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QUADRANT CENTRE RECENTON LIMITED

Case nos. [see Schedule to Draft Order]

IN THE HIGH COURT OF JUSTICE

CHANCERY DIVISION

LEEDS DISTRICT REGISTRY

IN THE MATTER OF CHESTER PROPERTIES EBBW VALE 1 LIMITED (IN  
ADMINISTRATION) AND OTHERS

AND IN THE MATTER OF CHISWICK PLACE LLP (IN CREDITORS' VOLUNTARY  
LIQUIDATION) AND OTHERS

AND IN THE MATTER OF THE INSOLVENCY ACT 1986

TYPE OF INSOLVENCY PROCEEDING

Administration; Liquidation

BETWEEN

1. MATTHEW HAW

2. GRAHAM PAUL BUSHBY

Applicants

and

3. ALAN LOVETT

4. MATTHEW RICHARD MEADLEY WILD

5. BRUCE ALEXANDER MACKAY

Respondents



Before His Honour Judge Behrens sitting at  
Leeds District Registry on 9th December 2015

DRAFT ORDER

UPON the application of, MATTHEW HAW of RSM Restructuring Advisory LLP (RSM), 25 Farringdon Street, London, EC4A 4AB and GRAHAM PAUL BUSHBY, RSM Restructuring Advisory LLP, The Pinnacle, 170 Midsummer Boulevard, Milton Keynes, MK9 1BP

AND UPON READING the witness statements of Matthew Haw dated 25 November 2015 and Alan Lovett dated 25 November 2015

THURSDAY



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COMPANIES HOUSE

- 1 The proceedings listed in the Schedule to this Order be transferred to the High Court of Justice, Chancery Division, Leeds District Registry solely for the purpose of the determination and disposal of this Application upon which they be transferred back to the Court from which they were transferred
- 2 Alan Lovett be removed from office as Administrator and Liquidator (as the case may be) of the estates listed in the Schedule to this Order and be replaced by the individuals named in the said Schedule as set out therein with immediate effect
- 3 Alan Lovett be removed and replaced, as set out in the Schedule, in each such case with immediate effect, without being required to (i) apply to the Secretary of State for release or discharge as appropriate pursuant to s173(2)(b) (ii) of the Insolvency Act 1986 as the case may be, or (ii) file a receipts and payment account
- 4 In any matter where more than one person is by virtue of this Order appointed as the office-holder in relation to an estate, the functions of the office-holder may be exercised by any or all of the persons appointed
- 5 In the event that any of the administrations which are the subject of this Order subsequently move to creditors' voluntary liquidations pursuant to paragraph 83 of Schedule B1 to the Insolvency Act 1986 and Alan Lovett has been nominated by the creditors of the company to be the liquidator in accordance with paragraph 83(7)(a) of the said Schedule B1, the replacement administrator(s) in each case, as set out in the Schedule to this Order, shall also replace Alan Lovett, as the case may be, as liquidator
- 6 In any matter the requirement for a Progress Report upon the outgoing office-holder ceasing to act as set out in Rules 2 47(3A) (Administrations) and Rule 4 49C(3) (Voluntary Liquidations) shall not apply
- 7 Alan Lovett be discharged from liability as office-holder 21 days after the publication of a notice in the Gazette as provided for by paragraph 8 of this Order
- 8 The Applicants be permitted to publish in the Gazette one composite notice relating to all new appointments which are required by law to be published in the Gazette within 14 days of receipt of the sealed Order and to file any appropriate notices in respect of the removal of Alan Lovett and the appointment of the new office-holders appointed pursuant to paragraphs 2 and 3 of this Order (the New Office-Holders) with the Registrar of Companies and the Secretary of State for Business Innovation and Skills (Insolvency Service) as appropriate

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- 9 Subject to paragraph 13 below, in the event that, as a result of the implementation of the Order RSM incurs any additional cost in respect of the administration of those estates where Alan Lovett was the office-holder (that is to say over and above those costs incurred in the ordinary course of the administration of those estates), those costs shall be borne by RSM and shall not be charged as an expense of the administration of those estates
  - 10 Nothing contained in paragraphs 9 or 13 shall prejudice the Applicants, the Respondents or the New Office-Holders from.
    - 10 1 Charging to each individual estate the cost of obtaining an Insolvency Practitioner's licence bond in respect of that estate, and
    - 10.2 Apportioning between the said estates equally the cost of the composite Gazette notice to be placed under paragraph 8 above
  - 11 Without incurring any additional expense for any of the said estates, the Applicants, Respondents or New Office-Holders shall notify each creditor of this Application and this Order by way of notice in the next routine report that shall be due to the creditors of each estate, such notice to contain the following matters.
    - 11 1 An explanation of the effect of the Order,
    - 11 2 Express reference to the liberty to apply contained in paragraph 12 below,
    - 11 3 In the case of Liquidations, where Liquidation Committees have been appointed, an explanation that, to the extent that any information which would otherwise be required to be provided under rule 4 108(3) (as the case may be) of the Insolvency Rules 1986 has not already been provided as part of the report, it is open to that committee to require the Applicants, Respondents or New Office-Holder to provide an account of the administration of the estate, including.
      - 11 3 1 A summary of receipts and payments,
      - 11 3 2 A statement that he has reconciled his accounts
    - 11 4 In the case of Liquidations where no Liquidation Committees or Creditors' Committees have been appointed, an explanation that, to the extent that such information as aforesaid has not already been provided as part of the report, it is open to any creditor to apply to court for an order that the Applicants, Respondents or New Office-Holder do provide an account of the administration of the estate, including.
      - 11 4 1 1 A summary of receipts and payments,

11 4 1 2 A statement that he has reconciled his accounts.

- 11.5 Notification that if any Applicants, Respondents or New Office-Holder has been required to provide the information referred to in sub-paragraphs 11 3 and 11 4 above, whether by a Liquidation Committee or by Court order on the application of any creditor(s), the costs of any appointed office-holder of so complying will, unless there are good reasons to the contrary, be paid as an expense of the winding up or bankruptcy as the case may be, and
- 11 6 In the case of Liquidations, notification to each creditor of his right under regulation 11(2) of the Insolvency Regulations 1994 to require the appointed office-holders to supply a statement of receipts and payments free of charge
- 12 Liberty to each creditor of each estate to apply to vary or discharge this order within 21 days of the receipt of the notice directed to be sent under paragraph 8 above
- 13 The costs of this Application (including VAT) shall be met by RSM
- 14 Such further or other order or direction as the court thinks fit

[illegible]

[illegible]

**IN THE HIGH COURT OF JUSTICE  
CHANCERY DIVISION  
LEEDS DISTRICT REGISTRY**

**Case nos. [see Schedule]**

**Before**

**This     day of**

**IN THE MATTER OF CHESTER PROPERTIES EBBW VALE 1 LIMITED (IN  
ADMINISTRATION) AND OTHERS**

**AND IN THE MATTER OF CHISWICK PLACE LLP (IN CREDITORS' VOLUNTARY  
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**AND IN THE MATTER OF THE INSOLVENCY ACT 1986**

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**ORDER**

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The Court sent sealed copies of this Order to

**Walker Morris LLP**

King Court

12 King Street

Leeds LS1 2HL

REF. JFR/ RWS/ BAK 37-241

Solicitors for the Applicants