

CVA4 (Scot)

Notice of termination or full implementation of voluntary arrangement



Companies House

TUESDAY



SAEZ4ZDL

SCT

12/10/2021

#92

COMPANIES HOUSE

1 Company details

Company number S C 0 2 4 7 2 4

Company name in full The Scottish Council for Development and Industry

→ Filling in this form

Please complete in typescript or in
bold black capitals.

2 Supervisor's name

Full forename(s) Blair Carnegie

Surname Nimmo

3 Supervisor's address

Building name/number 319

Street St Vincent Street

Post town Glasgow

County/Region

Postcode G 2 5 A S

Country

4 Supervisor's name ^①

Full forename(s) Howard

Surname Smith

① Other supervisor

Use this section to tell us about
another supervisor.

5 Supervisor's address ^②

Building name/number 1 Sovereign Square

Street Sovereign Street

Post town Leeds

County/Region

Postcode L S 1 4 D A

Country

② Other supervisor

Use this section to tell us about
another supervisor.

CVA4 (Scot)

Notice of termination or full implementation of voluntary arrangement

6 Date voluntary arrangement fully implemented or terminated

Date

d	d	m	m	y	y	y	y
2	2	0	9	2	0	2	1

7 Attachments

- ☐ I have attached a copy of the notice to creditors
- ☒ I have attached a copy of the supervisor's report

8 Sign and date

Supervisor's signature

Supervisor's signature

X

Harold Smith

X

Signature date

d	d	m	m	y	y	y	y
0	7	1	0	2	0	2	1

CVA4 (Scot)

Notice of termination or full implementation of voluntary arrangement



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 Rachel McCrorie

Company name Interpath Advisory

Address 319 St Vincent Street

Post town Glasgow

County/Region

Postcode G 2 5 A S

Country

DX

Telephone Tel +44 (0) 141 648 4300



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 and dated 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,
Fourth floor, Edinburgh Quay 2,
139 Fountainbridge, Edinburgh, Scotland, EH3 9FF.
DX ED235 Edinburgh.



Further information

For further information please see the guidance notes on the website at www.gov.uk/companieshouse or email enquiries@companieshouse.gov.uk

This form is available in an alternative format. Please visit the forms page on the website at www.gov.uk/companieshouse

Supervisors' Final Progress Report 23 March 2021 to 22 September 2021

**The Scottish Council for Development and
Industry – under a Voluntary Arrangement**

7 October 2021

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In the Court of Session

Case No. 1 of 21

In the matter of The Scottish Council for Development and Industry
(the 'Company')

and in the matter of the Insolvency Act 1986

We attach as Appendix 1 a copy of the Supervisors' final summary of receipts and payments in the above Voluntary Arrangement (the "Arrangement") for the period 23 March 2021 to 22 September 2021 (the 'Period') and the duration of the CVA in its entirety and we report as follows:

1 Receipts

1.1 Contributions from the Company

In accordance with the approved Proposal, the Company paid the following contributions to the Supervisors:

- Compromised Pension Creditors' Fund - £343,802 to be paid to the Pension Creditor, being the Pension Protection Fund ("PPF"), in respect of the Pension Debts.
- Compromised Landlord Fund - £3,189.00 to be paid to the Company's landlord, Daejan (FH 1998) Limited (the "Landlord"), in respect of the Dilapidations Liability.

The funds were held in two separate bank accounts opened by the Supervisors for the purposes of the Arrangement.

1.2 Bank interest

Bank interest totalling £11.69 has been received during the Period.

2 Payments

2.1 Payment to the PPF

The £343,802 held by the Supervisors in the Compromised Pension Creditors' Fund was distributed to the PPF via electronic transfer on 29 April 2021.

2.2 Payment to Landlord

The £3,189 held by the Supervisors in the Compromised Landlord Fund was distributed to the Landlord via electronic transfer on 4 August 2021.

2.3 2.3 Bank charges

A £20 bank fee was incurred for each of the above payments (total cost: £40).

3 Progress of the Arrangement

3.1 Progress to date

The Arrangement has been successfully implemented as set out in the Proposal. The CVA was closed on 22 September 2021.

4 Office Holders' Remuneration

Nominees' fees totalling £16,000 were settled prior to the Supervisors' appointment as disclosed in the Proposal.

In accordance with the terms of the Proposal, the Joint Supervisors' remuneration was estimated at £27,000. The Supervisors' fees are VAT exempt. The Company transferred £27,000 to the Joint Supervisors following approval of the Proposal. In accordance with the approved Proposal, these funds were held in the Compromised Landlord Fund and have now been drawn to settle the Joint Supervisors' fees.

Attached at Appendix 2 is a detailed analysis of time spent and charge out rates for each grade of staff for the various areas of work carried out since the commencement of the CVA proceedings (as required by the Association of Business Recovery Professionals' Statement of Insolvency Practice No.9) together with details of expenses incurred to date.

The analysis at Appendix 2 shows that the Joint Supervisors incurred time costs of £43,828.45 representing 100.15 hours at an average rate of £437.63 per hour. This includes tax, VAT and pensions advice from Interpath Ltd in-house specialists. Expenses of £991.69 were also incurred, shown at Appendix 3.

Please note that all staff who have worked on this assignment, including cashiers and secretarial staff, have charged time directly to the assignment and are included in the analysis of time spent. However, the cost of staff employed in central administration functions is not charged directly to this assignment but is reflected in the general level of charge out rates.

A creditors' guide to fees can be found at:

[R3 | Technical Library | Scotland | Guidance | Fees](#)

However, if you are unable to access this guide and would like a copy then please contact Rachel McCrorie on 0141 648 4346.

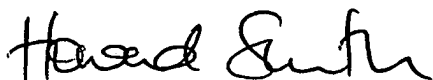
5 Notice of completion of the CVA

The Company has complied with its obligations under the CVA. Notice is hereby given pursuant to clause 29.1 of the Proposal and Rule 2.43 of The Insolvency (Scotland) (Company Voluntary Arrangements and Administration) Rules 2018 to the Compromised Creditors bound by the CVA and to all creditors and members that the CVA has been fully implemented and is complete with effect from 22 September 2021.

This notice formalises our release from office as Joint Supervisors as our duties under the CVA are complete. The Company's obligations and duties under the CVA are also at an end.

If you have any further queries in relation to the above, please direct them to Rachel McCrorie on 0141 648 4346.

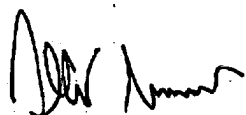
Signed



Dated 7 October 2021

Howard Smith

Signed



Dated 7 October 2021

Blair Nimmo

Appendix 1

Receipts and payments account for the period 23 March 2021 to 22 September 2021

The Scottish Council for Development and Industry - under a Voluntary Arrangement

Abstract of receipts & payments

	From 23/03/2021 To 22/09/2021 (£)	From 23/03/2021 To 22/09/2021 (£)
ASSET REALISATIONS		
Furniture & equipment	NIL	NIL
Cash at bank	NIL	NIL
	NIL	NIL
OTHER REALISATIONS		
Bank interest, gross	11.69	11.69
Sundry debtors	NIL	NIL
Contributions from Company	375,011.00	375,011.00
	375,022.69	375,022.69
COST OF REALISATIONS		
Supervisors' fees	(27,000.00)	(27,000.00)
Supervisors' expenses	(991.69)	(991.69)
Bank charges	(40.00)	(40.00)
	(28,031.69)	(28,031.69)
PREFERENTIAL CREDITORS		
PAYE income tax etc	NIL	NIL
Employees' holiday pay	NIL	NIL
Conts. to pension schemes	NIL	NIL
	NIL	NIL
UNSECURED CREDITORS		
Trade & expense	NIL	NIL
Employees	NIL	NIL
Non-preferential VAT	NIL	NIL
Landlord/Dilapidations	(3,189.00)	(3,189.00)
Pension scheme	(343,802.00)	(343,802.00)
	(346,991.00)	(346,991.00)
	NIL	NIL
REPRESENTED BY		
NIB 15.09.21 – Floating charge current		NIL
		NIL

Appendix 2 Time cost analysis for the period from 23 March 2021 to 22 September 2021

SIP 9 – Time costs analysis (23/03/2021 to 22/09/2021)								
	Hours				Time Cost (£)	Average Hourly Rate (£)		
	Partner / Director	Manager	Administrator	Support			Total	
Administration & planning								
Director								
General correspondence		9.20		4.80	14.00	6,712.00	479.43	
Notification of appointment		0.30		1.60	1.90	688.00	362.11	
Cashiering								
General (Cashiering)				4.40	0.35	4.75	1,472.55	310.01
Reconciliations (& IPS accounting reviews)				0.40		0.40	130.00	325.00
General								
Books and records				0.40		0.40	130.00	325.00
Fees and WIP	0.60	1.70		4.40		6.70	2,796.00	417.31
Joint appointee	0.60	4.00				4.60	2,654.00	576.96
Statutory and compliance								
Appointment and related formalities	1.40	3.90		1.70		7.00	3,632.50	518.93
Bonding & Cover Schedule				0.70		0.70	227.50	325.00
Checklist & reviews		1.00		4.90		5.90	2,036.80	345.22
Closure and related formalities		3.50		2.40		5.90	2,740.00	464.41
Strategy documents	2.00	0.40		4.50		6.90	3,066.50	444.42
Tax								
Initial reviews - CT and VAT		0.30		1.10		1.40	525.50	375.36
Post appointment corporation tax		0.30				0.30	168.00	560.00
Post appointment VAT				0.30		0.30	97.50	325.00
Creditors								
Creditors and claims								
Agreement of unsecured claims		3.70		2.70		6.40	2,949.50	460.86
Creditors Meeting				0.30		0.30	97.50	325.00
General correspondence		1.60		5.10		6.70	2,437.80	363.85
Notification of appointment				1.30		1.30	422.50	325.00

SIP 9 – Time costs analysis (23/03/2021 to 22/09/2021)						
	Hours				Time Cost (£)	Average Hourly Rate (£)
	Partner / Director	Manager	Administrator	Support	Total	
Payment of dividends	0.70	2.50	3.90		7.10	3,150.50
Statutory reports	1.70	1.20	3.80		6.70	2,902.00
Employees						
Pensions reviews		0.50	2.90		3.40	1,203.90
Correspondence						
Directors						
Correspondence with directors			0.30		0.30	97.50
Mail redirection			0.40		0.40	94.40
Realisation of assets						
Asset Realisation						
Cash and investments		5.60	0.80		6.40	3,396.00
Total in period	7.00	39.70	53.10	0.35	100.15	43,828.45
Brought forward time (appointment date to SIP 9 period start date)					0.00	0.00
SIP 9 period time (SIP 9 period start date to SIP 9 period end date)					100.15	43,828.45
Carry forward time (appointment date to SIP 9 period end date)					100.15	43,828.45

All staff who have worked on this assignment, including cashiers and secretarial staff, have charged time directly to the assignment and are included in the analysis of time spent. The cost of staff employed in central administration functions is not charged directly to the assignment but is reflected in the general level of charge out rates.

All time shown in the above analysis is charged in units of six minutes.

Appendix 3

Expenses for the period from 23 March 2021 to 22 September 2021

SIP 9 - Expenses					
Expenses	Category 1		Category 2		Totals (£)
	Paid (£)	Unpaid (£)	Paid (£)	Unpaid (£)	
Bordereau	117.50	NIL	NIL	NIL	117.50
Printing & postage	874.19	NIL	NIL	NIL	874.19
Total	991.69	NIL	NIL	NIL	991.69

Policy for the recovery of expenses

Where funds permit the officeholders will seek to recover both Category 1 and Category 2 expenses from the estate. For the avoidance of doubt, such expenses are defined within SIP 9 as follows:

Expenses: These are any payments which are neither an office holder's remuneration nor a distribution to a creditor or a member. Expenses also includes disbursements which are payments first met by the office holder, and then reimbursed to the office holder from the estate.

Category 1 expenses: These are payments to persons providing the service to which the expense relates who are not an associate of the office holder. These may include, for example, advertising, room hire, storage, postage, telephone charges, travel expenses, and equivalent costs reimbursed to the officeholder or his or her staff.

Category 2 expenses: These are payments to associates or which have an element of shared costs. They may include shared or allocated costs that can be allocated to the appointment on a proper and reasonable basis, for example, business mileage.

Associates: are defined in the insolvency legislation but also extends to parties where a reasonable and informed third party might consider there would be an association between the third party and the office holder or their firm.

Appendix 4

Notice: About this report

This report has been prepared by Howard Smith and Blair Nimmo, formerly Joint Supervisors of The Scottish Council for Development and Industry (the 'Company'), solely to comply with their statutory duty to report to creditors and members under the Insolvency (Scotland) (Company Voluntary Arrangements and Administration) Rules 2018 on the progress of the Arrangement, and for no other purpose. It is not suitable to be relied upon by any other person, or for any other purpose, or in any other context.

This report has not been prepared in contemplation of it being used, and is not suitable to be used, to inform any investment decision in relation to the debt of or any financial interest in the Company.

Any person that chooses to rely on this report for any purpose or in any context other than under the Insolvency (Scotland) (Company Voluntary Arrangements and Administration) Rules 2018 does so at its own risk. To the fullest extent permitted by law, we do not assume any responsibility and will not accept any liability in respect of this report to any such person.

Howard Smith is authorised to act as an insolvency practitioner by the Institute of Chartered Accountants of England and Wales.

Blair Carnegie Nimmo is authorised to act as an insolvency practitioner by the Institute of Chartered Accountants of Scotland.

We are bound by the Insolvency Code of Ethics.

The Officeholders are Data Controllers of personal data as defined by the Data Protection Act 2018. Personal data will be kept secure and processed only for matters relating to the appointment. For further information, please see our Privacy policy at – www.interpathadvisory.com/privacy-insolvency.

The Joint Supervisors acted as agents for the Company and contracted without personal liability. The appointments as Joint Supervisors was personal to them and, to the fullest extent permitted by law, Interpatch Ltd does not assume any responsibility and will not accept any liability to any person in respect of this report or the conduct of the voluntary arrangement.

www.interpathadvisory.com

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