

# AM20

## Notice of automatic end of administration



Companies House

For further information, please  
refer to our guidance at  
[www.gov.uk/companieshouse](http://www.gov.uk/companieshouse)

### 1 Company details

Company number 0 8 7 6 3 7 9 0

Company name in full MBI Clifton Moor Limited

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

### 2 Court details

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

Court case number C R - 2 0 1 9 - 0 0 4 2 6 9

### 3 Former administrator's name

Full forename(s) Philip Francis

Surname Duffy

### 4 Former administrator's address

Building name/number The Shard

Street 32 London Bridge Street

Post town London


County/Region

Postcode S E 1 9 S G

Country

## AM20

Notice of automatic end of administration

<b>5</b>	<b>Former administrator's name ①</b>	
Full forename(s)	Sarah Helen	<b>① Other administrator</b> Use this section to tell us about another administrator.
Surname	Bell	
<b>6</b>	<b>Former administrator's address ②</b>	
Building name/number	The Shard	<b>② Other administrator</b> Use this section to tell us about another administrator.
Street	32 London Bridge Street	
Post town	London	
County/Region		
Postcode	S E 1 9 S G	
Country		
<b>7</b>	<b>Statement of appointment</b>	
	I <del>was</del> /we were appointed as administrator(s) on:	
Date	<div> <div>d</div><div>d</div><div>m</div><div>m</div><div>y</div><div>y</div><div>y</div><div>y</div> <div>1</div><div>6</div><div>0</div><div>8</div><div>2</div><div>0</div><div>1</div><div>9</div> </div>	
<b>8</b>	<b>Appointor/applicant's name</b>	
	Give the name of the person who made the appointment or the administration application	
Full forename(s)		
Surname	Court	
<b>9</b>	<b>Statement of ceasing to act</b>	
	I <del>we</del> give notice that <del>my</del> /our appointment as administrator ceased to have effect on:	
Date	<div> <div>d</div><div>d</div><div>m</div><div>m</div><div>y</div><div>y</div><div>y</div><div>y</div> <div>1</div><div>5</div><div>0</div><div>8</div><div>2</div><div>0</div><div>2</div><div>0</div> </div>	
<b>10</b>	<b>Final progress report</b>	
	<input checked="" type="checkbox"/> A copy of the final progress report is attached.	
<b>11</b>	<b>Sign and date</b>	
Former administrator's signature	<div> <div>Signature</div> <div>X</div> <div></div> <div>X</div> </div>	
Signature date	<div> <div>d</div><div>d</div><div>m</div><div>m</div><div>y</div><div>y</div><div>y</div><div>y</div> <div>2</div><div>1</div><div>0</div><div>1</div><div>2</div><div>0</div><div>2</div><div>1</div> </div>	

# AM20

Notice of automatic end of administration



## 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 **Perry Eleftheriou**

Company name **Duff & Phelps Ltd.**

Address **The Chancery**

**58 Spring Gardens**

Post town **Manchester M2 1EW**

County/Region

Postcode

Country

DX

Telephone

**+44 (0) 161 827 9000**



## 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,  
Crown Way, Cardiff, Wales, CF14 3UZ.  
DX 33050 Cardiff.



## Further information

For further information please see the guidance notes on the website at [www.gov.uk/companieshouse](http://www.gov.uk/companieshouse) or email [enquiries@companieshouse.gov.uk](mailto:enquiries@companieshouse.gov.uk)

**This form is available in an alternative format. Please visit the forms page on the website at [www.gov.uk/companieshouse](http://www.gov.uk/companieshouse)**

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# Final Progress Report to Creditors

MBI Clifton Moor Limited  
(In Administration)

21 January 2021

Joint Administrators' final Progress Report for the period from 16 February 2020 to 15 August 2020 with a summary of the Administration.

Duff & Phelps Ltd.  
The Chancery  
58 Spring Gardens  
Manchester  
M2 1EW

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## 1. Introduction

The Joint Administrators were appointed on 16 August 2019 by order of the Court.

This report is the Joint Administrators' Final Progress Report and provides Creditors with a final account of the Administration of the Company together with a summary of the Administration as a whole.

The Joint Administrators' sought approval from the Secured Creditors of the Company for the extension of the Administration for a 6 month period.

Approval for the extension of the 6 month period was received from the Secured Creditors on 31 July 2020 and therefore the Administration was extended to 15 February 2021.

However, it subsequently transpired that the Joint Administrators were required to gain consent from the investors who have agreements for lease but do not hold completed leases, these investors in this category may have liens and could be secured creditors of the Company and their consent had not been obtained. Therefore the Administration had automatically come to an end on 15 August 2020.

The Joint Administrators made an application to Court and a subsequent Administration order was obtained on 18 December 2020 with retrospective effect from 16 August 2020.

The final progress report has therefore been prepared in accordance with requirements of Rule 3.55, for the period from 16 February 2020 to 15 August 2020 together with a summary of the Administration as a whole.

The Joint Administrators have also explained the exit route from the Administration and the outcome for each class of Creditor.

You will find other important information in this Final Progress Report such as the costs the Joint Administrators have incurred.

A glossary of the abbreviations and definitions used throughout this document is attached at Appendix 8.

Please also note that an important legal notice about this final Progress Report to Creditors is attached at Appendix 9.

## 2. Creditor summary

### Summary of Proposals

The purpose of an Administration is to achieve one of the following hierarchical objectives:

- Rescuing the company as a going concern, or
- Achieving a better result for the company's creditors as a whole than would be likely if the company were wound up (without first being in Administration), or
- Realising property in order to make a distribution to one or more secured or preferential creditors.

The first objective has not been achieved as there have been insufficient funds and assets available to enable the Company to be rescued as a going concern.

The second objective has to achieved a better result for the Company's creditors as a whole has not been achieved. This remains dependent on confirmation of the indebtedness to the Secured Creditor and confirmation of the position with the investment funds which will be resolved in the subsequent Administration.

The Joint Administrators were pursuing the third objective as subject to validity of security and any prior ranking equitable interests, it was anticipated that a distribution would be paid to one or both of the Secured Creditors.

There were no major amendments to or deviations from these Proposals although none of the objectives of the Administration have been achieved.

As detailed in section 1, a subsequent Administration Appointment commenced on 16 August 2020 by order of the Court, and it is anticipated that a sale of the Land will be completed as part of this Administration. Therefore, it is anticipated that the third objective will be achieved in the subsequent Administration.

### Progress to date

The principal asset of the Company is a plot of undeveloped land in Tyldesley, Greater Manchester. The site comprises of the Land which is registered at HM Land Registry under title numbers MAN34746 and MAN34869.

The scheme for which investments were solicited, and obtained, from investors was for a proposed development of a 70-bed care home on the Land.

The Land has been secured and insured by the Joint Administrators and the Agents were instructed to provide a valuation and marketing advice in respect of the Land.

During the Administration, the Agents marketed the Land and an offer was accepted. The Joint Administrators made an application to Court for permission to sell the Land, notwithstanding the different interests that subsist in the Land from investors and the Secured Creditors. This application was approved at the Court hearing on 9 July 2020.

The Joint Administrators were not able to complete the sale in the Administration as Land Registry have not yet removed several Unilateral Notices registered by investors.

As detailed in Section 1 of this report, the Administration automatically ended on 15 August 2020, and the Joint Administrators made an application to Court and a subsequent Administration order was obtained on 18 December 2020 with retrospective effect from 16 August 2020.

The sale of the Land, including completing the removal of the Unilateral Notices will be progressed in the subsequent Administration.

#### Outcome for Creditors

In consideration for the monies advanced under a loan facility, the Company granted RAH a debenture on 16 May 2014, which confers fixed and floating charges over all of the assets of the Company.

As at the Appointment Date, the Company's indebtedness to RAH was approximately £212,000 plus accruing interest and charges.

In consideration for the monies advanced under a loan facility, the Company granted Rockbridge a debenture on 21 December 2018, which confers fixed and floating charges over all of the assets of the Company.

There have been insufficient realisations to enable a distribution to the Secured Creditors in the Administration.

At this stage it is anticipated that there will be a distribution available to RAH from the subsequent Administration which commenced on 16 August 2020 by order of the Court, following a sale of the Land.

Based on current information, it is unlikely that a distribution will be available to Rockbridge under its security in the subsequent Administration.

Where an investor has paid all or substantially all of the purchase price of a lease but not received a completed lease then they may hold an equitable lien and this is classed as a form of security under the Act.

This matter will be investigated in the subsequent Administration and should this security be valid, any available distributions after costs will be made to these investors following any distributions to the Secured Creditors in the subsequent Administration which commenced on 16 August 2020.

The Company does not employ any staff and therefore there are no preferential creditors.

There have been insufficient realisations to enable a distribution to the Unsecured Creditors. This will be reviewed in the subsequent Administration following a sale of the Hotel.

Please note, this report provides Creditors with a final account of the Administration of the Company together with a summary of the Administration as a whole. The Joint Administrators' previous progress reports and the Statement of Proposals issued to the Company's Creditors are available to view at <https://micro.duffandphelps.com/ukrestructuring> and paper copies can be provided free of charge by writing to [Perry.Eleftheriou@DuffandPhelps.com](mailto:Perry.Eleftheriou@DuffandPhelps.com) Unless otherwise stated, all amounts in this Progress Report and appendices are stated net of VAT.



### 3. Progress of the Administration

This section provides a final update on the strategy for the Administration and progress made, including a summary of the information provided in previous progress reports.

#### 3.1 Strategy and progress to date

As above, the Land has been secured and insured by the Joint Administrators and the Agents were instructed to provide a valuation and marketing advice in respect of the Land.

Information reviewed by the Joint Administrators to date show that there were 76 investors that purportedly acquired rooms in the proposed care home, all of which did not hold registered leases.

The investigations into these agreements will be continued in the subsequent Administration and the Joint Administrators appointed by the Court on 16 August 2020 will correspond with the Administrators of MBI Consulting (UK) Ltd, an associated company, to assist with the investigations.

#### 3.2 Asset realisations

The main asset of the Company is the undeveloped land in Tyldesley, Greater Manchester. The site comprises of the Land which is registered at HM Land Registry under title numbers MAN34746 and MAN34869. The Land has been secured and insured by the Joint Administrators.

The Joint Administrators sought Court directions to allow the Court to determine the extent of Investors' interests and other creditors in relation to the Company prior to any sale being completed.

The Joint Administrators made an application to Court for permission to sell the Land, notwithstanding the different interests that subsist in the Land from investors and the Secured Creditors. This application was approved at the Court hearing on 9 July 2020.

The Joint Administrators were not able to complete the sale in the Administration as Land Registry have not yet removed several Unilateral Notices registered by investors.

As detailed in Section 1 of this report, the Administration automatically ended on 15 August 2020, and the Joint Administrators made an application to Court and a subsequent Administration order was obtained on 18 December 2020 with retrospective effect from 16 August 2020.

The sale of the Land, including completing the removal of the Unilateral Notices will be progressed in the subsequent Administration

##### 3.2.2 Cash at bank

The Company did not hold funds in a separate bank account and following a review of the Company's books and records, the Joint Administrators understand that funds received from the Company's investors in return for interests in the care home scheme appear to have been paid into a bank account held by MBI Consulting (UK) Limited.

MBI Consulting (UK) Limited was placed into Administration on 22 August 2018 with Philip Pierce and Paul Whitwam of FRP Advisory LLP being appointed as Joint Administrators.

The Joint Administrators put the administrators of MBI Consulting (UK) Limited on notice that the Company has a claim of c £2.27m.

No realisations in respect of this claim have been received in the Administration.

This claim will be pursued in the subsequent Administration.

### 3.2.2 Intercompany debts

Following an initial reconciliation of the outstanding debts from associated companies in the Company's books and records, the Joint Administrators are of the understanding that the outstanding balances are as detailed below.

Some of the associated companies listed are in formal insolvency processes no funds have been received in respect of the intercompany debts in the Administration.

	Value (£'000)
Caer Rhun Hall Hotel Limited	58
Campus House Limited	5
Llandudno Bay Hotel & Spa Limited	386
MBi Smithy Bridge Limited	30
<b>Total</b>	<b>479</b>

The claims submitted will transfer to the subsequent Administration.

### 3.2.4 Other assets

The sum of £2,010 has been realised in respect of a refund due to the Company from HMRC.

Gross bank interest of £1 has been received in the Administration period.

The Joint Administrators are not aware of any other Company assets and there have been no further realisations.

### 3.2.3 Investigations

The Joint Administrators have filed their confidential report with DBEIS regarding the conduct of the Directors of the Company.

Investigations into NPD and all of the associated companies remain ongoing and will be followed up by the subsequent Administrators.

### 3.3 Costs

A receipts and payments account is attached at Appendix 3.

Details of the costs that have been accrued but not paid are detailed below:

Significant expenses incurred but not paid		
Legal fees	£870	Hewlett Swanson have incurred legal fees plus disbursements in dealing with court applications in respect of the sale of the Land and legal advice in respect of investigations into the Company and the investment scheme.
Hewlett Swanson		
Legal fees	£153,176	Addleshaw Goddard have incurred legal fees plus disbursements in dealing with court application in respect of the sale of the Land owned by the Company, correspondence with the Secured
Addleshaw Goddard		

		Creditors and assistance in relation to the investment agreements and UN1 notices
Agents fees	2% of Gross Sale Value	Sanderson Weatherall have incurred fees in dealing with the valuation and marketing of the Land.
Sanderson Weatherall		

There have been insufficient realisations to pay the legal fees and agents fees out of the Administration.

These costs and any future costs incurred will be paid out of the subsequent administration following a sale of the Land.

### 3.4 Schedule of expenses

The Joint Administrators have detailed the costs incurred during the period, whether paid or unpaid, in the schedule of expenses attached at Appendix 4.

These costs and any future costs incurred will be paid out of the subsequent administration following a sale of the Land.

## 4. Outcome for Creditors

### 4.1 Secured Creditors

#### RAH

In consideration for the monies advanced under a loan facility, the Company granted RAH a debenture on 16 May 2014, which confers fixed and floating charges over all of the assets of the Company.

As at the Appointment Date, the Company's indebtedness to RAH was approximately £212,000 plus accruing interest and charges. RAH are expected to receive a distribution following the sale of the Land.

There have been insufficient realisations to enable a distribution to the RAH in the Administration.

At this stage it is anticipated that there will be a distribution available to RAH from the subsequent Administration which commenced on 16 August 2020 by order of the Court, following a sale of the Land.

#### Rockbridge

In consideration for the monies advanced under a loan facility, the Company granted Rockbridge a debenture on 21 December 2018, which confers fixed and floating charges over all of the assets of the Company.

There have been insufficient realisations to enable a distribution to the Rockbridge in the Administration.

Based on current information, it is unlikely that a distribution will be available to Rockbridge under its security in the subsequent Administration.

## Investors

Where an investor has paid all or substantially all of the purchase price of a lease but not received a completed lease then they may hold an equitable lien and this is classed as a form of security under the Act.

This matter will be investigated in the subsequent Administration and should this security be valid, any available distributions after costs will be made to these investors following any distribution to the Secured Creditors in the subsequent Administration which commenced on 16 August 2020.

## 4.2 Preferential creditors

The Company did not employ any staff and therefore there are no Preferential Creditors of the Company.

## 4.3 Unsecured Creditors

According to the Company's books and records, unsecured trade creditors total £10,793.

The Company's books and records also indicate additional balances of £474,211 are due to other associated companies. The total non-preferential creditors can be summarised as below.

Creditor	Claim (£)
Trade & Expense Creditors	10,793
Inter-Company Creditors	885,000
Loans Less than One Year	154,000
Loans Greater than One Year	94,000
Investor Buyback Provision	6,656,168
Total	7,799,961

There have been insufficient realisations in the Administration to enable a dividend to the Unsecured Creditors.

At this stage it is unlikely that there will be a distribution available to Unsecured Creditors from the subsequent Administration following a sale of the Land, however this will be reviewed in the subsequent Administration.

## 5. Other matters

### 5.1 Creditors' Committee

No Creditors' Committee has been established.

### 5.2 Joint Administrators' Receipts and Payments account

A detailed receipts and payments account for the period is shown in Appendix 3.

### 5.3 Creditors' rights

Further information regarding the remuneration and disbursements of the Joint Administrators, including Creditors' rights to challenge such costs is provided at Appendix 7, Statement of Creditors Rights.

## 6. Joint Administrators' fees and expenses and pre-Administration costs

### 6.1 Fees and expenses

#### 6.1.1 Time costs

It was proposed that the Joint Administrators fee basis was based on time costs and remuneration will be drawn on the basis of time properly given by the Joint Administrators and their staff in accordance with the fee estimate provided in the Joint Administrators' Proposals and Duff & Phelps Ltd's usual charge-out rates for work of this nature.

It was previously reported that approval of the Joint Administrators Fee Estimate being £183,420 would be sought from the Secured Creditors of the Company.

Following a review of the time costs incurred and the estimated future time costs, an updated fee estimate in the sum of £265,227 was issued.

The Joint Administrators sought approval of 75% of the updated fee estimate with the balance of the 25% to be voted on by creditors at the end of the Administration should sufficient funds be available.

The relevant fee approvals were not provided in the Administration period.

As part of the subsequent Administration appointment, the Solicitors are in the process of making an application to the Court for approval of the basis of the remuneration for this administration and for the subsequent administration.

Once funds have been received from the sale of the Hotel in the subsequent Administration, fees will be drawn in line with the relevant approvals and the funds available.

Time has been charged in six-minute units. Details of the time charged for the Reporting Period are attached at Appendix 5.

Time costs incurred in the Reporting Period total £36,618 which represents 107 hours at an average hourly rate of £343.

Time costs incurred during the life of the Administration total £67,241 which represents 222 hours at an average hourly rate of £304.

In accordance with SIP 9, the Joint Administrators have provided further narrative detail of the time costs incurred at Appendix 6.

#### 6.1.2 Fees

No fees have been drawn in the Administration.

#### 6.1.3 Expenses

Details of the expenses incurred during the Administration are attached at Appendix 4.

#### 6.1.3 Disbursements

Details of the disbursements incurred during the Administration are attached at Appendix 5. No disbursements have been paid in the Administration.

## 6.2 Pre-Administration costs

Pre-Administration costs are fees, charges and expenses incurred by the Joint Administrators or their firm, or another person qualified to act as an insolvency practitioner, before the Company entered Administration but with a view to it doing so.

Any Pre-Administration costs incurred in respect of the Company were incurred by the Interim Managers and therefore, approval of these costs has been sought from the Court accordingly.

A Court Order was obtained on 2 March 2020 which approved and fixed the Interim Managers' fees of the Company in the sum of £65,085 exclusive of VAT.

There have been insufficient realisations to enable the Pre-Administration costs to be paid as an expense of the Administration.

Should there be funds available following a sale of the Land, the Pre-Administration fees will be paid from the subsequent Administration.

## 7. Conclusion of the Administration

On 15 August 2020, the Administration came to an automatic end.

The Joint Administrators have filed a copy of this final Progress Report with the Court and Registrar of Companies together with the requisite notice.

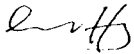
The Joint Administrators ceased to act on 15 August 2020 and were discharged from liability in respect of any actions as Joint Administrators.

The Joint Administrators made an application to Court and a subsequent Administration order was obtained on 18 December 2020 with retrospective effect from 16 August 2020.

The final progress report has therefore been prepared in accordance with requirements of Rule 3.55, for the period from 16 February 2020 to 15 August 2020 together with a summary of the Administration as a whole.

As no sale of the Land was completed during the Administration, none of the hierarchical purposes of the Administration have been achieved. It is anticipated that the purpose will be achieved in the subsequent Administration with retrospective effect from 16 August 2020.

If you require further information or assistance, please do not hesitate to contact Heather Barnes.



Philip Duffy  
Joint Administrator

The affairs, business and property of the Company are being managed by the Joint Administrators, Philip Francis Duffy and Sarah Helen Bell, who act as agents for the Company and without personal liability. Both are licensed by the Insolvency Practitioners Association.

## Appendix 1 – Statutory information

### COMPANY INFORMATION

Company and trading name	MBI Clifton Moor Limited	
Date of incorporation	6 November 2013	
Registered Number	08763790	
Company Director	Gavin Lee Woodhouse	
Shareholders	NPD	
Registered office	Current: The Chancery 58 Spring Gardens Manchester M2 1EW	Former: Unit D2, Elland Riorges Link Lowfields Business Park Elland HX5 9DG

### ADMINISTRATION INFORMATION

Administration Appointment	The Administration appointment granted in High Court of Justice Business and Property Courts of England and Wales 004269 of 2019	
Appointor	Court	
Date of Appointment	16 August 2019	
Joint Administrators	Philip Duffy and Sarah Bell	
Original purpose	Realising property in order to make a distribution to one or more secured or preferential creditors.	
Functions	The functions of the Joint Administrators are being exercised by them individually or together in accordance with Paragraph 100(2) of Schedule B1	
Current Administration expiry date	15 February 2021	
Prescribed Part	The Prescribed Part is applicable in this case. It has been taken into account when determining the dividend prospects for Unsecured Creditors.	
Application of EC Regulations	EC Regulations apply and these proceedings will be the Main Proceedings as defined in Article 3 of the EC Regulations.	

## Appendix 2 – Approved Proposals

That the Joint Administrators continue the Administration to deal with such outstanding matters in relation to the Company as the Joint Administrators consider necessary until such time as the Administration ceases to have effect.

That the Joint Administrators do all such other things and generally exercise all of their powers as contained in Schedule 1 of the Act, as they, in their sole and absolute discretion consider desirable or expedient in order to achieve the purpose of the Administration.

That the Joint Administrators, once all outstanding matters have been satisfactorily completed, take the necessary steps to give notice under Paragraph 84 of Schedule B1 of the Act to the Registrar of Companies to the effect that the Company has no remaining property which might permit a distribution to its creditors, at which stage the Administration will cease.

That the Joint Administrators, where they consider that there are funds available to be distributed to the unsecured creditors (other than under the Prescribed Part) take the necessary steps to put the Company into either creditors' voluntary liquidation or into compulsory liquidation as they deem appropriate. It is proposed that the Joint Administrators, currently Philip Duffy and Sarah Bell of Duff & Phelps would act as Joint Liquidators should the Company be placed into creditors' voluntary liquidation. In accordance with Paragraph 83(7) of Schedule B1 to the Act and Rule 3.60(6)(b) of the Rules creditors may nominate a different person as the proposed liquidator, provided the nomination is received at this office prior to the approval of these Proposals. In the absence of such nomination, the Joint Administrators will be appointed Joint Liquidators and in accordance with Section 231 of the Act any act required or authorised under any enactment to be done by the Joint Liquidators is to be done by all or any one or more of them.



## Appendix 3 – Receipts and Payments account

**MBI Clifton Moor Limited**  
**(In Administration)**  
**Joint Administrators' Summary of Receipts & Payments**

Statement of Affairs £	From 16/02/2020 To 15/08/2020 £	From 16/08/2019 To 15/08/2020 £
ASSET REALISATIONS		
Bank Interest Gross	NIL	0.98
Pre-Appointment HMRC Refund	NIL	2,010.00
	NIL	2,010.98
COST OF REALISATIONS		
Insurance of Assets	NIL	500.00
Irrecoverable VAT	17.50	121.94
NPD Recharge	NIL	222.22
Statutory Advertising	87.48	87.48
	(104.98)	(931.64)
	<b>(104.98)</b>	<b>1,079.34</b>
REPRESENTED BY		
Floating/main current account		1,079.34
		<b>1,079.34</b>

Note:

#### Appendix 4 – Schedule of expenses

A summary of expenses incurred during the Administration is set out below:

Schedule of Expenses	Incurring and paid in the period (£)	Incurring since the Appointment Date and not yet paid (£)
Expenses		
Agents – Sanderson Weatherall		0
Legal fees Addleshaws		153,176
Legal fees Hewlett Swanson		870
Insurance     Insolvency     Risk Services	500	728
NPD Recharge	222	
Irrecoverable VAT	121	
Total	843	154,774

The Joint Administrators choice of professional advisors was based on their perception of the experience and ability of the respective firms/individuals to perform their work, the complexity and nature of the assignment and basis of their fee.

The above costs exclude VAT.

## Appendix 5 – Analysis of time charged and expenses incurred

The following disbursements have been incurred during the Administration Period

SIP 9 - Disbursements	Category 1		Category 2		Totals (£)
Disbursements	Paid (£)	Unpaid (£)	Paid (£)	Unpaid (£)	
Bond premium		20	0	0	20
Statutory Advertising	90	0	0	0	90
Total	90	20	0	0	110

Please note that this table includes expenses incurred by Duff & Phelps Ltd and is therefore unlikely to reconcile with the disbursements shown in the Schedule of Expenses.

108924 MBI CLIFTON MOOR LIMITED

ANALYSIS OF TIME COSTS FOR THE PERIOD 16/02/2020 to 15/08/2020

ADM-Admin. - Post Appt.

Classification of Work Function	Hours					Total Hours	Time Cost £	Avg Hourly Rate £
	Managing Director	Manager	Senior	Assistant	Support			
<b>Administration and Planning</b>								
Case review & Case Diary management	0.00	0.70	0.00	2.20	0.00	2.90	734.00	253.10
Cashiering & accounting	0.00	0.20	0.00	0.80	0.00	1.00	277.00	277.00
Insurance	0.00	0.00	0.00	0.25	0.00	0.25	62.50	250.00
Statutory matters (Meetings & Reports & Notices)	0.00	1.75	2.90	16.80	0.00	21.45	5,147.50	239.98
Strategy planning & control	0.50	2.85	0.00	7.80	0.00	11.15	3,377.50	302.91
Tax Compliance / Planning	0.00	0.00	0.00	3.40	0.00	3.40	770.00	226.47
<b>Creditors</b>								
Communications with Creditors / Employees	0.50	0.00	0.90	9.40	0.00	10.80	2,972.00	275.19
Creditors committee	0.00	0.00	1.30	0.00	0.00	1.30	572.00	440.00
Non Pref Creditors / Employee claims handling	0.00	0.00	0.60	0.20	0.00	0.80	302.00	377.50
Secured Creditors	0.00	0.00	23.20	0.50	0.00	23.70	10,333.00	435.99
<b>Investigations</b>								
Financial review and investigations (S238/239 etc)	0.00	0.00	0.00	0.60	0.00	0.60	90.00	150.00
Forensic Sales Ledger Investigation	0.00	0.00	5.20	0.00	0.00	5.20	2,288.00	440.00
<b>Realisation of Assets</b>								
Freehold and Leasehold Property	0.00	0.00	0.00	0.20	0.00	0.20	50.00	250.00
Sale of business	0.00	0.00	19.30	4.60	0.00	23.90	9,642.00	403.43
<b>Total Hours:</b>	<b>1.00</b>	<b>5.50</b>	<b>53.40</b>	<b>46.75</b>	<b>0.00</b>	<b>106.65</b>		<b>343.34</b>
<b>Total Fees Claimed: £</b>	<b>650.00</b>	<b>2,169.00</b>	<b>23,386.00</b>	<b>10,412.50</b>	<b>0.00</b>		<b>36,617.50</b>	

Category 2 Disbursements:

108924 MBI CLIFTON MOOR LIMITED

ANALYSIS OF TIME COSTS FOR THE PERIOD 16/08/2019 to 15/08/2020

ADM-Admin. - Post Appt.

Classification of Work Function	Hours					Total Hours	Time Cost £	Avg Hourly Rate £
	Managing Director	Manager	Senior	Assistant	Support			
<b>Administration and Planning</b>								
Case review & Case Diary management	1.00	1.20	0.00	2.90	0.00	5.10	1,512.00	296.47
Cashiering & accounting	0.00	0.20	0.30	3.10	0.00	3.60	809.50	224.86
Insurance	0.00	0.00	0.00	0.75	0.00	0.75	158.50	211.33
Statutory matters (Meetings & Reports & Notices)	1.30	7.25	8.40	51.40	0.00	68.35	16,074.75	235.18
Strategy planning & control	0.50	3.10	25.10	19.30	0.00	48.00	15,184.00	316.33
Tax Compliance / Planning	0.00	0.00	0.00	3.40	0.00	3.40	770.00	226.47
<b>Creditors</b>								
Communications with Creditors / Employees	1.00	0.00	2.20	23.60	0.00	26.80	6,488.75	242.12
Creditors committee	0.00	0.00	1.30	0.30	0.00	1.60	626.00	391.25
Non Pref Creditors / Employee claims handling	0.00	0.00	0.60	1.85	0.00	2.45	697.00	284.49
Secured Creditors	0.00	0.00	26.90	2.00	0.00	28.90	12,167.00	421.00
<b>Investigations</b>								
CDDA & reports & Communication	0.00	0.00	0.00	0.55	0.00	0.55	108.00	196.36
Financial review and investigations (S238/239 etc)	0.00	0.00	0.00	1.30	0.00	1.30	170.50	131.15
Forensic Sales Ledger Investigation	0.00	0.00	5.20	0.00	0.00	5.20	2,288.00	440.00
<b>Realisation of Assets</b>								
Freehold and Leasehold Property	0.00	0.00	0.00	0.50	0.00	0.50	113.00	226.00
Sale of business	0.00	0.00	20.40	4.60	0.00	25.00	10,074.00	402.96
<b>Total Hours:</b>	<b>3.80</b>	<b>11.75</b>	<b>90.40</b>	<b>115.55</b>	<b>0.00</b>	<b>221.50</b>		<b>303.57</b>
<b>Total Fees Claimed: £</b>	<b>2,134.00</b>	<b>4,262.75</b>	<b>35,735.50</b>	<b>23,398.75</b>	<b>1,710.00</b>		<b>67,241.00</b>	

Category 2 Disbursements:

## Appendix 6 – Narrative of work carried out for the Administration period

The key areas of work have been:

### **SIP 9 narrative for the period**

#### Administration and planning

- Monitoring and reviewing the Administration strategy;
- Briefing staff on the Administration strategy and matters in relation to workstreams;
- Regular case management and reviewing of process including regular team update meetings and calls;
- Meeting with management to review and update strategy and monitor progress;
- Reviewing and authorising junior staff correspondence and other work;
- Dealing with queries arising during the appointment;
- Reviewing matters affecting the outcome of the Administration;
- Allocating and managing staff/ case resourcing and budgeting exercises and reviews;
- Liaising with legal advisors regarding various instructions, including agreeing content of engagement letters; and
- Complying with internal filing and information recording practices, including documenting strategy decisions.

#### Creditors

- Updating the list of Unsecured Creditors;
- Responding to enquiries from Creditors regarding the Administration and submission of their claims;
- Reviewing completed forms submitted by Creditors, recording claim amounts and maintaining claim records;
- Drafting progress statutory progress reports; and
- Providing written and oral updates to the Secured Creditors regarding the progress of the Administration and cases strategy;

#### Investigations

- Managing and reviewing the Company books and records;
- Investigating the affairs of the Company to identify any actions available to the Company against third parties in respect of antecedent transactions or other litigation;
- Obtaining records from third parties;
- Conducting interviews with counterparties and officeholders;
- Enquiring with counterparties who has raised disputes against the Company;
- Reviewing pre-appointment transactions; and
- Documenting investigations.

#### Statutory and compliance

- Ensuring compliance with all statutory obligations within the relevant timescales;
- Uploading information to the Creditors' Portal/Website;
- Drafting and publishing progress reports;
- Running decision procedures;
- Reviewing time costs to date and producing analysis of time incurred which is compliant with SIP 9;
- Monitoring the fees estimate; and
- Monitoring the expenses estimate.

## Appendix 7 – Statement of Creditors' rights

Rule numbers refer to Insolvency (England & Wales) Rules 2016 (as amended)

Section or paragraph numbers refer to Insolvency Act 1986

If you require a copy of any relevant rule or section, please contact Heather.Barnes at Perry.Eleftheriou@DuffandPhelps.com.

### Information for Creditors on remuneration and disbursements of Administrators

Information regarding the fees and disbursements of administrators, including details of the Duff & Phelps' disbursements policy and hourly charge out rates for each grade of staff that may undertake work on this case, is in a document called "A Creditors' Guide to Administrators' Fees". This can be viewed and downloaded from the Joint Administrators' website at:

<https://www.duffandphelps.co.uk/services/restructuring/corporate-restructuring-and-debt-advisory/Creditor-guides-and-employee-fact-sheets>

(click on the document 'Administration (appointment from 1 October 2015)'). Should you require a copy, please contact this office.

### Creditors' requests for further information

If you would like to request more information about the Joint Administrators' remuneration and remuneration disclosed in this Progress Report, you must do so in writing within 21 days of receiving this Progress Report.

Requests from Unsecured Creditors must be made with the concurrence of at least 5% in value of Unsecured Creditors (including, the unsecured creditor making the request) or with the permission of the Court.

### Creditors' right to challenge our remuneration and expenses

If you wish to challenge the basis of the Joint Administrators' remuneration, the remuneration charged, or the expenses incurred during the period covered by this Progress Report, you must do so by making an application to Court within eight weeks of receiving this Progress Report.

Applications by Unsecured Creditors (including the Unsecured Creditors making the challenge) or with the permission of the Court.

The full text of the relevant rules can be provided on request by writing to Heather Barnes at The Chancery, 58 Spring Gardens, Manchester, M2 1EW.



## Appendix 8 – Definitions

Word or Phrase	Definition
the Act	The Insolvency Act 1986 (as amended)
the Agents	Sanderson Weatherall LLP, independent agents who were instructed to value and sell the assets of the Company
the Appointment Date	16 August 2019, being the date of appointment of the Joint Administrators
Category 2 Disbursements	The Joint Administrators' internal costs and expenses in dealing with the Administration
the Company	MBI Clifton Moor Limited (In Administration)
DBEIS	Department for Business, Energy & Industrial Strategy
the Director	Gavin Woodhouse, the sole director of the Company
Duff & Phelps	Duff & Phelps Ltd., The Chancery, 58 Spring Gardens, Manchester, M2 1EW
EC Regulation	EC Regulation on Insolvency Proceedings 2000
HMRC	HM Revenue and Customs
the Joint Administrators	Philip Duffy and Sarah Bell of Duff & Phelps
the Land	Freehold and leasehold land at the South East Side of Elliott Street, Tyldsley, Manchester. Title numbers MAN34746 and MAN34869.
Prescribed Part	Pursuant to Section 176A of the Act, where a floating charge is created after 15 September 2003, a designated amount of the Company's net property (floating charge assets less costs of realisation) shall be made available to Unsecured creditors
RAH	Robert Ashley Hall & MJF Pension Trustees, the holder of a fixed and floating charge over the Company's assets
Rockbridge	Rockbridge Lending Limited, the holder of a fixed and floating charge over the Company's assets
the Reporting Period	16 February 2020 to 15 August 2020
the Secured Creditors	RAH and Rockbridge
SIP 9	Statement of Insolvency Practice 9 – Industry best practice for Insolvency Practitioners in relation to disclosure of remuneration and disbursements

#### Appendix 9 – Notice about this report

This report has been prepared by Philip Francis Duffy and Sarah Helen Bell, the Joint Administrators of the Company, solely to comply with their statutory duty to report to Creditors under the Insolvency Rules (England and Wales) 2016 on the progress of the Administration, and for no other purpose. It is not suitable to be relied upon by any other person, or for any other purposes, 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 any financial interest in the Company or any other company in the same group.

Any estimated outcomes for Creditors included in this report 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 report for any purpose or in any context other than under the Insolvency Rules (England and Wales) 2016 does so at their own risk. To the fullest extent permitted by law, the Joint Administrators do not assume any responsibility and will not accept any liability in respect of this report to any such person.

Philip Francis Duffy and Sarah Helen Bell are authorised to act as insolvency practitioners by the Insolvency Practitioners Association.

The Joint Administrators are bound by the Insolvency Code of Ethics.

The Joint Administrators act as agents for the Company and contract without personal liability. The appointments of the Joint Administrators are personal to them and, to the fullest extent permitted by law, Duff & Phelps Ltd. does not assume any responsibility and will not accept any liability to any person in respect of this Progress Report or the conduct of the Administration.