payable to the unsecured non-preferential creditors, the Joint Administrators will conclude the Administration and move the Company to Creditors' Voluntary Liquidation in accordance with the approved Proposals. The estimated dividend as detailed in the enclosed Estimated Outcome Statement does not take into account the costs of the subsequent liquidation.

- 9.6 From April 2017, the Joint Administrators have had the discretion to admit claims from creditors with claims under £1,000 without receiving a proof of debt. The Joint Administrators confirm that, to date, no claims have been admitted under the small claims provisions.

- 9.7 If you have not already done so, please submit details of your claim to my office. A proof of debt form is attached at Appendix H for your ease of use.

**10 MATTERS STILL TO BE DEALT WITH**

- 10.1 Matters still to be dealt with before conclusion of the Administration include the following:

- The realisation of the remaining assets, as detailed in Sections 4 and 5;
- Finalising the investigations into the Company's affairs; and
- The unpaid expenses will need to be defrayed.

**11 EXTENSIONS TO THE ADMINISTRATION**

- 11.1 The appointment of Joint Administrators ordinarily ceases to have effect at the end of the period of one year from the date of their appointment.

- 11.2 In certain circumstances it becomes necessary to extend the Administrators' term of office.

- 11.3 As you will be aware, the period of the Administration was extended until 28 March 2021 with the consent of the unsecured creditors via a decision procedure.

- 11.4 The Joint Administrators will be discharged from liability immediately upon their appointment as Joint Administrators ceasing to have effect.

**12 NEXT REPORT**

- 12.1 The Joint Administrators are required to provide a progress report which must be delivered within one month of the end of the next six months of the Administration or earlier if the Administration has been finalised.

### 13 DATA PROTECTION

- 13.1 Finally, when submitting details of your claim in the administration, you may disclose personal data to the Joint Administrators. The processing of personal data is regulated in the UK by the General Data Protection Regulation EU 2016/679 as supplemented by the Data Protection Act 2018, together with other laws which relate to privacy and electronic communications. The Joint Administrators act as Data Controllers in respect of personal data they obtain in relation to this administration and are therefore responsible for complying with Data Protection Law in respect of any personal data they process. The Joint Administrators' privacy notice, which is attached to this report at Appendix I, explains how they process your personal data. Terms used in this clause bear the same meanings as are ascribed to them in Data Protection Law.

If you wish to discuss the issues raised in this report or require any additional information, please contact this office.

Yours faithfully  
for and on behalf of  
**FFREES FAMILY FINANCE LIMITED**



**ALEX CADWALLADER**  
**JOINT ADMINISTRATOR**

Alex Cadwallader and Andrew Duncan are authorised to act as insolvency practitioners in the UK by the Institute of Chartered Accountants in England and Wales under office holder numbers 9501 and 9319, respectively

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

**SUMMARY OF JOINT ADMINISTRATORS' APPROVED PROPOSALS**

1. The Joint Administrators continue to manage the business, affairs and property of the Company in such a manner as they consider expedient with a view to achieving the statutory purposes of the Administration.
2. If appropriate, the Joint Administrators take any action they consider necessary with a view to the approval of a Company Voluntary Arrangement or Scheme of Arrangement in relation to the Company.
3. If appropriate, the Joint Administrators file a notice with the Registrar of Companies in order that the Administration will cease and the Company will move automatically into Creditors' Voluntary Liquidation. It is further proposed that A D Cadwallader, A J Duncan and A Poxon be appointed Joint Liquidators of the Company and that where Joint Liquidators are proposed any act required or authorised to be done by the Joint Liquidators may be exercised by both or either of them.

**NB.** Creditors may nominate a different person as the proposed Joint Liquidators, provided that the nomination is made after receipt of these proposals and before the proposals are approved.

4. Alternatively, if appropriate, the Joint Administrators apply to Court under Paragraph 65(3) of Schedule B1 to the Insolvency Act 1986 (as amended) for permission to make a distribution to the unsecured creditors within the Administration.
5. In the event that there are no monies remaining to be distributed to creditors and as soon as all matters relating to the Administration have been completed, the Joint Administrators file a Notice with the Registrar of Companies that the Company should be dissolved.
6. The Joint Administrators investigate and, if appropriate, pursue any claims that they or the Company may have against any directors or former directors, other third parties, officers or former officers, advisers or former advisers of the Company.
7. The Company may be placed into Compulsory Liquidation in circumstances where assets are still to be realised or investigations concluded yet there will be no return to unsecured creditors. In these circumstances it is further proposed that A D Cadwallader, A J Duncan and A Poxon be appointed Joint Liquidators of the Company and that where Joint Liquidators are proposed any act required or authorised to be done by the Joint Liquidators may be exercised by any one or all of them.
8. The Joint Administrators shall do all such other things and generally exercise all of their powers as contained in Schedule 1 of the Insolvency Act 1986 (as amended), as they consider desirable or expedient to achieve the statutory purpose of the Administration.

**SUMMARY OF JOINT ADMINISTRATORS' RECEIPTS AND PAYMENTS ACCOUNT FOR THE PERIOD FROM  
29 MARCH 2020 TO 28 SEPTEMBER 2020**

	Estimated to realise £	This period £	Cumulative £
<b>RECEIPTS</b>			
Trading Name	1.00	-	1.00
Office and Computer Equipment	18,000.00	-	18,000.00
Work in Progress	1.00	-	1.00
Contracts	1.00	-	1.00
Intellectual Property	2,397.00	-	2,397.00
Goodwill	5,000.00	-	5,000.00
Shares	100.00	-	100.00
Software	120,000.00	-	120,000.00
Trade Debtors	4,500.00	9,692.64	14,192.64
Other Debtors	575.00	-	450.50
Prepayments	Uncertain	-	1,583.62
Cash at Bank	5,219.00	-	2,156.87
	<u>155,794.00</u>	<u>9,692.64</u>	<u>163,883.63</u>
<b>Sundry Refunds</b>		-	40.28
<b>Bank Interest (Gross)</b>		5.47	30.43
		<u>5.47</u>	<u>70.71</u>
<b>PAYMENTS</b>			
Pre-Administration Costs		-	64,009.20
Joint Administrators' Remuneration			42,320.00
Solicitors' Fees and Expenses		-	8,501.90
Statutory Advertising		-	85.95
Bordereau Fees		-	260.01
IT Licence Fee		-	115.00
Other Professional Fees		-	8,555.50
Sundry Expenses / Disbursements		-	52.50
		<u>-</u>	<u>123,900.06</u>
		<u>9,698.11</u>	<u>40,054.28</u>



SUMMARY OF JOINT ADMINISTRATORS' TIME COSTS FOR THE PERIOD  
FROM 29 MARCH 2020 TO 28 SEPTEMBER 2020

	Units	Average hourly rate £	Cost £
Statutory and review	7	291.43	204.00
Receipts and payments	1	445.00	44.50
Assets	128	517.97	6,630.00
Liabilities	18	520.56	937.00
General Administration	6	250.00	150.00
Post Appointment Creditor Reporting	73	305.21	2,228.00
Investigations	180	486.81	8,762.50
	<b>413</b>	<b>458.98</b>	<b>18,956.00</b>

## DESCRIPTION OF TIME SPENT BY CATEGORY

### Statutory and Review

This category of activity encompasses work undertaken for both statutory and case management purposes. Whilst this work will not directly result in any monetary value for creditors, it will ensure that the case is managed efficiently and resourced appropriately, which will be of benefit to all creditors.

Time costs incurred under this category during the period of this report included the following:

- Case management reviews. These have been carried out periodically throughout the life of the case. In the early stages of the case, this involved agreeing a case strategy as well as a month 1 review by the firm's Compliance team to ensure that all statutory and best practice matters have been dealt with appropriately. As the case progresses, quarterly reviews are undertaken to ensure that the case is progressing as planned.
- Review of time costs data to ensure accurate posting of time and to ensure compliance with Statement of Insolvency Practice 9.
- Review of work carried out by more junior members of staff to ensure quality of work and adherence to standards, legislation and best practice.

### Receipts and Payments

This category of work will not result in a direct financial benefit for creditors. However, close monitoring of case bank accounts is essential to ensure that bank interest is maximised where possible, estate expenses are properly managed and kept to a minimum and amounts payable to creditors are identified and distributed promptly.

The following tasks have been completed under this category during the period of this report:

- Management of case bank account to ensure compliance with relevant risk management procedures.
- Managing estate expenses.

### Assets

Time costs have been incurred under this category during the period of this report in completing the following tasks:

- Liaising with the Purchaser and solicitors in connection with additional consideration due following the onward sale of the Company's business and assets.
- Dealing with debtor recoveries.

### Liabilities

This category of time includes both statutory and non-statutory matters, and time costs have been incurred in undertaking the following tasks during the period of this report:

#### *Non-statutory*

- Dealing with enquiries from the Company's creditors, as appropriate.

### General Administration

The following tasks have been completed under this category in the period of this report:

- General planning matters.
- Maintaining the Joint Administrators' records.
- Dealing with general correspondence and communicating with directors.

**Post Appointment Creditor Reporting**

The following tasks have been completed under this category in the period of this report:

- Preparation of six monthly progress report to creditors to provide an update on the Administration process.

**Investigations**

- Conducting ongoing investigations in connection with the onward sale of the Company's business and assets by the Purchaser.
- Carry out interviews with the Company's directors.

**SUMMARY OF JOINT ADMINISTRATORS' TOTAL TIME COSTS TO DATE  
INCORPORATING A COMPARISON WITH THE JOINT ADMINISTRATORS' APPROVED FEE ESTIMATE**

	FEES ESTIMATE			INCURRED TO DATE			VARIANCE
	Total			Total			Cost £
	Units No	Cost £	Average hourly rate £	Units No	Cost £	Average hourly rate £	
Statutory and review	235	7,387.50	314.36	335	11,089.00	331.01	3,701.50
Receipts and payments	95	2,972.50	312.89	41	1,126.00	274.63	(1,846.50)
Insurance, bonding and pensions	50	1,390.00	278.00	39	1,292.50	331.41	(97.50)
Assets	155	5,522.50	356.29	668	30,634.00	458.59	25,111.50
Liabilities	135	4,385.00	324.81	520	20,287.50	390.14	15,902.50
Landlords	-	-	-	27	1,048.50	388.33	1,048.50
General Administration	170	5,185.00	305.00	143	4,319.00	302.03	(866.00)
Appointment	95	2,632.50	277.11	108	2,376.50	220.05	(256.00)
Post Appointment Creditor Reporting	275	9,525.00	346.36	496	15,645.00	315.42	6,120.00
Investigations	105	3,320.00	316.19	435	18,889.50	434.24	15,569.50
Strategy and Purpose Evaluation	-	-	-	12	540.00	450.00	540.00
	<b>1,315</b>	<b>42,320.00</b>	<b>321.83</b>	<b>2,824</b>	<b>107,247.50</b>	<b>379.77</b>	<b>64,927.50</b>

## APPENDIX E

**SUMMARY OF JOINT ADMINISTRATORS' EXPENSES  
FROM 29 MARCH 2020 TO 28 SEPTEMBER 2020  
INCORPORATING A COMPARISON OF THE JOINT ADMINISTRATORS'  
STATEMENT OF LIKELY EXPENSES**

**Standard Expenses**

Type	Charged by	Description	Estimated Amount £	Total Amount Incurred to Date £	Amount Incurred in This Period £	Amount Paid £	Amount Unpaid £
AML Checks	Business Tax Centre	Electronic client verification	25.00	20.00	-	20.00	-
Bond Fee	AUA Insolvency Risk	Insurance bond	260.00	260.01	-	260.01	-
Company Searches	-	Extraction of company information from Companies House	-	-	-	-	-
Document Hosting	Pelstar Limited	Hosting of documents for creditors	126.00	70.00	14.00	28.00	56.00
Software Licence Fee	Pelstar Limited	Case management system licence fee	87.00	87.00	-	87.00	-
Statutory Advertising	Courts Advertising	Advertising	85.95	85.95	-	85.95	-
Storage Costs	-	Storage of books and records	250.00	-	-	-	-
<b>Total Standard Expenses</b>			<b>833.95</b>	<b>522.96</b>	<b>14.00</b>	<b>480.96</b>	<b>56.00</b>

**Case Specific Expenses**

Type	Charged by	Description	Estimated Amount £	Total Amount Incurred to Date £	Amount Incurred in This Period £	Amount Paid £	Amount Unpaid £
Legal Fees	Crowell & Moring LLP	Costs of appointed solicitors. General advice and dealing with contract novations.	5,000.00	8,501.90	-	8,501.90	-
Agents' Fees and Expenses	IUI Global	Assistance with the preparation of the Statement of Affairs.	4,500.00	4,500.00	-	4,500.00	-
Agents' Fees and Expenses	Ardenta Consulting Ltd	IT data back-up of Company records.	-	4,055.50	-	4,055.50	-
Internal photocopying	-	Category 2 disbursement requiring specific creditor / committee approval.	25.00	-	-	-	-
General stationery, postage, telephone etc.	-	Category 2 disbursement requiring specific creditor / committee approval (£100 per 100 creditors & members).	100.00	-	-	-	-

# FFREES FAMILY FINANCE LIMITED – IN ADMINISTRATION

Storage of office files (6 years)	-	Category 2 disbursement requiring specific creditor / committee approval (2 boxes @ £81.25 per box).	162.50	-	-	-	-
Total Case Specific Expenses			9,787.50	17,057.40	-	17,057.40	-

## LEONARD CURTIS POLICY REGARDING FEES, EXPENSES AND DISBURSEMENTS

The following Leonard Curtis policy information is considered to be relevant to creditors:

## Staff Allocation and Charge Out Rates

We take an objective and practical approach to each assignment which includes active director involvement from the outset. Other members of staff will be assigned on the basis of experience and specific skills to match the needs of the case. Time spent by secretarial and other support staff on specific case related matters, e.g. report despatching, is not charged.

Where it has been agreed by the appropriate body of creditors that the office holders' remuneration will be calculated by reference to the time properly given by the office holders and their staff in attending to matters as set out in a fees estimate, then such remuneration will be calculated in units of 6 minutes at the standard hourly rates given below. In cases of exceptional complexity or risk, the insolvency practitioner reserves the right to obtain authority from the appropriate body of creditors that their remuneration on such time shall be charged at the higher complex rates given below.

The following hourly charge out rates apply to all assignments undertaken by Leonard Curtis:

6 Jan 2014 onwards	Standard	Complex	1 Aug 2019 onwards	Standard	Complex
	£	£		£	£
Director	450	562	Director	525	656
Senior Manager	410	512	Senior Manager	445	556
Manager 1	365	456	Manager 1	395	494
Manager 2	320	400	Manager 2	345	431
Administrator 1	260	325	Administrator 1	280	350
Administrator 2	230	287	Administrator 2	250	313
Administrator 3	210	262	Administrator 3	230	288
Administrator 4	150	187	Administrator 4	165	206
Support	0	0	Support	0	0

Office holders' remuneration may include costs incurred by the firm's in-house legal team, which may be used for non-contentious matters pertaining to the insolvency appointment.

## Subcontractors

Where we subcontract out work that could otherwise be carried out by the office holder or his/her staff, this will be drawn to the attention of creditors in any report which incorporates a request for approval of the basis upon which remuneration may be charged. An explanation of why the work has been subcontracted out will also be provided.

## Professional Advisors

Details of any professional advisor(s) used will be given in reports to creditors. Unless otherwise indicated the fee arrangement for each is based on hourly charge out rates, which are reviewed on a regular basis, together with the recovery of relevant disbursements.

The choice of professional advisors is based around a number of factors including, but not restricted to, their expertise in a particular field, the complexity or otherwise of the assignment and their geographic location.

## Expenses

We are required to provide creditors with an estimate of the expenses we expect to be incurred in respect of an assignment and report back to them on actual expenses incurred and paid in our periodic progress reports. There are two broad categories of expenses: standard expenses and case specific expenses. These are explained in more detail below:

- a) Standard Expenses – this category includes expenses which are payable in order to comply with legal or regulatory requirements and therefore will generally be incurred on every case. They will include:

## FFREES FAMILY FINANCE LIMITED – IN ADMINISTRATION

Type	Description	Amount																								
AML checks	Electronic client verification in compliance with the Money Laundering, Terrorist Financing and Transfer of Funds (Information on the Payer) Regulations 2017	£5.00 plus VAT per search																								
Bond / Bordereau fee	Insurance bond to protect the insolvent entity against any losses suffered as a result of the fraud or dishonesty of the IP	£10.00 to £1,200.00 dependent on value of assets within case																								
Company searches	Extraction of company information from Companies House	£1.00 per document unless document can be accessed via the free service																								
Document hosting	Hosting of documents for creditors/shareholders. Cost per upload, plus VAT.	<table><tr><th>Type</th><th>First 100</th><th>Every addtl 10</th></tr><tr><td>ADM</td><td>£14.00</td><td>£1.40</td></tr><tr><td>CVL</td><td>£7.00</td><td>£0.70</td></tr><tr><td>MVL</td><td>£7.00</td><td>£0.70</td></tr><tr><td>CPL</td><td>£7.00</td><td>£0.70</td></tr><tr><td>CVA</td><td>£10.00</td><td>£1.00</td></tr><tr><td>BKY</td><td>£10.00</td><td>£1.00</td></tr><tr><td>IVA</td><td colspan="2">£10 p.a. or £25 for life of case</td></tr></table>	Type	First 100	Every addtl 10	ADM	£14.00	£1.40	CVL	£7.00	£0.70	MVL	£7.00	£0.70	CPL	£7.00	£0.70	CVA	£10.00	£1.00	BKY	£10.00	£1.00	IVA	£10 p.a. or £25 for life of case	
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CVA	£10.00	£1.00																								
BKY	£10.00	£1.00																								
IVA	£10 p.a. or £25 for life of case																									
Postage	Cost of posting documents in connection with a case to external recipients	Calculated in accordance with Royal Mail Hybrid Mail rates and dependent on whether the document is sent by first or second class post.																								
Post re-direction	Redirection of post from Company's premises to office-holders' address	0-3 months £204.00 3-6 months £303.00 6-12 months £490.00																								
Software Licence fee	Payable to software provider for use of case management system	£87.00 plus VAT per case																								
Statutory advertising	Advertising of appointment, notice of meetings etc. - London Gazette - Other	£91.80 - £102.00 plus VAT per advert Dependent upon advert and publication																								
Storage costs	Costs of storage of case books and records	£5.07 plus VAT per box per annum plus handling charges																								

- b) Case-specific expenses – this category includes expenses (other than office-holders' fees) which are likely to be payable on every case but which will vary depending upon the nature and complexity of the case and the assets to be realised. They will include:

Type	Description	Amount
Agents' fees	Costs of appointed agents in valuing and realising assets	Time costs plus disbursements plus VAT
Debt Collection fees	Costs of appointed debt collectors in realising debts	Generally agreed as a % of realisations plus disbursements plus VAT
Legal fees	Costs of externally appointed solicitors. Will generally comprise advice on validity of appointment, drafting of sale contracts, advice on retention of title issues and advice on any reviewable transactions.	Time costs plus disbursements plus VAT
Other disbursements	See <b>disbursements</b> section below	See <b>disbursements</b> section below

### Disbursements

Included within both of the above categories of expenses are disbursements, being amounts paid firstly by Leonard Curtis on behalf of the insolvent entity and then recovered from the entity at a later stage. These are described as Category 1 and Category 2 disbursements.

- a) Category 1 disbursements: These are costs where there is specific expenditure directly referable both to the appointment in question and a payment to an independent third party. These may include, for example, advertising, external room hire, storage, postage, telephone charges, travel expenses (excl. mileage), and equivalent costs reimbursed to the office holder or his or her staff. Category 1 disbursements may be drawn without prior approval.



- b) Category 2 disbursements: These are costs that are directly referable to the appointment in question but not to a payment to an independent third party. They may include shared or allocated costs that can be allocated to the appointment on a proper and reasonable basis, for example, business mileage. In the event of charging for category 2 disbursements the following items of expenditure are recharged on this basis and are believed to be in line with the cost of external provision:

Storage of office files (6 years)	£30 per box
Business mileage	45p per mile

Category 2 disbursements may be drawn if they have been approved in the same manner as an office holder's remuneration.

## ESTIMATED OUTCOME STATEMENT

	Statement of Affairs £	Current Position £	Estimated Future £	Estimated Final Position £
<b>Fixed Charge Assets</b>				
- None	-	-	-	-
<b>Floating Charge Assets</b>				
- None	-	-	-	-
<b>Non-Charged Assets</b>				
- Trading Name	1	1	-	1
- Computer and Office Equipment	18,000	18,000	-	18,000
- Work in Progress	1	1	-	1
- Contracts	1	1	-	1
- Intellectual Property	2,397	2,397	-	2,397
- Goodwill	5,000	5,000	-	5,000
- Shares	100	100	-	100
- Software	120,000	120,000	-	120,000
- Additional Consideration From Business Sale	-	-	Uncertain	Uncertain
- Trade Debtors	4,500	14,193	Uncertain	14,193
- Other Debtors	575	451	-	451
- Prepayments	Uncertain	1,584	-	1,584
- Sundry Refunds	-	40	-	40
- Cash at Bank	5,219	2,157	-	2,157
- Deposit Interest Gross	-	21	-	21
<b>Estimated Assets Available to Preferential Creditors (before costs of the Administration)</b>	<b>155,794</b>	<b>163,945</b>	-	<b>163,945</b>
<b>Costs of Administration:</b>				
- Pre-Appointment Costs				
- Leonard Curtis Limited (time costs and expenses)		(35,062)	-	(35,062)
- Crowell & Moring LLP (time costs and expenses)		(13,948)	-	(13,948)
- Hilco Appraisal Limited		(6,500)	-	(6,500)
- IUI Global		(8,500)	-	(8,500)
- Joint Administrators' Remuneration		(42,320)	Uncertain	(42,320)
- Joint Administrators' Expenses		(513)	(500)	(1,013)
- Other Professional Fees		(8,556)	-	(8,556)
- Solicitors' Fees and Expenses		(8,502)	(5,000)	(13,502)
<b>Estimated Assets Available to Preferential Creditors (after costs of the Administration)</b>		<b>40,045</b>	<b>(5,500)</b>	<b>34,545</b>
<b>Preferential Creditors</b>				-
<b>Estimate Surplus as regards Preferential Creditors</b>				<b>34,545</b>
<b>Estimated Prescribed Part of Net Property - where applicable (to carry forward)</b>				-
<b>Estimated Total Assets Available to Floating Charge Creditor</b>				<b>34,545</b>
<b>Floating Charge Creditor</b>				-
<b>Estimated Surplus of Assets after Floating Charge Creditor</b>				<b>34,545</b>
<b>Estimated Prescribed Part of Net Property - where applicable (brought down)</b>				-
<b>Estimated Total Assets Available to Unsecured Creditors (after costs of the Administration)</b>				<b>34,545</b>
<b>Estimated Unsecured Non-Preferential Creditors:</b>				
- Trade and Expense Creditors				(685,832)
- HM Revenue and Customs (VAT)				(14,891)
- HM Revenue and Customs (PAYE)				(304,023)
- Loan Note Holders'				(4,650,000)
- Investor				(2,657,000)
<b>Estimated Deficiency as regards Unsecured Non-Preferential Creditors (before the costs of liquidation)</b>				<b>(8,277,201)</b>
<b>Estimated Dividend to Unsecured Non-Preferential Creditors - pence in £ (before the costs of liquidation)</b>				<b>0.0042</b>

**Proof of Debt – General Form**  
**Relevant date: 29 March 2019**

**Please e-mail completed form to:**

**[recovery@leonardcurtis.co.uk](mailto:recovery@leonardcurtis.co.uk) quoting ref: FFR01/DH/PROOF**

**Name of Company in Administration:**

Ffrees Family Finance Limited

**Company registered number:**

07516554

1. Name of creditor (if a company, provide registration number)

2. Correspondence address of creditor (including email address)

3. Total amount of claim (£) at relevant date (include any Value Added Tax)

4. If amount in 3 above includes outstanding uncapitalised interest, state amount (£)

5. Details of how and when the debt was incurred (if you need more space attach a continuation sheet to this form)

6. Details of any security held, the value of the security and the date it was given

**FFREES FAMILY FINANCE LIMITED – IN ADMINISTRATION**

7. Details of any reservation of title claimed in respect of goods supplied to which the debt relates

8. Details of any document by reference to which the debt relates

9. Signature of creditor (or person authorised to act on the creditor's behalf)

10. Date of signing:

11. Address of person signing (if different from 2 above)

12. Name in BLOCK LETTERS

13. Position with, or relation to, creditor

**Notes:**

1. There is no need to attach them now but the office-holder may ask you to produce any document or other evidence which is considered necessary to substantiate the whole or any part of the claim, as may the chairman or convenor of any qualifying decision procedure.
2. This form can be authenticated for submission by email by entering your name in block capitals and sending the form as an attachment from an email address which clearly identifies you or has been previously notified to the office-holder. If completing on behalf of the company, please state your relationship to the company.
3. **Please e-mail completed form to:**

**[recovery@leonardcurtis.co.uk](mailto:recovery@leonardcurtis.co.uk) quoting ref: FFR01/DH/PROOF**

## PRIVACY NOTICE

### Information we collect and hold about you

By requesting details of your claim in this insolvency, we may collect Personal Data from you, particularly if you are a consumer creditor, a sole trader or are lodging a claim in your personal capacity.

Personal Data is information relating to a living individual. Whenever Personal Data is processed, collected, recorded, stored or disposed of it must be done within the terms of the General Data Protection Regulation ("the GDPR"). Examples of Personal Data include but may not be limited to your name, address, telephone number and email contact details.

If you do not provide us with the information we require, this may adversely affect our ability to deal with your claim, but we would ask you not to submit more Personal Data than we request from you.

### Legal justification for processing your Personal Data

The processing of your Personal Data by us is necessary to enable us to comply with legal obligations under the Insolvency Act 1986 and associated legislation which we are subject to as Insolvency Practitioners.

### How we use your information

All information you supply to us is required to enable us to comply with our duties under the Insolvency Act 1986 and associated legislation. It will be used to enable us to assess the extent of the insolvent entity's liabilities, to allow you to vote on any decision procedures, to enable us to communicate with you, to process your claim and to pay any dividends which may be due to you from the insolvent estate.

### Who we share your information with

We may be required to share some of your Personal Data with other creditors. The data which will be shared with other creditors will be limited to that specifically required to be disclosed under insolvency legislation.

We may share some of your information with our Data Processors. Data Processors include solicitors, accountants and employment law specialists who assist us with our duties where required. We will only share your information with our Data Processors if we require their specialist advice. All of our Data Processors are subject to written contracts with us to ensure that your Personal Data is processed only in accordance with the GDPR.

### How long will we hold your Personal Data for?

We will need to hold your Personal Data for a period of time after the insolvency has been concluded. This is to enable us to deal with any queries which might arise. Our Records Management Policy requires us to destroy our physical files 6 years after closure of the case. Electronic data files will be removed from our Case Management System 6 years after conclusion of the case but may be held on our server for a longer period of time but with restricted access.

### Your rights in respect of your Personal Data

You have the right to request access to your Personal Data and to require it to be corrected or erased. You also have the right to request a restriction in the way we process your Personal Data or to object to its processing. You should be aware however that we may not be able to comply with your request if this would affect our ability to comply with our legal obligations.

You have the right to Data Portability. This is a right to have the Personal Data we hold about you to be provided to you in a commonly used and machine-readable format so that you can transfer that Data to another organisation in a way that is not too onerous to upload the Data.

### Your right to complain

You have the right to be confident that we are handling your Personal Data responsibly and in line with good practice. If you have a concern about the way we are handling your Personal Data you should contact our Privacy Manager in the first instance.

If you are unable to resolve your concerns with us, you have the right to complain to the Information Commissioners' Office. The Information Commissioner can be contacted at Wycliffe House, Water Lane, Wilmslow, Cheshire SK6 5AF or on 0303 123 1113.

**Contacting us**

If you have any questions relating to the processing of your Personal Data, please write to our Privacy Manager at Leonard Curtis, 5<sup>th</sup> Floor, Grove House, 248A Marylebone Road, London NW1 6BB Alternatively our Privacy Manager can be contacted by telephone on 0207 535 7000 or by email: [privacy@leonardcurtis.co.uk](mailto:privacy@leonardcurtis.co.uk).

**Data Controller: LEONARD CURTIS**