

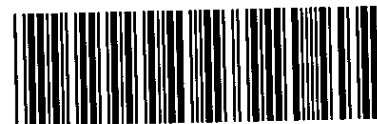
AM03

Notice of administrator's proposals



Companies House

WEDNESDAY



A31 *A88FPX5N* 26/06/2019 #284
COMPANIES HOUSE

base

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1 Company details

Company number 01622491

Company name in full Darrice Limited

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

2 Administrator's name

Full forename(s) Paul William

Surname Harding

3 Administrator's address

Building name/number Suite 1, Canon Court East

Street Abbey Lawn, Abbey Foregate

Post town Shrewsbury

County/Region Shropshire

Postcode SY2 5DE

Country

4 Administrator's name ⁶

Full forename(s) Graham Lindsay

Surname Down

⁶ Other administrator
Use this section to tell us about
another administrator.

5 Administrator's address ⁶

Building name/number Suite 1, Canon Court East

Street Abbey Lawn, Abbey Foregate

Post town Shrewsbury

County/Region Shropshire

Postcode SY2 5DE

Country

⁶ Other administrator
Use this section to tell us about
another administrator.

AM03

Notice of Administrator's Proposals

6

Statement of proposals



I attach a copy of the statement of proposals

7

Sign and date

Administrator's
Signature

Signature

X

X

Signature date

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Notice of Administrator's Proposals

**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.

Paul W Harding

tri group

Suite 1, Canon Court East

Abbey Lawn, Abbey Foregate

Shrewsbury

Shropshire

Postcode

S Y 2 5 D E

DX

01743 233603

**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 or email enquiries@companieshouse.gov.uk

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

High Court of Justice, Chancery Division Court

No.CR-2019-002510

Darrice Limited (trading as Henry Brummel) - in Administration

THE JOINT ADMINISTRATORS' PROPOSAL

**Paul William Harding and Graham Lindsay Down
Joint Administrators**

**tri group
Suite 1, Canon Court East
Abbey Lawn, Abbey Foregate
Shrewsbury
Shropshire
SY2 5DE**

Tel. 01743 233603

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1. Introduction

- 1.1 The statement of proposals at Appendix I sets out the events leading to the Administration and the progress of the Administration to date, as well as other statutory information.
- 1.2 This proposal provides more detailed information on the work that the joint administrators anticipate they will undertake to complete the Administration together with their proposed basis of fees. To put this request into context, this proposal provides further information on the joint administrators' costs to date, including the costs incurred prior to Administration. It also explains other matters for creditors' consideration, such as the proposed timing of the joint administrators' discharge on conclusion of the Administration.
- 1.3 Definitions of the terms used in this proposal are provided in Appendix I together with all statutory information pertaining to the Company.

2. Statement of pre-Administration costs

- 2.1 Work carried out for the purposes of placing the Company into Administration included the following.

- *Meetings and correspondence with the Company director.*
- *Considering books and records to establish the Company's financial position.*
- *Attendances at the Company premises to assess assets.*
- *Dealing with creditor enquiries and correspondence with the Company's secured creditor regarding the proposed Administration.*
- *Instructing solicitors and agents regarding the appointment of the joint administrators and valuation of the Company assets.*

- 2.2 In conducting this work, the following costs (excluding VAT) were incurred.

	£
tri group's time costs (see Appendix II)	10,120
MGR Appraisals' for valuing the stock and fixtures and fittings	650
Higgs and Sons Solicitors' for dealing with the appointment	2,850

- 2.3 Attached at Appendix II is a breakdown of the joint administrators' time costs prior to Administration. Details of tri group's charge-out rates, and the bases of their disbursements, is attached at Appendix III.

- 2.4 On 24 April 2019, secured creditors Barclays Bank Plc agreed with the proposed joint administrators' that tri group be paid £6,000 plus VAT on account of their pre-Administration time costs. These fees have been paid; unpaid pre-Administration costs (excluding VAT) are therefore as follows.

	£
tri group's time costs	4,120
MGR Appraisals' for valuing the stock and fixtures and fittings	650
Higgs and Sons Solicitors' for dealing with the appointment	2,850

- 2.5 The payment of the unpaid pre-Administration costs as an expense of the Administration is subject to approval under Rule 3.52 of the Rules and is not part of the Statement of Proposals subject to approval under Paragraph 53 of Schedule B1 of the Act. Further explanation of the approval process is provided in Section 9.

3. The joint administrators' fees

- 3.1 The joint administrators propose to fix their fees on the following basis.

"Time properly given by the joint administrators' and their staff in attending to matters arising in the Administration, such time to be charged at the prevailing standard hourly charge out rates used by tri group at the time the work is performed (plus VAT)."

3.2 Attached at Appendix IV is a breakdown of the time costs incurred in the Administration to 5 June 2019. The Statement of Proposals provides an account of the work undertaken to date and Appendix V gives detailed of the work undertaken and proposed to be undertaken by the joint administrators and their staff.

3.3 The charge-out rates of the joint administrators and their staff are detailed in Appendix III. The appropriate staff have been assigned to work on each aspect of the case based upon their seniority and experience, having regard to the complexity of the relevant work, the financial value of the assets being realised and claims being agreed. The grades of staff instructed to assist in this matter and their key responsibilities are as follows.

- Support Staff: maintenance of the creditors' contacts database, assisting with creditors' queries and routine correspondence
- Administrators: assisting in the realisation of assets, employee matters, liaising with creditors and debtors, preparing reports to creditors and other statutory matters, and managing the cashiering function
- Managers: on-site attendance, reviewing the Company's position and affairs, handling asset realisations, reviewing draft statutory reports to creditors and overseeing the tax and VAT aspects of the case

3.4 Information about the Administration process can be found on the R3 website at <http://www.creditorinsolvencyguide.co.uk/>. "A Creditors' Guide to Administrators' Fees" is available to download at https://www.r3.org.uk/what-we-do/publications/professional/fees/Guide_to_Administrators_Fees_Oct_2015.pdf. If you require a paper copy, please send your request in writing and a copy will be provided at no cost.

3.5 Further information is set out below and in the appendices to explain the future time costs that the joint administrators anticipate incurring in this Administration.

4. The joint administrators' expenses

4.1 The joint administrators' expenses may be divided into two categories:

- Category 1 expenses are costs that can be specifically identified as relating to the administration of the case. These are charged to the estate at cost with no uplift. These include, but are not limited to, such items as advertising, bonding and other insurance premiums and properly reimbursed expenses. Legislation provides that administrators may discharge Category 1 expenses from the funds held in the insolvent estate without further recourse to creditors.
- Category 2 expenses are costs that are also directly referable to the appointment in question but not to a payment to an independent third party. Payments may only be made in relation to Category 2 expenses after the relevant creditors have approved the bases of their calculation.

4.2 Appendix III provides details of the bases of Category 2 expenses that the joint administrators propose to recover from the insolvent estate. An estimate of likely expenses is set out at Appendix V.

5. Proposed Work to be Undertaken

5.1 Details of the tasks that the joint administrators propose to undertake are set out at Appendix V. The main tasks are summarised below. The estimated outcome statement attached to the statement of proposals provides an overview of the financial benefit that this work is expected to bring to creditors.

Administration (including Statutory Reporting)

5.2 The joint administrators are required to meet a considerable number of statutory and regulatory obligations. Whilst many of these tasks do not have a direct benefit in enhancing realisations for the insolvent estate, they assist in the efficient and compliant progressing of the administration, which ensures that the joint administrators and their staff carry out their work to high professional standards.

5.3 Primarily, these tasks include:

- Meeting all statutory reporting and filing requirements, including 6-monthly reports, seeking an extension where necessary, and issuing a final report and notices;
- Consulting with and instructing staff and independent advisers as regards practical, technical and legal aspects of the case to ensure efficient progress;
- Maintaining case files, which must include records to show and explain the administration and any decisions made by the joint administrators that materially affect the Administration;
- Conducting periodic case reviews to ensure that the Administration is progressing efficiently, effectively and in line with the statutory requirements; and
- Maintaining and updating the estate cash book and bank accounts, including regular bank reconciliations and processing receipts and payments.

Investigations

5.4 The joint administrators examine the conduct of the Company and its directors prior to the Administration with two main objectives as follows.

- To identify what assets are available for realising for the benefit of creditors, including any potential actions against directors or other parties, such as challenging transactions at an undervalue or preferences; and
- To enable the joint administrators to report to the Insolvency Service on the conduct of the directors so that the Insolvency Service may consider whether disqualification proceedings are appropriate ("CDDA" work).

5.5 In the early stages of the Administration, this work involves examining the Company's books and records, considering information received from creditors and the Company's accountants and seeking information from the Company's directors and other senior staff by means of questionnaires and/or interviews.

5.6 In the event that questionable transactions are identified, it may be necessary to conduct further investigations and instruct solicitors to assist in deciding the joint administrators' next steps in pursuing a recovery. If a potential recovery action is identified, it may be necessary to instruct professional agents in gathering evidence and in exploring further the existence and value of assets to target. If the joint administrators encounter resistance in making a recovery, formal legal action may be appropriate.

5.7 In addition, if the Insolvency Service decides to proceed with a disqualification, the joint administrators will be required to assist the Insolvency Service's investigators in their work, which may include providing the investigators with access to the Company's books and records and agreeing statements to be given in evidence of those proceedings.

5.8 At this early stage, it is difficult to estimate the likely time costs and expenses that may be incurred in this work. The fees and expenses estimates presented below reflect the anticipated work in identifying potential causes of action. If any are identified and the joint administrators consider that additional work is required, they may revert to the relevant creditors to seek approval for fees in excess of the estimate.

Realisation of assets

5.9 The statement of proposals summarises the work carried out by the joint administrators to date in realising the Company's assets. The principal matters that require further work are as follows.

- Progressing a sale of the Company's freehold property.
- Finalising retention of title claims and disposing of the remaining stock.
- Maintaining appropriate insurance cover on the Company's assets until they have been disposed of.

Creditors (claims and distributions)

5.10 As explained in the statement of proposals, there are a number of different classes of creditor involved in the Administration that require attention. In particular, the Joint Administrators anticipate conducting the following key tasks.

- Liaising with the secured creditors in relation to the sale of assets subject to their security.
- With the assistance of solicitors, examining the validity of the secured creditors' claims and, where relevant, paying distributions to the secured creditors.
- Liaising with the RPO to agree its claim.
- Reviewing claims submitted by the tax departments and, where it is appropriate, examining the Company's records to appeal assessments or adjudicate on the Crown's claims.
- Responding to creditors' queries and logging their claims and supporting information.
- Maintaining the database as regards creditors' contact details and claims.
- Dealing with a creditors' committee, if one is appointed.
- Agreeing employee claims, calculating and paying a distribution to preferential creditors, if there are sufficient funds, and paying the subsequent PAYE/NI deductions to HMRC.

Proposed work to be undertaken by the joint liquidators.

5.11 At present, it appears possible that there will be sufficient funds to pay a dividend to unsecured creditors (other than by way of the prescribed part). As this will be carried out once the Company has moved from Administration to CVL.

5.12 Creditors will appreciate that it is difficult to estimate the time and expenses likely to be incurred by the joint liquidators at this time, not least because it is difficult to know when the Company will move from Administration to CVL and consequently what work will have been done by the joint administrators by the time that the move takes place.

5.13 In any event, the joint liquidators will be required to carry out the following activities in addition to continuing to realise the Company's assets and conduct investigations, where these have not been completed in the Administration:

- Meeting statutory requirements including: issuing notices on appointment; issuing annual progress reports and a final account to creditors; and completing periodic tax returns;
- Maintaining case files, which must include records to show and explain the administration of the liquidation and any decisions made by the Joint Liquidators that materially affect the administration;
- Conducting periodic case reviews to ensure that the liquidation is progressing efficiently, effectively and in line with the statutory requirements;
- Maintaining and updating the estate cash book and bank accounts, including regular bank reconciliations and processing receipts and payments;
- Adjudicating on all creditors' claims with the assistance of solicitors where necessary;
- Giving notice of the intention to declare a dividend; and
- Calculating, declaring and paying dividends to creditors and dealing with unclaimed dividends.

6. Other information to support the proposed fees

6.1 Attached at Appendix V is an estimate of the time that the joint administrators envisage the above work will take to complete. Appendix V also provides their estimate of the expenses that have been or are likely to be incurred.

6.2 Please note that the estimates have been provided on the assumptions given below. In the event that it proves necessary for the joint administrators to incur additional expenses in performing their duties, they will provide further details in their progress reports, but there is no statutory obligation to ask creditors to approve any adjusted expenses estimate. In the event that the joint administrators incur time costs in excess of the fees estimate, they will only revert to the relevant creditors for approval if they propose to draw any fees in addition to those estimated from the insolvent estate.

6.3 In summary, the joint administrators propose that their fees be fixed on the basis of time costs and they estimate that they and their staff will spend time totalling £48,895 in conducting the tasks described. This estimate includes the time spent to date at £22,311.42, as described in Appendix IV.

6.4 The fees and expenses estimates have been compiled on the assumptions set out below. Please note that these are assumptions only for the purposes of preparing the Estimates in accordance with the statutory provisions. It has been assumed that:

- investigations to the extent described in section 5 above will be carried out;
- no exceptional work will need to be conducted in order to realise the remaining assets;
- there will be no requirement to hold a physical creditors' meeting or additional decision procedure to consider the matters covered by this Proposal; and,
- there will be no need to extend the Administration.

6.5 On the basis of these assumptions, the joint administrators do not anticipate that it will be necessary to seek additional approval from the relevant creditors for fees in excess of the fees estimate. However, in the event that the Administration does not proceed as envisaged, the joint administrators will seek approval for any fees in addition to those estimated that they wish to draw from the insolvent estate.

7. The joint administrators' discharge

- 7.1** The Act requires that the timing of the joint administrators' discharge from liability will be decided by the unsecured creditors. The joint administrators propose that this discharge will take effect when their appointment ceases to have effect, unless the court specifies a time.

8. Invitation to form a creditors' committee

- 8.1** Attached at Appendix VIII is a Notice of Invitation to Form a creditors' committee. The purpose of the committee is to assist the joint administrators in discharging their functions. In particular, a creditors' committee takes on the responsibility for approving the basis of the joint administrators' fees and other costs described above.
- 8.2** In the absence of a committee, this responsibility falls to the unsecured creditors. The joint administrators do not see a need for a Committee to be formed in this case.
- 8.3** Despite this, creditors are entitled to seek the formation of a committee, provided that there are sufficient nominations to form a Committee. At least three nominations would be required and the requisite majority of creditors would also need to object to the proposed decision not to form a Committee. Appendices VII and VIII provide further information on these steps.

9. Approval Process

- 9.1** The joint administrators are proposing the decisions set out below by means of the process set out in Rule 15.7 (Deemed Consent) of the Rules. Creditors are not required to vote on these proposed decisions, but they may object to their approval. Please see the notice seeking deemed consent attached at Appendix VII for further information.
- That the joint administrators' proposals (i.e. the statutory statement of Proposals at Appendix I), be approved;
 - That a Creditors' Committee will not be established; and
 - That the joint administrators be discharged from liability in respect of any action undertaken by them pursuant to Paragraph 98 of Schedule B1 of the Act, such discharge to take effect when the appointment of joint administrators ceases to have effect, as defined by the Act, unless the court specifies a time.
- 9.2** In addition, the joint administrators are seeking creditors' approval of the proposed decisions set out below by means of a vote by correspondence. Creditors are invited to vote on these proposed decisions by completing and returning the enclosed voting form together with a proof of debt form, if one has not already been submitted. These forms are attached at Appendix VII together with a notice of decision procedure setting out the following proposed decisions:
- That the joint administrators' fees be fixed by reference to the time given by them and their staff in attending to matters arising in the Administration, such time to be charged at the hourly charge out rate of the grade of staff undertaking the work at the time it was undertaken.
 - That the joint administrators' fee estimate of 5 June 2019 be approved.

- That the joint administrators be authorised to recover all Category 2 disbursements, calculated on the bases detailed in tri group's Summary; and
- That the unpaid pre-Administration costs set out in the joint administrators' proposal be approved.

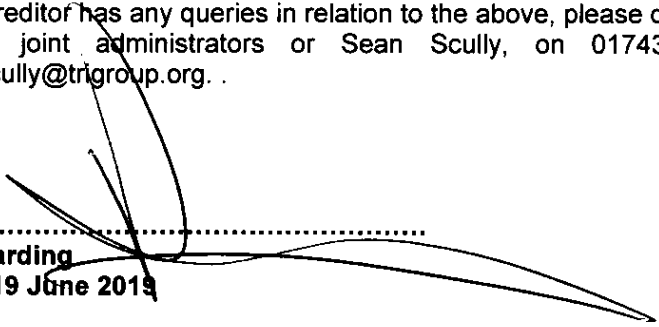
8.3 The joint administrators must receive completed forms by no later than 23.59 on 8 July 2019 to enable your vote to be counted.

8.4 Whilst a vote by correspondence is being sought, creditors who meet a statutory threshold as set out in the Notice attached at Appendix VII can require that a physical meeting of creditors be convened. Such a request must be made to the joint administrators within 5 business days of the date on which this Proposal was delivered. If you wish to request a physical meeting, please set out in writing which of the decision(s) above you wish the meeting to consider.

8.5 The joint administrators are proposing the decisions set out below by means of the process set out in Rule 15.7 (Deemed Consent) of the Rules. Creditors are not required to vote on these proposed decisions, but they may object to their approval. Please see the Notice Seeking Deemed Consent attached at Appendix VII for further information.

- That the joint administrators' proposals (i.e. the statutory statement of proposals at Appendix I), be approved;
- That a creditors' committee will not be established; and
- That the joint administrators be discharged from liability in respect of any action undertaken by them pursuant to Paragraph 98 of Schedule B1 of the Act, such discharge to take effect when the appointment of joint administrators ceases to have effect, as defined by the Act, unless the court specifies a time.

If any creditor has any queries in relation to the above, please do not hesitate to contact either of the joint administrators or Sean Scully, on 01743 233603 or by email to sean.scully@trigroup.org.



.....
Paul Harding

Dated 19 June 2019

Paul William Harding and Graham Lindsay Down were appointed joint administrators of Darrice Limited on 24 April 2019. The affairs, business and property of the Company are managed by the joint administrators. The joint administrators act as agents of the Company and contract without personal liability.

Appendix I
Statement of joint administrators' proposals

High Court of Justice, Chancery Division Court, Birmingham District Registry

No.CR-2019-002510

Darrice Limited (trading as Henry Brummel) - in Administration

**STATEMENT OF THE JOINT ADMINISTRATORS' PROPOSALS
PURSUANT TO SCHEDULE B1 OF THE INSOLVENCY ACT 1986**

Paul William Harding and Graham Lindsay Down
joint administrators

tri group
Suite 1, Canon Court East
Abbey Lawn, Abbey Foregate
Shrewsbury
Shropshire
SY2 5DE

Tel. 01743 233603

Disclaimer Notice

This Statement of Proposals has been prepared by Paul William Harding and Graham Lindsay Down, the joint administrators of Darrice Limited solely to comply with their statutory duty under Paragraph 49, Schedule B1 of the Insolvency Act 1986 to lay before creditors a statement of their proposals for achieving the purposes of the Administration and for no other purpose. It is not suitable to be relied upon by any other person, or for any other purpose, or in any other context.

Any estimated outcomes for creditors included in this statement of proposals 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 document for any purpose or in any context other than under Paragraph 49, Schedule B1 of the Insolvency Act 1986 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 statement of proposals.

The joint administrators act as agent for Darrice Limited and contract without personal liability. The appointment of the joint administrators is personal to them and, to the fullest extent permitted by law, tri group does not assume any responsibility and will not accept any liability to any person in respect of this statement of proposals or the conduct of the Administration.

All licensed Insolvency Practitioners of tri group are licensed in the UK to act as Insolvency Practitioners.

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- 2. Background and events leading to the Administration**
- 3. Appointment of the joint administrators**
- 4. The purpose of the Administration**
- 5. Management of the Company's affairs since the appointment**
- 6. The statement of affairs and outcome for creditors**
- 7. The joint administrators' fees**
- 8. Approval of the statement of proposals**
- 9. Summary of the joint administrators' statement of proposals**

Attachments

- A Definitions**
- B Statutory Information**
- C Estimated summary of the Company's financial position as at 24 April 2019 and creditors' details**
- D Estimated outcome statement**
- E The joint administrators' receipts and payments account to 5 June 2019**

1. Introduction

- 1.1** This statement of proposals is prepared pursuant to Schedule B1 of the Act in relation to the Company, the purposes of which are to provide creditors with a full update as to the present position and to set out the joint administrators' proposals for achieving an Administration objective.
- 1.2** The statement of proposals also includes information required to be provided to creditors pursuant to the Rules. Definitions of the terms used in the statement of proposals are provided in Attachment A and statutory information pertaining to the Company is set out in Attachment B.
- 1.3** Creditors are invited to decide whether to approve the joint administrators' proposals. Details of the decision process are set out at Section 8.

2. Background and events leading to the Administration

The Company was established in 1982 and carried on business as a clothing retailer. It traded from freehold premises in Droitwich, Worcestershire.

We were asked to advise the Company prior to our appointment. At that time, the director (and 90% shareholder), John Smith, was suffering from a long term illness; a Court of Protection application was on-going in connection with his capacity to manage his affairs. The business was being managed by John's son and co-director, Simon Smith. There were three full-time and three part-time employees.

In commercial terms, the Company business was not profitable and had been supported financially by the directors and other family members for several years. To continue long-term, it needed refocus and a source of permanent funding. The likelihood of any potential purchaser paying over and above the asset value was remote.

Measures were needed to protect creditors and the Company in the short term. Advice was sought regarding the likely impact of John's health, and legal capacity, on the various insolvency procedures available; shareholder approval is required in most cases. One option was Simon's application for Administration, as a creditor of the Company. Unfortunately, John passed away whilst solicitors were preparing the application.

Administration has given the beneficiaries of John's estate an opportunity to consider the survival of the Company or otherwise its closure and sale of the assets. It seems likely that sums due to the secured creditor will be covered by the Company's fixed charge property assets. The process has also served to protect the Company, by preventing the creditor position from deteriorating further, and allowed the position of the general body of creditors to be maintained.

Overview of Financial Information

- 2.1** Extracts from the Company accounts are set out below. Please note that the information has not been verified by the joint administrators or tri group.

Darrice Limited (trading as Henry Brummel) - in Administration**Statement of joint administrators' proposals
Pursuant to Schedule B1 of the Insolvency Act 1986****Summary Balance Sheet**

	Accounts for year to 27/02/18 £	Accounts for year to 27/02/17 £
Tangible assets	146,070	146,226
Intangible assets	0	0
	<hr/>	<hr/>
Fixed assets	146,070	146,226
Current Assets		
Stock	212,895	122,787
Cash	2,740	18,462
Other	37,429	11,508
	<hr/>	<hr/>
	253,064	152,757
Liabilities		
Creditors within 1 yr	(314,334)	(182,603)
Creditors long term	(44,616)	(51,523)
	<hr/>	<hr/>
Total Liabilities	(358,950)	(234,126)
	<hr/>	<hr/>
Net Assets	40,184	64,857
	<hr/>	<hr/>

Source: Accounts

Management and Employees

2.2 As at 24 April 2019, the Company employed three full time and three part-time staff:

2.3 Statutory information on the Company, including details of the Directors, Company Secretary, and Shareholders is provided at Attachment B.

3. Appointment of the joint administrators

3.1 On 24 April 2019, Paul William Harding and Graham Lindsay Down were appointed joint administrators of the Company following the filing of a notice of appointment of administrators on the director's application.

3.2 The joint administrators confirm that they are authorised to carry out all functions, duties and powers by either one or both of them.

3.3 For creditors' general information, the EU Regulation on insolvency proceedings applies in this case, and these proceedings are the main proceedings.

4. The purpose of the Administration

4.1 The purpose of an Administration is set out in Schedule B1, Paragraph 3(1) of the Act. In short, this provides that an Administrator of a company must perform his functions with the objective of:

- rescuing the company as a going concern, or
- achieving a better result for the creditors as a whole than would be likely to be achieved 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.

4.2 These objectives form a hierarchy. The rescue of a company is the priority. If this is not possible, the Administrator seeks to achieve a better result for the creditors as a whole. In the event that this cannot be achieved, then the Administrator is permitted to realise assets for the benefit of the preferential or secured creditors.

4.3 With reference to the above note on background and events leading to the Administration, the process has given the beneficiaries of the majority shareholder the opportunity to consider the survival of the Company. To date, they have not come forward with an offer to fund the restructure of the business, or proposed a Company Voluntary Arrangement. Some interest in purchasing the business as a going concern was received from a third party but we heard nothing further following the initial enquiry. Accordingly, we do not consider that the first objective can be achieved.

4.4 We now aim to achieve the second objective by means of a marketing and sale process that is more orderly than it might otherwise have been in liquidation.

4.5 A detailed account of how the joint administrators have sought to achieve the objective of the Administration is set out below.

5. Management of the Company's affairs since the appointment

5.1 Following our appointment, we undertook a review to establish a strategy for dealing with the immediate needs of the Company and its creditors. The assessment was carried out with the benefit of liaison with the remaining Company management.

5.2 Our appointment took effect late in the afternoon of 24 April 2019. On the following day, a member of our staff attended the Company premises to speak to the Company employees and inform them of the termination of their contracts of employment. The terminations were then confirmed in writing and the usual assistance was provided with redundancy claims.

5.3 Our staff are in the process of collating creditors' claims and dealing with enquiries. In particular, because trading ceased immediately following our appointment, there have been a significant number of telephone enquiries from consumer creditors who did not receive goods following online purchases.

5.4 The Company owns two adjoining commercial units at Royal Exchange Court, Queen Street, Droitwich WR9 8LA. Both freehold titles are subject to fixed charges in favour of Barclays Bank Plc. We have arranged to market both properties for sale.

5.5 There is a considerable quantity of stock at the Company premises. Six suppliers are pursuing retention of title claims; their claims are in various stages of progress. When the claims have been determined, the remaining stock will be sold.

5.6 We have exchanged correspondence with the Company's bankers with a view to recovering any cash at bank.

5.7 For the avoidance of doubt, there have been no sales of Company's assets to connected parties following our appointment.

5.8 We have insured the Company assets pending their disposal.

- 5.9** We have engaged Higgs and Sons Solicitors to advise and assist with any legal matters that arise in the Administration; we are aware that they have the necessary expertise and experience. It may, however, be necessary to instruct an alternative firm of solicitors to assist with the transfer of the Company's commercial premises when a purchaser is found. Higgs and Sons' fees are likely to be based upon their recorded time costs; we are hoping to retain commercial property lawyers on a fixed fee basis.
- 5.10** Chattel agents, MGR Appraisals, have been instructed to prepare a valuation of stock and fixtures and fittings at the Company premises. They will also advise on and deal with the disposal of stock following the above mentioned retention of title claims. Their fee for the valuation is £650 plus VAT, we anticipate that there will be a similar charge for dealing with the disposal of stock.
- 5.11** PAARL Property Consultants have been instructed to value and dispose of the Company's commercial premises. Their professional fees are contingent on a sale and will be commission based. They will charge 2% of the sale price plus VAT and disbursements for sale boards and energy proficiency certificates.
- 5.12** All professional fees based on recorded time costs will be reviewed by the joint administrators before being approved for payment.

Investigation of the Company's affairs in the period prior to the Administration

- 5.13** We are undertaking a review of the Company's trading activities for the purposes of:
- identifying any additional assets which might be realised for the benefit of creditors, including any potential actions against directors or other parties, such as challenging transactions at an undervalue or preferences; and,
 - enabling the joint administrators to report to the Insolvency Service on the conduct of the directors so that the Insolvency Service may consider whether disqualification proceedings are appropriate.
- 5.13** In the early stages of the Administration, this work will involve examining the Company's books and records, considering information received from creditors and the Company's accountants and seeking information from the Company's directors and other senior staff by means of questionnaires and/or interviews.
- 5.14** In the event that questionable transactions are identified, it may be necessary to conduct further investigations and instruct solicitors to assist in deciding the joint administrators' next steps in pursuing a recovery. If a potential recovery action is identified, it may be necessary to instruct professional agents in gathering evidence and in exploring further the existence and value of assets to target. If the joint administrators encounter resistance in making a recovery, formal legal action may be appropriate.
- 5.15** In addition, if the Insolvency Service decides to proceed with a disqualification, we will be required to assist the Insolvency Service's investigators in their work, which may include providing the investigators with access to the Company's books and records and agreeing statements to be given in evidence of those proceedings.

6. The statement of affairs and outcome for creditors

- 6.1** The director has not, to date, submitted a signed statement of affairs. An estimated financial statement of the Company, together with a list of the creditors, is attached at Attachment C for creditors' information. These details have been extracted from the Company's records and therefore no warranty can be given to the accuracy of the details given.
- 6.2** In accordance with the standard format of a statement of affairs, no provision has been made in the statement for the costs of the Administration (including agents, legal and other professional fees).
- 6.3** We have not carried out any work in the nature of an audit on the information.

Secured creditors

- 6.4** It is our understanding that, at the date of our appointment, Barclays Bank Plc were owed approximately £50,000, in respect of an overdraft facility. The Bank has the benefit of fixed and floating charges over the Company assets.
- 6.5** The anticipated recovery to the secured creditor is shown on the estimated outcome statement at Attachment D.

Preferential claims

- 6.6** Preferential claims relating to employee deductions are expected to be paid by the RPO, who will have a corresponding preferential claim against the Company. Total employee preferential claims are likely to be in the order of £5,800. There are no other known preferential claims outstanding.
- 6.7** Section 176A of the Act requires Administrators to make a prescribed part of the company's net property, which is the balance remaining after discharging the preferential claims but before paying the floating charge-holder, available for the satisfaction of unsecured debts.
- 6.8** In this case, it is anticipated that the prescribed part provision will not apply. It is likely that the secured creditor will be paid in full from the proceeds of sale of the Company's commercial premises. Accordingly, there will be no residual liability due under its floating charge.
- 6.9** We do not propose to make an application to court under Section 176A(5) of the Act to disapply the prescribed part provisions; we anticipate that the prescribed part provisions will not apply.
- 6.10** As demonstrated in the estimated outcome statement at Attachment D, on the basis of the costs incurred to date and the estimated further costs to be incurred in bringing the Administration to a conclusion, it is anticipated that there may be sufficient funds to pay a dividend to preferential and ordinary unsecured creditors.
- 6.11** Our receipts and payments account for the period from 24 April 2019 to 5 June 2019 is set out at Attachment E.

7. The joint administrators' fees

- 7.1** We propose to be remunerated on the basis of the time properly given by the joint administrators and their staff in attending to matters arising in the Administration,

such time to be charged at the prevailing standard hourly charge out rates used by tri group at the time the work is performed (plus VAT).

7.2 We will seek approval for the basis of our fees from the unsecured creditors, unless a creditors' committee is established.

7.3 Information to support the proposed basis of the joint administrators' fees, together with a statement of pre-Administration costs, is provided in the joint administrators' proposal, to which this statement of proposals forms an appendix.

8. Approval of the statement of proposals

8.1 The joint administrators are seeking creditors' approval of the statement of proposals, which are summarised in Section 9, by means of the process set out in Rule 15.7 (deemed consent) of the Rules.

8.2 Attached to the joint administrators' proposal, to which this statement of proposals forms an appendix, is a notice seeking deemed consent ("the Notice"), which describes how creditors may object to the acceptance of the statement of proposals or to the other proposed decisions.

8.3 Creditors who meet a statutory threshold as set out in the Notice can require that a physical meeting of creditors be convened. Such a request must be made to the joint administrators within five business days of the date on which the statement of proposals was delivered.

8.4 Unless the joint administrators receive the requisite number of objections to the proposed decision to approve the statement of proposals or of requests to convene a physical meeting as set out in the Notice, creditors will have deemed to have consented to approve the Statement of Proposals.

9. Summary of the joint administrators' statement of proposals

9.1 The statement of proposals is summarised below.

9.2 In order to achieve the purpose of the Administration, the joint administrators formally propose to creditors as follows.

- That they continue to manage the business, affairs and property of the Company in order to achieve the purpose of the Administration, in particular that they:
 - (i) sell the Company's assets at such time(s) and on such terms as they consider appropriate;
 - (ii) investigate and, if appropriate pursue, any claims that the Company may have against any person, firm or company, whether in contract or otherwise, including any officer or former officer of the Company or any person, firm or company that supplies or has supplied goods or services to the Company; and,
 - (iii) do all such things and generally exercise all their powers as joint administrators as they consider desirable or expedient at their discretion in order to achieve the purpose of the Administration or protect and preserve the assets of the Company or maximise the realisations of those assets, or of any purpose incidental to these activities.

- That they make distributions to any secured or preferential creditors in accordance with Paragraph 65 of Schedule B1 of the Act. Further, they may make a distribution to unsecured creditors, having first sought the court's permission in accordance with Paragraph 65(3) of Schedule B1 of the Act where necessary.
- That they end the Administration in one of the following ways, appropriate to the circumstances of the case at the time.
 - (i) In the event that the joint administrators think that a distribution will be made to unsecured creditors (and they have not sought the court's permission, and are otherwise unable, to pay the distribution whilst the Company is in Administration), they shall send to the registrar of companies notice to move the Company from Administration to Creditors' Voluntary Liquidation. In such circumstances, Paul William Harding and Graham Lindsay Down will be appointed joint liquidators and will be authorised to act either jointly or separately in undertaking their duties as liquidators. Creditors may nominate a different person or persons as the proposed liquidator or liquidators in accordance with Paragraph 83(7)(a) of Schedule B1 of the Act and Rule 3.60(6)(b) of the Rules, but they must make the nomination or nominations at any time after they receive the statement of proposals, but before it is approved. Information about the process of approval of the statement of proposals is set out at Section 8.
 - (ii) In the event that there is no remaining property that might permit a distribution to the Company's creditors, the joint administrators shall file a notice of dissolution of the Company pursuant to Paragraph 84 of Schedule B1 of the Act.
 - (iii) Alternatively, and should there be no likely funds to distribute to unsecured creditors, the joint administrators may seek to place the Company into Compulsory Liquidation in order to bring proceedings that only a Liquidator may commence for the benefit of the estate. In such circumstances, Paul William Harding and Graham Lindsay Down may ask the court that they be appointed joint liquidators, to act either jointly or separately in undertaking their duties as liquidator.



.....
Paul William Harding

Dated 19 June 2019

Paul Harding and Graham Lindsay Down were appointed joint administrators of Darrice Limited (trading as Henry Brummel) - In Administration on 24 April 2019. The affairs, business and property of the Company are managed by the joint administrators, who act as agents of the Company and contract without personal liability.

DEFINITIONS

The Act	The Insolvency Act 1986
The Rules	The Insolvency Rules 1986 or the Insolvency (England & Wales) Rules 2016 (whichever applied at the time of the event described)
The statement of proposals	The statement of the joint administrators' proposals prepared pursuant to Paragraph 49(1) of Schedule B1 of the Act
The joint administrators	Paul William Harding and Graham Lindsay Down
The Company	Darrice Limited (trading as Henry Brummel) - in Administration
The Court	High Court of Justice, Chancery Division, Birmingham District Registry
EBIT	Earnings before interest and tax
RPO	The Redundancy Payments Office
HMRC	HM Revenue & Customs
Prescribed Part	The Prescribed Part of the Company's net property subject to Section 176A of the Insolvency Act 1986
SIP	Statement of Insolvency Practice (England & Wales)

**DARRICE LIMITED (TRADING AS HENRY BRUMMELL) - IN ADMINISTRATION
STATUTORY INFORMATION**

Company Name	Darrice Limited - in Administration
Trading Name(s)	Henry Brummel
Proceedings	in Administration
Court	High Court of Justice, Chancery Division, Birmingham District Registry
Court Reference	CR-2019-002510
Date of Appointment	24 April 2019
Joint Administrators	Paul William Harding and Graham Lindsay Down tri group Suite 1, Canon Court East Abbey Lawn, Abbey Foregate Shrewsbury Shropshire SY2 5DE
Registered office Address	c/o tri group, Suite 1, Canon Court East Abbey Lawn, Abbey Foregate Shrewsbury Shropshire SY2 5DE
Company Number	01622491
Incorporation Date	16 March 1982
Appointment by	Director
Directors at date of Appointment	Simon Marcus Smith
Directors' Shareholdings	One ordinary share (10% of total shareholding)

Darrice Limited t/a Henry Brummel - in Administration
Estimated summary of the Company's financial position
as at 24 April 2019

A – Summary of Assets

Assets

Estimated to Realise £

Assets subject to fixed charge:

Freehold property	200,000
Less: sums due to secured creditor	(50,000)
	150,000

Assets subject to floating charge

Stock	15,000
Fixtures & fittings	Nil

Assets not specifically pledged

Nil

Estimated total assets available for preferential creditors	165,000
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A1 – Summary of liabilities

	Estimated to Realise
Estimated total assets available for preferential creditors (carried from page A)	165,000
Preferential Creditors (employees)	<u>(5,800)</u>
Estimated surplus as regards preferential creditors:	159,200
Estimated prescribed part of net property	Nil
Estimated total assets available to floating charge holder	<u>159,200</u>
Floating charge creditor	<u>Nil</u>
Estimated surplus as regards floating charge	159,200
Estimated prescribed part of net property (brought down)	<u>Nil</u>
Estimated assets available to unsecured creditors	<u>159,200</u>

COMPANY CREDITORS

Name of creditor or claimant	Address (with postcode)	Creditor Type	Amount of debt	Details of any security held by creditor	Date security given	Value of security
Aquascutum	43 Great Marlborough Street, London, W1F 7JL	Trade Creditor	£200.00			£0.00
Armani Jeans	5 Hawick Place, Westminster, London, SW1P 1WG	Trade Creditor	£16,000.00			£0.00
Ashton Associates (Mephisto)	1 Brentnall Road, Finchfield, CM7 4JY, CM7 4JY	Trade Creditor	£6,247.13			£0.00
Barclaycard Commercial	Customer Services Department, PO Box 4000, Wigston LE18 9EN	Trade Creditor	£0.00			£0.00
Barclays Bank Plc	Millshaw Court, Global Avenue, Leeds, LS11 8AN	Secured Creditor	£50,000.00			£0.00
British Gas Business	Baker Tilly Creditor Services, 6th Floor, Salisbury House, 31 Finsbury Circus, London EC2M 5SQ	Trade Creditor	£0.00			£0.00
Calvin Klein	67 Brompton Road, London, SW3 1DB	Trade Creditor	£3,000.00			£0.00
Dama S.p.A	Via Piemonte 174, 21100 Varese (Italy), EC1Y 0TW	Trade Creditor	£65,608.00			£0.00
DPD	15th Floor Castlemead, Lower Castle Street, Bristol, BS1 3AG	Trade Creditor	£552.40			£0.00
EA7 (c/o Armani)	5 Hawick Place, Westminster, London, SW1P 1WG	Trade Creditor	£2,000.00			£0.00
Ebay	Hotham House, 1 Heron Square, Richmond, Surrey, TW9 1EJ	Trade Creditor	£328.72			£0.00
Egmont Limited	54 Hoyton Square, London, N1 6PB, EC2A 3PB	Trade Creditor	£7,000.00			£0.00
Euler Hermes (Claims & Collections)	1 Canada Square, London, E14 5DX	Trade Creditor	£0.00			£0.00
Focus International Ltd	Ashley Road, St Albans, Herts AL1 5UB	Trade Creditor	£340.80			£0.00
Four Marketing Ltd	20 Garrett Street, London, EC1Y 0TW	Trade Creditor	£8,928.60			£0.00
Giorgio Armani S.p.A	Via Bergognone 38, Milano, Italy	Trade Creditor	£19,238.03			£0.00
Global Design Limited	Unit 9 Hemels Park, Laindon, Essex, SS15 6GF	Trade Creditor	£1,000.00			£0.00
Grant UK Limited	Floor 2 Holborn Gate, 26 Southampton	Trade Creditor	£2,000.00			£0.00

	Buildings, London, WC2A 1AN					
H M Revenue & Customs	ICHU RM BP 3202, Benton Park View, Longbenton, NE98 1ZZ	HMRC (PAYE & NIC)	£900.00			£0.00
H M Revenue & Customs	ICHU RM BP 3202, Benton Park View, Longbenton, NE98 ZZ	HMRC (VAT)	£35,000.00			£0.00
Liberis	Third Floor, Glen House, Glenhome Road, London W6 0NG	Trade Creditor	£29,144.62			£0.00
Mr Simon Smith	149 Knightlow Road, Harborne, B17 8PY	Director's Loan Account	£60,000.00			£0.00
Mrs P Smith	27 Dugard Way, Droitwich, Worcestershire WR9 8UX	Loan Creditor	£10,000.00			£0.00
New Beach Retail	17 Swan Street, Manchester, M4 5JJ	Trade Creditor	£14,353.24			£0.00
New Wave Capital Ltd	70 Wilson Street, London EC2A 2DB	Trade Creditor	£0.00			£0.00
Paytek Admin Services Limited	Coppergate House, 16 Brune Street, London, E1 7NJ	Trade Creditor	£24.00			£0.00
PVH	Danzigerkade 165, 1013 AP Amsterdam, The Netherlands	Trade Creditor	£0.00			£0.00
Royal Mail	Royal Mail House, Stone Hill Road, Farnworth, Bolton, BL4 9XX	Trade Creditor	£406.52			£0.00
Sage Pay	North Park, Newcastle, NE13 9AA	Trade Creditor	£56.40			£0.00
Sherwin Insurance Services Ltd	Curzon House, 3 Bramble Street, Derby DE1 1HU	Trade Creditor	£0.00			£0.00
Shireleasing	1 Calico Business Park, Sandy Way, Tamworth, Staffs B77 4BF	Trade Creditor	£0.00			£0.00
Tommy Hilfinger	67 Brompton Raod, London, SW3 1DB	Trade Creditor	£5,000.00			£0.00
UTP Merchant Services Ltd	Sapphire Plaza, Watlington Street, Reading RG1 4RE	Trade Creditor	£24.00			£0.00
Water Plus	PO Box 12460, Harlow, CM20 9PJ	Trade Creditor	£109.53			£0.00
Wonkey Donkey Creative Limited	Unit 5, Tything Road, Arden Forest Industrial Estate, Alcester, Warwickshire, B49 6EP	Trade Creditor	£86.40			£0.00
Worldpay	3 Hardman Square, Spinning Fields, Manchester M3 3EB	Trade Creditor	£0.00			£0.00
XLN Business Services	First Floor, Millbank Tower, 21-24 Millbank, London, SW1P 4QP	Trade Creditor	£24.42			£0.00

ATTACHMENT D

Darrice Limited t/a Henry Brummel - in Administration
Estimated Outcome Statement

	£'000	£'000	Assumptions
	Book value	ETR	
Fixed Charge Assets			
Freehold property	145	200	ETR figure based on sale price of neighbouring property within last 12 months.
	145	200	
Less: costs of sale at 5% of purchase price.		(10)	
Less: joint administrators' costs of realisation		(25)	
Less: secured creditors			
Barclays Bank - fixed and floating charge created 27 April 2013.	(45)	(50)	In the final weeks of trading, the company attracted substantial business through a website sale. At the time of the joint administrators' appointment, a number of paid for orders awaited delivery. Given that approximately 50% of the stock is subject to potential ROT claims, the orders have not been delivered. Credit card chargebacks may therefore increase the sum due under the company's overdraft facility. For this reason, debt to the bank is estimated at £50,000, notwithstanding that the current balance is thought to be in the order of £35,000.
	100	115	
Floating Charge Assets			
Shop furniture & equipment	1	0	Based on profess. valuation at £500 (in situ) to £150 (ex situ) & subject to costs of sale Based on profess. valuation at £25,000 (in situ) to £5,000 (ex situ). Subject to ROT & costs sale Fees subject to creditors' agreement, in general meeting, to a formal fees estimate in the usual way Including valuers' fees and solicitors' costs for dealing with the joint administrators' appointment.
Stock	213	15	
Less: joint administrators' pre-appointment fees		(10)	
Less: joint administrators' pre-appointment disbursements		(4)	
	314	116	
Less			
Current liabilities			
Trade creditors	(314)	(182)	Book value reflects all sums due within 12 months; figures for trade and HMRC debt not available
Barclays Bank		Nil	
Family loan		(10)	The directors' family have introduced working capital of £10,000.
Director's loan account		(60)	
Employees		(31)	
HMRC - Corporation Tax		(36)	
	(314)	(319)	
Net assets		(203)	

Notes

The EFO includes no realisation costs in relation to floating charge assets.
Fees and disbursements estimates do not include VAT
The floating charge assets were valued by MGR Appraisals Management Ltd.
Messrs Higgs and Sons were instructed to deal with the appointment of the joint administrators.

Darrice Limited (t/a Henry Brummel)

Schedule of Secured Creditors

Secured Creditors

Secured creditor's name and address	Amount of claim (estimated)	Details of security	Date security was given	Value of security (per Statement of Affairs)
Barclays Bank Plc	£50,000	Fixed and floating charges	27/04/2018	£50,000

Special Creditor Groups

Creditor Group	Number of creditors in group	Total amount of claims (estimated)
Employees and former employees	6	£30,853.30
Consumers claiming amounts paid in advance for the supply of goods and services	5	£597.50

DARRICE LIMITED T/A HENRY BRUMMEL - IN ADMINISTRATION

JOINT ADMINISTRATORS' ABSTRACT OF RECEIPTS AND PAYMENTS
FROM 24 APRIL 2019 TO 5 JUNE 2019

	24/04/19 to 05/06/2019 £	Total £
Realisations		
	0.00	0.00
	<u>0.00</u>	<u>0.00</u>
Cost of Realisation and Administrative Expenses		
	0.00	0.00
	<u>0.00</u>	<u>0.00</u>
	<u>0.00</u>	<u>0.00</u>
Represented By:		
VAT Receivable	0.00	0.00
Bank Account	<u>0.00</u>	<u>0.00</u>
	<u>0.00</u>	<u>0.00</u>

Appendix II

Pre Appointment Remuneration Schedule
Darrice Limited (t/a Henry Brummel) – in Administration

Classification of work function	Partner/ Director	Manager	Other Senior Professionals	Assistants & Support Staff	Total Hours	Time Cost	Average Hourly Rate
Administration & Planning	4.00	29.40	0.00	0.00	33.40	8,015.00	239.97
Investigations	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Realisation of Assets	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Trading	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Creditors	0.00	0.00	0.00	0.00	0.00	0.00	0.00
case sepcific matters	0.00	0.00	0.00	0.00	0.00	0.00	0.00
set up and appointment docs	0.40	2.50	8.50	0.00	11.40	2,105.00	184.65
Total hours	4.40	31.90	8.50	0.00	44.80		
Time costs	1,540.00	7,177.50	1,402.50	0.00		10,120.00	
Average hourly rate	350.00	225.00	165.00	0.00			225.89

Summary of Fees

Time spent in administering the Assignment	Hours	44.80
Total value of time spent	£	10,120.00
Total Pre Appointment fees charged	£	6,000.00

INFORMATION TO ASSIST CREDITORS IN REACHING AN INFORMED DECISION ON ANY RESOLUTION SEEKING APPROVAL OF OFFICE HOLDERS' REMUNERATION

CHARGE-OUT RATES

Trigroup (formerly Burton Sweet Corporate Recovery)'s current hourly charge-out rates are as follows:

Position		Maximum hourly rate	
		Outside London £	London £
Director/Partner/Office-holder		350	420
Managers			
	Qualified partner/senior manager	300	360
	Partner/senior manager	225	270
	Manager	200	240
Administrators			
	Senior administrator	165	200
	Administrator	80	95
Assistant		80	95

There is no separate charge for the time of support staff such as secretarial staff or cashiers, who are accounted for as an overhead cost absorbed within the charge-out rates set out above. In accordance with normal practice these costs are subject to amendment at any time, and that any amendments will be notified to creditors in the next report.

DISBURSEMENT CHARGES

The Firm's current Category 2 disbursement charges, which may be reviewed periodically, are as follows:

Photocopying	15p per copy
Bulk postage	At current postal rates
Stationery/telephone/routine postage	£5 per member/creditor per annum
Travel	At cost
Mileage	48p per mile
Document storage (external)	70p per box per month
Anti Money Laundering searches	£15
Company searches	£15
Meeting room hire	£100 per meeting
File set-up and record retention	£50

It is the Firm's policy to recharge all disbursements properly incurred to the relevant insolvency case where there is identifiable specific expenditure. Any costs which may involve an element of shared or allocated costs or are for services provided by the Firm, are detailed in the Firm's receipts and payments accounts as "Category 2 Disbursements". Please note that no charge is made relating to the recovery of the Firm's overhead costs.

G:\Shrewsbury Documents\Charge-Out Rates – trigroup/trigroup and Burton sweet Charge out rates (post 1 April 2017)

Appendix IV

Joint Administrators' Remuneration Schedule Darrice Limited t/a Henry Brummel – in Administration Between 24 April 2019 and 05 June 2019

Classification of work function	Partner/Director	Manager	Other Senior Professionals	Assistants & Support Staff	Total Hours	Time Cost	Average Hourly Rate
Administration & Planning	1.00	2.40	9.50	0.00	12.90	2,598.26	201.42
Investigations	0.00	0.60	0.00	0.00	0.60	170.19	283.65
Realisation of Assets	3.00	0.00	0.60	0.00	3.60	1,149.00	319.17
Trading	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Creditors	16.00	15.30	25.50	0.00	56.80	14,147.35	249.07
case sepcific matters	0.00	0.00	0.00	0.00	0.00	0.00	0.00
set up and appointment docs	8.00	5.10	0.00	0.00	13.10	4,246.62	324.17
Total hours	28.00	23.40	35.60	0.00	87.00		
Time costs	9,800.00	6,637.42	5,874.00	0.00		22,311.42	
Average hourly rate	350.00	283.65	165.00	0.00			256.45

Summary of Fees

Time spent in administering the Assignment	Hours	87.00
Total value of time spent to 05 June 2019	£	22,311.42
Total Joint Administrators' fees charged to 05 June 2019	£	0.00

FEES ESTIMATE 5 JUNE 2019

Grade	Partner £350		Manager £200		Administrator £165		Totals	
Charge-out rate	Units	Cost	Units	Cost	Units	Cost	Units	Cost
ADMINISTRATION AND PLANNING								
>Administration set up	10	350.00	25	500.00	25	412.50	60	1,262.50
Statutory / Advertising								
>General Supervision	10	350.00	60	1,200.00	25	412.50	95	1,962.50
>Maintenance of records & compliance matters	10	350.00	50	1,000.00	50	825.00	110	2,175.00
>Case reviews	10	350.00	75	1,500.00	100	1,650.00	185	3,500.00
>Post appointment tax matters	15	525.00	50	1,000.00	75	1,237.50	140	2,762.50
>Case closure	5	175.00	0				5	175.00
>Final meetings - documents, circulars, attendance	15	525.00	75	1,500.00	50	825.00	140	2,850.00
>Post closure and compliance	10	350.00	50	1,000.00	50	825.00	110	2,175.00
	15	525.00	50	1,000.00	20	330.00	85	1,855.00
	100	3,500.00	435	8,700.00	395	6,517.50	930	18,717.50
SET UP AND APPOINTMENT DOCUMENTS								
>Appointment documents	5	175.00	15	300.00	10	165.00	30	640.00
	5	175.00	15	300.00	10	165.00	30	640.00
CREDITORS								
>Communication with creditors	10		250	5,000.00	250	4,125.00		9,125.00
>Employee communications	0	0.00	75	1,500.00	50	825.00	125	2,325.00
>Meetings of creditors	10	350.00	45	900.00	25	412.50	80	1,662.50
>Pre-appointment HMRC returns/submissions	5		25	500.00	10	165.00	40	665.00
>Proof of debt and adjudication	15	525.00	50	1,000.00	50	825.00	115	2,350.00
	40	875.00	445	8,900.00	385	6,352.50	360	16,127.50

INVESTIGATION

>Analysis of financial records
>Company Directors Disqualification reports
>Investigation into the company's affairs & directors dealings

15	525.00	75	1,500.00	50	825.00	140	2,850.00
5	175.00	25	500.00	15	247.50	45	922.50
	0.00	25	500.00	25	412.50	50	912.50
20	700.00	125	2,500.00	90	1,485.00	235	4,685.00

REALISATION OF ASSETS

Stock /Fixtures/chattels
Freehold/Leasehold Property

5	175.00	100	2,000.00	100	1,650.00	205	3,825.00
20	700.00	150	3,000.00	50	825.00	220	4,525.00
25	875.00	250	5,000.00	150	2,475.00	425	8,350.00

CASE SPECIFIC

>Pensions

5	175.00	10	200.00	0	0.00	15	375.00
5	175.00	10	200.00	0	0.00	15	375.00

TOTALS

195	6,300.00	1280	25,600.00	1030	16,995.00	1995	48,895.00
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SUMMARY OF TOTALS

Units	2,505
Cost	48,895.00

Estimated disbursements (excluding VAT)

£

Statutory Advertising	200.00
Specific Bond	500.00
Software	140.00
Postage & stationary	600.00
Legal fees	5,000.00
Open cover insurance	3,000.00
Chattel Agent	1,300.00
Property Consultant	4,000.00

NOTICE OF DECISION PROCEDURE

Appendix VI

Company Name: Darrice Ltd (trading as Henry Brummel) - in Administration ("the Company")
Company Number: 01622491
In the High Court of Justice, Chancery Division, Birmingham District Registry CR-2019-002510

This Notice is given under Rule 15.8 of the Insolvency (England & Wales) Rules 2016 ("the Rules"). It is delivered by the joint administrators of the Company, tri group, of Suite 1, Canon Court East, Abbey Lawn, Abbey Foregate, Shrewsbury SY2 5DE, (01743 233603), who were appointed by the director.

Creditors are invited to vote by correspondence on the following decisions.

1. That the joint administrators' fees be fixed by reference to the time given by them and their staff in attending to matters arising in the Administration, such time to be charged at the hourly charge out rate of the grade of staff undertaking the work at the time it was undertaken.
2. That the joint administrators' fee estimate of 5 June 2019 be approved.
3. That the joint administrators be authorised to recover all Category 2 disbursements, calculated on the bases detailed in tri group's Summary.
4. That the unpaid pre-Administration costs set out in the joint administrators' proposal be approved.

Overleaf is a voting form on which creditors may signify their decisions on the above matters. All voting forms, together with a proof of debt if one has not already been submitted, must be completed and returned to the joint administrators' by one of the methods set out below:

By post to: Suite 1, Canon Court East, Abbey Lawn, Abbey Foregate, Shrewsbury SY2 5DE
By fax to: 01743 354777
By email to: sean.scully@trigroup.org

Please note that, if you are sending votes by post, you must ensure that you have allowed sufficient time for the forms to be delivered to the address above by the Decision Date set out below. An email is treated as delivered at 9am on the next business day after it was sent.

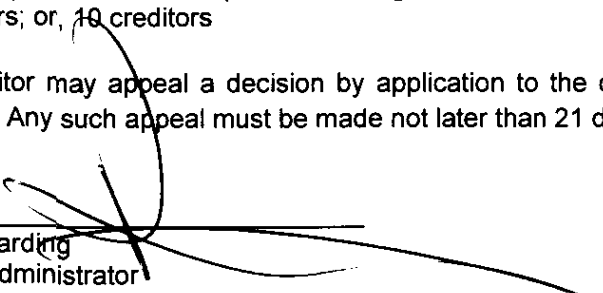
All voting forms and proofs of debt must be delivered by the Decision Date: 23.59 on 9 July 2019.

If the joint administrators have not received a proof of debt by the time specified above (whether submitted previously or as a result of this Notice), that creditor's vote will be disregarded. Any creditor whose debt is treated as a small debt in accordance with Rule 14.31(1) of the Rules must still deliver a proof if the creditor wishes to vote. A creditor who has opted out from receiving notices may nevertheless vote if the creditor also provides a proof by the Decision Date.

Creditors who meet one or more of the statutory thresholds listed below may, within 5 business days from the date of the delivery of this Notice, require a physical meeting to be held to consider the matter.

Statutory thresholds to request a meeting are: 10% in value of the creditors; 10% in number of the creditors; or, 10 creditors

A creditor may appeal a decision by application to the court in accordance with Rule 15.35 of the Rules. Any such appeal must be made not later than 21 days after the Decision Date.


Paul Harding
Joint Administrator

Dated: 25 June 2019

VOTE BY CORRESPONDENCE

Company Name: Darrice Ltd (trading as Henry Brummel) - in Administration ("the Company")

Company Number: 01622491

In the High Court of Justice, Chancery Division, Birmingham District Registry CR-2019-002510

Name of Creditor: _____

Address: _____

Decisions:

1	That the joint administrators' fees be fixed by reference to the time given by them and their staff in attending to matters arising in the Administration, such time to be charged at the hourly charge out rate of the grade of staff undertaking the work at the time it was undertaken.	*For / Against
2	That the joint administrators' fee estimate of 5 June 2019 be approved.	*For / Against
3	That the joint administrators be authorised to recover all Category 2 disbursements, calculated on the bases detailed in tri group's Summary.	*For / Against
4	That the unpaid pre-Administration costs set out in the joint administrators' proposal be approved.	*For / Against

*** Please delete as applicable to indicate your voting instructions**

Signed: _____ Dated: _____

Name in capitals: _____

Position with, or relationship to, creditor or other authority for signature: _____

Are you the sole member/shareholder of the creditor (where it is a company)?

☐ Yes / ☐ No

Please complete this form and return it, along with a completed proof of debt if you have not submitted one previously, so that it is delivered by 23.59 on 9 July 2019, by:

Post: Suite 1, Canon Court East, Abbey Lawn, Abbey Foregate, Shrewsbury SY2 5DE

Fax: 01743 354777

Email: please scan a signed copy of this form and attach it as a pdf to
sean.scully@trigroup.org

PROOF OF DEBT - GENERAL FORM

Company Name: Darrice Ltd (trading as Henry Brummel) – in Administration ("the Company")

Date of Administration: 24 April 2019

DETAILS OF CLAIM		
1.	Name of Creditor (if a company, its registered name)	
2.	Address of Creditor (i.e. principal place of business)	
3.	If the Creditor is a registered company: <ul style="list-style-type: none"> For UK companies: its registered number For other companies: the country or territory in which it is incorporated and the number if any under which it is registered The number, if any, under which it is registered as an overseas company under Part 34 of the Companies Act 	
4.	Total amount of claim, including any Value Added Tax, as at the date of administration, less any payments made after this date in relation to the claim, any deduction under R14.20 of the Insolvency (England & Wales) Rules 2016 and any adjustment by way of set-off in accordance with R14.24 and R14.25	£
5.	If the total amount above includes outstanding uncapitalised interest, please state	YES (£) / NO
6.	Particulars of how and when debt incurred	
7.	Particulars of any security held, the value of the security, and the date it was given	
8.	Details of any reservation of title in relation to goods to which the debt relates	
9.	Details of any document by reference to which the debt can be substantiated. [The administrator may call for any document or evidence to substantiate the claim at his discretion.]	
10.	Give details of whether the whole or any part of the debt falls within any (and if so which) of the categories of preferential debts under section 386 of, and schedule 6 to, the Insolvency Act 1986	Category Amount(s) claimed as preferential £
AUTHENTICATION		
Signature of Creditor or person authorised to act on his behalf		
Name in BLOCK LETTERS		
Date		
If signed by someone other than the Creditor, state your postal address and authority for signing on behalf of the Creditor		
Are you the sole member of the Creditor?		YES / NO

NOTICE SEEKING DEEMED CONSENT

Company Name: Darrice Ltd (trading as Henry Brummel) - in Administration ("the Company")
Company Number: 01622491
In the High Court of Justice, Chancery Division, Birmingham District Registry CR-2019-002510

This Notice is given under Rule 15.7 of the Insolvency (England & Wales) Rules 2016 ("the Rules"). It is delivered by the joint administrators of the Company, tri group, of Suite 1, Canon Court East, Abbey Lawn, Abbey Foregate, Shrewsbury, Shropshire, SY2 5DE, (telephone number 01743 233603), who was appointed by the director.

The joint administrators proposes that the following decisions be made.

1. That the joint administrators' statement of proposals be approved.
2. That a creditors' committee will not be established.
3. That the joint administrators be discharged from liability in respect of any action undertaken by them pursuant to Paragraph 98 of Schedule B1 of the Act, such discharge to take effect when the appointment of joint administrators ceases to have effect, as defined by the Act, unless the court specifies a time.

In respect of each of the decisions proposed above, if less than 10% in value of creditors (who would be entitled to vote if a vote were taken) ("the Threshold") object to it accordance with the procedure set out below, the creditors are to be treated as having made the proposed decision. Otherwise, the creditors are to be treated as not having made such decision and if a decision about that matter is again sought from the creditors, it must be sought using a qualifying decision procedure as defined by the Insolvency Act 1986.

In order to object to one or more of the proposed decisions, you must deliver a notice stating that you so object (and specifying to which one or more of the proposed decisions your objection relates) to the joint administrators not later than the Decision Date. In addition, you must have also delivered a proof of debt (unless one has already been submitted) by the Decision Date, failing which your objection will be disregarded.

It is the joint administrators' responsibility to aggregate any objections to see if the Threshold is met for the decision to be taken as not having been made.

If the Threshold is met, the deemed consent procedure will terminate without a decision being made and if a decision is sought again on the same matter it will be sought by a decision procedure.

All objections and proofs of debt must be submitted in writing to the Joint Administrators by one of the methods set out below:

By post to: Suite 1, Canon Court East, Abbey Lawn, Abbey Foregate, Shrewsbury SY2 5DE
By fax to: 01743 354777
By email to: sean.scully@trigroup.org

Please note that, if you are sending documents by post, you must ensure that you have allowed sufficient time for them to be delivered to the address above by the Decision Date set out below. An email is treated as delivered at 9am on the next business day after it was sent.

All objections and proofs of debt must be delivered by the Decision Date: 23.59 on 3 July 2019.

Any creditor whose debt is treated as a small debt in accordance with Rule 14.31(1) of the Rules must still deliver a proof if the creditor wishes to object. A creditor who has opted out from receiving notices may nevertheless object if the creditor also provides a proof by the Decision Date.

In addition, creditors who meet one or more of the statutory thresholds listed below may, within 5 business days from the date of the delivery of this Notice, require a physical meeting to be held to consider any matter.

Statutory thresholds to request a meeting:	10% in value of the creditors
	10% in number of the creditors
	10 creditors

A creditor may appeal a decision by application to the court in accordance with Rule 15.35 of the Rules. Any such appeal must be made not later than 21 days after the Decision Date.



Paul Harding
Joint Administrator

Dated: 19 June 2019

NOTICE OF OBJECTIONS

Company Name: Darrice Ltd (trading as Henry Brummell) - In Administration ("the Company")
Company Number: 01622491
In the High Court of Justice, Chancery Division no. CR-2019-002510 of 2019

On behalf of (name of Creditor): _____

at (address of Creditor): _____

I object to the following proposed decision(s):

Proposed Decision	Objected to?
That the joint administrators' statement of proposals be approved	Yes / No
That a creditors' committee will not be established	Yes / No
That the joint administrators be discharged from liability in respect of any action undertaken by them pursuant to Paragraph 98 of Schedule B1 of the Act, such discharge to take effect when the appointment of joint administrators ceases to have effect, as defined by the Act, unless the court specifies a time.	Yes / No

Are you also asking the joint administrators to convene a physical meeting of creditors?¹ ☐ Yes / ☐ No

Signed: _____

Dated: _____

Name in capitals: _____

Position with, or relationship to, Creditor or other authority for signature: _____

Are you the sole member/shareholder of the Creditor (where it is a company)? ☐ Yes / ☐ No

If you wish to lodge an objection, you must have delivered it, along with a completed proof of debt, by the Decision Date – 23.59 on 3 July 2019

– by one of the following methods:

Post: Suite 1, Canon Court East, Abbey Lawn, Abbey Foregate, Shrewsbury, Shropshire, SY2 5DE

Fax:

Email: please scan in a signed copy of this form and attach it as a pdf to

NOTE: if you agree with the proposed decisions set out above, you do not need to do anything

¹ Requests for a meeting must be delivered within 5 business days of the date of delivery of the Notice Seeking Deemed Consent.

NOTICE OF INVITATION TO FORM A CREDITORS' COMMITTEE**Appendix VIII****COMPANY NAME: DARRICE LTD (TRADING AS HENRY BRUMMEL) – IN ADMINISTRATION**
COMPANY NUMBER: 01622491

This Notice is given under Rule 3.39 of the Insolvency (England & Wales) Rules 2016 ("the Rules"). It is delivered by Paul William Harding, the joint administrator of the company, of tri group, Suite 1, Canon Court East, Abbey Lawn, Abbey Foregate, Shrewsbury SY4 5DE (telephone number 01743 233603), who was appointed by the director.

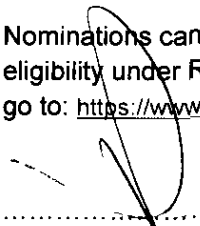
Creditors are invited to nominate creditors (which may include themselves) by completing the section below and returning this notice to the joint liquidators by one of the following methods:

By post to: Suite 1, Canon Court East, Abbey Lawn, Abbey Foregate, Shrewsbury SY4 5DE
By email to: sean.scully@trigroup.org

Please note that, if you are sending nominations by post, you must ensure that you have allowed sufficient time for the notice to be delivered to the address above by the date set out below. An email is treated as delivered at 9am on the next business day after it was sent.

All nominations must be delivered by: 4pm on 3 July 2019

Nominations can only be accepted if Paul William Harding is satisfied as to the nominated creditor's eligibility under Rule 17.4 of the Rules. For further information on the role of Creditors' Committees, go to: https://www.r3.org.uk/liquidation/creditors_committees_and_commissioners_a_guide_for_creditors


Paul William Harding – joint administrator

NOMINATIONS FOR MEMBERS OF A CREDITORS' COMMITTEE

On behalf of (name of Creditor), _____,

at (address of Creditor): _____,

I nominate the following creditor(s) to be member(s) of a Creditors' Committee (provide name(s) and address(es)):

1. _____
2. _____
3. _____

Signed: _____

Dated: _____

Name in capitals: _____

Position with, or relationship to, Creditor or other authority for signature: _____

Are you the sole member/shareholder of the Creditor (where it is a company)?

Yes / No
