

# AM10

## Notice of administrator's progress report



Companies House

Type

MONDAY



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A07

29/06/2020

#36

COMPANIES HOUSE

### 1 Company details

Company number 0 9 2 1 6 5 4 2

Company name in full Fox Street Village Limited

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

### 2 Administrator's name

Full forename(s) Asher

Surname Miller

### 3 Administrator's address

Building name/number Pearl Assurance House

Street 319 Ballards Lane

Post town London

County/Region

Postcode N 1 2 8 L Y

Country

### 4 Administrator's name ①

Full forename(s) Henry

Surname Lan

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

### 5 Administrator's address ②

Building name/number Pearl Assurance House

Street 319 Ballards Lane

Post town London

County/Region

Postcode N 1 2 8 L Y

Country

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

# AM10

## Notice of administrator's progress report

### 6 Period of progress report

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

### 7 Progress report

☒ I attach a copy of the progress report

### 8 Sign and date

Administrator's  
signature

Signature

X

*AS Miller*

X

Signature date

d	2	d	5	m	0	m	6	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 **Robert Cowie**

Company name **David Rubin & Partners**

Address **Pearl Assurance House**  
**319 Ballards Lane**

Post town **London**

County/Region

Postcode **N 1 2 8 L Y**

Country

DX **Finchley 1**

Telephone **020 8343 5900**



### 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)

**IN THE HIGH COURT OF JUSTICE**

**NO. 468 OF 2019**

**IN THE MATTER OF**

**FOX STREET VILLAGE LIMITED - IN ADMINISTRATION**

**AND**

**THE INSOLVENCY ACT 1986**

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**THE JOINT ADMINISTRATORS' SECOND PROGRESS REPORT**

**PURSUANT TO**

**PART 18 OF THE INSOLVENCY (ENGLAND AND WALES) RULES 2016**

**FOR THE PERIOD 30 NOVEMBER 2019 TO 29 MAY 2020**

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## FOX STREET VILLAGE LIMITED - IN ADMINISTRATION

### Sixth Months Progress Report pursuant to part 18 of the Insolvency (England and Wales) Rules 2016

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#### (a) Introduction

I refer to the appointment of Henry Lan and myself as Joint Administrators of Fox Street Village Limited pursuant to an appointment made by PH Invest Limited and filed at the High Court of Justice, Business and Property Courts in Manchester. As the next six months' anniversary has recently passed, I am pleased to provide creditors with my second progress report as required by Rule 18.2 of the Insolvency (England and Wales) Rules 2016. This report should be read in conjunction with our earlier reports to creditors.

#### **Rule 18.3: Progress Report**

#### (b) Statutory information

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(i) Court:	High Court of Justice, Business and Property Courts in Manchester
Reference Number:	CR-2019-MAN-000468
(ii) Company name:	Fox Street Village Limited
Company number:	09216542
Registered office:	Pearl Assurance House 319 Ballards Lane London N12 8LY
Trading Name:	Fox Street Village
Trading Address:	Fox Street Village Liverpool L3 3BQ

#### (c) Administrator's name and address:

Henry Lan and I, both of David Rubin & Partners, Pearl Assurance House, 319 Ballards Lane, London N12 8LY were appointed Joint Administrators of the Company on 30 May 2019. This appointment was made by PH Invest Limited, a secured creditor of the Company, pursuant to paragraph 14 of Schedule B1 to the Insolvency Act 1986.

The Joint Administrators act jointly and severally in the exercise of any and all functions exercisable by an administrator appointed under the provisions of Schedule B1 of the Insolvency Act 1986.

#### (d) Any changes in the Office Holder

We were appointed Joint Administrators of the Company on 30 May 2019. There has not been a change in the Office Holders since the original appointment date. Further to an application to Court, it was ordered on 1 May 2020 that the Administration of the Company and the term of office of its Joint Administrators be extended until 29 May 2021.

## **FOX STREET VILLAGE LIMITED - IN ADMINISTRATION**

### **Sixth Months Progress Report pursuant to part 18 of the Insolvency (England and Wales) Rules 2016**

**(e) Details of progress during the period and summary of the cost incurred under review and cumulatively:**

As set out in the Joint Administrators' previous reports to creditors the main objective, with advice from our duly appointed property agents Lambert Smith Hampton ("LSH"), has been to market and sell the Company's interest in the student accommodation development known as Fox Street Village located in L3 3BQ, including the freehold and the unsold units ("the Property").

To ensure that the best possible price was obtained from the sale of the Property, an extensive marketing process was undertaken by LSH. Given the amount of capital and expertise required to successfully complete the Development, LSH identified and approached 25 targets which it believed would be suitable to take the project forward. The Property was also advertised in a daily news sheet distributed to businesses within the North West. Additionally, the insolvency of the Company was well reported in the press which resulted in the receipt of several expressions of interest from potential purchasers of the Property.

After extensive negotiations with all interested parties up to and including December 2019, MCR Management Limited (MCR) submitted the highest "best and final" offer of £1.6 million. This offer, coupled with their reputation and experience with such developments, persuaded us to move forward with MCR's offer. The only condition with the sale of the Property to MCR, as would have been with any other purchaser, was that Title is to be transferred free of any security or encumbrance thereby requiring an application to Court pursuant to Paragraph 71 of Schedule B1 of the Insolvency Act 1986 ("the Act") to have them removed to conduct the sale. On 8 January 2020 an Exclusivity Agreement was entered into with Platinumshaw Limited, a company created by MCR for the purpose of purchasing the Property, for which an exclusivity fee of £50,000 was received. The exclusivity was initially for a period ending on 28 February 2020 with an option to extend for a further three months, which was exercised. However, upon the expiration of the exclusivity period on 28 May 2020, contracts had not been exchanged and we reengaged with the other interested parties, including those who had made subsequent offers during the exclusivity period. Since the date covered by this report, contracts for sale of the Property were exchanged with one of those parties, SGL 1 Ltd, a company operated by the Fortis Group, in the sum of £1.6m. The exclusivity fee paid by Platinumshaw Limited, which was to be applied towards the purchase price, is non-refundable and is held by the Administrators' lawyers.

When selling a freehold of a development such as Fox Street Village a vendor must first consider whether the provisions provided in the Landlord and Tenant Act 1987 apply. If the provisions do apply then the interest in the freehold must first be offered to the long leaseholders, known as Qualifying Tenants. Any Qualifying Tenants are required to be provided with notice of the intention to sell the freehold and are provided with information about the sale including the price at which it is to be sold, known as Section 5 notices. We have therefore complied with this requirement and Section 5 notices were sent to Qualifying Tenants on 14 February 2020. The Section 5 notices offered to sell the relevant block(s) to Qualifying Tenants at the same price as that agreed with MCR. These notices expired on 27 April 2020 and there was not sufficient interest either individually or collectively, to make an offer to purchase the Property.

As discussed in the Administrators' previous report, Hill Dickinson LLP ("HD") have been working towards regularising the notices registered on the Property's Title and have now successfully removed all entries which were either no longer in force or that have expired. They have also removed the various Unilateral Notices ("UNIs") that relate to completed and sold flats in Blocks B, C and E. However due to Block D being substantially incomplete the

## **FOX STREET VILLAGE LIMITED - IN ADMINISTRATION**

### **Sixth Months Progress Report pursuant to part 18 of the Insolvency (England and Wales) Rules 2016**

UNIs registered against this block have to be treated differently as they have a security interest over the proceeds of sale of that part of the Property. Given that there are some 164 UN1 holders over Block D, some situated internationally, it would not have been possible to obtain their agreement directly to remove their UN1 interests. As a result, with an expectation of a return date shortly after the expiry of the Section 5 Notices, on 25 March 2020 we instructed Hill Dickinson to file an Application pursuant to Paragraph 71 of Schedule B1 of the Act for permission to sell the Property as if it were not subject to security, providing for the appropriate element of the sale consideration to be paid to those creditors.

The Paragraph 71 Application was originally due to be heard on 20 August 2020. As it is our belief that it is in the interests of all parties involved for the freehold of the Property to be sold as quickly as possible to a new, solvent owner that will be able to restore all Blocks to a habitable state and build out Block D, it was requested that the Paragraph 71 Application be re-listed to an earlier date. This request was granted and the hearing date was moved to 15 June 2020.

On 17 March 2020 we received a request from creditors for a decision procedure pursuant to Paragraph 56 of Schedule B1 of the Act. Following the receipt of the required deposit towards costs on 15 April 2020, we circulated notices to all creditors on 29 April 2020 setting out the two proposed decisions that they were being asked to vote on and set a decision date of 15 May 2020. The decisions proposed were (i) that the Joint Administrators make an application to court under Paragraph 79(2)(c) of Schedule B1 of the Act that their appointment cease to have effect and the expenses of this decision procedure be payable as an expense of the Administration; and (ii) that the Joint Administrators must resign pursuant to Paragraph 87 of Schedule B1 of the Act. We advised the requisitioning creditor that we believed that the proposed decisions were inappropriate, as the two decisions instructed us to both apply to end the administration and to resign as office holders (thereby leaving the administration in place) which are contradictory and mutually exclusive.

Nevertheless, the creditor wished to continue with the decision procedure and on 15 May 2020 sufficient votes from creditors were received to approve the proposed decisions. We therefore sought directions from the Court pursuant to Paragraph 63 of Schedule B1 of the Act to ascertain which of the resolutions (if any) we would be required to action. The Directions Application was filed on 20 May 2020 and was due to be heard with the Paragraph 71 Application on 15 June 2020. There are funds of £11,640 which were deposited as a requirement of requisitioning the decision procedure. These are currently held on a client account with HD pending the outcome of the Joint Administrators' Paragraph 63 Application.

Additionally, creditors will recall from my last report that there were issues with the original build of the development that had led to two separate Section 20 Prohibition Orders being issued by Liverpool City Council ("LCC") in respect of Blocks C and E and also Block B. As a result of the remedial works carried out by a group of the leaseholders, the Prohibition Order issued in respect of Block B was rescinded in February 2020. The Prohibition Order in respect of Blocks C and E remains in force.

The Joint Administrators' advised creditors in their first progress report that there were funds in the sum of £130,000 that were being held by the Company's former solicitors, EAD Solicitors LLP ("EAD"). EAD entered into Administration on 13 September 2018 and HD had been corresponding with the administrators of EAD to recover these monies. However, it was established in the reporting period that these funds were in fact being held on trust for the benefit of Liverpool City Council and would not represent a recovery into the administration estate of the Company.



## **FOX STREET VILLAGE LIMITED - IN ADMINISTRATION**

### **Sixth Months Progress Report pursuant to part 18 of the Insolvency (England and Wales) Rules 2016**

As you may be aware, the original term for the Administration was 12 months. As set out above we have undertaken a significant amount of work to get to this stage however, due to a variety of factors and obstacles it has not been possible to conclude the sale within 12 months. Accordingly, further to an application to Court, it was ordered on 1 May 2020 that the Administration of the Company and the term of office of its Joint Administrators be extended until 29 May 2021.

Attached at Appendix 2 is a time analysis outlining the time spent by the Joint Administrators and their staff during the Period together with a cumulative time analysis covering the period since our appointment. More details explaining the work undertaken by the Joint Administrators in the period are set out in Appendix 1.

#### **1. Receipts**

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There have been no realisation in the Administration.

#### **2. Expenses incurred but not paid**

##### **2.1 Joint Administrators' disbursements**

###### **2.1.1 Statutory advertising**

The cost of publishing the statutory advert in the London Gazette in respect of the Joint Administrators' appointment was £97.20.

###### **2.1.2 Specific bond**

The specific bond is the cost of insurance, based on the level of realisations by the Joint Administrators, as required by the Insolvency Practitioners Regulations 2005. This cost currently stands at £636.52.

###### **2.1.3 Travel expenses**

We have paid £738.28 for the cost of travelling to the Property for the various site visits undertaken by the Joint Administrators and their staff.

###### **2.1.4 Statutory costs**

The amount of £9 has been accrued in respect of fees for searches and information obtained from the Land Registry.

###### **2.1.5 Court fees**

We have paid the sum of £50 for lodging all appointment related documents at the High Court.

##### **2.2 Property expenses**

During the course of the administration due to the lack of any funding available to the Company in Administration the expenses incurred relating the Property have been

## **FOX STREET VILLAGE LIMITED - IN ADMINISTRATION**

### **Sixth Months Progress Report pursuant to part 18 of the Insolvency (England and Wales) Rules 2016**

kept to a minimum and only to meet the requirements of the building's insurance policy and to avoid any deterioration to the building, where possible.

Upon appointment the Joint Administrator's took out an Insolvency Open Cover policy with AXA Insurance Plc which covers the buildings at the Property. The cover is rolling and for the six months covered by this report this cover has cost £59,346.59. The total premium for the 12 months totals £119,345.37.

One of the requirements of the insurance policy is for the 3 passenger lifts to be inspected. This cost is in addition to the policy premium and amounts to £636.52.

The cost of the electricity required to maintain the heating for the communal areas for the last 6 months has amounted to £4,109.50. The total cost for the 12 months is £7,666.67.

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#### **2.3 Applicant's cost for administration order**

On 24 May 2019, an Administration Application was filed at the High Court of Justice by a single creditor pursuant to paragraph 12(1)(c) of Schedule B1 of the Act and a hearing to consider the application was to take place on 14 June 2019. As discussed above, upon the appointment of Joint Administrators by PH Invest Limited the Company was placed into Administration on 30 May 2019.

At the hearing on the 14 June 2019, the Court ordered that the application made by the single creditor be stayed. It was agreed with the creditor that made that application, that in light of the appointment made by PH Invest Limited, the costs of their application would be treated as an expense of the Administration. The amount that was agreed upon was £10,000 plus VAT.

#### **2.4 Legal fees**

As discussed in the Joint Administrators' Report and Proposals, Hill Dickinson LLP ("HD") were instructed to advise on the legal issues surrounding the Property and arising in the Administration generally. HD have a specialist Insolvency department and they were chosen on that basis after taking into account the size and complexity of the legal issues. HD charge its fees on a time costs basis and for the six months under review its unpaid time costs total £222,980.50. These fees relate to general advice, the preparation of contracts for sale and very substantial involvement in the unavoidable Court Processes described at (e) above.

HD's total time costs for the administration are £284,248.50 and unpaid disbursements of £11,908.13.

Following the appointment, in accordance with normal practice, the Joint Administrators sought legal opinion on the validity of the charge held by PH Invest Limited and on the validity of their appointment. As advised in the Joint Administrators' Report and Proposals, Edwin Coe LLP were instructed carry out this review. Edwin Coe LLP charged its fees on a time cost basis and on this matter agreed to a fee cap of £2,200 plus VAT. These fees remain outstanding.

## **FOX STREET VILLAGE LIMITED - IN ADMINISTRATION**

### **Sixth Months Progress Report pursuant to part 18 of the Insolvency (England and Wales) Rules 2016**

#### **2.5 Agent's fees**

Upon appointment, the Joint Administrators appointed LSH to provide a valuation of the Company's assets and also conduct the marketing and sales process. In addition to this role, LSH has also been providing advice on the issues with the prohibition orders and enforcement notice, including site visits and correspondence with representatives of Liverpool City Council to assess the building defects.

LSH were selected as agents on the basis of their experience and expertise in dealing with valuations and sales of assets in insolvency situations, taking into account the locality and size of the Company. The agreed basis of LSH fees was time costs and to date they have unpaid costs in the sum of £45,250.

#### **2.6 Pre-Administration Time Costs: Rule 18.5**

In my earlier report to creditors, I set out the costs my firm incurred between our first being consulted and the date of our appointment, and I provided details as required by Rule 3.36. Creditors may recall that I reported that my firm's time costs were £4,438 plus VAT for a total of 12:06 hours.

#### **(f) Joint Administrators' Remuneration and Expenses**

- i) The Joint Administrators' remuneration is fixed by reference to time spent in attending to matters arising in the Administration. A statement of remuneration charged and description of work undertaken are provided at Appendix A.
- ii) Expenses incurred in the Administration are explained at (e) above.

#### **(g) Creditors and Distributions**

##### **(i) (a) Secured creditors**

PH Invest Limited holds a fixed and floating charge over the Company's assets, created on 16 August 2018 and registered at Companies House on 20 August 2018. This debenture has now been validated and the charge is in good order.

##### **(b) Prescribed Part**

Section 176A of the Insolvency Act 1986 provides for a prescribed part of the Company's net property to be retained from distribution to the floating charge holder, where the debenture was created on or after 15 September 2003 and made available for the satisfaction of unsecured debts.

Based on present information, I estimate the value of the Company's net floating charge property to be nil. As this net property is less than the prescribed part minimum of £10,000, Section 176A(2) shall not apply.

##### **(ii) Preferential creditors**

The Company had no employees so there are no preferential creditors in the administration.

## **FOX STREET VILLAGE LIMITED - IN ADMINISTRATION**

### **Sixth Months Progress Report pursuant to part 18 of the Insolvency (England and Wales) Rules 2016**

#### **(iii) Non-preferential unsecured creditors**

##### **a. Trade and Crown creditors**

The claims of the Company's trade and Crown creditors have been noted when received. Based on current information, it is unlikely that there will be a dividend payable to the unsecured non-preferential creditors.

##### **b. Consumer creditors – Investors in Blocks A, B, C & E**

The claims of investors in units in these blocks have been noted when received. Unfortunately, based in the current information it is unlikely that there will be sufficient funds to enable a dividend to this class of creditor.

There are a number of cases where the sales of units in these blocks have not completed where the parties that have placed deposits and have lodged Unilateral Notices thereby affording them a lien over the proceeds of sale in priority to PH Invest Limited and the unsecured creditors.

##### **c. Consumer creditors – Investors in Block D**

As discussed above, should there be a successful sale of the site as a whole then there will be funds attributable to those Block D investors that hold Unilateral Notices registered against the Property Title. The Joint Administrators have been requesting creditors to submit their claims and as at the date of this report the claims of 111 Block D creditors, with a total value of £8,233,197 have been received.

#### **(h) Details of what remains to be done**

As discussed at (e) above, since the date of this report contracts for sale of the Property were exchanged with SGL 1 Ltd, a company operated by the Fortis Group, in the sum of £1.6m, subject to the Court proceedings outlined above.

#### **(i) Other information of relevance to creditors:**

##### ***Investigations***

You may recall from my first progress report to creditors that some of the work the Administrator is required to undertake is to comply with legislation such as the Company Directors' Disqualification Act 1986 (CDDA 1986) and Statement of Insolvency Practice 2 – Investigations by Office Holders in Administration and Insolvent Liquidations and may not necessarily bring any financial benefit to creditors, unless these investigations reveal potential asset recoveries that can be pursued for the benefit of creditors.

My report on the conduct of the Directors of the Company to the Department for Business, Energy & Industrial Strategy under the CDDA 1986 was submitted during the first period of the Administration and is confidential.

**FOX STREET VILLAGE LIMITED - IN ADMINISTRATION**

**Sixth Months Progress Report pursuant to part 18 of the Insolvency (England and Wales) Rules 2016**

**(j) Next report**

We are required to provide a Progress Report within one month of the end of the next six months of the Administration or earlier if the Administration has been finalised.

I trust you will find this report adequate for your purposes but should you require any further information, please do not hesitate to contact in the first instance either our Senior Manager, Robert Cowie, or their assistant, Rhiannon McColl at this office.

*David Rubin & Partners*

p.p **ASHER MILLER - ADMINISTRATOR**

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**DATE: 25 JUNE 2020**

## APPENDIX A

### JOINT ADMINISTRATORS' REMUNERATION AND EXPENSES

#### 1. Joint Administrators' Remuneration

I have reviewed my firm's time costs for the period under review and advise that they amount to £134,802 for 349:24 hours, which equates to an average of £383.75 per hour. Total time costs from the date of appointment to 29 May 2020 amount to £241,518 for 675:54 hours, which equates to an average cost of £357.33 per hour. A breakdown of these time charges is set out in Appendix B.

To date £nil has been paid on account of these time costs.

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#### 1.1 *Staff allocation and the use of subcontractors*

Our general approach to resourcing our assignments is to allocate staff with the skills and experience to meet the specific requirements of the case. The constitution of the case team will usually consist of a Partner, Manager, Senior Administrator and two Administrators. The exact constitution of the case team will depend on the anticipated size and complexity of the assignment and additional staff may be allocated to meet the demands of the case.

We have not utilised the services of any subcontractors in this case.

#### 1.2 *Basis of Joint Administrators' Remuneration*

An Administrator is not only required to deal with correspondence and claims from unsecured creditors (which may include retention of title claims), but also those of the secured creditors of the Company. This may involve separate reporting to any secured creditor and dealing with distributions from asset realisations caught under their security, most typically a debenture.

The above work will not necessarily bring any financial benefit to creditors generally, however an Administrator is required by statute to undertake this work. Similarly, if a distribution is to be paid to any class of creditor, work will be required to agree those claims and process the dividend payments to each relevant class of creditor. The more creditors a company has, the more time and cost will be involved by the Administrator in dealing with those claims.

Creditors may recall from the Joint Administrators' Proposals that their remuneration be fixed by reference to the time given by the Joint Administrators and the various grades of their staff according to their firm's usual charge out rates in attending to matters arising in the administration. Creditors may also recall that it is the opinion of the Joint Administrators that there will be insufficient funds available in the Administration to enable a distribution to the Company's unsecured creditors and that the approval for the basis of their fees and disbursements is sought from the secured creditor.

To date, the Joint Administrators have drawn no fees in respect of their outstanding time costs.

## 2. Charge out rates

In accordance with the provisions of Statement of Insolvency Practice 9 ("SIP 9"), I would advise that my firm's current hourly chargeout rates applicable to this appointment, which are charged in units of 6 minutes, exclusive of VAT, are as follows:-

	£
Senior / Managing Partners	550
Partners / Office holders	495
Managers / Senior Managers	350 - 395
Senior Administrators	220 - 295
Administrators	160 - 200
Cashiers and Assistants	150 - 295
Support Staff	120 - 150

Chargeout rates are normally reviewed annually in November, when rates are adjusted to reflect such matters as inflation, increases in direct wage costs, and changes to indirect costs such as Professional Indemnity Insurance. Time is charged in minimum units of 6 minutes.

## 3. Case overview

Background to the Administration can be found in our Report and Proposals dated 23 July 2019. Details of the progress made in the Administration is detailed in the main body of the report at (e) and also in the Joint Administrators 1<sup>st</sup> Progress Report dated 23 December 2019.

## 4. Other Issues affecting costs

As advised in our previous reports, due to the complex nature of the issues surrounding the Property, title, security and sale, a high level of partner and senior manager involvement has been and will continue to be required with this part of the assignment.

Additionally, there are a large number of investors that have bought units and we have been corresponding with many of these by telephone and by email. As set out in the main body of the report, it is not thought that there will be sufficient realisations in the administration of the Company to enable a return to the unsecured creditors; accordingly the claims of the unsecured creditors are being recorded when received but not formally adjudicated at this stage.

In addition to the above function and the work mentioned in the report, other work undertaken to date are the following: -

- i.) Notifying creditors of the Administrator's appointment and other associated formalities including statutory advertising and filing relevant statutory notices at Companies House.
- ii.) Opening, maintaining and managing the Administration estate cashbook, bank account(s).

- iii.) IPS set-up – Creation and update of case files on the firm's insolvency software which include company information, creditors, debtors and employees details.
  - iv.) Securing the Company's books and records.
  - v.) Complying with statutory duties in respect of the Administrator's specific penalty bond.
  - vi.) Completion and filing of the notice of the Company's insolvency to HMRC
  - vii.) Initial assessment required by Statement of Insolvency Practice 2 and the Company Directors Disqualification Act 1986 (CDDA) including the review of the Company's books and records and the identification of potential further asset realisations which may be pursued in the liquidation
- 
- viii.) Filing a statutory return to the Department for Business, Energy & Industrial Strategy under the CDDA
  - ix.) Preparation and circulation of notice of appointment and subsequent the proposals to creditors pursuant to Paragraph 49 of Schedule B1 of the Insolvency Act 1986.
  - x.) Preparing and issuing half yearly progress reports to members and creditors.
  - xi.) Lodging periodic returns with the Registrar of Companies for the Administration.
  - xii.) Periodic case progression reviews. Although these reviews are not a legal requirement, Regulatory Bodies who monitor the work of the Administrator see this task as a best practice requirement with which the Office Holder is required to comply.
  - xiii.) Liaison with secured creditors, obtaining charge documents and arranging for these to be independently validated.
  - xiv.) Obtaining and acknowledging the claims of the many unsecured creditors and dealing with any correspondence therein.
  - xv.) Arranging the insolvency practitioner's bond and submission of the bordereau as required by section 390 of the Insolvency Act 1986.
  - xvi.) Correspondence with the HM Revenue and Customs both as regards of any claims in relation of Corporation Tax and VAT.

To view an explanatory note concerning Administrators' remuneration issued by the Joint Insolvency Committee, please visit the Publications folder on our website [www.drpartners.com/cases](http://www.drpartners.com/cases), using the following log-on details:

USERNAME: F986@drco.co.uk

PASSWORD: 689Frc\*!

Alternatively, please contact this office to arrange for a copy to be sent to you.

A copy of 'A Creditors' Guide to Administrators' Fees' is available on request or can be downloaded from our website.



## 5. Creditors' rights

Within 21 days of the receipt of this report, in accordance with Rule 18.9, a secured creditor, or an unsecured creditor (with the concurrence of at least 5% in value of the unsecured creditors) may request in writing that the Administrator provide further information about his remuneration or expenses (other than pre-administration costs) which have been itemised in this progress report.

Under Rule 18.34, any secured creditor, or an unsecured creditor (with the concurrence of at least 10% in value of the unsecured creditors) may within 8 weeks of receipt of this progress report make an application to court on the grounds that, in all the circumstances, the basis fixed for the Administrator's remuneration is inappropriate and/or the remuneration charged or the expenses incurred by the Administrator, as set out in this progress report, are excessive.

## 6. Policy as regards disbursements:

### Direct expenses ("Category 1 disbursements")

Category 1 disbursements as defined by SIP 9, which can be specifically identified as relating to the administration of the case, will be charged to the estate at cost, with no uplift. These include but are not limited to such items as case advertising, bonding and other insurance premiums and properly reimbursed expenses incurred by personnel in connection with the case.

### Indirect expenses ("Category 2 disbursements")

It is normal practice to also charge the following indirect disbursements ("Category 2 disbursements" as defined by SIP 9) to the case, where appropriate:

#### Postage and stationery: circulars to creditors

Headed paper	25p per sheet	Envelopes	25p each
Photocopying	6p per sheet	Postage	Actual cost

**Meeting Costs:** Use of Meeting Room is charged at £150 per session

#### Storage and Archiving

We use a commercial archiving company for storage facilities for companies' records and papers. This is recharged to the estate at the rate of £10 per box per quarter, and includes a small charge to cover the administration costs of maintaining the archiving database and retrieval of documents. We also use our own personnel and vehicle for collection of books and records for which we charge £65 per hour

**Mileage** incurred as a result of any necessary travelling is charged to the estate at the Inland Revenue approved rate, currently 45p per mile

## FOX STREET VILLAGE LIMITED - IN ADMINISTRATION

JOINT ADMINISTRATORS' TIME COSTS							
FOR THE PERIOD 30 NOVEMBER 2019 TO 29 MAY 2020							
Classification of work function	Hours					Total Cost £	Average hourly rate £
	Partners	Manager / Senior Manager	Admin / Senior Admin	Cashiers	Total hours		
Statutory compliance, admin and planning	06:48	22:30	15:00	00:00	44:18	14,578.50	329.09
Investigations	04:24	08:54	00:00	00:00	13:18	5,693.50	428.08
Realisations of assets	59:24	64:36	01:54	00:00	125:54	55,445.00	440.39
Creditors	43:24	62:30	60:00	00:00	165:54	58,365.00	351.81
Total hours and costs	114:00	158:30	76:54	00:00	349:24	134,082.00	383.75

JOINT ADMINISTRATORS' CUMULATIVE TIME COSTS							
FOR THE PERIOD FROM 30 MAY 2019 TO 29 MAY 2020							
Classification of work function	Hours					Total Cost £	Average hourly rate £
	Partners	Manager / Senior Manager	Admin / Senior Admin	Cashiers	Total hours		
<b>Statutory compliance, admin and planning</b>							
IPS set up & maintenance	00:00	00:00	00:18	00:00	00:18	45.00	150.00
Statutory filings, circulars, notices, etc.	01:06	04:12	07:36	00:00	12:54	3,381.50	262.13
Case planning, strategy & control	21:36	24:36	02:36	00:00	48:48	21,027.50	430.89
Taxation: PAYE, C/Tax & VAT	00:00	00:54	00:24	00:00	01:18	415.50	319.62
Case reviews & Diary maintenance	00:00	03:12	04:54	00:00	08:06	1,682.50	207.72
Statutory reporting and compliance	08:00	19:00	08:42	00:00	35:42	12,947.00	362.66
<b>Investigations</b>							
CDDA preparation & reporting	00:00	02:24	01:18	00:00	03:42	1,146.00	309.73
Antecedant transactions	01:18	04:48	03:42	00:00	09:48	3,131.50	319.54
Proceedings & recoveries	04:24	08:54	00:00	00:00	13:18	5,693.50	428.08
<b>Realisation of assets</b>							
Freehold & leasehold properties	90:36	116:48	09:30	00:00	216:54	92,668.00	427.24
Tangible assets	03:12	04:00	00:00	00:00	07:12	3,164.00	439.44
<b>Creditors</b>							
Secured creditors	05:12	08:18	02:36	00:00	16:06	6,257.50	388.66
Unsec'd Creditors: correspondence & claims	30:36	64:06	124:42	00:00	219:24	60,708.00	276.70
Decision process & Para 63 Application	20:24	31:30	30:30	00:00	82:24	29,250.50	354.98
Total hours and costs	186:24	292:42	196:48	00:00	675:54	241,518.00	357.33