

The Insolvency Act 1986

**Administrator's progress report**

Name of Company Dunster Properties Limited	Company number 02826968
In the High Court of Justice (full name of court)	Court case number 10321 of 2011

(a) Insert full name(s) and address(es) of administrator(s)

We (a)  
Simon Thomas  
Moorfields  
88 Wood Street  
London  
EC2V 7QF

Nicholas O'Reilly  
Moorfields Corporate Recovery Limited  
88 Wood Street  
London  
EC2V 7QF

administrator(s) of the above company attach a progress report for the period

(b) Insert date	From (b) 13 October 2016	To (b) 16 November 2016
	Signed Joint Administrator	
	Dated 16/11/16	

**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

Simon Thomas  
Moorfields  
88 Wood Street  
London  
EC2V 7QF

DX Number

0207 186 1144  
DX Exchange

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**



A17 18/11/2016 #466  
COMPANIES HOUSE

**Dunster Properties Limited (In Administration)**

**Joint Administrators' Final Progress Report**

**in accordance with**

**Rule 2.110 of the Insolvency Rules 1986 (as amended)**

**16 November 2016**

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### *Disclaimer*

This report has been prepared for the sole purpose of updating creditors for information purposes. The report is private and confidential and may not be relied upon, referred to, reproduced or quoted from, in whole or in part, by creditors for any purpose other than updating them for information purposes, or by any other person for any purpose whatsoever.

## **Dunster Properties Limited – In Administration (“the Company”)**

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

This is the Joint Administrators' eleventh and final progress report on the conduct of the Administration from 13 October 2016 to 16 November 2016 in accordance with the requirements of Rule 2.47 of the Insolvency Rules 1986 (as amended) (“the Rules”)

This report should be read in conjunction with the Joint Administrators' previous reports dated 18 January 2012, 2 June 2012, 1 November 2012, 8 May 2013, 21 October 2013, 16 May 2014, 21 October 2014, 18 May 2015, 12 October 2015, 9 May 2016 and 11 November 2016

The Joint Administrators have completed their Administration and achieved objective (c) as set out in their proposals. It is now the Joint Administrators' intention to exit the Administration by way of dissolution under p 83 of Schedule B1 of the Insolvency Act 1986 (“the Act”)

The Company entered Administration on 25 November 2011 and Simon Thomas and Robert Pick, both Licensed Insolvency Practitioners of Moorfields, 88 Wood Street, London EC2V 7QF, were appointed Joint Administrators

Shelley Bullman, a Licensed Insolvency Practitioner of Moorfields Corporate Recovery Limited, replaced Robert Pick as Joint Administrator under a Court Order dated 5 November 2012

Nicholas O'Reilly replaced Shelley Bullman as Joint Administrator on 20 November 2013 by Order of the Court

The Administration period was extended on 24 November 2015. The application altered the reporting periods for the Administration to six monthly periods from the date of the extension report dated 12 October 2015

To date, post appointment fees of £200,000 have been drawn in respect of the Administration. Further information regarding fees is given in section 5

Based on current information, and as previously reported, there will be no distribution to the unsecured creditors

Statutory information relating to the Company and the Joint Administrators' appointment is attached at Appendix I

In accordance with Rule 2.110(2)(a), I attach a Summary Statement of the Joint Administrators' Proposals at Appendix II. A full copy of the Proposals may be found on the website at [www.moorfieldscr.com](http://www.moorfieldscr.com) full details of which have been provided. Amendments to these proposals have been previously reported to creditors

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

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

The initial proposals envisaged that the Company would be returned to shareholders following repayment of all creditors in full however there have been insufficient realisations and therefore there has only been a distribution paid to the secured creditor and the Company will therefore be dissolved

The Joint Administrators' receipts and payments account for the period from 13 October 2016 to 16 November 2016 together with a cumulative account from the date of appointment is attached at Appendix II

I would comment specifically on the following developments during the period and I refer creditors to my previous reports for comment on historic matters and realisations

### **2 1 Realisation of assets**

The Company has no further assets to be realised

### **2 2 Joint Administrators' Expenses**

No expenses have been incurred or drawn in the period

## **3. Pre-administration Costs**

The pre-Administration costs were reported in the Proposals report The Joint Administrators confirm that they do not intend to seek approval for these costs

## **4 Joint Administrators' Remuneration**

As previously reported, at a meeting of creditors held on 12 July 2012, preferential and unsecured creditors approved resolutions for the Joint Administrators to draw remuneration based on the time costs incurred by themselves and their staff in dealing with this matter

The Joint Administrators have realised assets subject to a fixed charge on behalf of the Bank and have received fee agreement from both of the fixed charge holders To date £200,000 has been drawn in this regard

The statutory provisions relating to remuneration are set out in Rule 2 106 of the Insolvency Rules 1986 Further information is given in the Association of Business Recovery Professionals' publication 'A Creditors' Guide to Administrators' Fees', a copy of which may be accessed from the web site of the Insolvency Practitioners Association at [www.insolvency-practitioners.org.uk](http://www.insolvency-practitioners.org.uk) (follow the link for 'Regulation

and Guidance' then 'Creditors' Guides to Fees'), or is available in hard copy upon written request to the Joint Administrators offices

Attached at Appendix III is a SIP 9 time and cost analysis which provides details of the activity costs incurred by staff grade by reference to time properly spent by the Joint Administrators in managing the Administration during this period. Time costs for the period from 13 October 2016 to 16 November 2016 are £293. This represents 1.30 hours at an average hourly rate of £225.38 per hour. No time costs have been drawn in the period and any remaining time will be written off.

I also attach as Appendix III a cumulative time analysis for the period from 25 November 2011 to 16 November 2016 which provides details of my time costs since appointment. Time costs to 12 October 2016 have previously been reported in full.

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

I can confirm that no further fees or disbursements will be drawn and any remaining time will be written off.

I have attached as Appendix VI additional information in relation to this firm's policy on staffing, disbursements and details of our current charge-out rates by staff grade.

## **5. Joint Administrators' Disbursements**

All expenses and disbursement paid by the Joint Administrators are reflected in the receipts and payments account at Appendix II. In accordance with Statement of Insolvency Practice No. 9, where expenses are incurred in respect of the insolvent estate they may be recharged. Such expenses can be divided into two categories:

### **5.1 Category 1 Disbursements**

Separate charges are made in respect of directly attributable expenses (Category 1 disbursements) such as travelling, postage, photocopying (if external provider), statutory advertising and other expenses made on behalf of the assignment. Such disbursements can be paid from the insolvent's assets without approval from the Creditors' Committee or the general body of creditors. In line with Statement of Insolvency Practice No. 9, it is our policy to disclose Category 1 disbursements drawn but not to seek approval for their payment. We are prepared to provide such additional information as may reasonably be required to support the disbursements drawn.

The Joint Administrators' have not incurred or drawn any disbursements during the period.

## 5.2 Category 2 Disbursements

Category 2 disbursements do require approval from creditors. These disbursements can include costs incurred by Moorfields for the provision of services which include an element of recharged overhead, for example, room hire or document storage. Statement of Insolvency Practice No. 9 provides that such disbursements are subject to approval as if they were remuneration. Accordingly, at the aforementioned meeting, creditors passed a resolution authorising the Joint Administrators to recover Category 2 expenses and disbursements. It is our policy, in line with the Statement, to advise of any Category 2 disbursements before they are drawn.

No category 2 disbursements have been drawn in this period.

## 6. Prescribed Part

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

A floating charge was granted in favour of Citibank N.A. on 12 August 2006. The prescribed part would therefore ordinarily apply. The Prescribed Part (section 176A of the Insolvency Act 1986 (Prescribed Part) Order 2003) applies where there are floating charge realisations, net of costs and preferential claims (the 'net property'), to be set aside for unsecured creditors. This equates to:

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

As reflected in the receipts and payments account at Appendix II, and in accordance with the original proposals, after allowing for the costs of realisation and the administration of the estate there is no net property available from which to retain and distribute a prescribed part.

## 7. Outcome for creditors

### 7.1 Secured Creditors

The Bank holds fixed and floating charges over the Company's assets. A dividend of £4,222,742.18 has been paid to the Bank under their fixed charge in respect of the Property.

The Bank also holds cross guarantees in respect of four other properties within its lending portfolio, 7a Redburn Street, Halswell House, The Old School and The Old Rectory ("the Portfolio Properties"). These properties have now been sold and a dividend of £3,731,648.00 has been paid to the Bank under their fixed charge in this regard.

The estimated shortfall to the Bank under their fixed charge is £1,106,867 40

On 15 November 2011, Lewis Silkin LLP secured a charging order against the Company. The result of the shortfall under the charge held by the Bank is that insufficient assets are available to enable a distribution to be made to Lewis Silkin LLP

#### **7.2 *Preferential Creditors***

I have received 28 claims from employees in respect of preferential debts. Due to a lack of records I am unable to verify these claims, which have been passed to the Redundancy Payments Office, and I await confirmation that they have been accepted. There are no funds available to distribute to the preferential creditors.

#### **7.3 *Unsecured Creditors***

As detailed in my previous reports, following the sale of three Portfolio Properties, and the higher than anticipated costs of realisation, there are likely to be insufficient funds to repay the fixed charge creditor in full. There were insufficient funds realised to enable a distribution to be made to unsecured creditors.

The total claims of unsecured creditors are estimated at £10,873,775 26 based on claims received from 33 creditors. However, creditors' claims have not been adjudicated.

### **8. *Investigations***

As previously reported, and in accordance with the Company Directors Disqualification Act 1986 I would confirm that I have submitted a report on the conduct of the Directors of the Company to the Department for Business Innovation & Skills. As this is a confidential report, I am not able to disclose the contents.

The Joint Administrators' have reviewed the Company's financial accounts, bank statements and directors' questionnaires for the period leading up to the Administration to ascertain whether or not there had been any misconduct by the director in the form of any preference payments, transactions at an undervalue or wrongful trading. No additional matters were brought to my attention.

### **9. *Ending the Administration***

The Joint Administrators' have now completed their administration. In accordance with the Joint Administrators' proposals dated 18 January 2012 objective (c) has been achieved.

There are no funds to distribute at the end of the Administration, and there are no matters the Joint Administrators consider should be dealt with through the appointment of a Liquidator, it is the Joint Administrators' intention for the Company to exit administration and proceed into dissolution.



Form 2 35B Notice of Move from Administration to Dissolution has been sent to the Registrar of Companies. Upon registration of the Notice, the Joint Administrators' appointment will come to an end. In accordance with the provisions of paragraph 84(6) of Schedule B1 to the Insolvency Act 1986 the Company will be deemed to be dissolved three months after the registration of the notice.

In accordance with the authority granted by the creditors/secured creditor, the Joint Administrators were discharged from liability under Paragraph 98(3) of Schedule B1 of the Act immediately upon their appointment ceasing to have effect.

#### **10. Creditors' Rights**

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

Any secured creditor, or an unsecured creditor (with the concurrence of at least 10% in value of the unsecured creditors) may within 8 weeks of receipt of this progress report make an application to court on the grounds that the basis fixed for the Joint Administrators' remuneration, the remuneration charged or the expenses incurred by the Joint Administrators as set out in the progress report are excessive (Rule 2.109).

This is this is the Joint Administrators final progress report in the administration. If you have any queries regarding matters raised in this report please contact my colleague Jack Jones in the first instance. Contact details are given below.

For and on behalf of  
Dunster Properties Limited



**N H O'Reilly**  
**Joint Administrator**

DDI 020 7186 1153  
Fax 020 7186 1177  
Email [jjones@moorfieldscr.com](mailto:jjones@moorfieldscr.com)

Simon Thomas and Robert Pick of Moorfields Corporate Recovery Limited, 88 Wood Street, London, EC2V 7QF were appointed Joint Administrators on 25 November, 2011. Shelley Bullman, also of Moorfields Corporate Recovery Limited replaced Robert Pick as Joint Administrator on 5 November 2012 by order of the Court. Nicholas O'Reilly, also of Moorfields Corporate Recovery Limited, replaced Shelley Bullman as Joint Administrator on 20 November 2013 by order of the Court. The Administrators now manage the affairs, business and property of the Company. The Administrators act as agents only and without personal liability.

**Dunster Properties Limited  
Statutory Information**

**Company Information**

Company Number	02826968
Registered Office	Moorfields Advisory Limited, 88 Wood Street, London, EC2V 7QF
Trading Address.	Halswell House, Halswell Park, Goathurst, Bridgwater, Somerset, TA5 2DH
Principal Activity	Development & Sale of Real Estate

**Appointment details**

Joint Administrators	Simon Thomas (IP Number 8920) and Nicholas O'Reilly (IP Number 8309)
	Shelley Bullman replaced Robert Pick as Joint Administrator by Order of the Court dated 5 November 2012
	Nicholas O'Reilly replaced Shelley Bullman as Joint Administrator by Order of the Court dated 20 November 2013
Joint Administrators' address	Moorfields Advisory Limited, 88 Wood Street, London, EC2V 7QF
Date of appointment	25 November 2011
Court	High Court of Justice
Court Reference	10321 of 2011
Appointed by	Citibank N A (holder of QFCH)
Functions	Any act required or authorised under any enactment to be done by an Administrator may be done by either or both of the Joint Administrators acting jointly or alone
EC Regulations	The Company's registered office is from where the Company carries on its business. Therefore in the absence of proof to the contrary, the Company's centre of main interests is in the United Kingdom and as such these proceedings will be the main proceedings as defined in article 3 of the EC regulation

Extensions

The Joint Administrators made an application to Court to extend the Administration period for a further 12 months until 24 November 2013

The Joint Administrators made a second application to Court to extend the Administration period for a further 12 months until 24 November 2014

The Joint Administrators made a third application to Court to extend the Administration period for a further 12 months until 24 November 2015

The Joint Administrators made a fourth application to Court to extend the Administration period for a further 12 months until 24 November 2016

**STATEMENT OF PROPOSALS UNDER PARAGRAPH 49 OF SCHEDULE B1 OF  
THE INSOLVENCY ACT 1986**

In accordance with Paragraph 49 of Schedule B1 of the Act the Joint Administrators make the following proposals for achieving the purpose of the Administration

**The Joint Administrators propose that:**

- 1 They continue to manage the Company's business affairs and property of the Company for the purposes of achieving Objective (a) of the statutory purpose for the Administration (to rescue the Company as a going concern) failing which Objectives (b) and (c) will be pursued as appropriate
- 2 The Administrators may investigate and, if appropriate, pursue any claims that the Company may have under the Companies Act 1985 or the Act or otherwise. In addition, the Administrators shall do all such other things and generally exercise all their powers as Administrators as they in their discretion consider desirable in order to achieve the purpose of the Administration or to protect and preserve the assets of the Company or to maximise their realisations or for any other purpose incidental to these proposals
- 3 If the Administrators think that funds will become available for unsecured creditors, they may at their discretion establish in principle the claims of unsecured creditors for adjudication by a subsequent liquidator or supervisor of a CVA and that the costs of doing so be met as a cost of the Administration as part of the Administrators' remuneration (where the Administrators think that there will be sufficient funds for a distribution to unsecured creditors other than by virtue of the prescribed part) or out of the prescribed part as costs associated with the prescribed part (where the Administrators think that funds will become available to the unsecured creditors by virtue of the prescribed part but not otherwise)
- 4 If the Administrators think that funds will become available for unsecured creditors, the Administrators may at their discretion make an application to court for permission to make distributions to unsecured creditors under paragraph 65(3) Schedule B1 of the Act
- 5 The Administrators shall either apply to the court or seek consent from the appropriate classes of creditors for an extension of the administration beyond the statutory duration of one year if an extension is considered advantageous
- 6 The Administrators may use any or a combination of "exit route" strategies in order to bring the Administration to an end depending on levels of realisations in the Administration and of creditors' claims, both of which are uncertain at present. In this particular instance, the Administrators are likely to wish to pursue the following options as being the most cost effective and practical in the present circumstances
  - a the Administrators will formulate a proposal for a CVA and put it to meetings of the Company's creditors and shareholders for approval. If the CVA is approved, the Administration will be brought to an end by notice to the Registrar of Companies on completion of the Administration under paragraph 80 Schedule B1

of the Act, following registration of which the Administrators' appointment will cease to have effect, or

- b once asset disposals are complete, the Administrators will place the Company into Creditors Voluntary Liquidation ("CVL") In these circumstances it is proposed that Robert Pick and Simon Thomas be appointed Joint Liquidators The Liquidators will be authorised to act jointly and severally in the subsequent liquidation Under Paragraph 83(7) of Schedule B1 of the Act and Rule 2.117(3) of the Rules creditors may, before these proposals are approved, nominate different liquidators, but in the absence of such nomination the above named would become the liquidators, or
- c once asset disposals are complete, the Administrators will apply to the Court to allow the Administrators to distribute surplus funds, if any, to unsecured non-preferential creditors If such permission is given or if there are no funds to distribute, the Administration will be brought to an end by notice to the Registrar of Companies under paragraph 84 Schedule B1 of the Act, following registration of which the Company will be dissolved three months later, unless there are any matters which the Joint Administrators think need be dealt with through the appointment of a liquidator (e.g. investigations or disclaiming of onerous property) in which case the Joint Administrators will make an application for the Company to be wound-up by the court and that the Joint Administrators be the liquidators in the subsequent compulsory winding-up

**Dunster Properties Limited (in Administration)**  
**Summary of Receipts & Payments**

for period from 25 November 2011 to 16 November 2016

	From 25/11/2011 To 12/10/2016 (£)	From 13/10/16 To 16/11/2016 (£)	Total (£)
<b>FIXED CHARGE RECEIPTS</b>			
Freehold Land & Property	8,534,350 00	0 00	8,534,350 00
Freehold Land & Property (Surplus Funds)	63,017 60	0 00	63,017 60
Bank Interest	69,045 01	0 00	69,045 01
	<u>8,666,412 61</u>	<u>0 00</u>	<u>8,666,412 61</u>
<b>LESS: FIXED CHARGE PAYMENTS</b>			
Office Holder Fees	200,000 00	0 00	200,000 00
Office Holder Expenses	1,853 09	0 00	1,853 09
Legal Fees	271,775 85	0 00	271,775 85
Agents/Valuers Fees	135,520 00	0 00	135,520 00
Insurance of Assets	23,148 65	0 00	23,148 65
Storage Costs	2,125 28	0 00	2,125 28
Corporation Tax	13,805 26	0 00	13,805 26
Bank charges	42 50	25 00	67 50
	<u>648,270 63</u>	<u>25 00</u>	<u>648,295 63</u>
<b>Net Fixed Charge Realisations</b>	<b>8,018,141 98</b>	<b>(25 00)</b>	<b>8,018,116 98</b>
<b>DISTRIBUTION TO FIXED CHARGEHOLDER</b>			
Citibank N A	<u>7,954,390 18</u>	<u>63,726 80</u>	<u>8,018,116 98</u>
<b>Balance held on fixed charge account</b>	<b><u>63,751.80</u></b>	<b><u>(63,751 80)</u></b>	<b><u>-</u></b>
<b>FLOATING CHARGE RECEIPTS</b>			
Furniture & Equipment	1,500 00	0 00	1,500 00
Cash at Bank	567 00	0 00	567 00
Bank Interest Gross	83 82	0 00	83 82
Water Rates Refund	48 03	0 00	48 03
	<u>2,198 85</u>	<u>0 00</u>	<u>2,198 85</u>
<b>LESS FLOATING CHARGE PAYMENTS</b>			
Statutory Advertising Costs	169 20	0 00	169 20
Agents/Valuers fees	1,250 00	0 00	1,250 00
Searches	11 00	0 00	11 00
VAT - Unrecoverable	0 00	302 65	302 65
Storage Costs	466 00	0 00	466 00
	<u>1,896 20</u>	<u>302 65</u>	<u>2,198 85</u>
<b>Balance held on floating charge account</b>	<b><u>302.65</u></b>	<b><u>(302 65)</u></b>	<b><u>-</u></b>
<b>BALANCE HELD AS FOLLOWS</b>			
AIB Current account - Non Interest Bearing			-
AIB Current account - Non Interest Bearing			-
			<u>-</u>

**Notes**

The director failed to provide a Statement of Affairs therefore no Statement of Affairs figures have been provided

### Cumulative Detailed SIP9 Time & Cost Summary

**From 13 October 2016 to 16 November 2016**

Classification of Work Function	13/10/16 to 18/11/16					25/11/11 to 18/11/16			
	Partner	Manager	Other Senior Professionals	Assistants & Support Staff	Total Hours	Time Cost (£)	Ave Hourly Rate (£)	Cumulative Hours	Cumulative Time Costs
10 Case Planning	0.00	0.00	0.00	0.00	0.00	0.00	0.00	4.25	1,359.50
12 Appointment Notification	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.95	296.50
13 Maintenance of Records	0.00	0.00	0.00	0.00	0.00	0.00	0.00	2.00	367.00
14 Statutory Reporting	0.00	0.00	0.00	0.00	0.00	0.00	0.00	104.55	26,821.75
15 Case Monitoring	0.00	0.00	0.00	0.00	0.00	0.00	0.00	185.40	48,459.00
16 IPS Case Set Up	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.07	31.88
17 General Administration	0.00	0.00	0.00	0.00	0.00	0.00	0.00	104.75	18,365.50
18 Cashiering	0.00	0.20	0.40	0.70	1.30	293.00	225.38	50.54	9,639.75
19 Partner Review	0.00	0.00	0.00	0.00	0.00	0.00	0.00	13.25	5,960.00
70 Post appoint VAT and CT returns	0.00	0.00	0.00	0.00	0.00	0.00	0.00	27.75	6,811.00
Admin & Planning	0.00	0.20	0.40	0.70	1.30	293.00	225.38	493.51	118,111.88
71 Other Assets	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.80	196.00
47 Intangible Assets - Intellectual Property, etc	0.00	0.00	0.00	0.00	0.00	0.00	0.00	2.40	588.00
30 Freehold / Leasehold Property	0.00	0.00	0.00	0.00	0.00	0.00	0.00	181.00	43,449.00
31 Plant and Machinery	0.00	0.00	0.00	0.00	0.00	0.00	0.00	9.85	1,689.50
32 Motor Vehicles	0.00	0.00	0.00	0.00	0.00	0.00	0.00	1.75	324.50
34 Debtors	0.00	0.00	0.00	0.00	0.00	0.00	0.00	1.70	414.00
36 Identifying, Securing, Insuring	0.00	0.00	0.00	0.00	0.00	0.00	0.00	17.60	4,010.50
38 Asset related legal Matters	0.00	0.00	0.00	0.00	0.00	0.00	0.00	191.35	45,877.50
Asset Realisation	0.00	0.00	0.00	0.00	0.00	0.00	0.00	406.45	96,549.00
60 Case Specific	0.00	0.00	0.00	0.00	0.00	0.00	0.00	1.70	444.00
Case Specific Matters	0.00	0.00	0.00	0.00	0.00	0.00	0.00	1.70	444.00
63 Secured creditor reports	0.00	0.00	0.00	0.00	0.00	0.00	0.00	4.05	1,125.50
50 Creditor Correspondence	0.00	0.00	0.00	0.00	0.00	0.00	0.00	75.40	14,761.00
51 Unsecured creditor claims	0.00	0.00	0.00	0.00	0.00	0.00	0.00	3.50	1,085.00
52 Secured creditor claims/Reporting	0.00	0.00	0.00	0.00	0.00	0.00	0.00	5.25	1,539.00
55 Payment of dividends	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.30	67.50
57 Employee creditor claims	0.00	0.00	0.00	0.00	0.00	0.00	0.00	2.60	604.00
Creditors	0.00	0.00	0.00	0.00	0.00	0.00	0.00	91.10	19,182.00
20 SIP2 Review	0.00	0.00	0.00	0.00	0.00	0.00	0.00	1.90	323.00
21 CDDA Reports	0.00	0.00	0.00	0.00	0.00	0.00	0.00	7.05	1,559.50
Investigations	0.00	0.00	0.00	0.00	0.00	0.00	0.00	8.95	1,882.50
40 Management of Operations	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.60	264.00
42 On going employee issues	0.00	0.00	0.00	0.00	0.00	0.00	0.00	35.85	6,318.00
49 Tax on post appointment trading	0.00	0.00	0.00	0.00	0.00	0.00	0.00	11.85	2,103.00
Trading	0.00	0.00	0.00	0.00	0.00	0.00	0.00	48.30	8,685.00
Total Hours	0.00	0.20	0.40	0.70	1.30	293.00	225.38	1,050.01	244,854.38

**Appendix IV**

**Dunster Properties Limited**

**1. Explanation of office-holders charging and disbursement recovery policies**

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

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

The activities are summarised as follows

**1 1 Administration and planning**

The following activities have been undertaken

- Statutory duties associated with the appointment including the filing of relevant notices,
- Notification of the appointment to creditors, members, employees and other interested parties,
- Setting up of case files
- Reviewing available information to determine the appropriate strategy,
- Setting up and maintaining bank accounts,
- Implementing the strategy for the Administration,
- 6 monthly progress review of the case,
- Completion of statutory returns to the Insolvency Compliance Unit of the Department for Business Innovation and Skills

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

**1 2 Realisation of assets**

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

- Freehold Land and Property
- Furniture & Equipment
- Cash at Bank
- Water Rates Refund
- Bank Interest

The time spent includes the following matters

- Dealing with legal advisors with regards to the possession of the property,



- Dealing with legal advisors with regards to the sale agreement for the property,
- Corresponding with agents in relation to valuation and realisation of assets,

### 1 3 Creditors

The time spent includes the following matters

- Recording and maintaining the list of creditors,
- Dealing with employee related matters,
- Employee communications and liaising with Government agencies to facilitate employee claims for unpaid entitlements,
- Recording creditor claims,
- Dealing with specific creditor calls and correspondence,
- Reporting to creditors,
- Dealing with creditor queries,
- Reviewing and evaluating creditor claims to date

### 1 4 Investigations and communications

The time spent includes the following matters

- Corresponding with Company directors for purposes of conduct report,
- Issuing questionnaires and requests for Statement of Affairs,
- Reviewing Company records and questionnaires and preparing the statutory return in accordance with the requirements of the Department for Business Innovation and Skills.

### 1 5 Employee Related Matters

- Dealing with Employee related redundancy claims
- Liaising with Redundancy Payment Service regarding employee claims

### 2 0 Time recording

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

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

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

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

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

Our rates increased on 1 January 2016 The charge out rates per hour for the period from 1 January 2015 to 31 December 2015 were

<b>GRADE</b>	<b>£</b>
Partner	515
Director/ Senior Manager	425
Manager	355
Assistant Manager	280
Senior Administrator	245
Administrator	195-225
Cashier/ Support	195

Our rates increased on 1 January 2014 The charge out rates per hour for the period from 1 January 2014 to 31 December 2014 were

<b>GRADE</b>	<b>£</b>
Partner	485
Director/ Senior Manager	400
Manager	325
Assistant Manager	270
Senior Administrator	200-240
Administrator	125-200
Cashier/ Support	160

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

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

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

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

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

### 3.0 Disbursement recovery

#### **Category 1 Disbursements**

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

Such disbursements can be paid from the insolvent's assets without approval from the Creditors' Committee or the general body of creditors. In line with Statement of Insolvency Practice No. 9, it is our policy to disclose Category 1 disbursements drawn but not to seek approval for their payment. We are prepared to provide such additional information as may reasonably be required to support the disbursements drawn.

#### **Category 2 Disbursements**

Category 2 disbursements do require approval from creditors. These disbursements can include costs incurred by Moorfields for the provision of services which include an element of recharged overhead, for example, room hire or document storage. Statement of Insolvency Practice No. 9 provides that such disbursements are subject to approval as if they were remuneration. It is our policy, in line with the Statement, to seek approval for Category 2 disbursements before they are drawn.

The following Category 2 disbursements may be charged by this firm:

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

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- A charge of £10 for identification search's per director to comply with Money Laundering Regulations

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