

Liquidator's Progress Report

S.192

Pursuant to Sections 92A, 104A and 192 of the Insolvency Act 1986

To the Registrar of Companies

Company Number

08014025

Name of Company

(a) Insert full name of company

(a) **Macob Property Holdings Limited**

(b) Insert name(s) and address(es) of liquidator(s)

~~W~~(b) **W John Kelly**
Bebbies Traynor (Central) LLP
3rd Floor, Temple Point
1 Temple Row
Birmingham, B2 5LG

Nigel Price
Bebbies Traynor (Central) LLP
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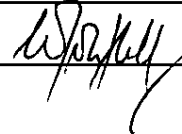
the Liquidator(s) of the company attach a copy of ~~my~~our ~~Progress Report~~ statement of receipts and payments under Section 192 of the Insolvency Act 1986

The ~~Progress Report~~ statement of receipts and payments covers the period from 24 August 2015 to 23 August 2016

Dated

19/10/16

Signed




Joint Liquidator

Name in
BLOCK LETTERS

W JOHN KELLY

Presenter's name, address and reference (if any)

MA631CVL
Macob Property Holdings Limited
W John Kelly
Bebbies Traynor (Central) LLP
3rd Floor
Temple Point
1 Temple Row
Birmingham

For Official Use	
Liquidation Section	Post Room
	
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A20	#471
22/10/2016	
COMPANIES HOUSE	

SATURDAY

**Macob Property Holdings Limited
(In Creditors' Voluntary Liquidation)**

Progress report

Period: 24 August 2015 to 23 August 2016

Important Notice

This progress report has been produced solely to comply with our statutory duty to report to creditors and members of the Company on the progress of the liquidation. The report is private and confidential and may not be relied upon, referred to, reproduced or quoted from, in whole or in part, by creditors and members for any purpose other than this report to them, or by any other person for any purpose whatsoever.

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1. INTERPRETATION

<u>Expression</u>	<u>Meaning</u>
"the Company"	Macob Property Holdings Limited (In Creditors' Voluntary Liquidation)
"the liquidation"	The Company moving into creditors' voluntary liquidation from administration pursuant to Paragraph 83 of Schedule B1 to the Act
"the liquidators", "we", "our" and "us"	W John Kelly of Begbies Traynor (Central) LLP, 3rd Floor, Temple Point, 1 Temple Row, Birmingham, B2 5LG and Nigel Price of Begbies Traynor (Central) LLP, 3rd Floor, Temple Point, 1 Temple Row, Birmingham, B2 5LG
"the Act"	The Insolvency Act 1986 (as amended)
"the Rules"	The Insolvency Rules 1986 (as amended)
"secured creditor" and "unsecured creditor"	Secured creditor, in relation to a company, means a creditor of the company who holds in respect of his debt a security over property of the company, and "unsecured creditor" is to be read accordingly (Section 248(1)(a) of the Act)
"security"	(i) In relation to England and Wales, any mortgage, charge, lien or other security (Section 248(1)(b)(i) of the Act), and (ii) In relation to Scotland, any security (whether heritable or moveable), any floating charge and any right of lien or preference and any right of retention (other than a right of compensation or set off) (Section 248(1)(b)(ii) of the Act)
"preferential creditor"	Any creditor of the Company whose claim is preferential within Sections 386, 387 and Schedule 6 to the Act

2. COMPANY INFORMATION

Trading name(s)	Non trading parent company
Company registered number	08014025
Company registered office	3rd Floor, Temple Point, 1 Temple Row, Birmingham, B2 5LG
Former trading address	Unit 2, Ynysbridge Court, Gwaelod-y-Garth, Cardiff, CF15 9SS

3. DETAILS OF APPOINTMENT OF LIQUIDATORS

Date winding up commenced	24 August 2015
Date of liquidators' appointment	24 August 2015
Changes in liquidator (if any)	None

4. PROGRESS DURING THE PERIOD

The Company moved from Administration to Creditors Voluntary Liquidation on 24 August 2015

The conversion to liquidation was necessary to facilitate future asset realisations including a VAT refund together with potential realisations from investments and inter-company debtors

The VAT refund has been collected (see below) but there will be no return from the remaining investments as they have either been dissolved or struck off at Companies House. The final return from the intercompany debtors remains uncertain although at this stage, and based on the information now available, it is more unlikely there will be a return to non preferential creditors

Attached at Appendix 1 is our abstract of receipts and payments for the period from 24 August 2015 to 23 August 2016

RECEIPTS

Tax Refund

The sum of £6,662 72 has been recovered from HM Revenue & Customs in respect of a VAT return relating to the period prior to Administration

Funds from Administration

Funds of £5,094 72 were transferred to the Liquidation estate shortly after conversion. These funds are the net realisations remaining at the close of the Administration period

Bank Interest

Gross bank interest of £9 55 has accrued on the funds held in an interest-bearing bank account

Business Rates Refund

The sum of £219 65 has been received from Cardiff City Council which relates to a business rates refund in respect of the Company's head office premises

Sundry Receipts

The sum of £12 75 was paid into the Company's pre-appointment account and has been allocated as a sundry receipt. Enquiries have been made with the directors however the origin of the funds cannot be allocated

PAYMENTS

Legal Fees & Disbursements

The sum of £1,775 (plus VAT) was paid to Eversheds LLP for legal advice given since the appointment of administrators and that had not been discharged during the administration period

Storage Costs

The sum of £34 83 (plus VAT) has been paid in respect of archiving the Company's books and records during the liquidation period

Statutory Advertising

The sum of £42 34 (plus VAT) relates to the costs incurred when advertising the Liquidators' appointment following conversion from Administration

5. ESTIMATED OUTCOME FOR CREDITORS

Details of the sums owed to each class of the Company's creditors were provided in the directors' statement of affairs included in the statement of proposals of the former administrators. They have also been provided in subsequent progress reports to creditors. On the basis of realisations to date and estimated future realisations we estimate an outcome for each class of the Company's creditors as follows

Secured creditor

Barclays Bank plc ("the Bank" and "Barclays") was owed £7,118,357 (before interest and charges) on the date of the Administrators' appointment. The debt related to facilities provided across a group of companies and is secured by various debentures and charges registered across the group. In addition to the principal indebtedness there is a further debt of £2,100,000 that the group has also guaranteed.

During the Administration period the Bank received a distribution of £45,000 from this Company although other companies in the Group have also made distributions. To date there have not been any further distributions during the Liquidation. The overall outcome for the Bank will be determined by the total level of realisations across the group but it is likely the Bank will suffer a shortfall.

Preferential creditors

As detailed in previous reports issued during the Administration period, the claim from the Redundancy Payments Office was rejected in full on the basis that the Officers of the Company and the payroll records indicated that all employees were employed by another member of the group of companies. Accordingly, there should be no preferential creditors against the Company.

Prescribed Part for unsecured creditors pursuant to Section 176A of the Act

Details of how the prescribed part for unsecured creditors is calculated were provided by the former administrators in their statement of proposals.

We have estimated, to the best of our knowledge and belief, the Company's net property, as defined in Section 176A(6) of the Act, to be £nil and the prescribed part of the Company's net property to be £nil.

There will be no distribution of the prescribed part as our estimate of the Company's net property is £nil and therefore less than the minimum prescribed by the Insolvency Act 1986 (Prescribed Part) Order 2003.

Unsecured / Non Preferential creditors

Any return to the unsecured creditors will be wholly dependent upon the outcome of the intercompany debtors. Consequently, the quantum and timing of a dividend, if any, is uncertain. As detailed above, it appears that the likelihood of any return is remote.

6. REMUNERATION & DISBURSEMENTS

Our remuneration is treated as having been fixed on the same basis as the former administrators namely, by reference to the time properly given by us (as liquidators) and the various grades of our staff calculated at the prevailing hourly charge out rates of Begbies Traynor (Central) LLP in attending to matters arising in the winding up

Pursuant to Statement of Insolvency Practice 9, we are also authorised to draw disbursements, including disbursements for services provided by our firm (defined as Category 2 disbursements in Statement of Insolvency Practice 9) on the same basis as the former administrators, namely, in accordance with our firm's policy, a copy of which is attached at Appendix 2 of this report

Our time costs for the period from 24 August 2015 to 23 August 2016 amount to £6,348 which represents 29 hours at an average rate of £218 88 per hour

The following further information in relation to our time costs and disbursements is set out at Appendix 2

- Narrative summary of time costs incurred
- Table of time spent and charge-out value for the period 24 August 2015 to 23 August 2016
- Begbies Traynor (Central) LLP's charging policy

To 23 August 2016, we have not drawn any remuneration or disbursements

Details of the Category 2 disbursements and also disbursements that should be treated as Category 2 disbursements that have been taken in accordance with the approval obtained are provided in the narrative summary of time costs incurred which is at Appendix 2

A copy of 'A Creditors' Guide to Liquidators Fees (E&W) 2011' which provides guidance on creditors' rights on how to approve and monitor a Liquidator's remuneration and on how the remuneration is set can be obtained online at www.begbies-traynor.com/creditorsguides Alternatively, if you require a hard copy of the Guide, please contact our office and we will arrange to send you a copy

7. LIQUIDATORS' EXPENSES

A statement of the expenses incurred during the period of this progress report is attached at Appendix 3

8. ASSETS THAT REMAIN TO BE REALISED

The following assets remain outstanding

- Intercompany debtors

Whilst the Liquidators continue to progress and monitor the final outcome of the other insolvency proceedings across the associated companies it is more unlikely that there will be any significant return from the intercompany debts

9. OTHER RELEVANT INFORMATION

Investigations and reporting on directors conduct

You may be aware that a liquidator has a duty to enquire into the affairs of an insolvent company to determine its property and liabilities and to identify any actions which could lead to the recovery of funds. In addition, a liquidator is also required to consider the conduct of the Company's directors and to make an appropriate submission to the Department for Business Innovation and Skills. We can confirm that we have discharged our duties in these respects.

Investigations carried out to date

We have undertaken an initial assessment of the manner in which the business was conducted prior to the liquidation of the Company and potential recoveries for the estate in this respect.

Connected party transactions

We have not been made aware of any sales of the Company's assets to connected parties.

10. CREDITORS' RIGHTS

Right to request further information

Pursuant to Rule 4.49E of the Rules, within 21 days of the receipt of this report a secured creditor, or an unsecured creditor with the concurrence of at least 5% in value of the unsecured creditors, including that creditor, (or an unsecured creditor with less than 5% in value of the unsecured creditors, but with the permission of the court) may request in writing that we provide further information about our remuneration or expenses which have been detailed in this progress report.

Right to make an application to court

Pursuant to Rule 4.131 of the Rules, any secured creditor or any unsecured creditor with the concurrence of at least 10% in value of the unsecured creditors including that creditor, (or any unsecured creditors with less than 10% in value of the unsecured creditors, but with the permission of the court) may, within 8 weeks of receipt of this progress report, make an application to court on the grounds that the remuneration charged or the expenses incurred as set out in this progress report are excessive or, the basis fixed for our remuneration is inappropriate.

11. CONCLUSION

We will report again in approximately twelve months time or at the conclusion of the liquidation, whichever is the sooner.



W John Kelly
Joint Liquidator
Dated 19 October 2016

ACCOUNT OF RECEIPTS AND PAYMENTS

Period 24 August 2015 to 23 August 2016

Macob Property Holdings Limited
(In Liquidation)
Joint Liquidators' Abstract of Receipts & Payments

Statement of Affairs	From 24/08/2015 To 23/08/2016	From 24/08/2015 To 23/08/2016
ASSET REALISATIONS		
Tax Refund	6,662 72	6,662 72
Funds from the Administration	5,094 72	5,094 72
Bank Interest Gross	9 55	9 55
Business Rates Refund	219 65	219 65
Sundry Receipt	12 75	12 75
	<u>11,999 39</u>	<u>11,999 39</u>
COST OF REALISATIONS		
Legal Fees (1)	1,775 00	1,775 00
Storage Costs	34 83	34 83
Statutory Advertising	42 30	42 30
	<u>(1,852 13)</u>	<u>(1,852 13)</u>
	<u>10,147.26</u>	<u>10,147.26</u>
REPRESENTED BY		
Vat Receivable		75 30
Bank 1 Current		10,071 96
		<u>10,147.26</u>

W John Kelly
Joint Liquidator

TIME COSTS AND DISBURSEMENTS

- a Begbies Traynor (Central) LLP's charging policy,
- b Narrative summary of time costs incurred and
- c Table of time spent and charge-out value for the period from 24 August 2015 to 23 August 2016

BEGBIES TRAYNOR CHARGING POLICY

INTRODUCTION

This note applies where a licensed insolvency practitioner in the firm is acting as an office holder of an insolvent estate and seeks creditor approval to draw remuneration on the basis of the time properly spent in dealing with the case. It also applies where further information is to be provided to creditors regarding the office holder's fees following the passing of a resolution for the office holder to be remunerated on a time cost basis. Best practice guidance¹ requires that such information should be disclosed to those who are responsible for approving remuneration.

In addition, this note applies where creditor approval is sought to make a separate charge by way of expenses or disbursements to recover the cost of facilities provided by the firm. It also applies where payments are to be made to parties other than the firm, but in relation to which the office holder, the firm or any associate has an interest. Best practice guidance² indicates that such charges should be disclosed to those who are responsible for approving the office holder's remuneration, together with an explanation of how those charges are calculated.

OFFICE HOLDER'S FEES IN RESPECT OF THE ADMINISTRATION OF INSOLVENT ESTATES

The office holder has overall responsibility for the administration of the estate. He/she will delegate tasks to members of staff. Such delegation assists the office holder as it allows him/her to deal with the more complex aspects of the case and ensures that work is being carried out at the appropriate level. There are various levels of staff that are employed by the office holder and these appear below.

The firm operates a time recording system which allows staff working on the case along with the office holder to allocate their time to the case. The time is recorded at the individual's hourly rate in force at that time which is detailed below.

EXPENSES INCURRED BY OFFICE HOLDERS IN RESPECT OF THE ADMINISTRATION OF INSOLVENT ESTATES

Best practice guidance classifies expenses into two broad categories:

- *Category 1 disbursements (approval not required)* - specific expenditure that is directly related to the case and referable to an independent external supplier's invoice. All such items are charged to the case as they are incurred.
- *Category 2 disbursements (approval required)* - items of expenditure that are directly related to the case which include an element of shared or allocated cost and are based on a reasonable method of calculation, but which are not payable to an independent third party.

(A) The following items of expenditure are charged to the case (subject to approval)

- Internal meeting room usage for the purpose of statutory meetings of creditors is charged at the rate of £100 (London £150) per meeting.
- Car mileage is charged at the rate of 45 pence per mile.
- Storage of books and records (when not chargeable as a *Category 1 disbursement*) is charged on the basis that the number of standard archive boxes

¹ Statement of Insolvency Practice 9 (SIP 9) – Remuneration of insolvency office holders in England & Wales

² *ibid* 1

held in storage for a particular case bears to the total of all archive boxes for all cases in respect of the period for which the storage charge relates,

(B) The following items of expenditure will normally be treated as general office overheads and will not be charged to the case although a charge may be made where the precise cost to the case can be determined because the item satisfies the test of a *Category 1 disbursement*

- Telephone and facsimile
- Printing and photocopying
- Stationery

BEGBIES TRAYNOR CHARGE-OUT RATES

Begbies Traynor is a national firm. The rates charged by the various grades of staff that may work on a case are set nationally, but vary to suit local market conditions. The rates applying to the Birmingham office as at the date of this report are as follows

	Standard 1 May 2011 – until further notice Regional
Partner	395
Director	345
Senior Manager	310
Manager	265
Assistant Manager	205
Senior Administrator	175
Administrator	135
Trainee Administrator	110
Support	110

Time spent by support staff such as secretarial, administrative and cashiering staff is charged directly to cases. It is not carried as an overhead.

Time is recorded in 6 minute units

Macob Property Holdings Limited

SUMMARY OF TIME COSTS AND EXPENSES

This summary, which should be read in conjunction with the Time Costs Analysis for the period of the report attached, is intended to provide sufficient information to enable the body responsible for the approval of our fees to consider the level of our fees and expenses in the context of the case

What work has been done in the period of the report, why was that work necessary and what has been the financial benefit (if any) to creditors?

Details of the types of work that generally fall into the headings mentioned below are available on our firm's website - <http://www.begbies-traynorgroup.com/work-details> Under the following headings we have explained the specific work that has been undertaken on this case. Not every piece of work has been described, but we have sought to give a proportionate overview which provides sufficient detail to allow creditors to understand what has been done, why it was necessary and what financial benefit (if any) the work has provided to creditors.

The costs incurred in relation to each heading are set out in the Time Costs Analysis which is attached.

General case administration and planning

General case administration incorporates different categories such as cashiering, general case administration (filing, creditor correspondence) and dealing with sundry issues as and when they arise. Furthermore, this time cost comprises general records of maintenance on case files, undertaking case reviews incorporating compliance checks and dealing with general queries. During the period we have also undertaken the preparation of a statutory progress report and the corresponding documentation. Whilst this is not of direct financial benefit to creditors it is a statutory requirement.

Part of compliance with the Insolvency Act and Rules includes preparing the statutory progress report together with other statutory forms and notices. General cashiering duties were undertaken including preparing cheques and reconciliation of the bank account. There is no financial benefit to the creditors as this is all part of the general compliance for the case and a requirement of the statutory regulations and the Insolvency Act and Rules.

Investigations

We have a duty to submit a report to the Department of Business, Innovation and Skills in respect of the conduct of the directors. We have complied with our duties in this respect and have undertaken further investigations where necessary.

Other matters which includes meetings, tax, litigation, pensions and travel

The time incurred relates to the work undertaken and correspondence with the Company's accountants in respect of the Company's pre and post appointment Corporation Tax Liability.

Time Costs Analysis

An analysis of time costs for the period of the report is attached showing the time spent by each grade of staff on the different types of work involved in the case, and giving the total costs and average hourly rate charged for each work type.

Please note that the analysis provides details of the work undertaken by us and our staff following our appointment only.

Category 2 Disbursements

There have not been any category 2 disbursements incurred or paid during the period of this report

What work remains to be done, why is this necessary and what financial benefit (if any) will it provide to creditors?

General case administration and planning

Case administration and planning will continue for the duration of this assignment. This involves dealing with general correspondence and continuing file management. In addition, regular cashiering tasks and banking will continue to be undertaken for the duration of the case. There is no direct financial benefit to creditors but this work is necessary to administer the case properly.

We regularly conduct compliance and bond reviews to ensure that sufficient bond insurance is held and to ensure that statutory requirements are met. Statutory progress reports are also prepared during the administration to provide updates to all creditors. Whilst these activities are not of direct financial benefit to creditors they are a requirement of the insolvency legislation. We are also required to file various notices when an administration is extended.

Realisation of assets

We will continue to monitor the outcome of the insolvency proceedings in respect of the associated companies.

Dealing with all creditors' claims (including employees), correspondence and distributions

We shall continue to liaise with the secured creditors and with other classes of creditor as and when required. It will be necessary to arrange distributions to the secured creditors.

Other matters which includes meetings, tax, litigation, pensions and travel

We will submit the necessary returns to HM Revenue & Customs as and when required.

How much will this further work cost?

The amount of further cost is very much dependent on the time it takes for the sale to complete and the level of extra work that may be involved. We would estimate that further costs in the region of £5,000-10,000 may be incurred.

Expenses

Details of the expenses that we expect to incur in connection with the work that remains to be done referred to above are as follows:

- Storage of Records (annual cost) £40 (plus VAT)
- Advertising – Notice of Intention to Declare a Dividend (if applicable) and Final Meeting £200 (plus VAT)
- Postage £50

STATEMENT OF EXPENSES

Type of expense	Name of party with whom expense incurred	Amount incurred £	Amount discharged £	Balance (to be discharged) £
Expenses incurred with entities not within the Begbies Traynor Group				
Legal fees	Eversheds LLP	1,775 00	1,775 00	NIL
Statutory advertising	Courts Advertising Limited	42 30	42 30	NIL
Storage	L & R Storage Limited	34 83	34 83	Ongoing
Postage	Royal Mail	0 00	34 89	34 89