

In accordance with  
Rule 18.6 of the  
Insolvency (England &  
Wales) Rules 2016.

# AM10

## Notice of administrator's progress report



Companies House



\*Q90YMQ2R\*

QIQ 16/03/2020 #17

COMPANIES HOUSE

A10 16/03/2020 #108

COMPANIES HOUSE

MONDAY  
MONDAY

### 1 Company details

Company number 1 0 1 2 4 1 8 2

Company name in full Afan Valley Limited

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

### 2 Administrator's name

Full forename(s) Philip Francis

Surname Duffy

### 3 Administrator's address

Building name/number The Chancery

Street

Post town 58 Spring Gardens

County/Region Manchester

Postcode M 2 1 E W

Country

### 4 Administrator's name ①

Full forename(s) Sarah Helen

Surname Bell

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

### 5 Administrator's address ②

Building name/number The Chancery

Street

Post town 58 Spring Gardens

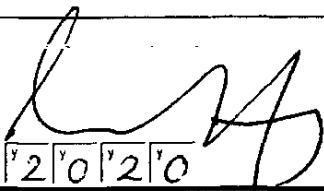
County/Region Manchester

Postcode M 2 1 E W

Country

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

AM10  
Notice of administrator's progress report

<b>6</b>		<b>Period of progress report</b>																								
From date	d		1		6		m		0		8		y		2		0		1		9					
To date	d		1		5		m		0		2		y		2		0		2		0					
<b>7</b>		<b>Progress report</b>																								
		<input checked="" type="checkbox"/> I attach a copy of the progress report																								
<b>8</b>		<b>Sign and date</b>																								
Administrator's signature	Signature																		X							
Signature date	d		1		3		m		0		3		y		2		0		2		0					

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**Progress Report to  
Creditors  
Afan Valley Limited  
(In Administration)**

13 March 2020

Joint Administrators' Progress Report for the period from 16 August 2019 to  
15 February 2020

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

## Contents

1. Introduction	1
2. Creditor summary	1
3. Progress of the Administration	2
4. Outcome for Creditors	5
5. Other matters	7
6. Joint Administrators' fees and expenses and pre-Administration costs	7
7. Future strategy	8

## Appendices

Appendix 1 – Statutory information	10
Appendix 2 – Approved Proposals	11
Appendix 3 – Receipts and Payments account	12
Appendix 4 – Schedule of expenses	13
Appendix 5 – Analysis of time charged and expenses incurred	14
Appendix 6 – Narrative of work carried out for the Reporting Period	15
Appendix 7 – Statement of Creditors' rights	16
Appendix 8 – Definitions	17
Appendix 9 – Notice about this report	18

## **1. Introduction**

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

This Progress Report provides an update on the Administration of the Company. It should be read in conjunction with the Proposals.

The Joint Administrators have also explained their future strategy for the Administration and how likely it is that they will be able to pay each class of creditor.

You will find other important information in this 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 Progress Report to Creditors is attached at Appendix 9.

## **2. Creditor summary**

This Progress Report covers the period from 16 August 2019 to 15 February 2020.

### **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 will not be achieved as there are insufficient funds and assets available to enable the Company to be rescued as a going concern.

The Joint Administrators are pursuing the second objective as there is evidence to suggest that it is likely that a better result for the Company's creditors as a whole will be achieved than if the Company was wound up as the Joint Administrators are in negotiations with all key stakeholders to take forward the Afan Valley project.

The Joint Administrators anticipate to achieve the third objective if the second objective is not achieved, as it is anticipated that a distribution will be paid to one or more of the Secured Creditors of the Company following the sale of the Land.

### **Progress to date**

The progress of the Administration to date is set out in Section 3 of this report. This section includes any updates on the Administration during the Reporting Period.

### **Outcome for Creditors**

At this stage it is anticipated that there will be sufficient realisations to enable a distribution to Mr Mishon however there may be insufficient realisations to repay Mr Mishon in full under his security.

The Joint Administrators are not aware of any employees of the Company therefore no preferential claims are anticipated.

Based upon the current information available, it is anticipated that there will be insufficient realisations to enable a distribution to the non-preferential creditors of the Company, other than from the Prescribed Part, if any.

Please note, this Progress Report provides Creditors with an account of the progress of the Administration of the Company in the period. The Proposals are available to view at <https://micro.duffandphelps.com/ukrestructuring> and paper copies can be provided free of charge by writing to Heather Sykes. Unless otherwise stated, all amounts in this Progress Report and appendices are stated net of VAT.

### **3. Progress of the Administration**

This section provides an update on the Joint Administrators' strategy for the Administration and progress to date.

#### **3.1 Strategy and progress to date**

*The Company's main asset is the Land. The Company proposed the development of an outdoor adventure park at a 450 acre site in the Neath Port Talbot area of Wales, the Land formed part of this proposed site. The scheme proposed four 'activity zones' offering, amongst other things: downhill skiing, water sports, high-wire forest adventures, off-road biking, survival training, trampolining and surfing.*

It is an off-plan property development scheme, whereby investments were being solicited for the purchase of plots of land on which lodges were to be constructed, as well as for 100 rooms in the proposed Treetops Hotel and Spa and the 400 residential lodges themselves

During the Reporting Period, the Joint Administrators have issued an Information Memorandum to a number of suitable parties who could fund, acquire and develop the scheme.

The Joint Administrators are liaising with these interested parties, however, in order to not prejudice any future negotiations, no further information can be provided at this time.

#### **3.2 Asset realisations**

Realisations during the period are set out in the attached receipts and payments account at Appendix 3.

Summaries of the most significant realisations during the Administration are provided below

##### **3.2.1 Land at Afan Valley Resort**

The Afan Valley Site comprises three parcels of land registered at HM Land Registry under title numbers WA519567, CYM471819 and CYM60212

The Land Registry titles for the Land disclose that the land comprising title WA519567 was acquired by Ontaris Resources Inc., a BVI registered company, on 17 April 2008 for a price of £250,000 and remains in that company's ownership. A Unilateral Notice in favour of the Company, under its former name of Caerau Parc Limited, was registered against the title on 8 March 2017 in respect of a contract for the sale of that land to the Company dated 1 August 2016. The Joint Administrators are currently investigating the contract for the sale and the circumstances surrounding this and a further update will be provided in the next report.

The Land comprising title CYM471819 was acquired by the Company on 22 December 2017 for a price of £25,000. The Land is subject to a restriction on disposition pursuant to a charge dated 19 December 2017 in favour of 360 Mi.

The land comprising title CYM60212 was transferred to Mr Mishon on 15 April 2014 and remains in his ownership. No details are given regarding the price paid on that transfer and the title instead confirms that a price of £180,000 was paid for this land on 12 February 2002.

The Joint Administrators have entered into high level discussions with major stakeholders of the Afan Valley project including the former planning consultant, the local council, the Welsh Government and the Secured Creditor. The discussions are ongoing however there is interest in continuing the project notwithstanding investors' interests, and further meetings are planned with the various stakeholders and the planning authority.

The landowner of the adjacent pieces of land is currently funding the costs of the planning application, the planning team's costs are entirely at his own risk and on a contingent basis dependent on whether any value is derived in the estate in respect of the project.

In order to facilitate the ongoing negotiations, following discussions with the planning authority, it has extended the deadline of the requirement to enter into the Section 106 Agreement attached to the existing outline planning permission to 31 March 2020. This sets out a series of conditions which must be met before outline planning permission can be granted and covers aspects of ecology, transport and landscaping.

The planning committee at the local council will review the finalised Section 106 Agreement at the first available planning committee meeting to be held in April 2020. Should outline planning permission be granted, the next stage will be to look into any reserve matters raised by the planning committee with a view to being granted full planning permission.

Further updates will be provided to creditors in the Joint Administrators' next report and investor updates as appropriate.

### **3.2.2 Inter-company debt**

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 and it is uncertain whether any of the inter-company debts are recoverable. The Joint Administrators will lodge claims in each of the relevant estates and pursue each debt accordingly.*

	<b>Value (£'000)</b>
Belmont Hotel Limited	39
Caer Rhun Hall Hotel Limited	20
Campus House Limited	71
Carmarthen Bay Hotel Limited	3
Llandudno Bay Hotel & Spa Limited	124
MBi Smithy Bridge Limited	61
Northern Powerhouse Developments Limited	3,851
Wyncliffe House Hotel Limited	1
Atlantic Bay Hotel (Woolacombe) Limited	91
MBi Clifton Moor Limited	94
Woodhouse Family Limited	62
MBi Hawthorn Care Limited	605
Afan Valley Management Limited	659
Bracken Country House Limited	3
Foxglove Hotel Limited	26
Gilsland Hall Limited	90
<b>Total</b>	<b>5,801</b>

### 3.2.3 Cash at bank

Although the Company held a bank account, this account was utilised by Pennine Manor Hotel Limited as its trading account. The investor funds in respect of the Afan Valley scheme have been paid into the bank account held by Northern Powerhouse Developments Limited.

The trading receipts and payments in respect of Pennine Manor Hotel Limited were processed through the Company's account. Pennine Manor Hotel Limited did not hold its own bank account therefore, following an analysis of the bank statements, it was concluded that the funds held in this account belonged to Pennine Manor Hotel Limited and the funds were transferred to this estate accordingly.

No realisations are anticipated in relation to cash at bank.

### 3.2.4 Other assets

The Joint Administrators are not aware of any other assets available in the Administration however, they will continue to investigate the potential to enhance realisations for the benefit of creditors.

### 3.2.5 Investigations

The Joint Administrators reviewed the affairs of the Company to find out if there were any actions which could be taken against third parties to increase recoveries for Creditors.

The Joint Administrators' investigations into the Company's affairs are currently ongoing. The Joint Administrators cannot, at this stage, detail the nature of these investigations as it may hamper any further action that may be required. However, should any of the Company's creditors have information concerning the Company's affairs that they would like to bring to the Joint Administrators' attention, please contact this office.



The Joint Administrators have a statutory obligation to file a report with DBEIS concerning the conduct of all directors of the Company that served in the three years prior to the Joint Administrators appointment. The Joint Administrators have filed their confidential report with DBEIS regarding the conduct of the Director of the Company. The content of this report is confidential and has been submitted to the Insolvency Practitioners Compliance Unit.

### 3.3 Costs

Payments made in the Reporting Period are set out in the attached Receipts and Payments Account at Appendix 3.

You will note from Appendix 3 that no payments have been made during the Reporting Period as there are currently no funds held in the Administration estate.

### 3.4 Schedule of expenses

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

Summaries of the most significant expenses which have been incurred in the period but have not been paid are provided below:

Significant expenses incurred but not paid		
Joint Administrators' time costs	£44,146	Total time costs incurred in the period is £44,146. See Appendix 5. See Appendix 6 for further details in relation to the Joint Administrators' fees
Legal fees	£573	Hewlett Swanson have incurred legal fees in dealing with the Properties and assisting with the collection of the director's loan account.
Hewlett Swanson		
Professional fees	£18,000	These costs include the professional fees incurred by Nineteen47, Peter Moore and AECOM in their assistance with the scheme during the Administration.
Clive Mishon		

## 4. Outcome for Creditors

### 4.1 Secured Creditors

#### 360 Mi Limited

In consideration for monies advanced under a loan facility the Company granted 360 Mi a debenture on 19 December 2017, which confers fixed and floating charges over all of the assets of the Company.

It has since been confirmed that there is no outstanding indebtedness to 360 Mi as the debt was settled in January 2019.

The Joint Administrators will request that 260 Mi satisfy the charge at Companies House in due course.

### **Clive Mishon**

In consideration for the monies advanced under a loan facility the Company granted Mr Mishon a debenture on 14 January 2019, which confers fixed and floating charges over all of the assets of the Company.

The indebtedness to Mr Mishon at the Appointment Date was approximately £380,000.

At this stage it is anticipated that there will be sufficient realisations to enable a distribution to Mr Mishon however there may be insufficient realisations to repay Mr Mishon in full under his security.

### **4.2 Preferential Creditors**

The Joint Administrators are not aware of any employees of the Company therefore no preferential claims are anticipated.

### **4.3 Unsecured Creditors**

According to the Company's books and records, unsecured trade creditors total £245,606. Claims totalling £21,840 have been received to date.

The Company's books and records also indicate additional balances of £498,081 are due to other associated companies. The unsecured creditors can be summarised as follows:

<b>Creditor</b>	<b>Claim (£)</b>
Trade & Expense Creditors	245,606
Inter-Company Creditors	498,081
Investor Buyback Provision	13,617,215
<b>Total</b>	<b>14,360,902</b>

Based upon the current information available, it is anticipated that there will be insufficient realisations to enable a distribution to the unsecured creditors of the Company, other than from the Prescribed Part, if any.

If not already done so Creditors of the Company should complete the proof of debt form at Appendix 9 and return same to the Joint Administrators.

### **4.4 Prescribed part**

The Company granted floating charges to the Secured Creditors and the Prescribed Part provisions will apply

The estimated net property of the Company is currently unknown until such times as a sale of the Land has been completed.

The quantum and timing of the Prescribed Part distribution, if any, is currently unknown at this stage and is dependent on final asset realisations and the discharge of the costs of the Administration. A further update on the Prescribed Part distribution, if any, will be provided to creditors in future reports.

## **5. Other matters**

### **5.1 Decision procedure**

No decision is being sought from Creditors as part of this progress report. Creditors will be notified should they be required to vote on any future decision procedure where applicable.

### **5.2 Creditors' Committee**

A Creditors' Committee has been established in the Administration comprising of 4 members. The first Creditors' Committee meeting will be held on 17 March 2020.

### **5.3 Joint Administrators' Receipts and Payments account**

A detailed Receipts and Payments Account for the period is shown in Appendix 3 together with a cumulative account for the whole of the Administration.

### **5.4 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**

The basis of the Joint Administrators' remuneration has yet to be approved however it is anticipated that a formal request for approval will be sent to the Secured Creditor in due course. The Joint Administrators will propose that their remuneration be fixed by reference to the time properly given by them and their staff in attending to matters arising in the Administration.

#### **6.1.1 Time costs**

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 £44,146, which represents 158 hours at an average hourly rate of £280.

*These costs are within the estimate provided in the Joint Administrators' Statement of Proposals*

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 Reporting Period and are therefore not reflected in the Receipts and Payments Account attached at Appendix 3.

#### **6.1.3 Expenses**

Details of the expenses charged for the Reporting Period are attached at Appendix 4. No expenses have been drawn in the Reporting Period.

#### **6.1.4 Disbursements**

In the Reporting Period, the Joint Administrators have incurred disbursements of £234 for services provided by Duff & Phelps Ltd (defined as Category 2 Disbursements in the Statement of Insolvency Practice 9).

No disbursements have been paid to date.

The Joint Administrators' expenses and disbursements are detailed at Appendix 5.

#### **6.1.5 Additional information**

Also attached at Appendix 6 is a narrative summary of the work carried out to assist Creditors in understanding the progress of the Administration, the associated costs and expenses of the related activities and the financial benefit to Creditors.

Details of how to obtain further information relating to the fees and disbursements of the Joint Administrators is set out in Appendix 7.

#### **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 £60,888 plus VAT. These costs are to be paid as an expense of the Administration.

### **7. Future strategy**

#### **7.1 Future conduct of the Administration**

The Joint Administrators will continue to manage the affairs, the business and the property of the Company in order to achieve the purpose of the Administration. This will include but not be limited to:

- Paying outstanding costs of the Administration;
- Paying a dividend to the Secured Creditor;
- Dealing with other statutory matters and duties including accounting for VAT and completing corporation tax returns.

#### **7.2 Extension of the Administration**

An Administration automatically comes to an end after one year, unless an extension is granted by the Court or with the Creditors' consent.

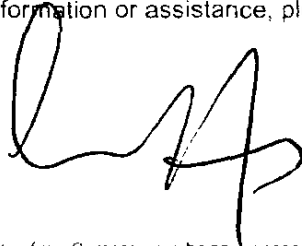
Should matters not be resolved before 15 August 2020, the Joint Administrators will seek approval to extend the Administration in order to finalise outstanding matters.

### 7.3 Future reporting

The Joint Administrators will provide a further progress report within one month of 15 August 2020 or earlier if the Administration has been completed prior to that time.

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

**Philip Duffy**  
Joint Administrator  
Enc.



The affairs, business and property of the Company are being managed by the Joint Administrators, Philip Duffy and Sarah 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

<b>Company and trading name</b>	Afan Valley Limited	
<b>Date of incorporation</b>	14 April 2016	
<b>Registered Number</b>	10124182	
<b>Company Director</b>	Gavin Woodhouse	
<b>Shareholders</b>	Northern Powerhouse Developments Adventure Resorts Limited – 100% shareholder	
<b>Trading address</b>	Unit D2, Elland Riorges Link Lowfields Business Park Elland HX5 9DG	
<b>Registered office</b>	<b>Current:</b> c/o Duff And Phelps Ltd The Chancery 58 Spring Gardens Manchester M2 1EW	<b>Former:</b> Unit D2, Elland Riorges Link Lowfields Business Park Elland HX5 9DG

### ADMINISTRATION INFORMATION

<b>Administration Appointment</b>	The Administration appointment granted in High Court of Justice Business and Property Courts of England and Wales, 4269 of 2019
<b>Appointor</b>	The Court
<b>Date of Appointment</b>	16 August 2019
<b>Joint Administrators</b>	Philip Duffy and Sarah Bell
<b>Original purpose</b>	Holiday Centres and Villages
<b>Functions</b>	The functions of the Joint Administrators are being exercised by them individually or together in accordance with Paragraph 100(2) of Schedule B1
<b>Current Administration expiry date</b>	15 August 2020
<b>Prescribed Part</b>	The Prescribed Part is applicable in this case. It has been taken into account when determining the dividend prospects for Unsecured Creditors (Section 4).
<b>Application of EC Regulations</b>	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**



**Afan Valley Limited  
(In Administration)  
Joint Administrators' Summary of Receipts & Payments**

**Statement  
of Affairs  
£**

**From 16/08/2019  
To 15/02/2020  
£**

**From 16/08/2019  
To 15/02/2020  
£**

REPRESENTED BY

**NIL**

**NIL**

**NIL**

Note:

#### **Appendix 4 – Schedule of expenses**

A summary of expenses incurred during the period of this report is set out below:

<b>Schedule of Expenses</b>	<b>Incurred in the prior period but not accrued for (£)</b>	<b>Incurred and paid in the period (£)</b>	<b>Incurred in the period and not yet paid (£)</b>
<b>Expenses</b>			
Statutory Advertising	-	-	105
Insurance of assets	-	-	840
<b>Total</b>	-	-	<b>945</b>

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

Refer to the table overleaf for a detailed breakdown on the Joint Administrators' time and cost summary in accordance with SIP 9.

We have incurred the following disbursements during the Reporting Period.

SIP 9 - Disbursements					
Disbursements	Category 1		Category 2		Totals (£)
	Paid (£)	Unpaid (£)	Paid (£)	Unpaid (£)	
Meals	-	-	-	7	7
Insurance	-	20	-	-	20
Travel	-	-	-	207	207
<b>Total</b>	-	20	-	214	234

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.

**108631 AFAN VALLEY LIMITED**
**ANALYSIS OF TIME COSTS FOR THE PERIOD 16/08/2019 to 15/02/2020**

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	0.50	0.75	0.00	2.60	0.00	3.85	815.25	211.75
Cashiering & accounting	0.00	0.00	0.00	2.80	0.00	2.80	509.50	181.96
IPS set up & maintenance	0.00	0.00	0.00	0.50	0.00	0.50	57.50	115.00
Insurance	0.00	0.00	0.00	0.80	0.00	0.80	159.00	198.75
Statutory matters (Meetings & Reports & Notices)	1.30	2.50	5.15	44.00	0.00	52.95	11,564.25	218.40
Strategy planning & control	4.70	0.25	17.70	21.30	0.00	43.95	13,682.00	311.31
<b>Creditors</b>								
Communications with Creditors / Employees	0.80	0.00	0.30	22.10	0.00	23.20	4,567.00	196.85
Creditors committee	0.00	0.00	0.00	0.35	0.00	0.35	63.00	180.00
Non Pref Creditors / Employee claims handling	0.00	0.00	0.00	0.85	0.00	0.85	146.50	172.35
<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	0.70	0.00	0.70	80.50	115.00
Forensic Sales Ledger Investigation	0.00	0.00	0.00	1.00	0.00	1.00	180.00	180.00
<b>Realisation of Assets</b>								
Freehold and Leasehold Property	0.00	0.00	0.00	6.50	0.00	6.50	1,445.00	222.31
Other Tangible Assets	13.00	0.00	0.00	0.00	0.00	13.00	8,090.00	622.31
Sale of business	0.00	0.25	6.40	0.00	0.00	6.65	2,678.75	402.82
<b>Total Hours:</b>	<b>20.30</b>	<b>3.75</b>	<b>29.55</b>	<b>104.05</b>	<b>0.00</b>	<b>157.65</b>		<b>280.03</b>
<b>Total Fees Claimed: £</b>	<b>11,959.00</b>	<b>1,256.25</b>	<b>9,871.25</b>	<b>19,754.75</b>	<b>1,305.00</b>		<b>44,146.25</b>	

Category 2 Disbursements:

## Appendix 6 – Narrative of work carried out for the Reporting Period

The key areas of work have been:

### SIP 9 narrative for the Reporting Period

Administration and planning	<ul style="list-style-type: none"><li>• Monitoring and reviewing the Administration strategy;</li><li>• Briefing staff on the Administration strategy and matters in relation to workstreams;</li><li>• Regular case management and reviewing of process including regular team update meetings and calls;</li><li>• Meeting with management to review and update strategy and monitor progress;</li><li>• Reviewing and authorising junior staff correspondence and other work;</li><li>• Dealing with queries arising during the appointment;</li><li>• Reviewing matters affecting the outcome of the Administration;</li><li>• Allocating and managing staff/ case resourcing and budgeting exercises and reviews;</li><li>• Liaising with legal advisors regarding various instructions, including agreeing content of engagement letters; and</li><li>• Complying with internal filing and information recording practices, including documenting strategy decisions.</li></ul>
Creditors	<ul style="list-style-type: none"><li>• Updating the list of Unsecured Creditors;</li><li>• Responding to enquiries from Creditors regarding the Administration and submission of their claims;</li><li>• Reviewing completed forms submitted by Creditors, recording claim amounts and maintaining claim records; and</li><li>• Drafting the Proposals.</li></ul>
Investigations	<ul style="list-style-type: none"><li>• Managing and reviewing the Company books and records;</li><li>• 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;</li><li>• Reviewing pre-appointment transactions; and</li><li>• Documenting investigations.</li></ul>
Statutory and compliance	<ul style="list-style-type: none"><li>• Ensuring compliance with all statutory obligations within the relevant timescales;</li><li>• Uploading information to the Creditors' Website;</li><li>• Drafting and publishing the Proposals;</li><li>• Reviewing time costs to date and producing analysis of time incurred which is compliant with SIP 9;</li><li>• Monitoring the fees estimate; and</li><li>• Monitoring the expenses estimate.</li></ul>
Cashiering	<ul style="list-style-type: none"><li>• Preparing statutory receipts and payments accounts; and</li><li>• Renewing bonding and complying with statutory requirements.</li></ul>
Asset realisations	<ul style="list-style-type: none"><li>• Collating information from the Company's records regarding assets;</li><li>• Liaising with agents regarding the sale of assets; and</li><li>• Reviewing outstanding debtors and management of debt collection strategy.</li></ul>

## **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 Sykes at [Heather.Sykes@duffandphelps.com](mailto:Heather.Sykes@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 disbursements 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 Sykes at this office

## Appendix 8 – Definitions

Word or Phrase	Definition
360 Mi	360 Mi Limited, the holder of a fixed and floating charge over the Company's assets
the Act	The Insolvency Act 1986 (as amended)
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	Afan Valley Limited (In Administration) (Company Number: 10124182)
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 land at Caerau Park Wood, Maesteg title no WA519567. Freehold land lying to the west of Glyncymmer Grange Brytwn Cymmer Port Talbot title no CYM471819.
Mr Mishon	Clive Mishon, the holder of a fixed and floating charge over the Company's assets
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 non-preferential creditors
the Proposals	The Joint Administrators' Statement of Proposals issued to creditors on 11 October 2019
the Reporting Period	The period 16 August 2019 to 15 February 2020
the Rules	The Insolvency (England & Wales) Rules 2016 (as amended)
the Secured Creditors	360 Mi and Mr Mishon
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 Duffy and Sarah 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 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.