

# AM10

## Notice of administrator's progress report



Companies House

THURSDAY



A14 \*A8AF95JD\* 25/07/2019 #2  
COMPANIES HOUSE

### 1 Company details

Company number 0 2 1 0 2 9 0 1  
Company name in full Freshfield Contracting Limited

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

### 2 Administrator's name

Full forename(s) Arron  
Surname Kendall

### 3 Administrator's address

Building name/number 88 Wood Street  
Street London  
Post town EC2V 7QF  
County/Region  
Postcode  
Country

### 4 Administrator's name ①

Full forename(s) Simon  
Surname Thomas

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

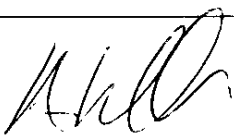
### 5 Administrator's address ②

Building name/number 88 Wood Street  
Street London  
Post town EC2V 7QF  
County/Region  
Postcode  
Country

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

# AM10

## Notice of administrator's progress report

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

# AM10

## Notice of administrator's progress report



### Presenter information

You do not have to give any contact information, but if you do it will help Companies House if there is a query on the form. The contact information you give will be visible to searchers of the public record.

Contact name **Michelle Sanchez**

Company name **Moorfields**

Address **88 Wood Street**

**London**

Post town **EC2V 7QF**

County/Region

Postcode

Country

DX

Telephone **0207 186 1144**



### 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 the form.



### Important information

All information on this form will appear on the public record.



### Where to send

You may return this form to any Companies House address, however for expediency we advise you to return it to the address below:

The Registrar of Companies, Companies House,  
Crown Way, Cardiff, Wales, CF14 3UZ.  
DX 33050 Cardiff.



### Further information

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

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



**Freshfield Contracting Limited (In Administration)**

**Joint Administrators' Seventh Progress Report**

**in accordance with**

**Rule 18.6 of the Insolvency (England & Wales) Rules 2016**

**22 July 2019**

**Delivered to Creditors on 24 July 2019**

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- IV Moorfields' Charging and Disbursement Recovery Policy

#### **Disclaimer:**

*This report has been prepared for the sole purpose of updating creditors for information purposes. 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 for any purpose other than updating them for information purposes, or by any other person for any purpose whatsoever*

## **Freshfield Contracting Limited – In Administration (“The Company”)**

### **1. Background and Statutory Information**

This is the Joint Administrators’ seventh progress report on the conduct of the Administration from 6 January 2019 to 5 July 2019 in accordance with the requirements of Rule 18.6 of the Insolvency (England & Wales) Rules 2016 (“the Rules”).

This report should be read in conjunction with the Joint Administrators’ previous reports dated 26 July 2016, 27 January 2017, 2 August 2017, 1 February 2018, 26 July 2018 and 29 January 2019. There has been no major deviation from the strategy as proposed.

As previously advised Kirstie Jane Provan and Jonathan James Beard (“the former Administrators”) of Begbies Traynor (Central) Limited were appointed to act as Joint Administrators on 28 November 2012.

Arron Kendall and Simon Thomas (“the Administrators”), both Licensed Insolvency Practitioners of Moorfields Advisory Limited (“Moorfields”), 88 Wood Street, London, EC2V 7QF, were subsequently appointed to act as replacement Joint Administrators on 6 January 2016.

To date, fees of £80,000 have been drawn in respect of the Administration by the Administrators. The former Administrators drew fees of £227,972 in relation to fees incurred during their time in office. Further information regarding fees is given in Section 4.

Due to the outstanding matters relating to the property known as Harbour Club Apartments, the Administration was further extended with the consent of the Court until 30 November 2019.

Based on current information, there will not be a distribution available to the unsecured creditors.

Statutory information relating to the Company and the Administrators’ appointment is attached at Appendix I.

The affairs, business and property of the Company are managed by the Administrators who act as agents of the Company and contract without personal liability.

### **2. Progress of the Administration**

The Administrators’ receipts and payments account for the period 6 January 2019 to 5 July 2019 is attached at Appendix II, together with a cumulative receipts and payments account for the period from 6 January 2016, the date of the Administrators appointment.

The Administrators would comment specifically as follows:

## **2.1 Realisation of Assets**

### Rental Income – Harbour Club Apartments

Rental income of £46,216 was received during the period, in respect of the unsold apartments which are let and managed by agents Leaders.

### Ground Rent

Ross and Co are instructed to manage the Harbour Club Apartments and collect ground rent and service charges from the leaseholders payable under the terms of the leases carved from the freehold.

Ground rent totalling £5,499 was realised during the period.

### Bank Interest

Bank interest totalling £34 was realised during the period.

## **2.2 Assets Still to be Realised**

### Harbour Club Apartments - Harbour Quay, Eastbourne BN23 5QG

As previously advised 11 apartments remain unsold at the development at Harbour Quay.

Of the 11 remaining apartments, eight apartments are let, and three apartments have been left vacant at the request of the secured creditor.

One of the vacant units is currently being marketed for sale.

At the time of our last report we were pursuing a sale of the freehold, which included the 11 unsold units. Section 5 notices had been issued to the leaseholders pursuant to the Landlord and Tenant Act 1987 to offer the leaseholders first refusal, albeit they did not exercise their rights.

Negotiations with one party to acquire the freehold continued for some considerable time. However, due to the protracted nature of the sale, the secured creditor decided to withdraw from the sale in March 2019.

No decisions have yet been made regarding the disposal of this asset in light of the aborted sale.

## **2.3 Sale of Assets to a Connected Party**

In accordance with Statement of Insolvency Practice ("SIP") 13, England & Wales, the Administrators can confirm they are not aware of any sales to connected parties in the period of the Administration or in the two years preceding the Administration Order.

## 2.4 Joint Administrators' Expenses

The expenses paid by the Joint Administrators in the period of this report are reflected in the receipts and payments account at Appendix II. The Administrators would comment as follows:

The statement excludes any potential tax liabilities that may be payable as an expense of the Administration in due course because amounts due will depend upon the position at the end of the tax accounting period.

## 2.5 Professional Advisers

The Administrators have used the professional advisers listed below, during the period:

Clarke Wilmott LLP	Abortive sale fee	Fixed Fee	6,098	6,098	-
Saffrey Champness	Tax Advisors	Fixed Fee	1,000	1,000	-
Leaders	Letting Agents	% of rent collected	4,315	4,315	-
Southern Counties Lift Services Limited	Lift Remedial Works	Fixed Fee	9,246	9,246	-

### Property Disbursements

Costs for maintaining the apartments totalled £3,777 during the period.

### Service Charge Voids

£20,080 has been paid in respect of landlord contribution for the unsold units for 2018 during the reporting period.

The Administrators' choice was based upon their perception of the advisers' experience and ability to perform this type of work, the complexity and nature of the assignment and the basis of the fee arrangement with them. The Administrators have reviewed the fees charged and are satisfied that they are reasonable in the circumstances of the case.

## 3. Pre-administration Costs

As previously reported, the pre-administration costs will be written off.



#### **4 Joint Administrators' Remuneration**

The statutory provisions relating to remuneration are set out in Rule 18.16 of the Rules. Further information about creditors' rights can be obtained by visiting the creditors' information micro-site published by the Association of Business Recovery Professionals (R3) at <http://www.creditorinsolvencyguide.co.uk/>. Details about how an office holder's fees may be approved for each case type are available in a series of Guidance Notes issued with SIP 9, and they can be accessed at <http://www.icaew.com/en/technical/insolvency/creditors-guides>. Please refer to the April 2017 version. Please note that we have also provided further details in the practice fee recovery sheet.

The former Administrators remuneration was agreed by the secured creditors in accordance with Rule 2.106(5A) of the Insolvency (England & Wales) Rules 1986, and by reference to time properly given by them (as Administrators) and the various grades of their staff. The former Administrators were also authorised to draw Category 2 disbursements.

Following legal advice and in accordance with Rule 18.31 of the Rules, the Administrators are entitled to rely on the fee approval obtained by the former Administrators.

Attached at Appendix III is a SIP 9 time and cost analysis which provides details of the activity costs incurred by staff grade by reference to time properly spent by the Administrators in managing the Administration during this period. Time costs for the period 6 January 2019 to 5 July 2019 are £47,996. This represents 132 hours at an average hourly rate of £365 per hour.

Also attached as Appendix III is a cumulative time analysis for the period from 6 January 2016 to 5 July 2019 which shows time costs of £301,980, representing 969 hours at an average hourly rate of £312.

To date, the Administrators have drawn fees totalling £80,000. Fees drawn by the former Administrators total £227,972 in relation to time costs incurred during their period in office.

It is the Administrators' policy to delegate the routine administrative tasks to less senior staff in order to maximise the cost effectiveness of the work performed. These staff are supervised by senior staff and the Administrators. Any matter of complexity or significance is dealt with by the senior staff on the team and the Administrators.

There is certain work that the Administrators are required by the insolvency legislation to undertake in connection with the Administration that provides no financial benefit for the creditors. Attached at Appendix IV is a schedule detailing activity undertaken together with supporting information in accordance with SIP 9. This also contains additional information in relation to this firm's policy on staffing, disbursements and details of our current charge-out rates by staff grade.

## 5. Joint Administrators' Disbursements

All expenses and disbursements paid by the Administrators are reflected in the receipts and payments account at Appendix II.

In accordance with SIP 9, where expenses are incurred by Moorfields in respect of the insolvent estate they may be recharged. Such expenses can be divided into two categories, details of which are provided at Appendix IV.

### Category 1 Disbursements

In line with SIP 9, it is our policy to disclose Category 1 disbursements drawn but not to seek approval for their payment. We are prepared to provide such additional information as may reasonably be required to support the disbursements drawn.

The Administrators' have incurred Category 1 disbursements of £10 during the period which have been paid, details of which are below:

Conference Calls	10	10	-
<b>Total</b>	<b>10</b>	<b>10</b>	<b>-</b>

### Category 2 Disbursements

The Administrators' have incurred Category 2 disbursements of £27 during the period, in respect of photocopying and postage costs, which have been paid:

Photocopying	4	4	-
Postage	23	23	-
<b>Total</b>	<b>27</b>	<b>27</b>	<b>-</b>

## 6. Prescribed Part

Under the provisions of Section 176A of the Insolvency Act 1986 the Administrators must state the amount of funds available to unsecured creditors in respect of the Prescribed Part. This provision only applies where the company has granted a floating charge to a creditor after 15 September 2003.

The Prescribed Part (section 176A of the Insolvency Act 1986 (Prescribed Part) Order 2003) applies where there are floating charge realisations, net of costs and preferential claims (the 'net property'), to be set aside for unsecured creditors. This equates to:

- 50% of net property up to £10,000
- Plus, 20% of net property in excess of £10,000
- Up to a maximum of £600,000.

The Company's net property is the amount of its property subject to any floating charges created by the Company after allowing for costs and claims of preferential creditors

A floating charge was granted in favour of Clydesdale Bank Plc, the former secured creditor, on 5 September 2005 and subsequently the charge was assigned to Promontoria (Chestnut) Limited ("Promontoria") therefore the Prescribed Part would ordinarily apply.

Based on present information the Administrators estimate that, after allowing for costs, there will be no net property from which to retain and distribute the Prescribed Part.

Please note that the net property and Prescribed Part calculation can only be estimated at this stage. The value of any prescribed part may be subject to change once creditor claims and the Administrators' costs and expenses have been finalised.

## **7. Estimated Outcome for Creditors**

### Secured Creditors

To date £969,362 has been distributed to Promontoria. Based on current information the secured creditor is expected to suffer a shortfall.

As detailed in Section 6, a floating charge was granted on 5 September 2005 and the Prescribed Part would therefore ordinarily apply. However, based on present information the Administrators estimate that, after allowing for costs, there will be no net property from which to retain and distribute the Prescribed Part.

### Preferential Creditors

There are no preferential creditors.

### Unsecured Creditors

The director's Statement of Affairs, provided to the former Administrators and filed at the Registrar of Companies, lists 19 unsecured creditors with debts totalling £1,103,000.

To date, no unsecured claims have been received by the Administrators.

Based on current information, and in accordance with information available at the time of the former Administrators' proposals, the Administrators do not anticipate there being sufficient funds to enable a dividend to be paid to the unsecured creditors of the Company.

## **8. Investigations**

In accordance with the Company Directors Disqualification Act 1986 the Administrators would confirm that they have seen evidence that the former Administrators submitted a report on the conduct of the directors of the Company to

the Department for Business Energy & Industrial Strategy. As this is a confidential report, the contents of the report cannot be disclosed.

If creditors wish to bring any matters, they believe to be relevant to the attention of the Administrators, they are invited to do so in writing to Arron Kendall and Simon Thomas at Moorfields, 88 Wood Street, London EC2V 7QF.

## **9. Exit from Administration**

As outlined in the initial report to creditors, as circulated by the former Administrators, the Company is expected to exit the Administration by way of dissolution or Creditors Voluntary Liquidation.

On 28 November 2018, the Court made an Order extending the Administration to 30 November 2019 to enable the Joint Administrators to complete the outstanding tasks in the Administration, as outlined in this report.

The Administrators will seek to be discharged from liability under Paragraph 98(3) of Schedule B1 to the Insolvency Act 1986 immediately upon their appointment as Joint Administrators ceasing to have effect.

## **10. Creditors' Rights**

Within 21 Days of the delivery of this report, a secured creditor, or an unsecured creditor (with concurrence of at least 5% in value of the unsecured creditors) may request in writing that the Joint Administrators provide further information about their remuneration or expenses (other than pre-administration costs) which have been itemised in this progress report.

Any secured creditor, or an unsecured creditor (with the concurrence of at least 10% in value of the unsecured creditors) may within 8 weeks of receipt of this progress report make an application to court on the grounds that the basis fixed for the Joint Administrators' remuneration, the remuneration charged, or the expenses incurred by the Joint Administrators as set out in the progress report are excessive (Rule 18.34).

## **Further Information**

To comply with the Provision of Services Regulations, some general information about Moorfields, including about our complaints policy and Professional Indemnity Insurance, can be found at <http://www.moorfieldscr.com/terms-and-conditions>.

In accordance with the provisions of the General Data Protection Regulations the lawful basis for processing your personal data is in order to comply with my legal obligations set out in the Insolvency Legislation, the purpose of processing the data is to administer the insolvent estate. Your data will be retained by me for 6 years and 3 months following my vacation of office. Further details regarding how we process your personal data can be found in our Privacy policy located here: <https://www.moorfieldscr.com/privacy-policy>

## **Ethics**

Finally, as an Insolvency Practitioner, when carrying out all professional work relating to my appointment as Joint Administrator, I would confirm that I am bound by the Insolvency Code of Ethics. I can confirm that no threats to the Fundamental Principles exist.

If you have any queries regarding this report, please contact Michelle Sanchez of this office in the first instance.

I will report to you again at the conclusion of the Administration or in six months' time, whichever is the sooner.

For and on behalf of  
Freshfield Contracting Limited



**A S Kendall**  
**Joint Administrator**

DDI 0207 186 1175  
Fax 0207 186 1177  
Email [msanchez@moorfieldscr.com](mailto:msanchez@moorfieldscr.com)

Arron Kendall and Simon Thomas of Moorfields, 88 Wood Street, London, EC2V 7QF were appointed Joint Administrators on 6 January, 2016. The Administrators now manage the affairs, business and property of the Company. The Joint Administrators act as agents only and without personal liability.

## Freshfield Contracting Limited Statutory Information

### Company Information

Company Name	Freshfield Contracting Limited
Registered Office:	Moorfields Advisory Limited, 88 Wood Street, London, EC2V 7QF
Trading Address:	Harbour Club Apartments, Harbour Quay, Eastbourne, BN23 5QF
Principal Activity:	Development and Sale of Real Estate

### Previous Appointment Details

Previous Administrators:	Kirstie Jane Provan and Jonathan James Beard (IP numbers 9681 & 9552)
Previous Administrators Address:	Begbies Traynor (Central) LLP, 32 Cornhill, London, EC3V 3BT
Court:	In the High Court of Justice, Chancery Division
Court Number:	9103 of 2012
Appointed By:	Clydesdale Bank Plc
Date of Appointment:	28 November 2012
Date of Resignation:	6 January 2016

### Current Appointment Details

Current Joint Administrators:	Arron Kendall and Simon Thomas (IP numbers 16050 & 8920)
Current Joint Administrators address:	Moorfields, 88 Wood Street, London, EC2V 7QF
Date of appointment:	6 January 2016
Court:	In the High Court of Justice, Chancery Division
Court Reference:	000060 of 2016

Freshfield Contracting Limited – In Administration  
Joint Administrators Seventh Progress Report

Appointed by:	Promontoria (Chestnut) Limited
Functions:	Any act required or authorised under any enactment to be done by an Administrator may be done by either or both of the Joint Administrators acting jointly or alone.
EU Regulations:	The Company's registered office is from where the Company carries on its business. Therefore, in the absence of proof to the contrary, the Company's centre of main interests is in the United Kingdom and as such these proceedings will be the main proceedings as defined in article 3 of the EU regulation.
Extensions:	(1) Court application – 12 Months until 28 May 2014 (2) Court application – 18 Months until 30 November 2015 (3) Court application – 18 Months until 30 November 2017 (4) Court application – 12 Months until 30 November 2018 (5) Court application – 12 Months until 30 November 2019

**Freshfield Contracting Limited**  
**(In Administration)**  
**Joint Administrators' Summary of Receipts and Payments**

**Appendix II**

<b>RECEIPTS</b>	<b>Statement of Affairs (£)</b>	<b>From 06/01/2016 To 05/01/2019 (£)</b>	<b>From 06/01/2019 To 05/07/2019 (£)</b>	<b>Cumulative Total (£)</b>
Internet		80.55	0.00	80.55
Sale of Leasehold - Flat 4		350,000.00	0.00	350,000.00
Sale of leasehold - Flat 23		340,000.00	0.00	340,000.00
Sale of Leasehold - Flat 17		330,000.00	0.00	330,000.00
Misc Income		1,655.75	0.00	1,655.75
Bank Interest		564.32	33.69	598.01
Rental income		351,686.42	46,216.02	397,902.44
Surplus from Begbies		160,253.84	0.00	160,253.84
Refund of landlords building reserve		1,950.00	0.00	1,950.00
Ground Rent		2,627.40	5,499.00	8,126.40
		<b>1,538,818.28</b>	<b>51,748.71</b>	<b>1,590,566.99</b>
<b>PAYMENTS</b>				
Heat & Light		492.70	444.23	936.93
Service charge contribution		112.29	0.00	112.29
Office Holders Fees		80,000.00	0.00	80,000.00
Office Holders' Cat 1 disbursements		383.10	0.00	383.10
Office Holders' Cat 2 disbursements		156.78	0.00	156.78
Legal Fees		17,578.50	6,098.00	23,676.50
Agents/Valuers Fees		8,392.00	1,000.00	9,392.00
Insurance of assets		11,830.32	(5,915.14)	5,915.18
Agents - sales commission		10,200.00	0.00	10,200.00
Postage & Stationery		70.00	0.00	70.00
Retention		1,227.05	(458.70)	768.35
Service charge voids		40,626.08	20,079.77	60,705.85
Agents - commission		31,675.78	4,314.99	35,990.77
Property disbursements		14,165.02	3,776.60	17,941.62
Stat advertising		84.60	0.00	84.60
Property expenditure		220,978.83	9,246.00	230,224.83
Chargeholder (1)		969,362.00	0.00	969,362.00
		<b>1,407,335.05</b>	<b>38,585.75</b>	<b>1,445,920.80</b>
<b>Net Receipts/(Payments)</b>		<b>131,483.23</b>	<b>13,162.96</b>	<b>144,646.19</b>
<b>MADE UP AS FOLLOWS</b>				
Bank 1 Current		55,993.32	(49,820.67)	6,172.65
Bank 1 Current		0.00	60,001.64	60,001.64
Fixed Ch Vat Receivable		75,489.91	2,981.99	78,471.90
		<b>131,483.23</b>	<b>13,162.96</b>	<b>144,646.19</b>

**Note:**

- Funds are held in interest-bearing bank accounts
- The receipts and payments account does not incorporate transactions completed by the former Administrators, during their time in office.
- The Statement of Affairs figures are not included in the receipts and payment account. A Statement of Affairs for the Company was provided to the former Administrators, showing the Company's position as at 28 November 2012. Please refer to the former Administrators Statements of Proposals dated 18 January 2013 for a comparison.



# Time Entry - SIP9 Time & Cost Summary

## Appendix III

FRES001 - Freshfield Contracting Limited  
Project Code: POST  
From 06/01/2019 To 05/07/2019

Classification of Work Function	Partner	Manager	Other Senior Professionals	Assistants & Support Staff	Total Hours	Time Cost (£)	Average Hourly Rate (£)
Admin & Planning	4.00	3.25	5.90	8.40	21.55	6,592.50	305.92
Asset Realisation	3.50	89.35	8.00	0.30	101.15	37,959.00	375.27
Case Specific Matters	0.00	0.75	0.00	0.00	0.75	285.00	380.00
Chargeable - expenses	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Creditors	0.00	3.00	0.40	0.00	3.40	1,242.00	365.29
Investigations	2.00	0.00	0.00	0.00	2.00	1,090.00	545.00
Non-chargeable - expenses	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Trading	0.00	1.00	1.60	0.20	2.80	827.00	295.36
<b>Total Hours</b>	<b>9.50</b>	<b>97.35</b>	<b>15.90</b>	<b>8.90</b>	<b>131.65</b>	<b>47,995.50</b>	<b>364.57</b>
<b>Total Fees Claimed</b>						<b>0.00</b>	
<b>Total Disbursements Claimed</b>						<b>0.00</b>	

# Time Entry - Detailed SIP9 Time & Cost Summary

FRES001 - Freshfield Contracting Limited  
From 06/01/2016 To 05/07/2019  
Project Code: POST

Classification of Work Function	Partner	Manager	Other Senior Professionals	Assistants & Support Staff	Total Hours	Time Cost (£)	Average Hourly Rate (£)
10 Case Planning	0.00	2.25	6.30	0.00	8.55	2,556.75	299.04
11 Administrative Set Up	0.00	0.00	1.00	0.00	1.00	257.00	257.00
12 Appointment Notification	0.00	0.00	3.90	0.00	3.90	958.50	245.77
13 Maintenance of Records	0.00	0.00	7.40	0.00	7.40	1,197.00	161.76
14 Statutory Reporting	0.00	14.15	42.80	0.00	56.95	16,457.50	288.98
15 Case Monitoring	8.50	16.40	5.10	23.30	53.30	16,175.25	303.48
16 IPS Case Set Up	0.00	0.00	0.70	0.00	0.70	178.50	255.00
17 General Administration	0.00	0.40	19.45	31.70	51.55	10,193.75	197.74
18 Cashiering	1.30	1.45	21.60	47.70	72.05	15,815.75	219.51
19 Partner Review	1.00	0.00	0.00	0.00	1.00	545.00	545.00
70 Post appoint VAT and CT returns	0.00	2.50	3.30	0.00	5.80	1,785.75	307.89
<b>Admin &amp; Planning</b>	<b>10.80</b>	<b>37.15</b>	<b>111.55</b>	<b>102.70</b>	<b>262.20</b>	<b>66,120.75</b>	<b>252.18</b>
71 Other Assets	0.00	4.75	0.30	0.00	5.05	1,762.75	349.06
47 Intangible Assets - Intellectual Property, etc	0.00	0.75	0.00	0.00	0.75	266.25	355.00
77 Managing Agent	0.00	0.00	89.80	0.00	89.80	22,916.00	255.19
30 Freehold / Leasehold Property	25.50	344.40	66.15	0.30	436.35	159,585.75	366.73
34 Debtors	0.00	0.00	0.10	0.00	0.10	25.50	255.00
35 Sale of Business	0.00	0.50	0.00	0.00	0.50	177.50	355.00
36 Identifying, Securing, Insuring	0.00	4.75	4.95	0.00	9.70	3,037.00	313.09
38 Asset related legal matters	0.00	2.50	0.10	0.00	2.60	913.00	351.15
<b>Asset Realisation</b>	<b>25.50</b>	<b>357.65</b>	<b>161.40</b>	<b>0.30</b>	<b>544.85</b>	<b>188,683.75</b>	<b>346.30</b>
60 Case Specific	0.00	1.50	0.00	0.00	1.50	532.50	355.00
72 Legal Matters	0.00	14.00	8.00	0.00	22.00	7,440.50	338.20
<b>Case Specific Matters</b>	<b>0.00</b>	<b>15.50</b>	<b>8.00</b>	<b>0.00</b>	<b>23.50</b>	<b>7,973.00</b>	<b>339.28</b>
73 Preferential creditor claims	0.00	0.50	0.00	0.00	0.50	190.00	380.00
50 Creditor Correspondence	0.00	1.25	0.90	0.00	2.15	704.75	327.79
51 Unsecured creditor claims	0.00	0.00	0.30	0.00	0.30	90.00	300.00
52 Secured creditor claims/Reporting	0.00	12.25	3.50	0.00	15.75	5,623.75	357.06
63 Secured creditor reports	1.00	0.50	76.35	0.00	77.85	20,850.75	267.83
<b>Creditors</b>	<b>1.00</b>	<b>14.50</b>	<b>81.05</b>	<b>0.00</b>	<b>96.55</b>	<b>27,459.25</b>	<b>284.40</b>
65 Director's Correspondence	0.00	0.00	0.50	0.00	0.50	127.50	255.00
21 CDDA Reports	0.00	0.00	0.70	0.00	0.70	178.50	255.00
22 Antecedent Transactions	2.00	1.15	13.78	0.00	16.93	4,610.75	272.34
<b>Investigations</b>	<b>2.00</b>	<b>1.15</b>	<b>14.98</b>	<b>0.00</b>	<b>16.13</b>	<b>4,916.75</b>	<b>271.19</b>
40 Management of Operations	0.00	0.00	0.50	1.30	1.80	403.50	224.17
41 Accounting for Trading	0.00	4.00	0.00	0.00	4.00	1,420.00	355.00
43 Planning Trading	0.00	1.00	0.00	0.00	1.00	355.00	355.00

# Time Entry - Detailed SIP9 Time & Cost Summary

## Appendix III

FRES001 - Freshfield Contracting Limited  
From 06/01/2016 To: 05/07/2019  
Project Code: POST

Classification of Work Function	Partner	Manager	Other Senior Professionals	Assistants & Support Staff	Total Hours	Time Cost (£)	Average Hourly Rate (£)
45 Negotiating with Suppliers	0.00	0.00	8.45	0.00	8.45	1,901.25	225.00
49 Tax on post appointment trading	0.00	6.25	1.90	0.00	8.15	2,747.00	337.06
Trading	0.00	11.25	10.85	1.30	23.40	6,826.75	291.74
Total Hours	39.30	437.20	387.83	104.30	968.83	301,980.25	311.76
Total Fees Claimed						80,000.00	

**Freshfield Contracting Limited – In Administration**  
**Explanation of office-holders charging and disbursement recovery policies**

In accordance with best practice we provide below details of policies of Moorfields, in respect of fees and disbursements for work in relation to insolvency estates.

This summary outlines the activities undertaken during this matter to date together with details of charge out rates for time costs incurred and the basis of disbursements incurred and recharged.

The activities are summarised as follows:

Administration and planning

The following activities have been undertaken:

- Maintaining case files
- Reviewing available information to determine the appropriate strategy;
- Maintaining bank accounts;
- Implementing the strategy for the Administration;
- 6 monthly progress reviews of the case;
- Correspondence with the former Administrators;
- *Cashiering; and*
- Filing of 6 monthly returns at Companies House.

Staff of different levels were involved in the above activities depending upon the experience required.

Realisation of assets

Appendix II shows the realisations made for the benefit of the creditors. In this case the assets belonging to the Company were as follows;

- 11 unsold apartments

The time spent includes the following matters:

- On-going maintenance works at the Harbour Club Apartments;
- Liaising with Leaders to let vacant units;
- Liaising with Leaders in respect of rent collection and maintenance issues;
- Correspondence and meetings with Ross & Co and contractors in respect of lift replacement and budgeting;
- Liaising with Leaders and tenants regarding the remedial works and installation of the lift;
- Liaising with solicitors and marketing agents regarding the proposed sale of the Harbour Club Apartments.

## Creditors

The time spent includes the following matters:

- Recording and maintaining the list of creditors;
- Dealing with specific creditor calls and correspondence;
- Reporting to creditors;
- Communicating with the secured creditor in respect of assets subject to fixed charge.

## Investigations and communications

The time spent includes the following matters:

- Reviewing the Company records.

## Trading

- Management of operations
- Tax on post appointment trading

## **Time recording**

The Partners will engage managers and other staff to work on the insolvent estate and statutory compliance diaries. The work required is delegated to the most appropriate level of staff taking account of the nature of the work and the individual's experience. Additional assistance is provided by accounting and treasury executives dealing with the estate's bank accounts. Work carried out by all staff is subject to the overall supervision of the Partners.

All time spent by staff working directly on case related matters is charged to a time code established for the case. Each member of staff has a specific hourly rate, which is subject to change over time.

The current charge out rates per hour of staff within the firm who may be involved in working on the insolvency follows, this in no way implies that staff at all such grades will work on the case:

<b>GRADE</b>	<b>£</b>
Partner	545
Director/ Senior Manager	450
Manager	380
Assistant Manager	300
Senior Associate	255
Associate	225
Cashier/ Support	195

The rates charged by Moorfields are reviewed periodically in January & July each year and are adjusted to take account of inflation and the firm's overheads.

Our rates increased on 1 January 2018. The charge out rates per hour for the period from 1 January 2017 to 31 December 2017 were:

<b>GRADE</b>	<b>£</b>
Partner	530
Director/ Senior Manager	450
Manager	355
Assistant Manager	300
Senior Administrator	255
Administrator	195-225
Cashier/ Support	195

Time spent on casework is recorded directly to the relevant case using a computerised time recording system and the nature of the work undertaken is recorded at that time in units of 6 minutes.

Where an officeholder's remuneration is approved on a time cost basis the time invoiced to the case will be subject to VAT at the prevailing rate.

Where remuneration has been approved on a time cost basis the time invoiced will be provided to any committee appointed by the creditors or in the absence of a committee to the creditors, the report will provide a breakdown of the remuneration drawn and will enable the recipients to see the average rates of such costs. The current hourly rates may be higher than the average rates, if hourly rates have increased over the period covered by the fee request.

Approved remuneration will be drawn at such times that sufficient funds are available.

For your information, A Creditor's Guide to Administrators' Fees can be obtained at <http://www.icaew.com/~media/Files/Technical/Insolvency/creditors-guides/creditors-guide-to-administrators-fees-england-and-wales-apr-10.pdf>

## **Disbursement Recovery**

### Category 1 Disbursements

Separate charges are made in respect of directly attributable expenses (Category 1 disbursements) such as travelling, postage, photocopying if external provider, statutory advertising and other expenses made on behalf of the assignment.

Such disbursements can be paid from the insolvent's assets without approval from the Creditors' Committee or the general body of creditors. In line with SIP 9, it is our policy to disclose Category 1 disbursements drawn but not to seek approval for their payment. We

are prepared to provide such additional information as may reasonably be required to support the disbursements drawn.

#### Category 2 Disbursements

Category 2 disbursements do require approval from creditors. These disbursements can include costs incurred by Moorfields for the provision of services which include an element of recharged overhead, for example, room hire or document storage. SIP 9 provides that such disbursements are subject to approval as if they were remuneration. It is our policy, in line with the Statement, to seek approval for Category 2 disbursements before they are drawn.

The following Category 2 disbursements may be charged by this firm

- Stationery and postage charge for sending out circulars – 5 pence per sheet plus postage at cost.
- A set-up charge of £50 per case for online creditor reporting where applicable.
- Mileage allowances are paid at HM Revenue & Customs approved rates. For personnel using their own vehicles, these are currently 45 pence per mile for the first 10,000 miles and 25 pence per mile thereafter.
- A charge of £10 for identification search's per director to comply with Money Laundering Regulations.

It should be noted that disbursements costs might increase from time to time, however, increases would only be in line with inflation or increases from our supplier.