

Rule 2 33

Form 2 17B

The Insolvency Act 1986

**Statement of administrator's
proposals****2.17B**

Name of Company Abacus Trading Co Limited	Company number 2546333
In the High Court of Justice, Chancery Division, Companies Court [full name of court]	Court case number 21846 of 2009

(a) Insert full name(s) and
address(es) of
administrator(s)I / We, (a) Kirstie Provan and Mark Robert Fry, both of Begbies Traynor (Central) LLP, 32
Cornhill, London, EC3V 3BT,

* Delete as applicable

attach a copy of our proposals in respect of the administration of the above company

A copy of these proposals was sent to all known creditors on

(b) Insert date

(b) 2 February 2010

Signed

Joint / Administrator(s)

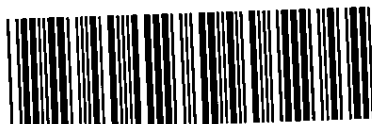
Dated

212110

Contact Details*

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

Begbies Traynor (Central) LLP 32 Cornhill, London, EC3V 3BT	
	Tel 020 7398 3800
Fax Number 020 7398 3799	DX Number



PC3

03/02/2010

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COMPANIES HOUSE

When you have completed and signed this form please send it to the Registrar of Companies at

Companies House, Crown Way, Cardiff, CF14 3UZ

DX 33050 Cardiff

WEDNESDAY

Kirstie Provan and Mark Robert Fry were appointed joint administrators on 11 December 2009

The affairs, business and property of the Company are being managed by the joint administrators, who act as the Company's agents and without personal liability

ABACUS TRADING CO. LIMITED (IN ADMINISTRATION)

Statement of proposals of the joint administrators for achieving the purpose of the administration pursuant to Paragraph 49 of Schedule B1 to the Insolvency Act 1986 and Rule 2.33 of the Insolvency Rules 1986

The joint administrators' statement of proposals has been produced for the sole purpose of advising creditors pursuant to the provisions of the Insolvency Act 1986. 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 this report to them, or by any other person for any purpose whatsoever.

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1. INTERPRETATION

<u>Expression</u>	<u>Meaning</u>
"the Company"	Abacus Trading Co Limited (In Administration)
"the administration"	The appointment of administrators under Schedule B1 of the Insolvency Act 1986 on 11 December 2009
"the joint administrators"	Kirstie Provan and Mark Robert Fry, both of Begbies Traynor (Central) LLP, 32 Cornhill, London, EC3V 3BT
"the Act"	The Insolvency Act 1986 (as amended)
"the Rules"	The Insolvency Rules 1986
"secured creditor" and "unsecured creditor"	Secured creditor, in relation to a company, means a creditor of the company who holds in respect of his debt a security over property of the company, and "unsecured creditor" is to be read accordingly (Section 248(a), Insolvency Act 1986)
"security"	(i) In relation to England and Wales, any mortgage, charge, lien or other security and (ii) in relation to Scotland, any security (whether heritable or moveable), any floating charge and any right of lien or preference and any right of retention (other than a right of compensation or set off) (Section 248(b), Insolvency Act 1986)
"preferential creditor"	Any creditor of the Company whose claim is preferential within Sections 386, 387 and Schedule 6 to the Insolvency Act 1986

2. STATUTORY INFORMATION

Name of Company	Abacus Trading Co Limited (in Administration)	
Trading name(s)	Abacus Trading Co Limited	
Date of Incorporation	05/10/1990	
Company registered number	025463333	
Company registered office	Begbies Traynor (Central) LLP, 32 Cornhill, London, EC3V 3BT	
Former registered office	Second Floor, 1138 High Road, London, N20 0RA	
Trading address (es) (or attach a separate sheet if more than one)	Second Floor, 1138 High Road, London, N20 0RA	
Principal business activities	Wholesale of dried fruit and nuts	
Directors and details of shares held in Company	Name	Shareholding
	Dimitrios Marcou (Resigned 26 02 09)	100,000 Ordinary Shares
	Nicholas Dimitri Marcou	50,000 Ordinary Shares
Company Secretary and details of shares held in Company	Name.	Shareholding
	Nicholas Dimitri Marcou	50,000 Ordinary Shares
Auditors	Philips Chartered Accountants	
Share capital	500,000 Ordinary Shares, of value £1 each	
Shareholders	Dimitrios Marcou Nicholas Dimitri Marcou Willis Cruise Ltd Pacific Quest Corp Robert John Brooklyn	

3. DETAILS OF APPOINTMENT OF ADMINISTRATORS

Name(s) of joint administrator(s)	Kirstie Provan and Mark Robert Fry, both Licensed Insolvency Practitioners of Begbies Traynor (Central) LLP, 32 Cornhill, London, EC3V 3BT
Date of administrators' appointment	11 December 2009
Date of administrators' resignation	N/A
Court	High Court of Justice, Chancery Division, Companies Court
Court Case Number	21846 of 2009
Person(s) making appointment / application	Barclays Bank PLC
Acts of the joint administrators	The joint administrators act as officers of the court and as agents of the Company without personal liability. Any act required or authorised under any enactment to be done by an administrator may be done by any one or more persons holding the office of administrator from time to time.
EC Regulation on Insolvency	The EC Regulation on Insolvency Proceedings (Council Regulation (EC) No 1346/2000) applies to these proceedings which are main proceedings within the meaning of Article 3 of the Regulation.

STATUTORY PURPOSE OF ADMINISTRATION

Paragraph 3 of Schedule B1 to the Act provides as follows

- "3 (1) The administrator of a company must perform his functions with the objective of
- (a) rescuing the company as a going concern, or
 - (b) achieving a better result for the company's creditors as a whole than would be likely if the company were wound up (without first being in administration), or
 - (c) realising property in order to make a distribution to one or more secured or preferential creditors
- (2) Subject to subparagraph (4), the administrator of a company must perform his functions in the interests of the company's creditors as a whole
- (3) The administrator must perform his functions with the objective specified in subparagraph (1)(a) unless he thinks either
- (a) that it is not reasonably practicable to achieve that objective, or
 - (b) that the objective specified in subparagraph (1)(b) would achieve a better result for the company's creditors as a whole
- (4) The administrator may perform his functions with the objective specified in subparagraph (1)(c) only if

- (a) he thinks that it is not reasonably practicable to achieve either of the objectives specified in subparagraph (1)(a) and (b), and
- (b) he does not unnecessarily harm the interests of the creditors of the company as a whole

4. CIRCUMSTANCES GIVING RISE TO THE APPOINTMENT OF ADMINISTRATORS

The Company was incorporated in October 1990 and traded as a wholesaler of dried nuts and fruits

Due to poor debtor collections during 2009, the Company experienced severe cash-flow difficulties and resultant creditor pressure

In August 2009, Begbies Traynor (Central) LLP ("Begbies Traynor") was engaged by the Company's Directors and the Bank to review the Company's financial position and cash flows. Subsequently, in December 2009, the Bank instructed Begbies Traynor to perform an 'Independent Solvency Review' ("the Review")

On the basis of the Review, the Company's Director Mr Nicholas Marcou, concluded that the position was untenable and invited the Bank to appoint Administrators. On 11 December 2009, the Company was placed into Administration and Kirstie Provan and Mark Robert Fry of Begbies Traynor were appointed as Joint Administrators

5. STATEMENT OF AFFAIRS

Although we understand that the Directors have prepared a statement of affairs, we were not in receipt of the same as at the date of these Proposals. Based upon the information available to date, we have detailed our own estimate of the financial position of the Company as at the date of administration, in the receipts and payments account and estimated outcome statement attached. In addition, we have attached a list of all known creditors and addresses, including a note of any security held

6. THE ADMINISTRATION PERIOD

Receipts and Payments

Attached at Appendix 1 is our account of receipts and payments from the commencement of administration, 11 December 2009, to 2 February 2010, incorporating our projected outcome for creditors

SECURED CREDITORS

Barclays Bank PLC

We understand that the whole of the Company's assets are charged to Barclays Bank PLC and its divisions Barclays Sale Finance ("BSF") and Barclays Trade Finance (collectively termed as "the Bank"). The Company also provided additional security to a Guarantor of the Company's indebtedness to the Bank namely, Bank de Commerce et de Placements ("BCP")

The Bank holds the following security -

- Debenture dated 24th May 2004 conferring fixed and floating charges over purchased debts which fail to vest and on other debts and floating charge on proceeds of other debts
- Debenture dated 31st May 2006 conferring fixed and floating charges over the whole of the Company's assets ("the Debenture")
- Bank Guarantee dated 14th September 2007 from Bank de Commerce et de Placements ("BCP") in favour of the Bank limited to £300,000 ("the BCP Guarantee")
- Deed of Charge over Credit Balances by a Chargor for Own Liabilities dated 8 September 2006 between the Company and the Bank ("the Charge over Credit Balances")
- Unlimited unsecured Cross Guarantee dated 18 August 2009 between The Company and Abacus International Commodities Limited and the Bank ("the Cross Guarantee")
- We also understand that the Bank holds additional security in the form of personal guarantees from Messrs Nicholas and Dimitrios Marcou

We understand that the indebtedness to the Bank as at the date of our appointment, net of the BCP guarantee and deposits recovered of £400k, is as follows -

	Amount £'000
Barclays Sales Finance	10,233
Barclays Bank PLC	607

The Bank's Debenture was created after 15 September 2003 and therefore a prescribed part is applicable in respect of the net realisations of property subject to the Bank's floating charge pursuant to section 176A of the Insolvency Act 1986 ("the Act")

Other Secured Creditors

BCP hold an 'all monies' Debenture dated 12th March 2001 conferring fixed and floating charges over the whole of the Company's assets subject to a Deed of Priorities dated 10th January 2007. As at 6th January 2010, the Company's indebtedness to BCP amounted to £192k

Sale of Business and Assets

A 'pre-pack' sale of the Company's business and assets was considered on the basis that this could have provided continuity of supply to the Company's main customers and thereby, significantly enhanced debtor collections and asset realisations for the benefit of creditors as a whole. However, immediately prior to our appointment, the whole of the Company's staff including importantly, the financial controller 'walked out' presumably, in anticipation of the Company's imminent insolvency, we were unable to accurately establish the Company's true asset position. Accordingly, a pre-pack sale or indeed any sale of the business as a going concern, proved impossible to achieve in the timeframe available and given the cessation of trading prior to appointment.

Book Debts

The Company entered into a sales ledger finance agreement with Barclays Sales Finance ("BSF") on 24 May 2004. We understand the current outstanding indebtedness to BSF secured over the ledger amounts to £10,233k.

Upon the request of the secured creditor, BSF, we instructed specialist debt collection agents Atlantic Risk Management Services Ltd ("Atlantic") to assist BSF and the joint administrators in the collection of the Company's debtor ledger. A summary of the ledger extracted by Atlantic from the Company's sage accounting system at 17th December 2009 was as follows -

Total - £'000	Current - £'000	Period 1 - £'000	Period 2 - £'000	Period 3 - £'000	Older - £'000
15,413	853	6,299	1,684	1,516	5,063

The extent of the recoverability of the ledger is as yet uncertain. However, it is likely that BSF will suffer a significant shortfall. Collections to date amount to £91k.

Stock

The realisation of the Company's only other known significant asset, being its stocks of nuts and dried fruits stored across 5 main warehousing sites, was frustrated by multiple retention of title claims ("ROT") both in respect of the raw material stocks and packaging, and liens exercised by all of the respective warehouses for unpaid charges. It is anticipated that, following resolution of the ROT and storage charge issues, realisations will be minimal.

Immediately following our appointment, we instructed Edward Symmons & Partners ("ES") to assist in carrying out a physical verification and valuation of the stocks at all 5 warehousing sites of which we were aware. The process was delayed due to the severe weather conditions experienced in December 2009, resulting in some warehouses not opening, and the Christmas and new-year holiday breaks.

We instructed solicitors, Lawrence Graham to review the validity of the warehouse liens and the ROT claims and to provide advice as regards the relevant ranking and priorities of the Bank, BCP and ROT and warehouse claims over the proceeds of any stock realisations. This was quite a complex issue given the voluminous competing claims.

In view of the perishable nature of the stocks, ES were immediately instructed to assist in marshalling offers from all interested parties (circa 5 including one of the Company Directors) of whom we were aware, plus potential buyers contacted by our agents.

Stocks situated at one of the warehouse locations, were either subject to the Bank's security under a trade finance facility or pledged to the Bank by the Company. Part of these stocks were subject to an ROT claim by one supplier which proved to be invalid and unenforceable. We received three offers in respect of these stocks which ES advised had a market value of between £77.5k and £65.5k. On 20 January 2010, a sale was completed for the sum of £82,000 less storage costs which were required to be settled under a warehouse lien amounting to £11,891. The net sale proceeds, less costs of sale, will be sent to the Bank in due course.

We are still in the process of realising the remaining stocks in conjunction with dealing with the ROT claims. We are unable at this juncture to disclose ES's valuation of the remaining stocks, because of the sensitive nature whilst further sales are completed.

Other Assets (Fixtures, Furniture & Computer Equipment)

We instructed ES to carry out a valuation and assist in a disposal of the fixtures, furniture and computer equipment located at the Company's office at 2nd Floor, 1138 High Road, London. Their valuation was £4.3k on an in-situ market value basis and £1k on an ex-situ market value basis.

After inviting tenders from known trade dealers regrettably, the best offer we received was from the Company's director Mr Nick Marcou, for an amount of £500, which has been accepted.

Other Matters

As you are aware, we are obliged to report to the Department for Business, Innovation and Skills on the conduct of the directors in accordance with the Company Directors Disqualification Act 1986. Our investigations are on-going.

7. JOINT ADMINISTRATORS' PROPOSALS FOR ACHIEVING THE PURPOSE OF THE ADMINISTRATION

Purpose of the Administration

We are required to set out our proposals for achieving the purpose of the administration which in this context means one of the objectives specified in paragraph 3 of Schedule B1 to the Act as set out at section 3 of this report above.

We consider on the basis of information to date, it is not reasonably practicable to achieve either of the objectives specified in subparagraph 3(1) (a) and 3(1) (b), and consequently the most appropriate objective to pursue in this case is that specified in subparagraph 3(1) (c), namely realising property in order to make a distribution to one or more secured or preferential creditors. We furthermore consider that pursuing this objective should not unnecessarily harm the interests of the creditors of the Company as a whole.

As mentioned above, we attempted to rescue the Company as a going concern by attempting a 'pre-pack' sale of the Company's business and assets but proved impossible to achieve in the timeframe available. Furthermore, following our appointment, we discovered that anticipated book debt and asset realisations are likely to be substantially less than the reported book value in the Company's books and records, such that on present information, there is no likelihood of there being surplus funds available to the unsecured creditors, after satisfying the Company's indebtedness to the secured creditors. Accordingly, it is not possible to either rescue the Company as a going concern or achieve a better result for the Company's creditors as a whole than if the Company were wound up, and the most appropriate objective is to realise property in order to make a distribution to one or more secured or preferential creditors.

In accordance with paragraphs 3 and 49 of Schedule B1 of the Act, the joint administrators propose that

- (a) The joint administrators take all necessary actions to preserve the value of the Company's assets
- (b) The joint 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 joint administrators propose to make application 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 joint administrators investigate any antecedent transactions which may have detrimentally affected the Company's financial position
- (e) The joint 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

- (f) The joint administrators exit the administration by way of either dissolution, compulsory liquidation or a creditors' voluntary liquidation at such time as the joint administrators consider that one or more of the purposes of the administration as set out in paragraph 3 above have been achieved. If the exit route is by way of a creditors' voluntary liquidation, it is proposed that Kirstie Provan and Mark Robert Fry be appointed joint liquidators of the Company.
- (g) These proposals shall be subject to such modifications or conditions as the Court may approve or impose, or any modification approved by creditors.
- (h) That, if no creditors' committee is formed, fees be fixed in accordance with Rule 2.106 of the Rules by reference to time properly given by the joint 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. (Further detail is outlined later in this respect).
- (i) That the joint administrators be authorised to draw disbursements in accordance with the explanatory note on the subject, which accompanies this report.
- (j) Should the Company later enter into creditors' voluntary liquidation that the joint liquidators' fees be based on time costs.
- (k) That, if necessary, the joint administrators may apply to creditors or to Court for an extension of the administration.

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

- Achieving a sale of the Company's stocks in conjunction with dealing with numerous suppliers claiming retention of title in respect of goods supplied together with, warehouse liens claimed for storage charges across all stock holding sites.
- Assisting in the realisation of the book debts.
- Dealing with our residual statutory obligations.

Following these events we propose to finalise distributions to the secured creditors and if after the costs and disbursements of the Administration there are surplus funds available, to the preferential creditors.

Exit from Administration

On present information we consider that the Company will have insufficient property to enable a distribution to be made to unsecured creditors. Consequently, as soon as we are satisfied that we have fully discharged our duties as administrators and that the purpose of the administration has been fully achieved, we propose to implement the provisions of Paragraph 84 of Schedule B1 to the Act. Under these provisions, on the registration of a notice sent by us to the Registrar of Companies, our appointment as administrators ceases to have effect, and at the end of three months the Company will automatically be dissolved.

Where an administrator sends such a notice of dissolution to the Registrar of Companies, he must also file a copy of the notice with the court and send a copy to each creditor of the Company, and on application by any interested party the court may suspend or disapply the automatic dissolution of the company.

Section 176A Fund for Unsecured Creditors

Section 176A of the Act provides that, where the company has created a floating charge after 15 September 2003, the administrator must make a *prescribed part* of the Company's *net property* available for the unsecured creditors and not distribute it to the floating charge holder except in so far as it exceeds the amount required for the satisfaction of unsecured claims. *Net property* means the amount which would, were

it not for this provision, be available to floating charge holders out of floating charge assets (i.e. after accounting for preferential debts and the costs of realising the floating charge assets). The floating charge holder may not participate in the distribution of the prescribed part of the Company's net property. The *prescribed part of the Company's net property* is calculated by reference to a sliding scale as follows:

- ☐ 50% of the first £10,000 of *net property*;
- ☐ 20% of *net property* thereafter;
- ☐ Up to a maximum amount to be made available of £600,000

An administrator will not be required to set aside the *prescribed part of net property* if

- ☐ the *net property* is less than £10,000 and he thinks that the cost of distributing the *prescribed part* would be disproportionate to the benefit, (Section 176A(3)) or
- ☐ he applies to the court for an order on the grounds that the cost of distributing the *prescribed part* would be disproportionate to the benefit and the court orders that the provision shall not apply (Section 176A(5))

Pursuant to Rule 2.33(3), the joint administrators consider it in the best interests of the creditors not to disclose estimates of the prescribed part of the Company's net property at this time on the grounds that the disclosure could seriously prejudice the commercial interests of the Company.

Administrators' Remuneration

The joint administrators propose that the basis of their remuneration be fixed under Rule 2.106 of the Rules by reference to the time properly given by them (as administrators) and the various grades of their staff calculated at the prevailing hourly rates of Begbies Traynor (Central) LLP in attending to matters arising in the administration.

These proposals contain a statement by the administrators, in accordance with paragraph 52(1)(b) of Schedule B1 to the Act, that they consider that the Company has insufficient property to enable a distribution to be made to unsecured creditors other than by virtue of Section 176A(2)(a) of the Act. In these circumstances, it is for each secured creditor and the preferential creditors of the Company to determine the basis of the joint administrators' remuneration under Rule 2.106 of the Rules.

In the absence of an initial meeting of creditors (see section 8 Conclusion, below) and the establishment of a creditors' committee, the joint administrators' remuneration is fixed by the approval of the secured and preferential creditors in accordance with Rule 2.106 (5A).

Appendix 3 sets out the administrators' firm's hourly charge out rates and the time that they and their staff have spent in attending to matters arising in the administration since 11 December 2009.

Administrators' disbursements

The joint administrators propose that disbursements, including disbursements for services provided by their firm (defined as Category 2 disbursements in Statement of Insolvency Practice 9) be charged in accordance with their firm's policy, details of which are set out at Appendix 3. These disbursements will be identified by the administrators and subject to the approval of those responsible for determining the basis of the administrators' remuneration.

8. CONCLUSION

8. CONCLUSION

The joint administrators presently consider that neither of the objectives specified in paragraph 3(1) (a) and (b) of Schedule B1 to the Act can be achieved

In these circumstances the obligation to summon an initial meeting of the Company's creditors to consider the joint administrators' proposals is disapplied by paragraph 52(1). The joint administrators are therefore not empowered to summon such a meeting unless creditors, whose debts amount to at least 10% of the total debts of the Company, requisition such a meeting. Any such requisition must be in the prescribed manner in accordance with Rule 2.37 and be made within 12 days of the date on which the administrators' statement of proposals is sent out. The expenses of summoning and holding a meeting at the request of a creditor shall be paid by that person, who shall deposit with the administrators security for their payment. If no such meeting is held, then by Rule 2.33(5), the joint administrators' proposals are deemed to have been approved by the creditors.

In the absence of an initial creditors' meeting we will report on progress again approximately six months after the commencement of the administration, or at the conclusion of the administration, whichever is the sooner.



Kirstie Provan
Joint Administrator

Date 21/2/20

**JOINT ADMINISTRATORS' COMBINED ESTIMATED
FINANCIAL POSITION OF THE COMPANY AND
ACCOUNT OF RECEIPTS AND PAYMENTS,
INCORPORATING ESTIMATED OUTCOME FOR
CREDITORS**

11 DECEMBER 2009 to 2 FEBRUARY 2010

JOINT ADMINISTRATORS' ACCOUNT OF RECEIPTS AND PAYMENTS, INCORPORATING ESTIMATED OUTCOME FOR CREDITORS

Period 11 December 2009 to 2 February 2010

	Estimated financial position of Company Book Value £'000	Receipts & Payments to date £	Anticipated Receipts & Payments £	Projected Outcome £
ASSETS SPECIFICALLY PLEDGED				
Book debts	15 413	91 112	Uncertain	Uncertain
Less Agents Costs		0	Uncertain	Uncertain
Less Legal Fees		0	Uncertain	Uncertain
Less Administrators Fees & Disbursements		0	Uncertain	Uncertain
Net Realisations		91,112	0	0
Less Paid to/due to BSF	(10 233)	91 112	(10 233 000)	(10,141,888)
Estimated surplus/(deficit) to BSF under fixed charge c/d	5,180	0	(10 233 000)	(10 141,888)
Stock subject to Barclays Trade Facility fixed charge	77	27,000	-	27,000
Less warehouse lien		(4,000)	-	(4,000)
Less Agents Costs		0	(1 650)	(1 650)
Less Legal Fees		0	0	0
Less Administrators Fees & Disbursements		0	Uncertain	Uncertain
Net Realisations		23 000	(1 650)	21 350
Less Paid/due to Barclays re stock facility & overdraft	(607)	-	(607,000)	(607 000)
Estimated surplus/(deficit) to Barclays Bank under fixed charge c/d	4 650	23 000	(608 650)	(585 650)
ASSETS NOT SPECIFICALLY PLEDGED				
Stocks	1 500	55 000	Uncertain	55,000
Less Agents Costs			(3,350)	(3,350)
Less Legal Costs			(1 000)	(1 000)
Less Warehouse Lien		(8 000)	0	(8 000)
		47,000	(4 350)	42 650
Office furniture and equipment	80	0	500	500
	6 230	47 000	(3 850)	43,150
Payments				
Administrator's fees and disbursements		0	Uncertain	Uncertain
Agent's fees & expenses		-	Uncertain	Uncertain
Legal fees		-	(25 000)	(25 000)
Statutory advertising (Est)		0	(500)	(500)
Available for preferential creditors	6,230	47 000	(29 350)	17 650
Arrears of wages and holiday pay	Uncertain		Uncertain	Uncertain
Net property	6,230	47,000	(29,350)	17,650
Prescribed part of net property set aside for unsecured creditors	uncertain		Uncertain	Uncertain
Available for floating charge creditor - BCP	6,230	47 000	(29 350)	17 650
Banque de Commerce et de Placements ("BCP") - see Note	(192)		(191 623)	(191 623)
Available for floating charge creditor - Barclays Bank PLC	6 038	47 000	(220 973)	(173 973)
Barclays Bank PLC - surplus/(deficiency) b/d	0		(608 650)	(585 650)
BSF - surplus/(deficiency) b/d	0		(10 233 000)	(10,141,888)
Surplus/(Deficiency) available to unsecured creditors	6 038	47,000	(11,062,623)	(10,901,511)
Trade and expense creditors - see note	585			
PAYE & VAT	2,188			
Employee unsecured claims	Uncertain			
	2,773			
Summary of balances held		0		
Fixed charge		0		
Floating charge		0		
Held as				
Held with agents on client account		70 109		
VAT Receivable		0		
		70,109		

Notes

Where costs are as yet unknown or we consider it in the best interests of the creditors not to disclose certain information at this juncture, amounts are stated as 'Uncertain'

Under a Deed of Priorities dated 10th January, in respect of stock purchased with funds not advanced by Barclays Bank PLC, BCP is entitled to payment in priority to the Bank to the extent that it has paid out under a bankers' guarantee in favour of the Bank. We understand this is limited to 300k.

The amount stated for trade & expenses creditors is based upon claims received to date. This amount is likely to be substantially higher.

Begbies Traynor (Central) LLP
TL Collections Limited (Fmly Titcheners Limited)
B - Company Creditors

Key	Name	Address	£
CA00	Aston & James Office Supplies	Unit 1, Nimrod Business Park, De-Havilland Way, Witney, Oxon, OX29 0YA	0 00
CA01	Action Line Couriers	Park house, Over Worton, Chipping Norton, Oxford, OX7 7ER	0 00
CA02	Apex Electrical Services	90 Gipsy Lane, Wokingham, Berkshire, RG40 1AB	0 00
CA03	Assured Security Shredding Ltd	Unit b, West Molesay Avenue, West Molesey, Surrey, KT8 2RY	503 13
CA04	Trumans Solicitors	The Old Court House, 5 Sheep Street, Bicester, Oxon, OX26 6JB	0 00
CA05	ACCA UK	29 Lincoln's Inn Fields, London, WC2A 3EE	0 00
CA06	Aviva UK Life	PO Box 520, Norwich, NR1 3WG	0 00
CB00	Barclaycard AM	PO Box 3000, Teesdale Business Park, Stockton on Tees, TS17 6YG	24,162 35
CB01	Biffa Waste Services Ltd	PO Box 645, High Wycombe, HP12 3WF	327 08
CB02	British Gas Business	PO Box 254, Camberley, Surrey, GU15 3WA	797 67
CB03	BT Contract Rentals	2630 The Quondrant Aztec, West Almondsbury, Bristol, Avon, BS32 4GQ	0 00
CB04	BUPA Wellness	Finance, Room 101, The Anchorage, Salford Quays, Manchester, M50 3XL	0 00
CB05	Business Energy Solutions	3 Darwin Court, Hawking Place, Bispham, Blackpool, Lancashire, FY2 0JW	569 42
CB06	BT Insolvencies	Alexander Bain House, 15 York Street, Glasgow Lanarkshire, G2 8LA	0 00
CC00	Candor Print	68 Tenter Road, Moulton Park, Northampton, NN3 6AX	0 00
CC01	Cathedral Leasing	300 Relay Port, Relay Drive, Tamworth, Staffordshire, B77 5PA	971 86
CC02	Cherwell District Council	PO Box 27, Banbury, Oxon, OX15 4BH	0 00
CC03	Chubb Fire Ltd	400 Dallow Road, Luton, Beds, LU1 1UR	380 14
CC04	Companies House	Financial Section, Companies House, Cardiff, CF14 3UZ	0 00
CC05	Connaught Gasforce Ltd	Connaught House, Saxon Business Park, Hanbury Road, Bromsgrove, Worcs, B60 4AD	0 00
CC06	Crowthorne Associates Ltd	8 Tavery Quay, Rope Street, London, SE16 7TX	0 00
CC07	Crown Records Management Ltd	Unit D, Twelve Trees Crescent, Prologis Business Park, Bromley By Bow, London, E3 3JH	1,357 62
CC08	Churches Fire Security Ltd	Fire House, Mayflower Close, Chandlers Ford, SO53 4AR	160 94
CC09	Crowthorne Insurance Services Limited	99 High Street, Crowthorne, Berkshire, RG45 7AD	0 00
CD00	Dale Sterry	33 Langton Way, Egham, Surrey, TW20 8DS	60,918 00
CD01	D Howell	22 Nelson Close, Emsworth, Hampshire, PO10 8JN	135,234 00
CD02	Daisy Communications Ltd	Daisy House, Lindred Road Business Park, Nelson, Lancashire, BB9 5SR	0 00
CD03	Deadline Couriers	York House, York Way, Cressex Business Park, High Wycombe, Bucks, HP12 3PY	44 08
CD04	DSC Security	283 High Street, Crowthorne, Berkshire, RG45 7AH	0 00
CD06			0 00
CD07	DCL Drains & Plumbing Service	113 Pinewood Park, Farnborough, Hants, GU14 9LE	0 00

Begbies Traynor (Central) LLP
TL Collections Limited (Fmly Titcheners Limited)
B - Company Creditors

Key	Name	Address	£
CD08	Dalcar Heating Services	Lakelands, Bracknell Road, Crowthorne, RG45 6SX	0 00
CE00	Earley Security Services Ltd	Unit 8B, Portman Road, Reading, RG30 1EA	0 00
CE01	Eden Springs UK Ltd	3 Livingstone Boulevard, Hamilton International Technology Park, Blantyre, G72 0BP	22 24
CE02	Entanet	Stafford Park 6, Telford, Shropshire, TF3 3AT	3,793 86
CE03	EON	Newland House 49 Mount Street, Nottingham, NG1 6PG	0 00
CE04	Entacall Telecommunications	Entacall Telecommunications Ltd, Stafford Park 6, Telford, Shropshire, TF3 3AT	57 50
CF00	Flight Logistics Group Ltd	Global Logistics Centre, Horton Road, Colnbrook, Berkshire, SL3 0DL	0 00
CF01	Fresh & Clean Services	Unit 7a, Cufaude Business Park, Cufaude Lane, Bramley, Tadley, Hampshire, RG26 5DL	0 00
CF02	FTC Kaplan Limited	6th Floor, Thames Tower, Station Hill, Reading, RG1 1LX	5,187 50
CG00	G Hynes	Anstell House, Donnington Square, Newbury, Berkshire, RG14 1PP	0 00
CG01	Gelidus Limited	Unit 7, Chiltern Enterprise Centre, Station Road, Theale, Reading, RG7 4AA	2,655 82
CG02	Robert Gough Consultancy Limited	25 Frances Road, Middle Barton, Chipping Norton, Oxfordshire, OX7 7ET	360 00
CH00	HSBC HP Account	PO Box 5930, 12 Calthorpe Road, Edgbaston, Birmingham, B15 1HX	0 00
CH01	Havant Borough Council	Havant Business Rates, PO Box 945, Bromley, BR1 9HE	1,247 55
CH02	HM Revenue & Customs	Insolvency Operations, 3NW Queens Dock, Liverpool, L74 4DF	1,029,960 74
CH03	HM Revenue & Customs	Enforcement & Insolvency, Durrington Bridge House, Barrington Road, Worthing, West Sussex, BN12 4SE	1,157,738 87
CH04	HSBC Bank PLC	Corporate Recoveries, 8 Canada Square, London, E14 5HQ	0 00
CH05	Ms G Hale	20 Willow Tree Avenue, Cowplain, Waterlooville, Hants, PO8 8AN	0 00
CI00	Iris Software Ltd	Riding Court House, Datchet, Berkshire, SL3 9JT	0 00
CI01	ICAEW	Professional Conduct Department, Metropolitan House, 321 Avebury Boulevard, Milton Keynes, MK9 2FZ	0 00
CJ00	Jeremy Newman	5 Hasting Close, Bray, Maidenhead, SL6 2DA	0 00
CL00	Lombard Finance Agreements	PO Box 520, Rotherham, South Yorkshire, S63 3BR	0 00
CL01	Lockton	North Quay, Temple Back, Bristol, BS1 6FL	0 00
CL02	Lexis Nexis (Butterworths)	Tolley House, 2 Addiscombe Road, Croydon, CR9 5AF	1,731 06
CL03	Lear Group Limited	The Coach House, Oldberrow Manor, Ullenhall Lane, Ullenhall, Warwicks, B95 5PF	0 00
CM00	Mr J W Baker	Fanara Farm, Funtington Down, Hares Lane, Funtington, Nr Chichester, West Sussex, PO18 9DL	9,640 70
CM01	Mr C Davidson	April Cottage, Woolpits Road, Great Saling, Essex, CM7 5DZ	230 00
CM02	Mr Russell Lewis	10 Sindle Close, Reading, Berkshire, RG41 5EE	0 00
CM03	Manton Office Equipment Ltd	Units 1 & 2, Chipstone Brook Ind Park, Cherry Court Way, Leighton Buzzard, LU7 4GP	0 00

Begbies Traynor (Central) LLP
TL Collections Limited (Fmly Titcheners Limited)
B - Company Creditors

Key	Name	Address	£
CM04	Martin Austin Publishing Ltd	Woodlands Avenue, 79 High Street, Greenhithe, Kent, DA9 9RD	172 50
CM05	Mercia Group Limited	Best House, Grange Business Park, Enderby Road, Whetstone, Leicester, LE8 6JL	3,820 88
CM06	Mercers Solicitors	50 New Street, Henley on Thames, Oxon, RG9 2BX	14,768 35
CM07	Minolta (UK) Ltd	Miles Gray Road, Basildon, Essex, SS14 3AR	0 00
CN00	N Oakey	12 Windwill Way, Tysoe, Warwickshire, CV35 0SB	54,195 65
CN01	Network	165 Bath Road, Slough, Berkshire, SL1 4AA	240 53
CN02	NTL Telewest	Business Payments, PO Box 4459, Worthing, BN13 1XP	67 59
CO00	Orange	Orange Payment Processing, Southend on Sea, Essex, SS99 6LU	795 44
CP00	Premium Credit	Premium Credit House, 60 East Street, Epsom, Surrey, KT17 1HB	12,856 35
CP01	P Raphael	Moonshine, Barrack Masters Lane, Route Des Carriers, Alderney, Channel Islands, GY9 3YD	156,000 00
CP02	Parfip UK Ltd	1 Northumberland Avenue, London, WC2N 5BW	2,957 00
CP03	PHS Group plc	Western Industrial Estate, Caerphilly, CF83 1XH	0 00
CP04	Pirbright Electrical Contractors Ltd	Toad Hall, Vapery Lane, Pirbright, Woking, Surrey, GU24 0QD	0 00
CP05	Pitney Bowes	PO Box 6569, Harlow, CM20 2FQ	0 00
CP06	Portsmouth Water Ltd	Customer Services Office, PO Box 99, Havant, PO9 1XX	34 99
CP07	Postal Advertisers Limited	Railway Bridge House, Station Road, Hook Norton, Banbury, OX15 5LS	0 00
CP08	Practice Track	The Old Estate Yard Offices, Upton Cheney, Bristol, BS30 6ND	1,127 00
CP09	Premier Office Supplies	42 Portman Road, Reading, Berkshire, RG30 1EA	0 00
CP0A			0 00
CP0B	Miss Jaime Parker	16 Angelo Close, Waterlooville, Hampshire, PO7 8JS	0 00
CR00	Rosh Vive	The Isle, 203 Reading Road, Wokingham, RG41 1LJ	62,424 06
CR01	Rainbow International	Unit 4, Charlton House Estate, Hinton in the Hedges, Nr Brackley, NN13 5LH	107 81
CR02	Royal & Sun Alliance	St James House, Church Road, Pangbourne, Berkshire, RG8 7AR	247 00
CR03	Royal Mail	Tallents House, 31 South Gyle Crescent, Edinburgh, EH12 9PB	0 00
CR04	HM Revenue & Customs	North West London, Lyon House, Lyon Road, Harrow, Middlesex, HA1 2DG	0 00
CR05	Rainbow International	Unit 4 Charlton House Estate, nr Brackley, Northampton NN13 5LH	0 00
CS00	Sage Software Limited	Building 3, Exchange Quay, Salford Quays, Manchester, Lancashire, M5 3ED	0 00
CS01	SE Gas Ltd	Customer Services Centre, P O Box 6324, Basingstoke, RG21 8WP	0 00
CS02	Shred-It Ltd	Ground Floor, Corner House, 177 Cross Street, Sale, Manchester, M33 7JQ	685 86
CS03	Shred-It M4	Unit 1, Martor Industrial Estate, Chippenhams, SN14 8LJ	591 68
CS04	SRCL Limited	PO Box 63, Leeds, LS9 0XH	178 30

Begbies Traynor (Central) LLP
TL Collections Limited (Fmly Titcheners Limited)
B - Company Creditors

Key	Name	Address	£
CS05	Southern Water	PO Box 41, Worthing, Sussex, BN13 3NZ	0 00
CS06	Trevor Stevens	Paternoster Farm Shop, 107 Cassington Road, Yarnton, Kidlington, Oxon, OX5 1QB	0 00
CS07	Scottish & Southern Energy PLC	Customer Service, PO Box 6131, Basingstoke, RG21 8WT	1,162 85
CT00	Towercomm Telephone Services	98 Warborough Avenue, Tilehurst, Reading, Berkshire, RG3 5LT	0 00
CT01	Telefonica O2 UK Ltd	PO Box 202, Houghton Regis, LU6 9AG	0 00
CT02	Thames Water	PO Box 286, Swindon, SN38 3TW	27 25
CT03	TCS Insurance	Cranbrook House, 287/291 Banbury Road, Oxford, OX2 7JQ	0 00
CT04	TCS Life & Pensions	Cranbrook House, 287/291 Banbury Road, Oxford, OX2 7JQ	30 00
CT05	Nigel Twine	22C Bridge Road, Emsworth, Hampshire, PO10 7DS	0 00
CU00	UBM Information Ltd	PO Box 314, Riverbank House, Angel Lane, Tonbridge, Kent, TN9 1YT	0 00
CU01	Utopia BPO PVT Ltd	T/A Iris Resourcing, Riding Court House, Datchet, Berkshire, SL3 9JT	0 00
CU02	Pitmans Solicitors RE Utopia IT	47 Castle Street, Reading, Berkshire, RG1 7SR	21,537 64
CV00	Veolia ES (UK) Limited	Lindon Road, Brownhills, Walsall, WS8 7BB	0 00
CV01	Viking Direct	Office Depot, Lancer House, Scudamore Road, Leicester, LE3 1UB	265 33
CV02	Vodafone Limited	Insolvency Department, Newton House, Brunel Drive, Brunel Park Industrial Estate, Newark, Nottinghamshire, NG24 2EG	0 00
CW00	Wolters Kluwer UK Ltd	PO Box 291, Kingston upon Thames, KT2 6SX	267 40
CW01	Wokingham Borough Council	PO Box 152, Shute End, Wokingham, Berkshire, RG40 1WJ	0 00
CW02	Westfield Health	Westfield House, 87 Division Street, Sheffield, South Yorkshire, S1 1HT	0 00
109 Entries Totalling			2,772,613.59

Signature _____

JOINT ADMINISTRATORS' TIME COSTS AND EXPENSES

Remuneration drawn will be notified to any creditors' committee appointed under paragraph 57 of Schedule B1 to the Act. In the absence of a creditors' committee, details of time incurred and disbursements drawn will be reported to creditors in accordance with *Statement of Insolvency Practice 9* issued by the Joint Insolvency Committee on behalf of the administrators' licensing bodies.

Total time spent to 2 February 2010 on this assignment amounts to 215.45 hours at an average composite rate of £278.63 per hour resulting in total time costs of £60,031.50.

To assist creditors in determining this matter, the following further information on time costs and expenses are set out.

- ☐ Begbies Traynor (Central) LLP's policy for re-charging expenses
- ☐ Begbies Traynor (Central) LLP's charge-out rates
- ☐ Narrative summary of time costs incurred and summary by staff grade and work activity and SIP9 time cost analysis ADM Excel spreadsheets

In addition a copy of *A Creditors' Guide to Administrators' Fees* is available on request. Alternatively, the guide can be downloaded from

<http://www.begbies-traynorgroup.com/Files/A%20Creditors'%20Guide%20to%20Administrators'%20Fees.pdf>

BEGBIES TRAYNOR CHARGING POLICY

INTRODUCTION

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

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

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

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

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

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

Best practice guidance classifies expenses into two broad categories.

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

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

- Internal meeting room usage for the purpose of statutory meetings of creditors is charged at the rate of London £150 per meeting,
- Car mileage is charged at the rate of 40 pence per mile,
- Storage of books and records (when not chargeable as a *Category 1 expense*) is charged on the basis that the number of standard archive boxes held in storage for a particular case bears to the total of all archive boxes for all cases in respect of the period for which the storage charge relates,

¹ Statement of Insolvency Practice 9 (SIP 9) – Remuneration of insolvency office holders in England & Wales (Effective 1 April 2007)

² Ibid 1

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

- Telephone and facsimile
- Printing and photocopying
- Stationery

BEGBIES TRAYNOR CHARGE-OUT RATES

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

Grade of staff	Charge-out Rate (£ per hour)
Partner	395-495
Senior Manager	350
Manager	300
Assistant Manager	250
Senior Administrator	220
Administrator	180

Time spent by support staff for carrying out shorter tasks, such as typing or dealing with post, is not charged to cases but is carried as an overhead. Only where a significant amount of time is spent at one time on a case is a charge made for support staff.

Time is recorded in units of 0.10 of an hour (i.e. 6 minute units)

SUMMARY OF OFFICE HOLDERS' TIME COSTS

CASE NAME Abacus Trading Co Limited (in Administration)
CASE TYPE ADMINISTRATION
OFFICE HOLDERS Kirstie Provan and Mark Robert Fry
DATE OF APPOINTMENT 11 December 2009

1 CASE OVERVIEW

1.1 This overview and the time costs analysis attached is intended to provide sufficient information to enable the body responsible for the approval of the office holders' fees to consider the level of those fees in the context of the case

1.2 Complexity of the case

There are no major complexities associated with this case. However, significant amounts of time have been liaising with the debt collection agents, Atlantic Risk Management Services Ltd ("Atlantic"), regarding the debtor ledger and dealing with multiple retention of title claims, both in respect of the raw material stocks and packaging and liens exercised by all of the respective warehouses for unpaid charges

1.3 Exceptional responsibilities

There are no exceptional responsibilities associated with this case

1.4 The office holders' effectiveness

The office holders have set out to sell the Company stock and to assist Atlantic further their debt collection project. To date, a sale of the stock subject to Barclays' trade facility at one of the warehouses has been completed, for the sum of £82,000, less storage costs which required settlement before the sale could be finalised of £11,891 and remittances via the re-directed post totalling £21,946 have been received

1.5 Nature and value of property dealt with by the office holders'

The Company's main assets are the stock of dried fruits and nuts and its debtor ledger

1.6 Anticipated return to creditors

On present information, it is uncertain whether there will be sufficient funds available to pay preferential creditors in full, subject to claims agreement. It is also uncertain whether there will be funds available to distribute to the secured creditor, Barclays Bank PLC the quantum of any distribution is presently uncertain and dependent upon future realisations. We consider that there will be insufficient funds available to pay a dividend to unsecured creditors of the Company

1.7 Time costs analysis

An analysis of time costs incurred between 11 December 2009 and 2 February 2010 prepared in accordance with Statement of Insolvency Practice 9 is attached showing the number of hours spent by each grade of staff on the different types of work involved in the case, and giving the average hourly rate charged for each work type

The time costs analysis provides details of work undertaken by the office holders and their staff following their appointment only

1.8 The views of the creditors

We would welcome any input from creditors regarding the conduct of the director in the period prior to the administration, and any other information that would assist with our investigations

1 9 Approval of fees

In the absence of an initial meeting of creditors and the establishment of a creditors' committee, the joint administrators' remuneration will be fixed by the approval of the secured and preferential creditors in accordance with Rule 2 106 (5A)

1 10 Other professionals employed & their costs

Upon the request of the secured creditor, Barclays Bank PLC, we instructed specialist debt collection agents Atlantic to assist in the collection of the Company's debtor ledger. Solicitors Hammonds have also been instructed upon the request of Barclays Bank PLC. Our agents, Edward Symmons & Partners, and solicitors Lawrence Graham LLP were chosen on the basis of their previous experience and expertise in work of this nature.

2 EXPLANATION OF OFFICE HOLDERS' CHARGING AND DISBURSEMENT RECOVERY POLICIES

2 1 Begbies Traynor (Central) LLP's policy for charging fees and expenses incurred by office holders is attached

2 2 The rates charged by the various grades of staff who may work on a case are attached

