

AM23

Notice of move from administration to dissolution



Companies House

For further information, please refer to our guidance at www.gov.uk/companieshouse

1 Company details

Company number 02102901
Company name in full Freshfield Contracting Limited

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

2 Court details

Court name High Court of Justice
Court number 2016-0000602016

3 Administrator's name

Full forename(s) Arron
Surname Kendall

4 Administrator's address

Building name/number 20 Old Bailey
Street London
Post town EC4M 7AN
County/Region
Postcode
Country

AM23

Notice of move from administration to dissolution

5	Administrator's name ①		
Full forename(s)	Simon		① Other administrator Use this section to tell us about another administrator.
Surname	Thomas		
6	Administrator's address ②		
Building name/number	20 Old Bailey		② Other administrator Use this section to tell us about another administrator.
Street	London		
Post town	EC4M 7AN		
County/Region			
Postcode	[][][][][][][][]		
Country			
7	Final progress report		
	<input checked="" type="checkbox"/> I have attached a copy of the final progress report		
8	Sign and date		
Administrator's signature	Signature X  X		
Signature date	d 1 5 m 1 1 y 2 0 y 2 1		

**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 **20 Old Bailey**

Post town **London**

County/Region

Postcode **E C 4 M 7 A N**

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 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

Freshfield Contracting Limited
(In Administration)
Joint Administrators' Trading Account

Statement of Affairs £	From 06/07/2021 To 15/10/2021 £	From 28/11/2012 To 15/10/2021 £
TRADING EXPENDITURE		
Heat & Light	NIL	1,767.70
Internet	NIL	(80.55)
	NIL	(1,687.15)
TRADING SURPLUS/(DEFICIT)	NIL	(1,687.15)

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

Statement of Affairs £	From 06/07/2021 To 15/10/2021 £	From 28/11/2012 To 15/10/2021 £
SECURED ASSETS		
Freehold Land & Property	NIL	100,000.00
Sale of Leasehold - Flat 4	NIL	350,000.00
Sale of leasehold - Flat 23	NIL	340,000.00
Sale of Leasehold - Flat 17	NIL	330,000.00
Misc Income	NIL	1,655.75
Sale of Leasehold - Flat 10	NIL	355,000.00
Bank Interest	NIL	988.87
Sale of Leasehold (flats 3,6,9,12,18,19	NIL	2,300,000.00
Service charge contribution	NIL	4,052.36
Rental income	(768.35)	485,956.25
Surplus from Begbies	NIL	160,253.84
Refund of landlords building reserve	NIL	1,950.00
Ground Rent	NIL	17,990.89
	(768.35)	4,447,847.96
COSTS OF REALISATION		
Office Holders Fees	100,000.00	400,000.00
Office Holders' Cat 1 disbursements	NIL	945.62
Office Holders' Cat 2 disbursements	NIL	211.45
Legal Fees	NIL	45,942.86
Agents/Valuers Fees	NIL	31,172.00
Insurance of assets	NIL	5,915.18
Agents - sales commission	NIL	36,750.00
Postage & Stationery	NIL	70.00
Retention	(768.35)	NIL
Service charge voids	NIL	92,786.93
Agents - letting commission	NIL	44,578.12
Property disbursements	NIL	33,924.48
Stat advertising	NIL	84.60
Property expenditure	NIL	230,224.83
Legal Disbursements	NIL	469.00
Storage Costs	NIL	70.00
	(99,231.65)	(923,145.07)
SECURED CREDITORS		
Chargeholder (1)	NIL	3,483,105.90
	NIL	(3,483,105.90)
Service charge voids		
VAT Irrecoverable	9,517.91	9,517.91
	(9,517.91)	(9,517.91)
ASSET REALISATIONS		
Trading Surplus/(Deficit)	NIL	(1,687.15)
	NIL	(1,687.15)
UNSECURED CREDITORS		
(1,102,965.45) Trade & Expense Creditors	NIL	NIL
	NIL	NIL
(1,102,965.45)	(109,517.91)	30,391.93
REPRESENTED BY		
Bank 1 Current NIB 21042021		10,391.93
Fixed Ch Vat Receivable		20,000.00
		30,391.93

In the High Court of Justice Reference No. 2016-000060

Freshfield Contracting Limited
(In Administration)

The Joint Administrators' Final Progress Report to 15 October 2021

Arron Kendall
Simon Thomas

Moorfields
20 Old Bailey, London, EC4M 7AN
0207 186 1175
msanchez@moorfieldscr.com

This report has been prepared for the sole purpose of updating the 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.

Arron Kendall and Simon Thomas were appointed Joint Administrators of Freshfield Contracting Limited on 06 January 2016. 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.

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1. EXECUTIVE SUMMARY

This report describes the progress since the last progress report dated 20 July 2021, in addition to summarising the progress of the Administration as a whole.

A summary of key information in this report is detailed below.

Asset realisations

Asset	Realisations in the Review Period	Realisations in the Administration
Freehold Land & Property	Nil	100,000.00
Leasehold Land & Property	Nil	3,675,000.00
Misc Income	Nil	1,655.75
Bank Interest	Nil	988.87
Service charge contribution	Nil	4,052.36
Rental income	Nil	485,956.25
Surplus from former Administrators	Nil	160,253.84
Refund of landlords building reserve	Nil	1,950.00
Ground rent	Nil	17,990.89
Internet refund	Nil	80.55

Expenses

Expense	Total expenses paid in the Review Period	Total expense incurred	Total expense paid
Joint Administrators' fees	130,391.93	430,391.93	430,391.93
Joint Administrators' category 1 disbursements	Nil	945.62	945.62
Joint Administrators' category 2 disbursements	Nil	211.45	211.45
Solicitors' fees	Nil	45,942.86	45,942.86
Solicitors' disbursements	Nil	469.00	469.00
Agents/Valuers fees	Nil	31,172.00	31,172.00
Insurance	Nil	5,915.18	5,915.18
Heat & light	Nil	1,767.70	1,767.70
Sale Agent's fees	Nil	36,750	36,750
Postage & stationery	Nil	70.00	70.00
Service charge voids	Nil	92,786.93	92,786.93
Letting fees	Nil	44,578.12	44,578.12
Property disbursements	Nil	33,924.48	33,924.48
Statutory advertising	Nil	84.60	84.60
Property expenditure	Nil	230,224.83	230,224.83
Storage costs	Nil	70.00	

Dividends

Creditor class	Distribution / dividend paid in the Administration
Secured creditor	3,483,105.90
Preferential creditors	N/A
Secondary Preferential creditors	N/A
Unsecured creditors	Nil

An extension to the period of Administration of 12 months granted by the Court on 27 November 2017 and again on 28 November 2018. A further extension to the period of the Administration of 24 months was granted by the Court on 25 November 2019 and thus the Administration is now scheduled to end on 30 November 2021.

Outcome of the Administration

It had been envisaged that the third Administration objective would be achieved, namely that property would be realised in order to make a distribution to one or more secured or preferential creditors. This report explains how this Administration objective was achieved.

The Joint Administrators are now in the process of filing the Notice of the Move to Dissolution, which will bring their office and the Administration to an end.

1. THE PROGRESS OF THE ADMINISTRATION

As previously reported, Freshfield Contracting Limited ("the Company") was incorporated on 24 February 1987 and operated as a property developer. Clydesdale Bank Plc ("the Bank") provided funding to enable the Company to undertake a development in Eastbourne consisting of two phases (1) the Club House and ground floor retail premises for the Sovereign Harbour Yacht Club, which was completed in December 2005, and (2) the development of 24 apartments with underground parking spaces which suffered project delays causing a significant increase in costs.

The apartments were eventually completed in 2009, however, the project overspend and level of funding required, compared to the value of the apartments, was of concern to the Bank. In addition, sales of the apartments were very slow and most of the units had been rented out on assured shorthold tenancies ("ASTs").

The Bank was of the opinion it was likely to suffer a shortfall and decided that administration was the most appropriate course of action. Kirstie Proven and Jonathan Beard of Begbies Traynor (Central) LLP were appointed Administrators on 28 November 2012. The Bank subsequently assigned the legal charge and debt to Promontoria (Chestnut) Limited ("Promontoria") on 28 November 2014.

Together with Simon Thomas, I replaced the existing Administrators on 6 January 2016.

Of the 24 apartments, ten were sold prior to our appointment.

Unfortunately, there were serious defects affecting the building and water ingress was present in the flat roofs, which permeated one of the lift shafts rendering the lift non-operational.

The Administrators instructed Kingston Morehen surveyors to prepare a report on the rooftop water ingress issues and provide consultancy advice. Following the surveyor's initial report, the Administrators instructed Clarkes Roofing ("Clarkes") to waterproof the flat roofs and carry out additional remedial works. In addition, Southern Counties Lift Services were engaged to replace the faulty lift. The water ingress works were completed in late 2018 and the lift replaced in early 2019.

Parallel to the remedial works being undertaken, Leaders, who operated as both the managing and marketing agents for the development, were initially instructed to dispose of the unsold apartments on a piecemeal basis and four apartments were sold by the end of 2019.

There remained ten unsold units and the freehold, the disposal of which has now taken place and is discussed in more detail below.

2.1 The Joint **Administrators**' final receipts and payments account

Attached at Appendix III is a receipts and payments account covering the period from 6 July 2021 to 15 October 2021 ("the Review Period") together with a summary of the transactions in the previous review periods.

In this section, we have summarised the main asset realisations during the Review Period and in the Administration as a whole, together with details of the associated costs incurred. For a detailed list of work undertaken by the Joint Administrators as a whole, see Appendix VII.

2.2 Administration (including statutory reporting)

The Joint Administrators have met a considerable number of statutory and regulatory obligations. Whilst many of these tasks have not had a direct benefit in enhancing realisations for the insolvent estate, they have assisted in the efficient and compliant progressing of the administration, which has ensured that the Joint Administrators and their staff have carried out their work to high professional standards.

During the Review Period, primarily these tasks have included:

- Considering whether an extension to the Administration is necessary and, if so, seeking approval for this via creditors or the court and issuing notice of the outcome;
- Considering which exit route from Administration is appropriate and drafting this final report;
- 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;
- Monitoring and maintaining an adequate statutory bond;
- Conducting periodic case reviews to ensure that the administration 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; and
- Completing periodic tax returns.

2.4 Realisation of assets

No assets were realised during the Review Period.

Surplus from Begbies

The former Administrators transferred a balance of £160,253.84 representing cash in the Administration estate upon our appointment.

Freehold and Leasehold Land & Property

As advised above, Leaders were initially instructed to market some of the apartments for sale. In October 2017, a sale of the leasehold for flat 4 completed for £350,000, in December 2017 a sale of the leasehold for flat 23 completed for £340,000 and the lease to apartment 17 was sold for £330,000 in March 2018.

As the sale of the apartments slowed, the Administrators dis-instructed Leaders and engaged Fox & Sons to commence marketing. Subsequently, we sold apartment 10 in December 2019 for £340,000.

Drydenfairfax Solicitors dealt with the conveyancing of the leasehold sales.

In October 2018, the Administrators accepted an offer for the freehold and unsold apartments and engaged Clarke Willmott to issue section 5 notices under the Landlord and Tenant Act 1987 to offer long leaseholders the right to first refusal, albeit they did not exercise their rights. Negotiations with the interested party 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.

With the agreement of Promontoria, the Administrators instructed Allsop to market the freehold and ten unsold apartments for sale. Allsop received a total of 8 offers and the Administrators subsequently accepted an offer in December 2019. Clarke Willmott were instructed to issue section 5 notices to the leaseholders pursuant to The Landlord and Tenant Act 1987. However, the proposed purchaser decided they could no longer proceed with the purchase and withdrew in May 2020.

The Administrators subsequently issued a contract for sale to a party, introduced by Leaders, who had previously expressed an interest in the assets.

In parallel, the Administrators instructed BidX1 to enter the unsold apartments into auction and undertake a marketing exercise prior to the auction date in August 2020 in the event the current sale did not complete.

Ultimately the asset was withdrawn from auction and a sale of the ten unsold apartments completed in September 2020 for £2.3m.

With regards to the remaining asset, being the freehold, Walker Morris were engaged to issue the section 5 notices to the leaseholders pursuant to The Landlord and Tenant Act 1987, in October 2020 and the leaseholders took up the option to purchase the freehold at the agreed price of £100,000. The freehold sale eventually completed in April 2021.

Refunds

BT returned £80.55 in relation to an overpayment in respect of internet costs.

Misc Income

We have received a total of £1,655.75 in respect of miscellaneous income from various parties during the Administration.

Service Charge Contribution

The purchasers of the leasehold units sold during the Administration paid a contribution towards the service charges, for the relevant post completion period, totalling £4,052.36.

Rental Income

Several of the apartments were let during the Administration and the managing agent, Leaders, collected rental income totalling £485,956 prior to the sale of the remaining apartments in September 2020.

During the Administration, the Administrators, as landlord, were obligated to spend £33,924 in respect of property expenditure under the AST's and pursuant to health and safety regulations. This figure excludes the roof works and the cost of replacing the lift.

Ground Rent

Ross & Co collected ground rent and service charges from the leaseholders. The Administrators, as landlord, received ground rent totalling £17,991 from the leaseholders, less the managing agent's fees during the Administration.

2. CREDITORS: CLAIMS AND DISTRIBUTIONS

Secured creditors

The Company granted a fixed and floating charge to Clydesdale Bank Plc on 5 September 2005, and subsequently the charge was assigned to Promontoria who were owed £6,239,612 on appointment.

The former Joint Administrators' legal advisors, DLA Piper UK LLP, have confirmed the validity of the charge and a last distribution has been made under its fixed charge.

Preferential creditors

The Administrators are not aware of any preferential creditors of the Company.

Prescribed Part

There were insufficient realisations to discharge in full all costs and preferential claims. Therefore, there was no net property from which to deduct a prescribed part.

Unsecured creditors

Unsecured claims were estimated at £1,103,000 in the Director's Estimated Statement of Affairs.

There were insufficient asset realisations to pay a dividend to unsecured creditors.

3. INVESTIGATIONS

Investigations

As part of the Joint Administrators' statutory duties, an investigation into the conduct of the Company Directors was completed.

In this regard, a confidential report was submitted to The Insolvency Service by the former Administrators and a further report was not deemed necessary.

Initial Assessment of Potential Recoveries

As part of our duties as Joint Administrators, we reviewed shortly after appointment all the information available to us and conducted an initial assessment of whether there were any matters which may have led to any recoveries for the benefit of creditors.

We confirm that we did not identify any further assets or actions which would lead to a recovery for creditors

ETHICS

Please also be advised that Joint Administrator is bound by the Insolvency Code of Ethics when carrying out all professional work relating to an insolvency appointment.

General ethical considerations

In the period since the last report, no new threats to compliance with the Code of Ethics have been identified.

Specialist Advice and Services

When instructing third parties to provide specialist advice and services or having the specialist services provided by the firm, the Joint Administrator is obligated to ensure that such advice or work is warranted and that the advice or work contracted reflects the best value and service for the work undertaken. The firm reviews annually the specialists available to provide services within each specialist area and the cost of those services to ensure best value. The specialists chosen usually have knowledge specific to the insolvency industry and, where relevant, to matters specific to this insolvency appointment. Details of the specialists specifically chosen in this matter are detailed below.

4. THE JOINT ADMINISTRATORS' FEES AND EXPENSES

The Joint Administrators' Fees

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.

A breakdown of the time costs incurred during the Review Period and for the Administration as a whole is provided at Appendix V and further information regarding

the charge-out rates of the Joint Administrators and their staff is provided at Appendix VI.

Expenses

An amended Statement of Insolvency Practice (SIP), SIP 9, was issued on 1 April 2021. The amended SIP 9 has changed some of the terminology and introduced additional disclosure requirements. The information below may therefore not reflect the information previously provided.

The expenses, which include disbursements, that have been incurred and not yet paid during the period are detailed below. Also below is a comparison of the expenses likely to be incurred in the Administration as a whole with the original expenses estimate, together with reasons where any expenses are likely to exceed that estimate.

The category 1 expenses paid for in the period are detailed on the Receipts and Payments account at Appendix II and represent payments to parties not associated with the firm, who have provided services or goods for the administration of the assignment.

The category 2 expenses paid for in the period are detailed on the Receipts and Payments account at Appendix II. Please note that some category 2 expenses that have previously been approved and their estimated costs or basis of their cost provided as part of the expenses estimate may not be discharged from the estate from 1 April 2021 and these are detailed below.

Information about this insolvency process may be found on the R3 website at <http://www.creditorinsolvencyguide.co.uk/>. A copy of 'A Creditors' Guide to Fees' together with the firm's charge-out rate and expenses policy may be found at <http://www.icaew.com/en/technical/insolvency/creditors-guides>. A hard copy of both the Creditors' Guide and the firm's charge-out rate and expenses policy may be obtained on request.

Other professional costs

Leaders	Letting Agents	% of rent collected	44,578	44,578	-
	Sale commission	% of agreed sale price	33,200	33,200	-
Ross & Co	Service charge voids	As per Budget	92,787	92,787	-
					-
CAPA	Recovery of refunds and overpayments	% of recovery	192	192	-
Clarke Roofing Southern Ltd	Water ingress and rooftop works	Fixed fee	180,392	180,392	-
Southern Counties Lift Services Ltd	Install new lift	Fixed fee	46,230	46,230	-
Drydenfairfax Solicitors	Conveyancing fees	Fixed fee	9,028	9,028	-
	Prepare licences to occupy the apartments		762	762	-
	Aborted sales		607	607	-
	Disbursements		469	469	-
Clarke Wilmott	Dealing with Clarke Roofing dispute	Fixed fee	2,250	2,250	-
	Aborted sales		11,149	11,149	-
	Issue section 5 notices		2,505	2,505	-
	Prepare auction pack		2,500	2,500	-
	Portfolio sale		5,394	5,394	-
Walker Morris	Issue section 5 notices and sale of freehold	Fixed fee	4,678	4,678	-
	Legal fees to extend the Administration period		6,146	6,146	-
EMW LLP	Provide advice in relation to NHBC Buildmark Insurance	Fixed fee	925	925	-

CAPA	Fees to recover refunds and overpayments	Fixed fee	192	192	-
Kingston Morehen	Survey	Fixed fee	5,950	5,950	-
	Consultancy advice		2,973	2,973	-
Knight Architectural Design	Prepare lease plans	Fixed fee	60	60	-
Allsop	Disbursements	Fixed fee	2,000	2,000	-
BidX1	Auction entrance fee	Fixed fee	900	900	-
	Sale commission	Fixed fee	15,000	15,000	-
Fox & Sons	Sale commission	% of agreed sale price	3,550	3,550	-
Saffery Champness	Tax Advisors	Fixed fee	4,250	4,250	-
Oury Clark Accountants	Tax Advisors	Fixed fee	2,000	2,000	-
Marsh Ltd	Insurance	Premium	5,915	5,915	-
JG Collections	Storage costs	Fixed fee	140	140	-
Property disbursements	General repairs & maintenance costs	Fixed fee	34,554	34,554	-

Payment of the Joint Administrators' unpaid fees and costs

Asset realisations have been insufficient to discharge the Joint Administrators' fees and costs in full.

Creditors' right to request information

Any secured creditor, or unsecured creditor with the support of at least 5% in value of the unsecured creditors or with permission of the Court, may request in writing the Joint Administrators to provide additional information regarding fees or expenses to that already supplied within this report. Such requests must be made within 21 days of receipt of this report.

Creditors' right to challenge fees and/or expenses

Any secured creditor, or unsecured creditor with the support of at least 10% in value of the unsecured creditors or with permission of the Court, may apply to the Court for one or more orders, reducing the amount or the basis of fees which the Joint Administrators are entitled to charge or otherwise challenging some or all of the expenses incurred.

Such applications must be made within 8 weeks of receipt by the applicant(s) of the progress report detailing the fees and/or expenses being complained of.

Please note that such challenges may not disturb fees or expenses (whether or not discharged from the estate) disclosed in prior progress reports.

5. THE OUTCOME OF THE ADMINISTRATION

Comparison of the outcome with the Joint Administrators' Proposals

Attached at Appendix II is a summary of the Joint Administrators' Proposals as approved.

It had been envisaged that the third Administration objective would be achieved, namely property would be realised in order to make a distribution to one or more secured or preferential creditors. As described above, it can be seen that this Administration objective was achieved.

The Joint Administrators are now in the process of filing Notice of the Move to Dissolution, which will bring their office and the Administration to an end.

If you require any further information, please contact Michelle Sanchez on 0207 186 1175.

For and on behalf of
Freshfield Contracting Limited

A handwritten signature in black ink, appearing to read 'A S Kendall', written in a cursive style.

A S Kendall
Joint Administrator

Freshfield Contracting Limited
(IN ADMINISTRATION)

STATUTORY INFORMATION

Company Name	Freshfield Contracting Limited
Previous Names	N/A
Proceedings	In Administration
Court	High Court of Justice
Court Reference	2016-000060
Date of Appointment	06 January 2016
Joint Administrators	Arron Kendall Simon Thomas Moorfields, 20 Old Bailey, London, EC4M 7AN
Registered office Address	c/o Moorfields 20 Old Bailey, London, EC4M 7AN
Company Number	02102901
Appointment by	Promontoria (Chestnut) Limited

DEFINITIONS

The Act	Insolvency Act 1986
The Rules	Insolvency Rules 1986 or Insolvency (England & Wales) Rules 2016 (whichever applied at the time of the event)
The Joint Administrators	Arron Kendall and Simon Thomas of Moorfields
The Company	Freshfield Contracting Limited (in Administration)
The Court	High Court of Justice
SIP	Statement of Insolvency Practice
Review Period	Period covered by the report from 6 July 2021 to 15 October 2021

Freshfield Contracting Limited
(IN ADMINISTRATION)

THE JOINT ADMINISTRATORS' PROPOSALS, AS APPROVED

The Joint Administrators proposed to creditors that:

In order that the purpose of the administration may be fully achieved, the Administrators propose to remain in office as administrators in order to conclude the realisation of the Company's property. The principle matters to deal with in this respect are:

- i. Sale of the 17 unsold apartments and the freehold of the entire development;
- ii. The collection of rentals and future amounts due to the Company;
- iii. Liaising with the management agents of the Company regarding the maintenance of the apartments;
- iv. Pursuing the warranty claim in respect of the apartments;
- v. The statutory requirements in respect of the conduct of the director and the former director who have acted in the past three years prior to the administration;
- vi. Dealing with the residual statutory obligations and investigating whether there are any other assets available to the Company and its creditors;

Following these events, the Administrators propose to finalise distributions to the secured creditors.

In accordance with paragraph 3 and 49 of Schedule B1 of the Act, the Administrators propose that:

- a) The Administrators take all necessary actions to preserve the value of the Company's assets;
 - b) The Administrators realise the assets of the Company for the benefit of the creditors and instigate any Court actions deemed of value to the Company and its stakeholders;
 - c) The Administrators propose to make applications to Court as they deem fit at any time for directions in relation to any particular matter arising in connection with the carrying on of their functions;
 - d) The Administrators investigate any antecedent transactions which may have detrimentally affected the Company's financial position;
 - e) the Administrators exit the Administration by way of dissolution in accordance with Paragraph 84 of Schedule B1 of the Act. Under these provisions, on the registration of a notice sent by the Administrators to the Registrar of Companies, their appointment as Administrators have effect, and at the end of three months the Company will automatically be dissolved;
 - f) If the exit route is by way of Creditors' Voluntary Liquidation, it is proposed that Kirstie Jane Provan and Jonathan James Beard be appointed as Joint Liquidators of the Company;
-

- g) Should the Company enter Creditors' Voluntary Liquidation, that the Joint Liquidators' fees be based on time costs;
 - h) That the Administrators be discharged from liability under Paragraph 98 of Schedule B1 of the Act on ceasing to be the Administrators of the Company;
 - i) The Administrators may make a distribution to secured or preferential creditors in accordance with the requirements of the Act and if appropriate may make an application to the Court for payments to unsecured creditors;
 - j) These proposals shall be subject to such modifications or conditions as the Court may approve or impose or any modifications approved by the creditors;
 - k) That if no Creditors' Committee is formed, the fees be fixed in accordance with Rule 2.106 of the Rules by reference to time properly given by the Administrators and their staff in attending to matters arising during the administration and that they may draw their remuneration on account as and when funds permit;
 - l) That if no Creditors' Committee is formed, the Administrators' unpaid pre-administration costs in the total sum of £10,833 plus VAT plus disbursements detailed in the statement of pre-administration costs contained in the Administrators' Statement of Proposals, be approved for payment;
 - m) That the Administrators be authorised to draw disbursements in accordance with the explanatory note on the subject;
 - n) That the Administrators instruct either the Company's own professional advisors or a suitably qualified tax professional to undertake investigations into the Company's tax affairs, if and when necessary;
 - o) That if necessary, the Administrators may apply to creditors or to the Court for an extension of the administration.
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THE JOINT ADMINISTRATORS' FINAL RECEIPTS AND PAYMENTS ACCOUNT

Freshfield Contracting Limited
(In Administration)
Joint Administrators' Trading Account

Statement of Affairs	From 06/07/2021 To 15/10/2021	From 28/11/2012 To 15/10/2021
£	£	£
TRADING EXPENDITURE		
Heat & Light	NIL	1,767.70
Internet	NIL	(80.55)
	NIL	(1,687.15)
TRADING SURPLUS/(DEFICIT)	NIL	(1,687.15)

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

Statement of Affairs £	From 06/07/2021 To 15/10/2021 £	From 28/11/2012 To 15/10/2021 £
SECURED ASSETS		
Freehold Land & Property	NIL	100,000.00
Sale of Leasehold - Flat 4	NIL	350,000.00
Sale of leasehold - Flat 23	NIL	340,000.00
Sale of Leasehold - Flat 17	NIL	330,000.00
Misc Income	NIL	1,655.75
Sale of Leasehold - Flat 10	NIL	355,000.00
Bank Interest	NIL	988.87
Sale of Leasehold (flats 3,6,9,12,18,19	NIL	2,300,000.00
Service charge contribution	NIL	4,052.36
Rental income	NIL	485,956.25
Surplus from Begbies	NIL	160,253.84
Refund of landlords building reserve	NIL	1,950.00
Ground Rent	NIL	17,990.89
	NIL	4,447,847.96
COSTS OF REALISATION		
Office Holders Fees	130,391.93	430,391.93
Office Holders' Cat 1 disbursements	NIL	945.62
Office Holders' Cat 2 disbursements	NIL	211.45
Legal Fees	NIL	45,942.86
Agents/Valuers Fees	NIL	31,172.00
Insurance of assets	NIL	5,915.18
Agents - sales commission	NIL	36,750.00
Postage & Stationery	NIL	70.00
Service charge voids	NIL	92,786.93
Agents - letting commission	NIL	44,578.12
Property disbursements	NIL	33,924.48
Stat advertising	NIL	84.60
Property expenditure	NIL	230,224.83
Legal Disbursements	NIL	469.00
Storage Costs	NIL	70.00
	(130,391.93)	(953,537.00)
SECURED CREDITORS		
Chargeholder (1)	NIL	3,483,105.90
	NIL	(3,483,105.90)
Service charge voids		
VAT Irrecoverable	9,517.91	9,517.91
	(9,517.91)	(9,517.91)
ASSET REALISATIONS		
TRADING SURPLUS/(DEFICIT)	NIL	(1,687.15)
	NIL	(1,687.15)
UNSECURED CREDITORS		
Trade & Expense Creditors	NIL	NIL
	NIL	NIL
(1,102,965.45)		
	(139,909.84)	0.00
REPRESENTED BY		
Bank 1 Current NIB 21042021		0.00
Fixed Ch Vat Receivable		0.00
Notes		0.00

The receipts and payments account do 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 payments 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' Statement of Proposals dated 18 January 2013 for comparison.

APPENDIX V

Time Entry - Cumulative Detailed SIP9 Time & Cost Summary

FRES001 - Freshfield Contracting Limited									
From: 06/07/2021 To: 15/10/2021									
All Post Appointment Project Codes									
Classification of Work Function	Partner	Manager	Other Senior Professionals	Assistants & Support Staff	Total Hours	Time Cost (£)	Avg Hourly Rate (£)	Hours Cum (POST Only)	Time Costs Cum (POST Only)
** 10 : Case Planning	0.00	0.00	0.00	0.00	0.00	0.00	0.00	10.55	3,386.75
** 11 : Administrative Set Up	0.00	0.00	0.00	0.00	0.00	0.00	0.00	1.00	257.00
** 12 : Appointment Notification	0.00	0.00	0.00	0.00	0.00	0.00	0.00	3.90	958.50
** 13 : Maintenance of Records	0.00	0.00	0.00	0.00	0.00	0.00	0.00	7.70	1,332.00
14 : Statutory Reporting	0.00	0.50	2.90	0.00	3.40	1,555.00	457.35	80.40	24,851.00
15 : Case Monitoring	0.00	0.75	0.10	0.00	0.85	420.00	494.12	67.60	21,263.75
** 16 : IPS Case Set Up	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.70	178.50
17 : General Administration	0.00	0.00	1.10	0.90	2.00	455.00	227.50	61.75	12,503.75
18 : Cashiering	0.00	0.00	0.70	0.70	0.90	354.00	393.33	106.95	24,598.75
** 19 : Partner Review	0.00	0.00	0.00	0.00	0.00	0.00	0.00	8.00	4,715.00
70 : Post appoint VAT and CT returns	0.00	1.25	3.40	0.00	4.65	2,155.00	463.44	19.20	7,535.75
Admin & Planning	0.00	2.50	8.20	1.10	11.80	4,939.00	418.56	367.75	101,570.75
30 : Freehold / Leasehold Property	1.00	0.00	0.20	0.00	1.20	715.00	595.83	645.75	254,540.75
** 34 : Debtors	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.10	25.50
** 35 : Sale of Business	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.50	177.50
** 36 : Identifying, Securing, Insuring	0.00	0.00	0.00	0.00	0.00	0.00	0.00	10.45	3,382.00
** 38 : Asset related legal Matters	0.00	0.00	0.00	0.00	0.00	0.00	0.00	2.60	913.00
** 47 : Intangible Assets - Intellectual Property, etc	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.75	266.25
** 71 : Other Assets	0.00	0.00	0.00	0.00	0.00	0.00	0.00	6.05	2,017.75
** 77 : Managing Agent	0.00	0.00	0.00	0.00	0.00	0.00	0.00	92.50	23,871.50
Asset Realisation	1.00	0.00	0.20	0.00	1.20	715.00	595.83	758.70	285,194.25
** 60 : Case Specific	0.00	0.00	0.00	0.00	0.00	0.00	0.00	3.70	972.50
** 72 : Legal Matters	0.00	0.00	0.00	0.00	0.00	0.00	0.00	25.05	8,592.00
Case Specific Matters	0.00	0.00	0.00	0.00	0.00	0.00	0.00	28.75	9,564.50
** 50 : Creditor Correspondence	0.00	0.00	0.00	0.00	0.00	0.00	0.00	2.15	704.75
** 51 : Unsecured creditor claims	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.30	90.00
** 52 : Secured creditor claims/Reporting	0.00	0.00	0.00	0.00	0.00	0.00	0.00	23.75	9,383.75
** 63 : Secured creditor reports	0.00	0.00	0.00	0.00	0.00	0.00	0.00	83.25	22,871.25
** 73 : Preferential creditor claims	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.50	190.00
** 75 : s120 pension reporting	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.30	135.00
Creditors	0.00	0.00	0.00	0.00	0.00	0.00	0.00	110.25	33,374.75
** 21 : CDDA Reports	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.70	178.50
** 22 : Antecedent Transactions	0.00	0.00	0.00	0.00	0.00	0.00	0.00	16.93	4,610.75
** 65 : Director's Correspondence	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.50	127.50
Investigations	0.00	0.00	0.00	0.00	0.00	0.00	0.00	18.13	4,916.75
** 40 : Management of Operations	0.00	0.00	0.00	0.00	0.00	0.00	0.00	2.30	593.50
** 41 : Accounting for Trading	0.00	0.00	0.00	0.00	0.00	0.00	0.00	4.00	1,420.00
** 43 : Planning Trading	0.00	0.00	0.00	0.00	0.00	0.00	0.00	1.00	355.00
** 45 : Negotiating with Suppliers	0.00	0.00	0.00	0.00	0.00	0.00	0.00	9.45	2,126.25
** 49 : Tax on post appointment trading	0.00	0.00	0.00	0.00	0.00	0.00	0.00	9.40	3,252.00
Trading	0.00	0.00	0.00	0.00	0.00	0.00	0.00	26.15	7,746.75
Total Hours	1.00	2.50	8.40	1.10	13.00	5,654.00	434.92	1,309.73	442,367.75
Total Fees Claimed						430,391.93			

** - Denotes codes included in cumulative data that are not present in the period.

Freshfield Contracting Limited
(IN ADMINISTRATION)
Moorfields

Statement of Policy on Charging Remuneration and Expenses January 2021

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

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.

GRADE	£
Partner	625
Director	550
Senior Manager	530
Manager	500
Assistant Manager	450
Senior Associate	375
Associate	250
Junior Associate	200
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 2021. The charge out rates per hour for the period from 1 January 2020 to 31 December 2020 were:

GRADE	£
Partner	600
Director	550
Senior Manager	530
Manager	500
Assistant Manager	450
Senior Associate	375
Associate	250
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.

EXPENSES

In accordance with SIP 9, expenses are any payments from the estate which are neither an office holder's remuneration nor a distribution to a creditor or a member. Expenses also includes disbursements. Disbursements are payments which are first met by the office holder, and then reimbursed to the office holder from the estate.

Expenses are divided into those that do not need approval before they are charged to the estate (category 1) and those that do (category 2).

Category 1 Expenses

Separate charges are made in respect of directly attributable expenses (Category 1 expenses) such as travelling, postage, photocopying (if external provider), statutory advertising and other expenses made on behalf of the assignment. These are payments made to persons providing the service to which the expense relates who are not an associate of the office holder.

Such expenses can be paid from the estate 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 expenses 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 expenses drawn.

Category 2 Expenses

Category 2 expenses do require approval from creditors.

These are payments to associates or which have an element of shared costs. Before being paid, category 2 expenses require approval in the same manner as an office holder's remuneration. Category 2 expenses require approval whether paid directly from the estate or as a disbursement.

It is our policy, in line with the Statement, to seek approval for Category 2 expenses before they are drawn.

The following Category 2 expenses are currently charged by this firm:

- 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.
-

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

Freshfield Contracting Limited
(IN ADMINISTRATION)

DETAILED LIST OF WORK UNDERTAKEN BY THE JOINT ADMINISTRATORS

General Description	Includes
Statutory and General Administration	
Statutory/advertising	Filing of documents to meet statutory requirements including six monthly receipts and payments accounts Annual corporation tax returns VAT refund Advertising in accordance with statutory requirements Bonding the case for the value of the assets
Document maintenance/file review/checklist	Filing of documents Periodic file reviews documenting strategy Periodic reviews of the application of ethical, anti-money laundering and anti-bribery safeguards Maintenance of statutory and case progression task lists/diaries Updating checklists
Bank account administration	Preparing correspondence opening and closing accounts Requesting bank statements Bank account reconciliations Correspondence with bank regarding specific transfers Maintenance of the estate cash book Banking remittances and issuing cheques/BACS payments
Planning / Review	Discussions regarding strategies to be pursued Meetings with team members and independent advisers to consider practical, technical and legal aspects of the case
Books and records / storage	Dealing with records in storage Sending job files to storage
Reports	Preparing six monthly progress report, investigation, meeting and general reports to creditors Circulating final report to creditors
Closure	Review case to ensure all matters have been finalised Draft final report Obtain clearance to close case from HMRC together with submitting final tax return Obtain final accounts from agents' solicitors and others instructed File documents with Registrar of Companies
Investigations	
SIP 2 Review	Collection and making an inventory of company books and records Correspondence to request information on the company's dealings, making further enquiries of third parties Reviewing questionnaires submitted by creditors and directors Reviewing company's books and records Review of specific transactions and liaising with directors regarding certain transactions Liaising with the major creditors about further action to be taken
Statutory reporting on conduct of director(s)	Liaising with Insolvency Service regarding former Administrators' submission of report with the Insolvency Service Assisting the Insolvency Service with its investigations
Realisation of Assets	
Freehold/Leasehold Property	Liaising with valuers and agents on marketing strategy and offers received Dealing with tenant issues Liaising with secured creditors
Managing Agents	Instructing managing agents to deal with the day to day maintenance of the apartments including but not limited to: Dealing with the maintenance of the building Dealing with any emergencies Queries raised by the residents Collection of service charge and responsibility for its management Collection of ground rent
Leasing	Reviewing leasing documents

General Description	Includes
Other assets: Insurance claims	Liaising with solicitors in relation to potential claim regarding NHBC Buildmark Insurance/water damage Examining company records to potential claim
Insurance	Identification of potential issues requiring attention of insurance specialists Correspondence with insurer regarding initial and ongoing insurance requirements Reviewing insurance policies Correspondence with previous brokers
Trading	
Management of operations	Liaising with local authority regarding council tax Establishing new accounts with utility providers Site Supervision Preparing and authorising receipt vouchers
Accounting for trading	Reviewing company's service charge budgets and financial statements Trading strategy review
Creditors and Distributions	
Creditor Communication	Receive and follow up creditor enquiries via telephone Review and prepare correspondence to creditors and their representatives via facsimile, email and post
Secured creditor claims/Reporting	Regular updates to secured creditors Prepare and update estimated outcome statement Discussions regarding strategies to be pursued
Dealing with proofs of debt	Receipting and filing POD when not related to a dividend
s120 pension reporting	Obtain clearance to close case from pension parties
Case Specific Matters	Instruct solicitors to extend administration period by order of the court Instruct contractor to deal with water ingress Instruct contractor install replace faulty lift Instruct solicitors to review service charge and recoverability of the cost of works