

# 2.17B

The Insolvency Act 1986

## Statement of administrator's proposals

|   |                            |
|---|----------------------------|
| Name of Company<br>F J Booth & Partners Limited           | Company number<br>01188419 |
| In the<br>Leeds District Registry<br>(full name of court) | Court case number<br>2050  |

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

I/We (a)  
Adrian Peter Berry  
Deloitte LLP  
1 City Square  
Leeds  
West Yorkshire  
LS1 2AL

Ian Brown  
Deloitte LLP  
1 City Square  
Leeds  
West Yorkshire  
LS1 2AL

\*Delete as  
applicable

attach a copy of \*my/our proposals in respect of the administration of the above company

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

(b) 3 December 2010

Signed

  
Joint Administrator

Dated

20/12/10

### Contact Details:

You do not have to give any contact information in the box opposite but if you do, it will help Companies House to contact you if there is a query on the form

The contact information that you give will be visible to researchers of the

Adrian Peter Berry  
Deloitte LLP  
1 City Square  
Leeds  
West Yorkshire  
LS1 2AL

DX Number

0113 243 9021  
DX Exchange

When you have completed and signed this form, please send it to the Registrar of Companies at -  
**Companies House, Crown Way, Cardiff CF14 3UZ DX 33050 Cardiff**

WEDNESDAY



A49 22/12/2010 126  
COMPANIES HOUSE

TO ALL KNOWN CREDITORS

Contact Name Craig Florence  
Direct 0113 292 1574

8 December 2010

Our Ref BOOTH/APB/NM/MR/ADML2010-013b/B

Dear Sirs

**F J Booth & Partners Limited - In Administration ("the Company")**  
**01188419 -COMPANY NUMBER**

Further to previous correspondence, I now write to inform you that the proposed Meeting of the Company's Creditors scheduled for 20 December 2010 has been cancelled. Legal advice has been taken regarding the cancellation of the meeting and it has been concluded that there was no alternative but to reschedule pursuant to Rule 12.10 of the Insolvency Rules 1986.

Accordingly, the meeting has been rescheduled for **30 December 2010 at 10:30am at The Riverside Stadium, Middlehaven Way, Middlesbrough, TS3 6RS**. The meeting has been called to consider the Administrators' Proposals under Schedule B1, Paragraph 51 of the Insolvency Act 1986.

The following documents are enclosed

- **Notice of a meeting of creditors (Form 2.20B)** at which the Administrators' will present their Proposals. Creditors present or represented may approve the Administrators' Proposals without modification or with modifications, if the Administrator consents. The meeting may also establish a Creditors' Committee.

All creditors are invited to attend the meeting. However, I would confirm that you are not legally required to attend, or be represented, and non-attendance will not prejudice your claim.

Important Notice: Partners, Associate Partners and Directors acting as receivers and administrators contract without personal liability. Unless otherwise shown, all appointment taking Partners, Associate Partners and Directors are authorised by The Institute of Chartered Accountants in England and Wales. In addition Brian William Milne is a Licensed Insolvency Practitioner authorised by The Institute of Chartered Accountants of Scotland. All licensed insolvency practitioners of Deloitte LLP are licensed in the UK to act as insolvency practitioners.

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Member of Deloitte Touche Tohmatsu



- **Claim for voting purposes (Form 4.25)** which must be completed and returned to the above address not later than 12 noon on 29 December 2010 to enable you to vote, in person or by proxy, at the meeting. Claims should include details of contingent debts, unliquidated damages and the value of any security held
- **Proxy Form (Form 8.2)** to be completed only if you do not wish to attend the meeting in person. Please complete in accordance with the instructions and return to the above address by 12 noon on 29 December 2010 to enable your vote to be included. The return of forms of proxy will not prevent a creditor from subsequently attending the meeting and voting in person. Any person attending the creditors' meeting as a representative of a company should be prepared to produce to the Chairman of the meeting a copy of the resolution appointing him/her as corporate representative

The resolution to approve the Administrators' Proposals requires the approval of a majority (in value) of those creditors present and voting, in person or by proxy, at the meeting

The result of the meeting will be sent to you

If you require any further information please contact Craig Florence on 0113 292 1574

Yours faithfully

For and on behalf of F J Booth & Partners Limited



 **A P Berry**  
Joint Administrator

Adrian Berry and Ian Brown were appointed Joint Administrators of F J Booth & Partners Limited on 22 October 2010. The affairs, business and property of the Company are managed by the Joint Administrators. The Joint Administrators act as agents of the Company and contract without personal liability.

Encs    Notice of a meeting of creditors (Form 2 20B)  
            Claim for voting purposes (Form ADML2010 027)  
            Proxy form

## Rule 2.35

## Notice of a meeting of Creditors

Name of Company

F J Booth &amp; Partners Limited

Company number

01188419

In the  
Leeds District Registry

(full name of court)

Court case number  
2050 of 2010(a) Insert full name(s)  
and address(es) of  
administrator(s)

Notice is hereby given by (a)  
Adrian Peter Berry  
Deloitte LLP  
1 City Square  
Leeds  
West Yorkshire  
LS1 2AL

Ian Brown  
Deloitte LLP  
1 City Square  
Leeds  
LS1 2AL

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

that a meeting of creditors of (b)  
F J Booth & Partners Limited  
c/o Deloitte LLP  
1 City Square  
Leeds

(c) Insert details of place  
of meeting

is to be held at (c)

(c) The Riverside Stadium, Middlehaven Way, Middlesbrough, TS3 6RS

(d) Insert date and time  
of meeting

on (d) 30 December 2010

at 10 30am

The meeting is

\*Delete as applicable

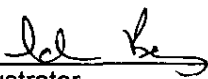
\*(1) an initial creditors' meeting under paragraph 51 of Schedule B1 to the Insolvency Act 1986 ('the schedule')

I invite you to attend the above meeting

A proxy form is enclosed which should be completed and returned to me by the date of the meeting if you cannot attend and wish to be represented

In order to be entitled to vote under Rule 2 38 at the meeting you must give to me, not later than 12 00 hours on the business day before the day fixed for the meeting, details in writing of your claim

Signed

  
Joint Administrator

Dated

8 DECEMBER 2010

## Proxy (Administration)

## F.J. Booth &amp; Partners Limited

Name of Creditor \_\_\_\_\_

Address \_\_\_\_\_

Name of Proxy Holder

1 \_\_\_\_\_

2 \_\_\_\_\_

3 \_\_\_\_\_

Please insert name of person (who must be 18 or over) or the Chairman of the Meeting. If you wish to provide for alternative proxy holders in the circumstances that your first choice is unable to attend please state the name(s) of the alternatives as well.

Please delete words in brackets if the proxy holder is only to vote as directed i.e. he has no discretion.

I appoint the above person to be my/the creditor's proxy holder at the meeting of creditors to be held on **30 DECEMBER 2010**, or at any adjournment of that meeting. The proxy holder is to propose or vote as instructed below (and in respect of any resolution for which no specific instruction is given, may vote or abstain at his/her discretion).

## Voting Instructions for resolutions

\*Please delete as appropriate

1 For the acceptance/rejection\* of the administrator's proposals/revised proposals\* as attached to this form

2 For the acceptance/rejection\* that the Administrators' remuneration be fixed by reference to the time properly given by the Administrators and their staff in attending to matters arising in the Administration, calculated at the prevailing standard hourly charge out rates used by Deloitte LLP at the time when the work is performed. And that the Administrators be authorised to draw their remuneration, plus VAT, from the Administration estate, together with disbursements incurred which relate specifically to the case.

3 For the acceptance/rejection\* that the Administrators' disbursements for mileage be fixed by reference to mileage properly incurred by the Administrators and their staff in attending to matters arising during the Administration, calculated at the prevailing standard mileage rate used by Deloitte LLP at the time when mileage is incurred (presently up to 40p per mile), plus VAT where applicable and that the Administrators be authorised to draw their/his disbursements for mileage from the Administration estate.

4 For the acceptance/rejection\* that the Administrators be discharged from liability per paragraphs 98 and 99 of Schedule B1 of the Act immediately upon the Administrators' filing their final report to creditors and vacating office.

This form must be signed

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

Name in CAPITAL LETTERS \_\_\_\_\_

Only to be completed if the creditor has not signed in person

Position with creditor or relationship to creditor or other authority for signature

## PROOF OF DEBT - GENERAL FORM

**In the matter of  
F.J. Booth & Partners Limited**

**In Administration  
and in the matter of The Insolvency Act 1986**

**Date of Administration Order 22 October 2010**

|    |  |   |
|----|--|---|
| 1  | Name of Creditor   |   |
| 2  | Address of Creditor  |   |
| 3  | Total amount of claim, including any Value Added Tax and outstanding uncapitalised interest as at the date the company went into liquidation (see note)  | £   |
| 4  | Details of any document by reference to which the debt can be substantiated [Note the liquidator may call for any document or evidence to substantiate the claim at his discretion]  |   |
| 5  | If the total amount shown above includes Value Added Tax, please show -<br><br>(a) amount of Value Added Tax<br>(b) amount of claim NET of Value Added Tax   | £<br>£  |
| 6  | If total amount above includes outstanding uncapitalised interest please state amount  | £   |
| 7  | If you have filled in both box 3 and box 5, please state whether you are claiming the amount shown in box 3 or the amount shown in box 5(b)  |   |
| 8  | Give details of whether the whole or any part of the debt falls within any (and if so which) of the categories of preferential debts under section 386 of, and schedule 6 to, the Insolvency Act 1986 (as read with schedule 3 to the Social Security Pensions Act 1975) | Category<br><br>Amount(s) claimed as preferential £ |
| 9  | Particulars of how and when debt incurred  |   |
| 10 | Particulars of any security held, the value of the security, and the date it was given   | £   |
| 11 | Signature of creditor or person authorised to act on his behalf  |   |
|    | Name in BLOCK LETTERS  |   |
|    | Position with or relation to creditor  |   |

**F.J. Booth & Partners Limited**

**Court Case No. 2050 of 2010**

**- in Administration ("the Company")**

**JOINT ADMINISTRATORS' STATEMENT OF PROPOSALS PURSUANT TO  
PARAGRAPH 49 OF SCHEDULE B1 OF THE INSOLVENCY ACT 1986 (AS AMENDED)**

**1 December 2010**

**Adrian Peter Berry and Ian Brown  
Joint Administrators of the Company - In Administration  
Deloitte LLP  
1 City Square  
Leeds  
LS1 2AL**

**Adrian Peter Berry and Ian Brown were appointed Joint Administrators of F J Booth & Partners Limited on 22 October 2010. The affairs, business and property of the Company are managed by the Joint Administrators. The Joint Administrators act as agents of the Company and contract without personal liability**

**Disclaimer Notice**

- This Statement of Proposals ("Proposal" or "Proposals") has been prepared by Adrian Peter Berry and Ian Brown, the Administrators of F J Booth & Partners Limited, solely to comply with their statutory duty under Paragraph 49, Schedule B1 of the Insolvency Act 1986 (as amended) to lay before creditors a statement of their proposals for achieving the purposes of the Administrations, 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 Proposal 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 any of the Companies listed above.
- Any estimated outcomes for creditors included in this Proposal are illustrative only and cannot be relied upon as guidance as to the actual outcomes for creditors.
- Any person that chooses to rely on this Proposal for any purpose or in any context other than under Paragraph 49, Schedule B1 of the Insolvency Act 1986 (as amended) does so at their own risk. To the fullest extent permitted by law, the Administrators do not assume any responsibility and will not accept any liability in respect of this Proposal.
- The Administrators act as agents for F J Booth & Partners Limited and contract without personal liability. The appointments of the Administrators are personal to them and, to the fullest extent permitted by law, Deloitte LLP does not assume any responsibility and will not accept any liability to any person in respect of this Proposal or the conduct of the Administrations.
- All licensed insolvency practitioners of Deloitte LLP are licensed in the UK to act as insolvency practitioners.

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#### **Appendices**

1. Statutory Information
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## ABBREVIATIONS

For the purpose of this report the following abbreviations shall be used

|                      |   |
|----------------------|---|
| "the Act"            | Insolvency Act 1986 (as amended)                                |
| "the Rules"          | Insolvency Rules 1986 and the Insolvency (Amendment) Rules 2010 |
| "the Administrators" | Adrian Peter Berry and Ian Brown of Deloitte LLP                |
| "Deloitte"           | Deloitte LLP  |
| "the Company"        | F J Booth & Partners Limited (in Administration)                |
| "the Bank"           | NatWest Bank plc  |
| "the Court"          | Chancery Division, Leeds District Registry                      |
| "DLA"                | DLA Piper UK LLP  |
| "Driver"             | Driver Global Construction Consultancy                          |
| "FLJ"                | Fox Lloyd Jones Chartered Surveyors                             |
| "Construction"       | F J Booth Construction Limited                                  |
| "Alstom"             | Alstom Power Limited  |
| "Arrico"             | Arrico Roofing Limited  |
| "Liquidation"        | Creditors Voluntary Liquidation                                 |
| "EBIT"               | Earnings before interest and tax                                |
| "SPA"                | Sale & Purchase Agreement                                       |
| "RPO"                | The Redundancy Payments Office                                  |
| "ROT"                | Retention of Title  |
| "EOS"                | Estimated Outcome Statement                                     |
| "SIP13 (E&W)"        | Statement of Insolvency Practice 13 (England & Wales)           |

## **1. BACKGROUND**

### **1.1. Introduction**

This report is prepared pursuant to Paragraph 49 of Schedule B1 of the Act, which requires the Administrators to provide creditors with details of their proposals to achieve the purposes of the Administration

To assist the creditors and enable them to decide on whether or not to vote for the adoption of the proposals, the following information is included in the report

- background of the Company, and
- the circumstances giving rise to the appointment of the Administrators

In accordance with Paragraph 51 of Schedule B1 of the Act, the Administrators are calling an initial meeting of creditors to be held at The Riverside Stadium, Middlehaven Way, Middlesbrough, TS3 6RS on 20 December at 10 30am Attached on Form 2 20B at Appendix 6 is formal notice of the meeting

For the purposes of this report, we will refer to the Company by the abbreviations set out on the previous page

### **1 2. Background**

The business was established in 1974 as a steel fabrication engineer

The principal activity of the Company was the design, fabrication and construction of steel frames and metal works

### **1 3. Overview of Financial Information**

Extracts from the Company abbreviated accounts for the 12 months to 31 December 2007, 31 December 2008 and 31 December 2009 are shown below

Please note that this information has not been verified by the Administrators or by Deloitte

### Company Summary Profit and Loss Account

|                | Company<br>Abbreviated<br>Accounts for<br>year to<br>31 December 2009<br>£'000 | Company<br>Abbreviated<br>Accounts for<br>year to<br>31 December 2008<br>£'000 | Company<br>Abbreviated<br>Accounts for<br>year to<br>31 December 2007<br>£'000 |
|----------------|--|--|--|
| Turnover       | 19,013   | 19,021   | N/K  |
| Cost of Sales  | (16,612)   | (16,390)   | N/K  |
| Gross Profit   | 2,401  | 2,091  | 2,154  |
| Gross Margin % | 12.6%  | 11.0%  | %  |
| Other Expenses | (1,735)  | (1,262)  | (817)  |
| EBIT           | 666  | 828  | 1,336  |

Source: Company Abbreviated Accounts

EBIT for the year to 31 December 2009 was £666,000. Dividends totalling £350,277 were paid to the Director, and a purchase of the business shares by the Company for £1,170,825 was paid during the year, together with a tax credit of £179,000 resulted in a loss of £676,000.

### Company Summary Balance Sheet

|                      | Company Abbreviated<br>Accounts for<br>year to<br>31 December 2009<br>£'000 | Company Abbreviated<br>Accounts for<br>year<br>to 31 December 2008<br>£'000 | Company Abbreviated<br>Accounts for<br>year to<br>31 December 2007<br>£'000 |
|----------------------|---|---|---|
| Freehold<br>Property | 1,584   | 1,664   | 676   |
| Fixed assets         | 1,584   | 1,664   | 676   |
| Current Assets       |   |   |   |
| Stock                | 170   | 418   | 357   |
| Debtors              | 2,966   | 6,153   | 3,572   |
| Other                | 327   | 109   | 426   |
|                      | 3,463   | 6,680   | 4,355   |
| Liabilities          |   |   |   |
| Trade creditors      | (1,550)   | (3,721)   | (2,419)   |
| Other                | (1,564)   | (1,305)   | (1,354)   |
| Bank                 | (559)   | (1,268)   | -   |
| Total Liabilities    | (3,673)   | (6,294)   | (3,773)   |
| Net Assets           | 1,374   | 2,050   | 1,258   |

Tangible assets principally comprise of plant & machinery, motor vehicles, stock held, debtors and cash at Bank

#### **1 4. Management and Employees**

As at 22 October 2010, the Company employed 77 staff

Statutory information on the Company, including details of the Directors and Company Secretary, Bankers and Shareholders is provided at Appendix 1

## **2. THE CIRCUMSTANCES GIVING RISE TO THE APPOINTMENT OF THE JOINT ADMINISTRATORS**

### **2.1. Events prior to the Administration**

The Company had enjoyed a strong trading period between 2007 through to the beginning of 2009. However, during quarter four of 2009, the Company came into dispute with Alstom on a live project. The result of the dispute led to very little payment being received against a previously agreed element of the contract.

The Company remained on site and continued with the contract due to the ongoing completion of the original scope of works, which in turn would have led to the payment of a further retention from Alstom. This work was ongoing whilst the Company attempted to progress towards a mutually satisfactory resolution with Alstom.

In early 2010, the Company notified the Bank of the dispute with Alstom. However, with additional pressure from the Bank and trade creditors, the Company suffered a shortfall in expected cash of £2 million for the period August 2009 to April 2010.

A settlement was eventually agreed with Alstom, however, the Company suffered a loss of £850,000 from previously expected revenue under the terms of the contract. Immediately upon receipt of the payment from Alstom, the Bank reduced the Company's overdraft facility from £1 million to £500,000.

In early 2010, the Company was subject to an adjudication proceeding by Arrico. This was subsequently cancelled in June, and then reissued in September 2010. The adjudicator finally awarded against the Company and in favour of Arrico.

Together with the financial pressures as a result of the reduced cash flow from the Alstom agreement, and the reduced Bank overdraft facility, the Company was not able to sustain its current workforce nor secure enough new work. The Company was unable to agree further finance from the Bank, which left the Director with no option but to place the Company into Administration.

### **2.2. Details of the Appointment of the Joint Administrators**

Adrian Peter Berry and Ian Brown, of Deloitte were appointed Joint Administrators of the Company by the Directors on 22 October 2010, following the filing of a Notice of Appointment of Administrators by the Director.

The Court having conduct of the proceedings is the High Court of Justice, Chancery Division, Leeds District Registry (case number 2050 of 2010).

For the purposes of Paragraph 100(2) of Schedule B1 of the Act the Administrators confirm that they are authorised to carry out all functions, duties and powers by either of them jointly or severally.

## **2.3 Purpose of the Administration**

The purpose of an Administration under The Enterprise Act 2002 is split into three parts

- 1 To rescue a company as a going concern (in other words a restructuring which keeps the actual entity intact)
- 2 If the first purpose is not reasonably practicable (or the second purpose would clearly be better for the creditors as a whole), then the Administrators must perform their functions with the objective of achieving a better result for creditors than would be obtained through an immediate liquidation of the company This would normally envisage a sale of the business and assets as a going concern (or a more orderly sales process than in liquidation)
- 3 If neither of the first two parts of the purpose are reasonably practicable, the Administrators must perform their functions with the objective of realising property in order to make a distribution to secured and/or preferential creditors as applicable

The Company had significant unsecured creditor liabilities and therefore a restructuring of these creditors would have been required to meet the first objective It was apparent that there was insufficient value placed on the Company's assets by third parties in order to effect a restructuring of the Company's considerable debt and the Administrators concluded that the first option was not possible to achieve

Accordingly, the purpose of the Administration was to achieve a better result for creditors than would be obtained through an immediate liquidation of the Company The purpose of the Administration has been achieved through a sale of the business and certain assets of the Company as discussed in Section 3.2

## **2.4. Electronic communication with creditors**

In an effort to reduce the costs of the Administration, all communications with creditors, including updates and progress reports, are posted onto a website, which has been set up specifically for this purpose The web address is <http://www.deloitte.co.uk/fjbooth-and-partners-limited>

A letter will be issued to all creditors each time the website is updated with a statutory notice or report All creditors' statutory notices will be retained on the website for 3 months after being uploaded to the site

### **3. THE MANNER IN WHICH THE AFFAIRS OF THE COMPANY HAVE BEEN MANAGED AND FINANCED AND WILL CONTINUE TO BE MANAGED AND FINANCED IF THE JOINT ADMINISTRATORS' PROPOSALS ARE APPROVED**

#### **3.1. Introduction**

Immediately upon the appointment of the Administrators, it was concluded that due to the contractual terms associated with the contracts in progress, it would not have been possible to trade the business profitably within the constraints of an Administration process to provide a period of time to market the business and assets

Due to the nature of the business, and in order to preserve the value of the Company the Administrators immediately instructed independent agents Driver to assess the value of the contracts that the Company was engaged on

The Administrators, together with their legal advisors, DLA, and Driver concluded that the best return for creditors would be to proceed with a SPA to an associated Company, Construction. The terms of the SPA are confidential, however, the Administrators confirm that it includes the sale of the debtor book, work in progress and all retentions for a number of the contracts the Company was engaged on prior to the Administration Order

The Administrators believe that the SPA was the most suitable way of maximising realisations from the ongoing contracts, as it would not have been possible for the Administrators to continue with them due to their specialist nature. Furthermore, to instruct independent sub contractors would have led to further delays and substantially reduced the value of the contracts, and there was no certainty that any contracting party was prepared to allow continuation of the contracts

The Company also traded from freehold premises situated at Dockside Road, Middlesbrough. The property is free of any mortgages and charges. The Administrators are actively pursuing a sale of the property, and have instructed FLJ to advertise and market the property accordingly

In addition to the assets included in the SPA and the freehold property, the Company has an amount of tangible assets including, motor vehicles, plant and machinery and a small quantity of stock

#### **3.2. Sale of the Business**

On 27 October 2010, a SPA agreement was signed for the purchase of certain assets of the Company by Construction as discussed in section 3.1 above

The detailed terms of the SPA are confidential. The Administrators can confirm however, that an initial sum of £175,000, plus a deferred consideration of £61,000 has been agreed in consideration for the contracts. The sum of £175,000 has been paid by Construction and is currently being held in DLA's client account

Construction, together with their legal advisors, the Administrators and DLA are currently preparing novation agreements which shall transfer the respective contract to Construction. The Administrators confirm that the novation of the contracts cannot proceed without the approval of all parties, including the client

### **3.3. Assets Excluded from the Sale**

Excluded assets from the SPA consist of

- Freehold Premises situated at Dockside Road, Middlesbrough,
- Fixtures and Fittings,
- Plant and Machinery, and
- Motor Vehicles (including any equity in HP and leased assets)

FLJ have been appointed to secure, value and seek purchasers for these assets. This process remains ongoing, and the Administrators shall provide an update to creditors in their future reports.

### **3.4. Post Appointment Strategy**

Immediately following the appointment of the Administrators on 22 October 2010, members of the Administrators' staff attended the Company's trading premises to advise employees of the Administrators' appointment. Staff were briefed with regards to the Administration and informed that a sale of the contracts was underway to Construction.

A number of staff were then informed that their employment would be transferred to Construction under the Transfer of Undertakings (Protection of Employment) Regulations ("TUPE") as a result of the sale of certain contracts to Construction.

The remaining staff were informed that due to financial constraints, they would not be retained by the Company, and their employment was terminated with effect from 22 October 2010.

The Administrators' staff are in the process of collating creditor claims and have handled creditor queries as they have arisen which include telephone calls, e-mails and further correspondence.

The Administrators' legal advisors, DLA, are providing advice in respect of all legal issues arising on the SPA and are assisting the Administrators with post appointment matters.

A significant amount of plant and machinery was financed on hire purchase agreements. The Administrators' staff continue to liaise with these funders and information continues to be provided to assist the funders in assessing their position.

The Administrators' staff will continue to liaise with Construction to progress any unresolved issues or future matters that may arise.

The Administrators shall also investigate the affairs of the Company and Director prior to the Administration Order. This is ongoing, and we welcome any comments, or requests for specific future investigations from creditors.



## **4. DIRECTORS' STATEMENTS OF AFFAIRS**

### **4.1. Introduction**

A Statement of Affairs has been submitted by the Director of the Company, as at 22 October 2010, a summary of which is attached at Appendix 3

In accordance with the standard format of the Statement of Affairs form, no provision has been made in the Statement of Affairs for the costs of the Administration (including agents, legal and other professional fees)

The Administrators have not carried out any work of the nature of an audit on the information

There are a number of different classes of creditors within the Company. These include

- **Preferential creditors** These relate to specific employee wage arrears, holiday pay and certain pension contributions and are paid in priority to unsecured creditors out of net floating charge realisations before unsecured creditors
- **Unsecured creditors** Rank behind secured and preferential creditors and receive any surplus available from net realisations

The Administrators have not included the addresses of all the creditors in view of the fact that the information runs to many pages and it would not be cost effective to send it out. However, copies of this information will be sent to creditors on request, either by post or by e-mail

### **4.2. Notes to the Directors' Statement of Affairs**

The Directors have stated the following

- The net book values have been taken from the Company's management accounts prepared at 22 October 2010,
- The estimated to realise values are based on the Directors' understanding of the consideration achieved by the Administrators for the sale of the contracts the Company was engaged in on 22 October 2010,
- The figures do not take into account any unsatisfied HP liabilities,
- No provision has been made in the Statement of Affairs for the costs of the Administration (including agents, legal and professional fees)

### **4.3. Preferential Claims**

Preferential claims relating to employee deductions are expected to be submitted to the RPO who will have a preferential claim against the Company. These have not been included in the Directors' Statements of Affairs but are unlikely to exceed £60,000. There are no other preferential claims outstanding.

#### **4.4. Unsecured Claims**

The unsecured creditors' position as at 22 October 2010 per the Directors' Statement of Affairs is summarised in the table below

|                     | <i>£'000</i> |
|---------------------|--------------|
| Unsecured Creditors | 3,103        |
| TOTAL               | 3,103        |

The Administrators believe that there shall be sufficient assets to enable a distribution to the unsecured creditors following the realisation of all available assets. Please note, however, that pursuant to Schedule B1, Paragraph 65(3), the Administrators are not permitted to distribute any monies to unsecured creditors without the permission of the court, or until such time that the Company has been placed into Liquidation.

The Liquidation of the Company shall commence following the completion of the Administration.

#### **4.5. Creditors Meeting**

The Administrators have convened a creditors meeting for 20 December 2010 at 10 30am to be held at The Riverside Stadium, Middlehaven Way, Middlesbrough, TS3 6RS and notice of that meeting, Form 2 20B, is attached at Appendix 6.

## 5. JOINT ADMINISTRATORS' REMUNERATION AND EXPENSES

### 5.1. Introduction

The Administrators' time costs incurred to 1 December 2010 total £68,659. The Administrators' time costs incurred for the Company are analysed at Appendix 4. The work has been categorised into the following task headings and sub categories:

- **Administration and Planning** includes such tasks as case planning and set-up, appointment notification, statutory reporting, compliance, cashiering, accounting and administrative functions
- **Realisation of Assets** includes such tasks as identifying and securing assets, dealing with the sale of business, property issues, activities in relation to other fixed assets, stock, debtors, investments and any related legal issues
- **Investigation** includes such tasks as reporting on the Directors' conduct, investigating antecedent transactions and any other investigations that may be deemed appropriate
- **Trading** includes tasks such as planning, strategy, managing day one site visits and corresponding with suppliers and customers
- **Creditors** include such tasks as creditor set up, communication and meetings, reviewing and agreeing preferential and unsecured claims, retention of title issues, corresponding with secured creditors, reviewing and obtaining advice in relation to security granted to the Bank. Also, dealing with trade creditors, dealing with customer creditors, employee issues, and submitting documentation to HM Revenue & Customs
- **Other matters** include employee related issues, VAT and corporation tax issues

Unsecured creditors are requested to approve the basis of the Joint Administrators' time costs, by completing and returning the Proxy Form attached at Appendix 7.

The range of charge out rates for the separate categories of staff is based on our 2010 charge out rates as summarised below. Manager rates include all grades of manager up to Director.

| Grade                        | £          |
|------------------------------|------------|
| Partners                     | 565 to 630 |
| Managers                     | 310 to 535 |
| Assistants and Support Staff | 165 to 275 |

Charge out rates are subject to review each year and material increases in rates will be reported to creditors in the next scheduled report following such an increase.

"A Creditors' Guide to Administrators' Remuneration" is available for download at <https://www.r3.org.uk/uploads/sip/INTERIM%20SIP9%20April%202010.pdf>

Should you require a paper copy, please send your request in writing to the Administrators at the address on the front of this report and this will be provided to you at no cost.

## 5.2 Administrators' Expenses

A summary of the Administrators' expenses (excluding VAT if applicable) which relate to direct expenses such as travel are set out by Company below

Please note that the Administrators' expenses for mileage are calculated by reference to mileage properly incurred by the Administrators and their staff in attending to matters arising in the Administration, at the prevailing standard mileage rate used by Deloitte at the time when the mileage is incurred (presently up to 40p per mile)

| Nature of<br>disbursement (£) | 22/10/2010 to 01/12/2010 |        |
|-------------------------------|--------------------------|--------|
|                               |                          |        |
| Mileage                       |                          | 571 74 |
| incurred                      |                          | 8 00   |
| Subsistence                   |                          | 33 43  |
| Total                         |                          | 613 17 |

## 5.3. Other Professional Costs

To advise on appropriate legal matters and to prepare required legal documentation including business sale agreements the Administrators instructed DLA, a firm of lawyers with the appropriate expertise and experience in dealing with these types of Administrations

It is currently unknown what their fees shall total for assisting the Administrators

In addition, FLJ, a firm of chattel agents, were instructed by the Administrators to undertake inventories and valuations of stock, plant and equipment, fixtures and fittings and other chattel assets where appropriate

Driver, a firm of specialist construction agents were also instructed by the Administrators to assist with the negotiation and agreement of the contract sales in the SPA

All professional fees are based upon their recorded time costs incurred at discounted charge out rates and will be reviewed by the Administrators' staff before being approved for payment

## 5.4. Creditors' right to request information

Any secured creditor or, unsecured creditor with the support of at least 5% in value of the unsecured creditors or, with leave of the Court, may, in writing, request the Administrators to provide additional information regarding remuneration or expenses to that already supplied within this report. Such requests must be made within 21 days of receipt of this report, in accordance with Rule 2.47(1)(fa) and 2.48A of the Rules

## 5.5. Creditors' right to challenge Remuneration and/or Expenses

Any secured creditor or, unsecured creditor with the support of at least 10% in value of the unsecured creditors or, with leave of the Court, may apply to the Court for one or more orders (in accordance with Rule 2.109(4) of the Rules), challenging the amount or the basis of

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remuneration which the Administrators are entitled to charge or otherwise challenging some or all of the expenses incurred

Such applications must be made within 8 weeks of receipt by the applicant(s) of the progress report detailing the remuneration and/or expenses being complained of, in accordance with Rule 2.109 of the Rules

Please note that such challenges may not disturb remuneration or expenses approved or deemed to be approved under prior progress reports

## **6. OTHER MATTERS AND INFORMATION TO ASSIST CREDITORS**

### **6.1. Directors' conduct**

As part of their statutory duties, the Administrators will consider the conduct of the Director and any person they consider a shadow or de facto director in relation to their management of the affairs of the Company and the causes of failure and will submit a confidential report to the Insolvency Service, a division of the Department for Business, Innovation and Skills

As part of their investigations the Administrators will consider, among other matters, the following

- statutory compliance issues,
- misfeasance or breach of duty, and
- antecedent transactions (including transactions at an under value and preferences)

Creditors who wish to draw any matters to the attention of the Administrators should write to the Administrators at the address given on the front of this report

The Administrators are currently investigating the actions of the Company and its Director in the period prior to their appointment

### **6 2. SIP13 (E&W) – Transactions with connected parties**

In accordance with the guidance given in SIP13 (E&W), details of the Company's transactions with connected parties during the period of this report and the two years prior to our appointment are provided below

| <b>Date</b>           | <b>Details of transaction</b>   | <b>Sales /<br/>(Purchases) (£)</b>                                  | <b>Name of<br/>counterparty</b>      | <b>Connection</b>  |
|-----------------------|---|---|--------------------------------------|--------------------|
| 27<br>October<br>2010 | The sale of the debtor book, work in progress and all retentions for a number of the contracts the Company was engaged on | Initial sum<br>£175,000<br><br>Deferred<br>consideration<br>£61,000 | F J Booth<br>Construction<br>Limited | Connected Director |
|                       |   |   |                                      |                    |

### **6.3. Exit Routes from Administration**

In accordance with the provisions of the Act incorporated by the Enterprise Act 2002, all Administration automatically comes to an end after one year, unless an extension is granted by the Court or with consent of the creditors

There are several exit routes which are available to the Administrators such as,

- an application to Court (in the event of a Court appointment),
- filing a notice in Court and with the Registrar of Companies confirming that the purpose of Administration has been sufficiently achieved, or
- in the event that the Company has no property the Administrators may notify the Registrar of Companies to that effect at which time the appointment of the Administrators ceases and three months following that date the Company is deemed to be dissolved

In addition the Administrators could propose to place the Company into Creditors' Voluntary Liquidation, a Compulsory Liquidation or a Company Voluntary Arrangement. Reference will be made in the resolutions within this report as to the exit route most suitable to the circumstances of the Administration.

The exit route chosen in relation to the Company will largely depend on the circumstances of the Administration. It is likely that the Company shall be placed into Creditors' Voluntary Liquidation following the Administration as it is anticipated that there shall be a distribution to be made to unsecured creditors.

If funds do become available for a distribution to the unsecured creditors the Administrators may apply to the Court for the authority to make a distribution to the unsecured creditor and then take the requisite steps to dissolve the Company, or if appropriate, to apply to the Court to obtain an order pursuant to Section 176A(5) that Section 176A(2) shall not apply.

If there is a distribution to unsecured creditors, the Administrators are discharged from liability in respect of any action of theirs as Administrators pursuant to Paragraph 98(1) of Schedule B1 of the Act upon registration of the notice given pursuant to Paragraph 84 of Schedule B1 of the Act.

#### **6.4. EC Regulations**

As stated in the Administration Order in respect of the Companies, Council Regulation (EU) No 1346/2000 applies and these are the main proceedings as defined in Article 3(1) of that Regulation.

#### **6.5. Third Party Assets**

Should you believe that you own items that may have been present at the Company's former trading premises at the date of appointment please contact the Administrators as soon as possible.

**7. STATEMENT OF PROPOSALS PURSUANT TO PARAGRAPH 49 OF SCHEDULE B1 OF THE INSOLVENCY ACT 1986 (AS AMENDED)**

**F.J. Booth & Partners Limited**

**Court Case No. 2050 of 2010**

**In Administration – the Company**

The Administrators' proposals are as follows

- 1 the Administrators continue to manage the affairs and any remaining assets of the Company and the settlement of all Administration expenses,
- 2 the Administrators continue with their enquiries into the conduct of the Directors of the Company and continue to assist any regulatory authorities with their investigation into the affairs of the Company,
- 3 the Administrators be authorised to agree the claims of the secured, preferential and unsecured creditors against the Company unless the Administrators conclude, in their reasonable opinion, that the Company will have no assets available for distribution,
- 4 the Administrators be authorised to distribute funds to the secured and preferential creditors as and when claims are agreed and funds permit and, in relation to distributions to unsecured creditors, if the Court gives permission following an appropriate application,
- 5 that, in the event the creditors of the Company so determine, at meetings of creditors, a Creditors Committee be appointed in respect of the Company comprising of not more than five and not less than three creditors of the Company,
- 6 that, in respect of the Company, the Creditors' Committee, if one is appointed, be asked to agree that the basis of the Administrators' remuneration to be fixed by reference to the time properly given by the Administrators' and their staff in attending to matters arising in the Administration, calculated at the prevailing standard hourly charge out rates used by Deloitte at the time when the work is performed, plus VAT, and asked to agree the Administrators' expenses,
- 7 that, if a Creditors' Committee is not appointed at a meeting of creditors, the creditors be asked to agree that the basis of the Administrators remuneration be fixed by reference to the time properly given by the Administrators' and their staff in attending to matters arising in the Administration, calculated at the prevailing standard hourly charge out rates used by Deloitte at the time when the work is performed, plus VAT, and asked to agree the Administrators' expenses,
- 8 that, if a Creditors' Committee is not appointed at a meeting of creditors, the creditors shall fix the Administrators' disbursements for mileage to be fixed by reference to mileage properly incurred by the Administrators and their staff in attending to matters arising during the Administration, calculated at the prevailing standard mileage rate used by Deloitte at the time when mileage is incurred (presently up to 40p per mile), plus VAT where applicable,
- 9 that, following the realisation of assets and resolution of all matters in the Administration, and as quickly and efficiently as is reasonably practicable, the Administrators implement the most cost effective steps to formally conclude the Administration This may include the distribution of funds to unsecured creditors (provided Court permission is obtained) and then the dissolution of the Company or alternatively, seeking to put the Company into Creditors' Voluntary Liquidation ("CVL") or Compulsory Liquidation, depending on which option will result in a better realisation for creditors,
- 10 that, if the Company was to be placed into CVL, the Administrators propose to be appointed Liquidators and any Creditors' Committee appointed will become the Liquidation Committee pursuant to Rule 4.174 of the Rules and that the basis of the Liquidators' remuneration be fixed by



reference to the time given in attending to matters arising in the Administrations. As per Paragraph 83(7) of Schedule B1 of the Act and Rule 2.117A(2)(b) of the Rules, the creditors may nominate a different person to be Liquidator(s) provided the nomination is made before the proposals are approved by creditors. For the purposes of Section 231 of the Act the Liquidators will each be authorised to carry out all functions, duties and powers either jointly or severally, and

- 11 in the absence of Creditors' Committees, the creditors of the Company agree that the Administrators be discharged from liability per Paragraphs 98 and 99 of Schedule B1 of the Act immediately upon the Administrators' filing their final report to creditors and vacating office

Yours faithfully

For and on behalf of F J Booth & Partners Limited



Adrian P Berry

Joint Administrator of the Company - In Administration

Deloitte LLP

1 City Square

Leeds

LS1 2AL

**Adrian Peter Berry and Ian Brown were appointed Joint Administrators of F J Booth & Partners Limited on 22 October 2010. The affairs, business and property of the Company are managed by the Joint Administrators. The Joint Administrators act as agents of the Company and contract without personal liability.**

**All licensed Insolvency Practitioners of Deloitte are licensed in the UK to act as Insolvency Practitioners**

**F.J. BOOTH & PARTNERS LIMITED (IN ADMINISTRATION)**  
**STATUTORY INFORMATION**

|   |  |
|---|--|
| <b>Company Name</b>                         | F J Booth & Partners Limited   |
| <b>Previous Names</b>                       |  |
| <b>Proceedings</b>                          | In Administration  |
| <b>Court</b>                                | High Court of Justice, Chancery Division,<br>Leeds District Registry                 |
| <b>Court Reference</b>                      | 2050 of 2010   |
| <b>Date of Appointment</b>                  | 22 October 2010  |
| <b>Joint Administrators</b>                 | Adrian Peter Berry and<br>Ian Brown<br>Deloitte LLP<br>1 City Square, Leeds, LS1 2AL |
| <b>Registered office<br/>Address</b>        | c/o Deloitte LLP<br>1 City Square, Leeds, LS1 2AL                                    |
| <b>Company Number</b>                       | 1188419  |
| <b>Incorporation Date</b>                   | 1974   |
| <b>Company Secretary</b>                    | Shaun Muir   |
| <b>Bankers</b>                              | NatWest Bank Plc   |
| <b>Auditors</b>                             | Rowlands   |
| <b>Appointment by</b>                       | The Director   |
| <b>Directors at date of<br/>Appointment</b> | Shaun Muir   |
| <b>Directors' Shareholdings</b>             | 12,697 Ordinary Shares   |

**F.J. Booth & Partners Limited**  
**(In Administration)**  
**Joint Administrators' Abstract of Receipts & Payments**

**Statement  
of Affairs**

**From 22/10/2010  
To 01/12/2010**

|                              |                               |                        |
|------------------------------|-------------------------------|------------------------|
|                              | <b>ASSET REALISATIONS</b>     |                        |
| 475,000 00                   | Freehold Land & Property      | NIL                    |
| 250,000 00                   | Plant & Machinery             | NIL                    |
| 16,000 00                    | Motor Vehicles                | NIL                    |
| 236,000 00                   | Book Debts, WIP & Retentions  | NIL                    |
| NIL                          | Insurance Refund              | 450 00                 |
| NIL                          | Cash at Bank                  | 7,514 36               |
| NIL                          | Misc Refunds                  | 94 00                  |
| <u>977,000 00</u>            |                               | <u>8,058 36</u>        |
|                              | <b>COST OF REALISATIONS</b>   |                        |
|                              | Postage & Redirection         | 77 99                  |
|                              |                               | <u>(77 99)</u>         |
|                              | <b>PREFERENTIAL CREDITORS</b> |                        |
| (34,755 33)                  | Department of Employment      | NIL                    |
| (18,664 05)                  | Employees Wage Arrears        | NIL                    |
| <u>(53,419 38)</u>           |                               | <u>NIL</u>             |
|                              | <b>UNSECURED CREDITORS</b>    |                        |
| (3,102,536 00)               | Trading Expense Creditors     | NIL                    |
| <u>(3,102,536 00)</u>        |                               | <u>NIL</u>             |
| <u><b>(2,178,955.38)</b></u> |                               | <u><b>7,980.37</b></u> |
|                              | <b>REPRESENTED BY</b>         |                        |
|                              | IB Current A/C                | <u><b>7,980 37</b></u> |

## DIRECTORS' STATEMENT OF AFFAIRS

Rule 2.29

Form 2.14B

## Statement of affairs

Name of Company F J Booth &amp; Partners Limited

Company number  
1188419In the High Court of Justice Chancery Division, Leeds District  
RegistryCourt case number  
2050 of 2010(a) Insert name and address of  
registered office of the companyStatement as to the affairs of (a) SHAWN MUIR, DOCKSIDE ROAD  
MIDDLESBROUGH, TS3 8AT.

(b) Insert date on the (b) 22 October 2010, the date that the company entered administration

## Statement of Truth

I believe that the facts stated in this statement of affairs are a full, true and complete statement of the  
affairs of the above named company as at (b) 22 October 2010 the date that the company entered  
administrationFull name SHAWN MUIRSigned Dated 30/11/10

## A - Summary of Assets

## Assets

~~UNCHARGED~~Assets ~~subject to fixed charge:~~

|   | Book<br>Value<br>£ | Estimated to<br>Realise<br>£ |
|---|--------------------|------------------------------|
| FREETED PROPERTY - . 2 NO DEP                               | 769 758            | 475 000                      |
| FIXTURES & FITTINGS - LESS DEP                              | 20668              | 0                            |
| MOTOR VEHICLES - LESS DEP 25% + FINANCE PD                  | 24,121             | 10,000                       |
| PLANT & MACHINERY - LESS DEP 20% + FINANCE PD               | 342,421            | 230,000                      |
| BOOK DEBT W/A RETENTION                                     | 1,082,000          | 236,000                      |
| LEASEHOLD LESS DEP  | 105,405            | 0                            |
| <del>Assets subject to floating charge:</del>               |                    |                              |
| <del>Uncharged assets:</del>                                |                    |                              |
| Estimated total assets available for preferential creditors | 2,344,433          | 977,000                      |

Signature

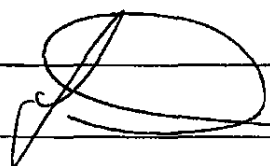
Date

30/11/00

## A1 – Summary of Liabilities

|   | Estimated<br>to realise<br>£ |
|---|------------------------------|
| Estimated total assets available for preferential creditors (carried from page A)                                       | £ 977,000                    |
| <b>Liabilities</b>  |                              |
| Preferential creditors -  | £ 50,000                     |
| Estimated deficiency/surplus as regards preferential creditors  | £ 0                          |
| Estimated prescribed part of net property where applicable (to carry forward)   | £ 927,000                    |
| Estimated total assets available for floating charge holders  | £ 0                          |
| Debts secured by floating charges   | £ 0                          |
| Estimated deficiency/surplus of assets after floating charges   | £ 927,000                    |
| Estimated prescribed part of net property where applicable (brought down)   | £ 927,000                    |
| Total assets available to unsecured creditors   | £ 927,000                    |
| Unsecured non-preferential claims (excluding any shortfall to floating charge holders)                                  | £ 3,162,584                  |
| Estimated deficiency/surplus as regards non-preferential creditors (excluding any shortfall to floating charge holders) | £ 2,176,584                  |
| Shortfall to floating charge holders (brought down)   | £ 0                          |
| Estimated deficiency/surplus as regards creditors   | £ -                          |
| Issued and called up capital  | £ -                          |
| Estimated total deficiency/surplus as regards members   | £ 2,176,584                  |

Signature



Date

20/11/00

**F.J. BOOTH & PARTNERS LIMITED  
(IN ADMINISTRATION)**

**JOINT ADMINISTRATORS' TIME COSTS FOR THE PERIOD 22 OCTOBER 2010 TO 1  
DECEMBER 2010**

| Task Type                           | Task Level           | Partner and Director |               | Manager and Assistant Managers |               | Other Professional and Support Staff |              | Total Hours  | Total £       | Average Rate £ |
|-------------------------------------|----------------------|----------------------|---------------|--------------------------------|---------------|--------------------------------------|--------------|--------------|---------------|----------------|
|                                     |                      | Hours                | £             | Hours                          | £             | Hours                                | £            |              |               |                |
| Admin and Planning                  | Cashiers             | -                    | -             | 1 1                            | 448 0         | 1 6                                  | 408 0        | 2 7          | 856           | 317            |
|                                     | Closure              | -                    | -             | -                              | -             | -                                    | -            | -            | -             | -              |
|                                     | Compliance           | -                    | -             | 2 3                            | 705 5         | -                                    | -            | 2 3          | 706           | 307            |
|                                     | Progress Reporting   | -                    | -             | 11 0                           | 3,025 0       | -                                    | -            | 11 0         | 3,025         | 275            |
|                                     | Fees                 | -                    | -             | -                              | -             | -                                    | -            | -            | -             | -              |
|                                     | Immediate Actions    | 2 0                  | 1,070 0       | -                              | -             | -                                    | -            | 2 0          | 1,070         | 535            |
|                                     | Meetings             | -                    | -             | -                              | -             | -                                    | -            | -            | -             | -              |
|                                     | Other Admin & Plan   | -                    | -             | -                              | -             | -                                    | -            | -            | -             | -              |
|                                     | Pre-Appointment      | -                    | -             | -                              | -             | -                                    | -            | -            | -             | -              |
| <b>Admin and Planning Total</b>     |                      | <b>2 0</b>           | <b>1,070</b>  | <b>14 4</b>                    | <b>4,179</b>  | <b>1 6</b>                           | <b>408</b>   | <b>18 0</b>  | <b>5,657</b>  | <b>314</b>     |
| Creditors                           | Distributions        | -                    | -             | -                              | -             | -                                    | -            | -            | -             | -              |
|                                     | Employees            | 1 5                  | 802 5         | -                              | -             | -                                    | -            | 1 5          | 803           | 535            |
|                                     | Preferential         | -                    | -             | -                              | -             | -                                    | -            | -            | -             | -              |
|                                     | Retention of Title   | -                    | -             | -                              | -             | -                                    | -            | -            | -             | -              |
|                                     | Secured              | -                    | -             | -                              | -             | -                                    | -            | -            | -             | -              |
|                                     | Shareholders         | -                    | -             | -                              | -             | -                                    | -            | -            | -             | -              |
|                                     | Unsecured            | 15 2                 | 8,132 0       | 34 5                           | 9,487 5       | -                                    | -            | 49 7         | 17,620        | 355            |
| <b>Creditors Total</b>              |                      | <b>16 7</b>          | <b>8,935</b>  | <b>34 5</b>                    | <b>9,488</b>  | <b>-</b>                             | <b>-</b>     | <b>51 2</b>  | <b>18,422</b> | <b>360</b>     |
| Reporting & Investigations          | D' Return            | -                    | -             | -                              | -             | -                                    | -            | -            | -             | -              |
|                                     | Investigations       | 1 6                  | 856 0         | -                              | -             | -                                    | -            | 1 6          | 856           | 535            |
|                                     | Litigation           | -                    | -             | -                              | -             | -                                    | -            | -            | -             | -              |
| <b>Investigation Total</b>          |                      | <b>1 6</b>           | <b>856</b>    | <b>-</b>                       | <b>-</b>      | <b>-</b>                             | <b>-</b>     | <b>1 6</b>   | <b>856</b>    | <b>535</b>     |
| Other Specific Matters              | Other                | -                    | -             | 6 0                            | 1,650 0       | -                                    | -            | 6 0          | 1,650         | 275            |
|                                     | Pensions             | -                    | -             | -                              | -             | -                                    | -            | -            | -             | -              |
|                                     | Tax & VAT            | -                    | -             | 6 3                            | 2,207 0       | -                                    | -            | 6 3          | 2,207         | 350            |
| <b>Other Specific Matters Total</b> |                      | <b>-</b>             | <b>-</b>      | <b>12 3</b>                    | <b>3,857</b>  | <b>-</b>                             | <b>-</b>     | <b>12 3</b>  | <b>3,857</b>  | <b>314</b>     |
| Trading                             | Closure of Trading   | -                    | -             | -                              | -             | 32 0                                 | 5,600 0      | 32 0         | 5,600         | 175            |
|                                     | Day 1 Control        | -                    | -             | -                              | -             | 15 0                                 | 2,625 0      | 15 0         | 2,625         | 175            |
|                                     | Ongoing Trading      | -                    | -             | 10 0                           | 2,750 0       | -                                    | -            | 10 0         | 2,750         | 275            |
| <b>Trading Total</b>                |                      | <b>-</b>             | <b>-</b>      | <b>10 0</b>                    | <b>2,750</b>  | <b>47 0</b>                          | <b>8,225</b> | <b>57 0</b>  | <b>10,975</b> | <b>193</b>     |
| Asset Realisation                   | Book Debts           | -                    | -             | 12 5                           | 3,437 5       | -                                    | -            | 12 5         | 3,438         | 275            |
|                                     | Fixtures and Fitting | -                    | -             | -                              | -             | -                                    | -            | -            | -             | -              |
|                                     | Freehold Property    | 8 2                  | 4,387 0       | 11 0                           | 3,025 0       | -                                    | -            | 19 2         | 7,412         | 386            |
|                                     | Leasehold Property   | -                    | -             | -                              | -             | -                                    | -            | -            | -             | -              |
|                                     | Motor Vehicles       | 1 9                  | 1,016 5       | -                              | -             | -                                    | -            | 1 9          | 1,017         | 535            |
|                                     | Other Assets         | -                    | -             | 10 0                           | 2,750 0       | -                                    | -            | 10 0         | 2,750         | 275            |
|                                     | Plant & Equipment    | 20 6                 | 11,021 0      | -                              | -             | -                                    | -            | 20 6         | 11,021        | 535            |
|                                     | Sale of Business     | -                    | -             | -                              | -             | -                                    | -            | -            | -             | -              |
|                                     | Third Party Assets   | 3 0                  | 1,605 0       | 6 0                            | 1,650 0       | -                                    | -            | 9 0          | 3,255         | 362            |
| <b>Asset Realisation Total</b>      |                      | <b>33 7</b>          | <b>18,030</b> | <b>39 5</b>                    | <b>10,863</b> | <b>-</b>                             | <b>-</b>     | <b>73 2</b>  | <b>28,892</b> | <b>395</b>     |
| <b>Grand Total</b>                  |                      | <b>54 0</b>          | <b>28,890</b> | <b>110 7</b>                   | <b>31,136</b> | <b>48 6</b>                          | <b>8,633</b> | <b>213 3</b> | <b>68,659</b> | <b>322</b>     |

All partners and technical staff (including cashiers) assigned to the case record their time spent working on the case on a computerised time-recd  
Time spent by secretarial staff working on the assignment has not been recorded or recovered

The appropriate staff were assigned to work on each aspect of the case based upon their seniority and experience, having regard to the comple  
relevant financial value of the assets being realised and or claims being agreed

This summary should be read in conjunction with the attached report and explanatory notes

## PROOF OF DEBT - FORM 4.25

Rule 4.73

Form 4 25

## PROOF OF DEBT - GENERAL FORM

In the matter of  
**F.J. Booth & Partners Limited**

In Administration  
 and in the matter of The Insolvency Act 1986

Date of Administration Order 22 October 2010

|    |  |   |
|----|--|---|
| 1  | Name of Creditor   |   |
| 2  | Address of Creditor  |   |
| 3  | Total amount of claim, including any Value Added Tax and outstanding uncapitalised interest as at the date the company went into liquidation (see note)  | £   |
| 4  | Details of any document by reference to which the debt can be substantiated [Note the liquidator may call for any document or evidence to substantiate the claim at his discretion]  |   |
| 5  | If the total amount shown above includes Value Added Tax, please show -<br><br>(a) amount of Value Added Tax<br>(b) amount of claim NET of Value Added Tax   | £<br>£  |
| 6  | If total amount above includes outstanding uncapitalised interest please state amount  | £   |
| 7  | If you have filled in both box 3 and box 5, please state whether you are claiming the amount shown in box 3 or the amount shown in box 5(b)  |   |
| 8  | Give details of whether the whole or any part of the debt falls within any (and if so which) of the categories of preferential debts under section 386 of, and schedule 6 to, the Insolvency Act 1986 (as read with schedule 3 to the Social Security Pensions Act 1975) | Category<br><br>Amount(s) claimed as preferential £ |
| 9  | Particulars of how and when debt incurred  |   |
| 10 | Particulars of any security held, the value of the security, and the date it was given   | £   |
| 11 | Signature of creditor or person authorised to act on his behalf  |   |
|    | Name in BLOCK LETTERS  |   |
|    | Position with or relation to creditor  |   |



## MEETING FORMS

Form 2 20B

Rule 2 35

## Notice of a meeting of Creditors

|   |                                   |
|---|-----------------------------------|
| Name of Company<br>F J Booth & Partners Limited           | Company number<br>01188419        |
| In the<br>Leeds District Registry<br>(full name of court) | Court case number<br>2050 of 2010 |

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

Notice is hereby given by (a)  
Adnan Peter Berry  
Deloitte LLP  
1 City Square  
Leeds  
West Yorkshire  
LS1 2AL

Ian Brown  
Deloitte LLP  
1 City Square  
Leeds  
LS1 2AL

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

that a meeting of creditors of (b)  
F J Booth & Partners Limited  
c/o Deloitte LLP  
1 City Square  
Leeds

(c) Insert details of place  
of meeting

is to be held at (c)  
(c) The Riverside Stadium, Middlehaven Way, Middlesbrough, TS3 6RS

(d) Insert date and time  
of meeting

on (d) 20 December 2010 at 10 30am

The meeting is

Delete as applicable

\*(1) an initial creditors' meeting under paragraph 51 of Schedule B1 to the Insolvency Act 1986 ('the schedule')

I invite you to attend the above meeting

A proxy form is enclosed which should be completed and returned to me by the date of the meeting if you cannot attend and wish to be represented

In order to be entitled to vote under Rule 2 38 at the meeting you must give to me, not later than 12 00 hours on the business day before the day fixed for the meeting, details in writing of your claim

Signed

Joint Administrator

Dated

1/12/10

## PROXY FORM – 8.2

Rule 8.1

Insolvency Act 1986

Form 8.2

## Proxy (Administration)

F J Booth &amp; Partners Limited

Name of Creditor \_\_\_\_\_

Address \_\_\_\_\_

Name of Proxy Holder

1 \_\_\_\_\_

2 \_\_\_\_\_

3 \_\_\_\_\_

Please insert name of person (who must be 18 or over) or the Chairman of the Meeting. If you wish to provide for alternative proxy holders in the circumstances that your first choice is unable to attend please state the name(s) of the alternatives as well.

Please delete words in brackets if the proxy holder is only to vote as directed i.e. he has no discretion

I appoint the above person to be my/the creditor's proxy holder at the meeting of creditors to be held on **20 DECEMBER 2010**, or at any adjournment of that meeting. The proxy holder is to propose or vote as instructed below (and in respect of any resolution for which no specific instruction is given, may vote or abstain at his/her discretion).

## Voting Instructions for resolutions

\*Please delete as appropriate

1 For the acceptance/rejection\* of the administrator's proposals/revised proposals\* as attached to this form

\_\_\_\_\_

2 For the acceptance/rejection\* that the Administrators' remuneration be fixed by reference to the time properly given by the Administrators and their staff in attending to matters arising in the Administration, calculated at the prevailing standard hourly charge out rates used by Deloitte LLP at the time when the work is performed. And that the Administrators be authorised to draw their remuneration, plus VAT, from the Administration estate, together with disbursements incurred which relate specifically to the case

\_\_\_\_\_

3 For the acceptance/rejection\* that the Administrators' disbursements for mileage be fixed by reference to mileage properly incurred by the Administrators and their staff in attending to matters arising during the Administration, calculated at the prevailing standard mileage rate used by Deloitte LLP at the time when mileage is incurred (presently up to 40p per mile), plus VAT where applicable and that the Administrators be authorised to draw their/his disbursements for mileage from the Administration estate

\_\_\_\_\_

4 For the acceptance/rejection\* that the Administrators be discharged from liability per paragraphs 98 and 99 of Schedule B1 of the Act immediately upon the Administrators' filing their final report to creditors and vacating office

\_\_\_\_\_

This form must be signed

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

Name in CAPITAL LETTERS \_\_\_\_\_

Only to be completed if the creditor has not signed in person

Position with creditor or relationship to creditor or other authority for signature

\_\_\_\_\_

## PROOF OF DEBT - GENERAL FORM

**In the matter of**  
**F.J. Booth & Partners Limited**

**In Administration**  
**and in the matter of The Insolvency Act 1986**

**Date of Administration Order 22 October 2010**

|    |  |   |
|----|--|---|
| 1  | Name of Creditor   |   |
| 2  | Address of Creditor  |   |
| 3  | Total amount of claim, including any Value Added Tax and outstanding uncapitalised interest as at the date the company went into liquidation (see note)  | £   |
| 4  | Details of any document by reference to which the debt can be substantiated [Note the liquidator may call for any document or evidence to substantiate the claim at his discretion]  |   |
| 5  | If the total amount shown above includes Value Added Tax, please show -<br><br>(a) amount of Value Added Tax<br>(b) amount of claim NET of Value Added Tax   | £<br>£  |
| 6  | If total amount above includes outstanding uncapitalised interest please state amount  | £   |
| 7  | If you have filled in both box 3 and box 5, please state whether you are claiming the amount shown in box 3 or the amount shown in box 5(b)  |   |
| 8  | Give details of whether the whole or any part of the debt falls within any (and if so which) of the categories of preferential debts under section 386 of, and schedule 6 to, the Insolvency Act 1986 (as read with schedule 3 to the Social Security Pensions Act 1975) | Category<br><br>Amount(s) claimed as preferential £ |
| 9  | Particulars of how and when debt incurred  |   |
| 10 | Particulars of any security held, the value of the security, and the date it was given   | £   |
| 11 | Signature of creditor or person authorised to act on his behalf  |   |
|    | Name in BLOCK LETTERS  |   |
|    | Position with or relation to creditor  |   |

## Proxy (Administration)

## F.J. Booth &amp; Partners Limited

Name of Creditor \_\_\_\_\_

Address \_\_\_\_\_

Name of Proxy Holder

1 \_\_\_\_\_

2 \_\_\_\_\_

3 \_\_\_\_\_

Please insert name of person (who must be 18 or over) or the Chairman of the Meeting. If you wish to provide for alternative proxy holders in the circumstances that your first choice is unable to attend please state the name(s) of the alternatives as well.

Please delete words in brackets if the proxy holder is only to vote as directed i.e. he has no discretion.

I appoint the above person to be my/the creditor's proxy holder at the meeting of creditors to be held on **20 DECEMBER 2010**, or at any adjournment of that meeting. The proxy holder is to propose or vote as instructed below (and in respect of any resolution for which no specific instruction is given, may vote or abstain at his/her discretion).

## Voting Instructions for resolutions

\*Please delete as appropriate

1 For the acceptance/rejection\* of the administrator's proposals/revised proposals\* as attached to this form

2 For the acceptance/rejection\* that the Administrators' remuneration be fixed by reference to the time properly given by the Administrators and their staff in attending to matters arising in the Administration, calculated at the prevailing standard hourly charge out rates used by Deloitte LLP at the time when the work is performed. And that the Administrators be authorised to draw their remuneration, plus VAT, from the Administration estate, together with disbursements incurred which relate specifically to the case.

3 For the acceptance/rejection\* that the Administrators' disbursements for mileage be fixed by reference to mileage properly incurred by the Administrators and their staff in attending to matters arising during the Administration, calculated at the prevailing standard mileage rate used by Deloitte LLP at the time when mileage is incurred (presently up to 40p per mile), plus VAT where applicable and that the Administrators be authorised to draw their/his disbursements for mileage from the Administration estate.

4 For the acceptance/rejection\* that the Administrators be discharged from liability per paragraphs 98 and 99 of Schedule B1 of the Act immediately upon the Administrators' filing their final report to creditors and vacating office.

This form must be signed

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

Name in CAPITAL LETTERS \_\_\_\_\_

Only to be completed if the creditor has not signed in person

Position with creditor or relationship to creditor or other authority for signature

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Remember there may be resolutions on the other side of this form

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Remember there may be resolutions on the other side of this form