

The Insolvency Act 1986

Administrator's progress report

Name of Company
AAA Retirement & Investment Services
Ltd

Company number
03981261

In the
High Court of Justice, Leeds District
Registry
[full name of court]

Court case number
2068 of 2010

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

I / We (a) Bob Maxwell of Begbies Traynor (Central) LLP, 9th Floor, Bond Court, Leeds LS1 2JZ and Rob Sadler of Begbies Traynor (Central) LLP, 9th Floor, Bond Court, Leeds, LS1 2JZ

administrators of the above company attach a progress report for the period

from

to

(b) Insert dates

21 October 2010

20 April 2011

Signed

Joint Administrator

Dated

18/5/11

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

9th Floor, Bond Court, Leeds, LS1 2JZ

Tel Number 0113 244 0044

Fax Number 0113 244 5820

DX Number

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



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COMPANIES HOUSE

SATURDAY

Bob Maxwell and Rob Sadler were appointed joint administrators on 21 October 2010

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

AAA Retirement & Investment Services Ltd (In Administration)

Progress report of the joint administrators pursuant to Rule 2.47 of The Insolvency Rules 1986

Period: 21 October 2010 to 20 April 2011

Important Notice

This progress report has been produced by the administrators solely to comply with their statutory duty to report to creditors on the progress of the administration. 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"	AAA Retirement & Investment Services Ltd (In Administration)
"the administration"	The appointment of administrators under Schedule B1 to the Insolvency Act 1986 on 21 October 2010
"the administrators"	Bob Maxwell of Begbies Traynor (Central) LLP, 9th Floor, Bond Court, Leeds, LS1 2JZ and Rob Sadler of Begbies Traynor (Central) LLP, 9th Floor, Bond Court, Leeds, LS1 2JZ
"the Act"	The Insolvency Act 1986 (as amended)
"the Rules"	The Insolvency Rules 1986 (as amended)
"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(1)(a) of the Act)
"security"	(i) In relation to England and Wales, any mortgage, charge, lien or other security (Section 248(1)(b)(i) of the Act), 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(1)(b)(ii) of the Act)
"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	AAA Retirement & Investment Services Ltd
Date of Incorporation	26 April 2000
Company registered number	03981261
Company registered office	c/o Begbies Traynor, 9th Floor, Bond Court, Leeds, LS1 2JZ

3. DETAILS OF APPOINTMENT OF ADMINISTRATORS

Names of administrators	Bob Maxwell, a Licensed Insolvency Practitioner of Begbies Traynor (Central) LLP, 9th Floor, Bond Court, Leeds, LS1 2JZ and Rob Sadler, a Licensed Insolvency Practitioner of Begbies Traynor (Central) LLP, 9th Floor, Bond Court, Leeds, LS1 2JZ
Date of administrators' appointment	21 October 2010
Court	High Court of Justice, Leeds District Registry
Court Case Number	2068 of 2010
Person making appointment / application	Clydesdale Bank Plc (t/a Yorkshire Bank)
Acts of the administrators	The 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 Proceedings	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.

4. PROGRESS DURING THE PERIOD

Attached at Appendix 1 is our abstract of receipts and payments for the period from 21 October 2010 to 20 April 2011.

Receipts

Rental income

We have received a total of £3,829.27 in rental income to date.

Payments

Property maintenance

A J Services have been paid £220 for carrying out maintenance works on site.

Specific bond

We have paid £36 to our insurers, Willis Ltd, in relation to the statutory bond payment.

Statutory Advertising

The sum of £75.60 has been paid to our advertising agents, Courts Advertising Ltd, in relation to statutory advertising.

5. ESTIMATED OUTCOME FOR CREDITORS

Details of the sums owed to each class of the Company's creditors were provided in the administrators' statement of proposals

Details of how the prescribed part for unsecured creditors is calculated were provided in the administrators' statement of proposals

There are no floating charge assets and, therefore, the administrators have estimated, to the best of their knowledge and belief, the Company's net property, as defined in Section 176A(3), to be nil and the prescribed part of the Company's net property to be nil

There is therefore no prospect of a dividend to any class of creditor, other than to the Secured Creditor, Clydesdale Bank Plc t/a Yorkshire Bank, under their fixed charge

6. PRE-ADMINISTRATION COSTS

Details of recipient	Description of services provided	Amount
Begbies Traynor	In the period before the Company entered administration, the joint administrators carried out work consisting of the initial review work, followed by matters relating to the insolvency of the Company ("the Work"). The Work was carried out pursuant to agreement with the Company and the Secured Creditor	£1,589

The pre-administration costs that were unpaid at the date of the administrators' appointment were detailed in their statement of proposals for achieving the purpose of administration

7. ADMINISTRATORS' REMUNERATION & DISBURSEMENTS

The administrators' remuneration has been fixed by the Secured Creditor pursuant to 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 charge out rates of Begbies Traynor (Central) LLP in attending to matters arising in the administration and they are authorised to draw disbursements, including disbursements for services provided by their firm (defined as category 2 disbursements in Statement of Insolvency Practice 9) in accordance with their firm's policy, details of which accompanied the Statement of Proposals for achieving the purpose of administration and which are attached at Appendix 2 of this report

The following further information in relation to the administrators' time costs and disbursements is set out at Appendix 2

- ☐ Narrative summary of time costs incurred
- ☐ Table of time spent and charge-out value for the period 21 October 2010 to 20 April 2011
- ☐ Begbies Traynor (Central) LLP's policy for re-charging disbursements
- ☐ Begbies Traynor (Central) LLP's charge-out rates

Total time spent to the date of this report on this assignment amounts to 141 hours at an average composite rate of £196 per hour resulting in total time costs of £27,783

The joint administrators have drawn no remuneration to date

8. ADMINISTRATORS' EXPENSES

A statement of the expenses incurred by the administrators during the period of this progress report is attached at Appendix 3

9. ASSETS THAT REMAIN TO BE REALISED

30-32 & 34 Bridge Street, Belper

30-32 Bridge Street, Belper

This property is a double-fronted unit which is a part commercial, part residential development. The front ground floor retail unit was formerly being let. This lease has now ended and the tenant has vacated the property.

The first and second floors of the unit consist of 4 flats, one of which is currently being occupied. The remainder have now been vacated.

In addition, there is a terrace construction to the rear of the property made up of three storage units. Two of these units are also currently being let.

34 Bridge Street, Belper

This property is also a part commercial, part residential development. The front ground floor unit is occupied as a hairdressers and beauty salon, with the first and second floors having been converted into 2 self-contained apartments. These apartments are currently vacant.

Our agents are advising us as regards marketing the property.

The Maltings, 35 Northgate, Newark

This property is a Grade II listed Georgian building. The Company had carried out works to convert the property into a number of residential lets, however, these works were not completed prior to our appointment.

Upon receipt of advice from our agents, we instructed local agents, FHP, to commence marketing the property. Given that this document is in the public domain we have chosen not to include our expectations of the value which this property may achieve as we believe that to do so may be prejudicial to realisations. An offer has been accepted subject to contract, however, we can disclose that we do not anticipate that realisations will be sufficient to discharge the Company's indebtedness to the Bank under its fixed charge security, hence we do not anticipate that funds will be available to distribute to unsecured creditors.

10. OTHER RELEVANT INFORMATION

Report on Directors conduct

As detailed in the administrators' statement of proposals, the administrators have a duty to submit a report to the Department for Business, Innovation and Skills on the conduct of the Director. The administrators have complied with their duties in this respect.

Extension of administration

Paragraph 76 of Schedule B1 to the Insolvency Act 1986 provides that the appointment of an administrator shall cease to have effect at the end of the period of one year beginning with the date on which it takes effect. However, the administrator's term of office may be extended either by court order for a specified period or by consent of the creditors for a specified period not exceeding six months.

In view of the nature of the remaining assets and present state of the property market the administration may not be finalised within twelve months. In order to ensure that the objective of the administration is achieved and that we have fully discharged our duties as administrators, it may be necessary to extend the period of the administration either by consent of the secured creditors or by Court Order.

Proposed exit route 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.

11. CREDITORS' RIGHTS

Right to request further information

Pursuant to Rule 2.48A of the Rules, within 21 days of the receipt of this report a secured creditor, or an unsecured creditor with the concurrence of at least 5% in value of the unsecured creditors, including that creditor (or an unsecured creditor with less than 5% in value of the unsecured creditors, but with the permission of the court) may request in writing that the administrators provide further information about their remuneration or expenses (other than pre-administration costs) which have been detailed in this progress report.

Right to make an application to court

Pursuant to Rule 2.109 of the Rules, any secured creditor or an unsecured creditor with the concurrence of at least 10% in value of the unsecured creditors including that creditor (or any unsecured creditors with less than 10% in value of the unsecured creditors, but with the permission of the court), may within 8 weeks of receipt of this progress report make an application to court on the grounds that the remuneration charged or the expenses incurred by the administrators as set out in this progress report are excessive or, in relation to the basis fixed for the administrators' remuneration, inappropriate.

12. CONCLUSION

Finally, we are seeking the consent of the secured creditors to our future discharge as administrators by a resolution passed pursuant to Paragraph 98 of Schedule B1 to the Act. We seek the date of our discharge to coincide with the date on which our appointment as administrators ultimately ceases to have effect.

We will report again in approximately six months time or at the conclusion of the administration, whichever is the sooner.



R A H Maxwell
Joint Administrator

Dated 17 May 2011

ADMINISTRATORS' ACCOUNT OF RECEIPTS AND PAYMENTS

Period 21 October 2010 to 20 April 2011

	Receipts & Payments in period 21 October 2010 to 20 April 2011 £
Assets specifically pledged	
30-34 Bridge Street, Belper, Derbyshire, DE56 1AX	-
The Maltings, 35 Northgate, Newark, Nottinghamshire, NG24 1HD	-
Less Clydesdale Bank plc	-
	-
Assets not specifically pledged	
Rental income	3,829
	<u>3,829</u>
Payments	
Bordereau (statutory bond)	(36)
Property maintenance	(220)
Statutory advertising	(76)
	<u>(332)</u>
	<u>3,497</u>
Held as	
Bank	3,622
VAT	(36)
Office	(89)
	<u>3,497</u>

ADMINISTRATORS' TIME COSTS AND DISBURSEMENTS

- a Begbies Traynor (Central) LLP's policy for re-charging expenses/disbursements,
- b Begbies Traynor (Central) LLP's charge-out rates,
- c Narrative summary of time costs incurred, and
- d Table of time spent and charge-out value for the period from 21 October 2010 to 20 April 2011

STATEMENT OF ADMINISTRATORS' EXPENSES

Other amounts paid by or to the office holders' firm

Type and purpose	Amount (£)
Car Mileage – 40p per mile	467 00
Car Parking and subsistence	24 51
Company Search	7 00
Specific Bond	36 00
Statutory Advertising	75 60
TOTAL	610.11

Other amounts paid to third parties

Type and purpose	Amount (£)
Property maintenance	220 00
TOTAL	220.00

SUMMARY OF OFFICE HOLDERS' TIME COSTS

CASE NAME	AAA Retirement & Investment Services Limited
CASE TYPE	Administration
OFFICE HOLDERS	Bob Maxwell, Edward Klempka and Julian Pitts
DATE OF APPOINTMENT	13 October 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

This case has focused on resolving a number of issues on all three properties
A large proportion of time spent to date has been liaising with our insurers in relation to the property at Newark. The insurance requirements have now been fulfilled and the property has now been sold, subject to contract

1.3 The office holders' effectiveness

The joint administrators have now resolved all security and insurance issues with regard to the Newark property and have commenced marketing the property
We will commence marketing the two Belper properties as soon as is reasonably practicable

1.4 Nature and value of property dealt with by the office holders

The Belper property is a double-fronted unit which is a part commercial, part residential development. The property at Newark is a Grade II listed Georgian building

1.5 Anticipated return to creditors

The joint administrators anticipate that there will only be a distribution to the Secured Creditor who will not be repaid in full

1.6 Time costs analysis

An analysis of time costs incurred between 21 October 2010 to 20 April 2011 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

1.7 The views of the creditors

Creditors are invited to contact the joint administrators with any queries they may have following reading this report

1.8 Approval of fees

The joint administrators have the consent of the Secured Creditor to draw their fees on a time cost basis

1.9 Approval of Expenses and Disbursements

The joint administrators have the consent of the Secured Creditor to draw their disbursements as and when funds permit.

1 10 Other professionals employed & their costs

Sanderson Weatherall was instructed to provide us with advice in relation to resolving security and insurance issues and in adopting an appropriate marketing strategy

Cobbetts were instructed to advise on the validity of our appointment and other legal matters

FHP are the letting agents of the property. They were instructed on the recommendation of our agents, Sanderson Weatheralls. We have continued to use their services as they are local and reputable agents.

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 at Appendix 2

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

3. SUMMARY OF WORK CARRIED OUT SINCE OUR LAST REPORT

Since the date of our last report, the following work has been carried out

- Liaising with agents and solicitors,
- Liaising with tenants,
- Liaising with insurers,
- Creditor correspondence, and
- Preparation of the interim progress report

Time costs analysis for the period from 21 October 2010 to 20 April 2011

[illegible]