

AM22

Notice of move from administration to creditors' voluntary liquidation



Companies House

FRIDAY



QIQ *Q936L5VK* #65
17/04/2020
COMPANIES HOUSE

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

1 Company details

Company number 0 4 4 9 5 5 5 7

Company name in full Optima Catering Limited (in Administration)

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

2 Court details

Court name High Court of Justice Business and Property Courts in
Manchester - Company & Insolvency List (CHD)

Court case number C R 2 0 1 9 M A N 0 0 0 4 5 5

3 Administrator's name

Full forename(s) Julien

Surname Irving

4 Administrator's address

Building name/number Leonard Curtis

Street Riverside House

Irwell Street

Post town Manchester

County/Region

Postcode M 3 5 E N

Country

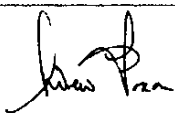
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Notice of move from administration to creditors' voluntary liquidation

5 Administrator's name ①	
Full forename(s)	Andrew
Surname	Poxon
① Other administrator Use this section to tell us about another administrator.	
6 Administrator's address ②	
Building name/number	Leonard Curtis
Street	Riverside House
	Irwell Street
Post town	Manchester
County/Region	
Postcode	M 3 5 E N
Country	
② Other administrator Use this section to tell us about another administrator.	
7 Appointor/applicant's name	
	Give the name of the person who made the appointment or the administration application.
Full forename(s)	The Board of Directors
Surname	
8 Proposed liquidator's name	
Full forename(s)	Andrew
Surname	Poxon
Insolvency practitioner number	8 6 2 0
9 Proposed liquidator's address	
Building name/number	Leonard Curtis
Street	Riverside House
	Irwell Street
Post town	Manchester
County/Region	
Postcode	M 3 5 E N
Country	

AM22

Notice of move from administration to creditors' voluntary liquidation

10		Proposed liquidator's name^①	
Full forename(s)	Christopher		① Other liquidator Use this section to tell us about another liquidator.
Surname	Purkiss		
Insolvency practitioner number	9 6 5 4		
11		Proposed liquidator's address^②	
Building name/number	Moore Kingston Smith & Partners LLP		② Other liquidator Use this section to tell us about another liquidator.
Street	Devonshire House		
	60 Goswell Road		
Post town	London		
County/Region			
Postcode	E C 1 M 7 A D		
Country			
12		Period of progress report	
From date	d 0 7 m 1 2 y 2 0 y 1 9		
To date	d 1 7 m 0 4 y 2 0 y 2 0		
13		Final progress report	
		<input checked="" type="checkbox"/> I have attached a copy of the final progress report.	
14		Sign and date	
Administrator's signature	Signature X  X		
Signature date	d 1 7 m 0 4 y 2 0 y 2 0		

AM22

Notice of move from administration to creditors' voluntary liquidation



Presenter information

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

Contact name	Claire Kuncewicz
Company name	Leonard Curtis
Address	Riverside House
	Irwell Street
	Manchester
Post town	
County/Region	
Postcode	M 3 5 E N
Country	
DX	
Telephone	0161 831 9999



Checklist

We may return forms completed incorrectly or with information missing.

Please make sure you have remembered the following:

- ☒ The company name and number match the information held on the public Register.
- ☒ You have attached the required documents.
- ☒ You have signed and dated the form.



Important information

All information on this form will appear on the public record.



Where to send

You may return this form to any Companies House address, however for expediency we advise you to return it to the address below:

The Registrar of Companies, Companies House,
Crown Way, Cardiff, Wales, CF14 3UZ.
DX 33050 Cardiff.



Further information

For further information please see the guidance notes on the website at www.gov.uk/companieshouse or email enquiries@companieshouse.gov.uk

This form is available in an alternative format. Please visit the forms page on the website at www.gov.uk/companieshouse

**LEONARD CURTIS
PRIVACY NOTICE FOR CREDITORS**

Information we collect and hold about you

By requesting details of your claim in this insolvency, we may collect Personal Data from you, particularly if you are a consumer creditor, a sole trader or are lodging a claim in your personal capacity.

Personal Data is information relating to a living individual. Whenever Personal Data is processed, collected, recorded, stored or disposed of it must be done within the terms of the General Data Protection Regulation ("the GDPR"). Examples of Personal Data include but may not be limited to your name, address, telephone number and email contact details.

If you do not provide us with the information we require, this may adversely affect our ability to deal with your claim, but we would ask you not to submit more Personal Data than we request from you.

Legal justification for processing your Personal Data

The processing of your Personal Data by us is necessary to enable us to comply with legal obligations under the Insolvency Act 1986 and associated legislation which we are subject to as Insolvency Practitioners.

How we use your information

All information you supply to us is required to enable us to comply with our duties under the Insolvency Act 1986 and associated legislation. It will be used to enable us to assess the extent of the insolvent entity's liabilities, to allow you to vote on any decision procedures, to enable us to communicate with you, to process your claim and to pay any dividends which may be due to you from the insolvent estate.

Who we share your information with

We may be required to share some of your Personal Data with other creditors. The data which will be shared with other creditors will be limited to that specifically required to be disclosed under insolvency legislation.

We may share some of your information with our Data Processors. Data Processors include solicitors, accountants and employment law specialists who assist us with our duties where required. We will only share your information with our Data Processors if we require their specialist advice. All of our Data Processors are subject to written contracts with us to ensure that your Personal Data is processed only in accordance with the GDPR.

How long will we hold your Personal Data for?

We will need to hold your Personal Data for a period of time after the insolvency has been concluded. This is to enable us to deal with any queries which might arise. Our Records Management Policy requires us to destroy our physical files 6 years after closure of the case. Electronic data files will be removed from our Case Management System 6 years after conclusion of the case but may be held on our server for a longer period of time but with restricted access.

Your rights in respect of your Personal Data

You have the right to request access to your Personal Data and to require it to be corrected or erased. You also have the right to request a restriction in the way we process your Personal Data or to object to its processing. You should be aware however that we may not be able to comply with your request if this would affect our ability to comply with our legal obligations.

You have the right to Data Portability. This is a right to have the Personal Data we hold about you to be provided to you in a commonly used and machine-readable format so that you can transfer that Data to another organisation in a way that is not too onerous to upload the Data.

OPTIMA CATERING LIMITED – IN ADMINISTRATION

Your right to complain

You have the right to be confident that we are handling your Personal Data responsibly and in line with good practice. If you have a concern about the way we are handling your Personal Data you should contact our Privacy Manager in the first instance.

If you are unable to resolve your concerns with us, you have the right to complain to the Information Commissioners' Office. The Information Commissioner can be contacted at Wycliffe House, Water Lane, Wilmslow, Cheshire SK6 5AF or on 0303 123 1113.

Contacting us

If you have any questions relating to the processing of your Personal Data, please write to our Privacy Manager at Leonard Curtis, 5th Floor, Grove House, 248A Marylebone Road, London NW1 6BB Alternatively our Privacy Manager can be contacted by telephone on 0207 535 7000 or by email: privacy@leonardcurtis.co.uk.

Data Controller: LEONARD CURTIS



LEONARD CURTIS
BUSINESS RESCUE & RECOVERY

LEONARD CURTIS BUSINESS SOLUTIONS GROUP

CORONAVIRUS BUSINESS CONTINUITY PLAN

As the whole business community reacts to the enormous challenge of responding to the Coronavirus (COVID-19) situation, we would like to let you know our plans for dealing with our casework for the foreseeable future.

We have taken considerable measures to ensure that we keep our clients and people safe. We are confident that the steps we have introduced will avoid any material disruption to our business and the service we provide.

The majority of our staff are now working from home. Whilst we have put in place arrangements to ensure that post to our offices continues to be collected and distributed where possible, we do anticipate some disruption and delay in this respect. We would therefore request that you send any correspondence / information by email to your regular contact wherever possible. If you are unsure of who this person is, please ring the appropriate office number (office numbers are available on our website below).

www.leonardcurtis.co.uk

Emails can also be sent to the following address:

recovery@leonardcurtis.co.uk

We would like to discourage requests for physical meetings on individual cases for obvious reasons but we are happy to arrange virtual meetings and telephone conference calls where necessary.

Rest assured that we remain committed to delivering a high level of service to you, even in this challenging environment.

Kind regards

Leonard Curtis



LEONARD CURTIS
BUSINESS RESCUE & RECOVERY

**OPTIMA CATERING LIMITED
(IN ADMINISTRATION)**

Registered Number: 04495557

Court Ref: CR-2019-MAN-000455

High Court of Justice Business and Property Courts in Manchester - Company & Insolvency List (CHD)

**Joint Administrators' final progress report in accordance
with Rules 3.53 and 18.3 of the Insolvency (England and Wales) Rules 2016**

**Report period
7 December 2019 to 17 April 2020**

17 April 2020

Julien Irving and Andrew Poxon - Joint Administrators
Leonard Curtis
Riverside House, Irwell Street, Manchester M3 5EN
Tel: 0161 831 9999 Fax: 0161 831 9090
recovery@leonardcurtis.co.uk
Ref: M/38/CK/O241K/1010

CONTENTS

- 1 Introduction
- 2 Statutory Information
- 3 Joint Administrators' Proposals
- 4 Progress of the Administration
- 5 Investigations
- 6 Joint Administrators' Remuneration and Disbursements
- 7 Outcome for Creditors
- 8 Matters Still to be Dealt With
- 9 Extensions to the Administration
- 10 Ending the Administration
- 11 Data Protection

APPENDICES

- A Summary of Joint Administrators' Approved Proposals with Modifications
- B Summary of Joint Administrators' Receipts and Payments Account for the Period from 7 December 2019 to 17 April 2020
- C Summary of Joint Administrators' Time Costs for the Period from 7 December 2019 to 13 April 2020
- D Summary of Joint Administrators' Time Costs from 7 June 2019 to 13 April 2020 Incorporating a Comparison of the Joint Administrators' Fee Estimate
- E Summary of Joint Administrators' Expenses from 7 December 2019 to 17 April 2020 Incorporating a Comparison of the Joint Administrators' Statement of Likely Expenses
- F Estimated Outcome Statement
- G Leonard Curtis Policy regarding Fees, Expenses and Disbursements
- H Proof of Debt Form
- I AM22 - Notice of Move from Administration to Creditors' Voluntary Liquidation
- J Privacy Notice

**STRICTLY PRIVATE AND CONFIDENTIAL
NOT FOR PUBLICATION**

**TO: THE REGISTRAR OF COMPANIES
ALL CREDITORS
ALL MEMBERS**

1 INTRODUCTION

- 1.1 This report has been produced in accordance with Rules 3.53 and 18.3 of the Insolvency (England and Wales) Rules 2016 ("the Rules") to provide creditors with an update on the progress of the Administration of Optima Catering Limited ("the Company") for the period from 7 December 2019 to 17 April 2020. This is the Joint Administrators' final progress report to creditors.
- 1.2 The Administration of the Company is now for practical purposes complete. Section 10 of this report deals with how the Joint Administrators intend to bring the Administration to an end.
- 1.3 Much of the information contained in this report encompasses the whole period of the Administration. Please be aware, however, that where reference is made to "the period of this report", this specifically means 7 December 2019 to 17 April 2020, being the period since the end of the period covered by the last progress report.

2 STATUTORY INFORMATION

- 2.1 Julien Irving and Andrew Poxon were appointed as Joint Administrators of the Company in the jurisdiction of the High Court of Justice Business and Property Courts in Manchester - Company & Insolvency List (CHD), number CR-2019-MAN-000455 on 7 June 2019. The Administration appointment was made by the Director. The Joint Administrators can confirm that there has been no change in office-holder since the date of Administration.
- 2.2 The Administration is being handled by the Manchester office of Leonard Curtis, which is situated at Riverside House, Irwell Street, Manchester M3 5EN.
- 2.3 The principal trading address of the Company was Suite 6 St James Business Centre, Wilderspool Causeway, Warrington, Cheshire WA4 6PS. The business traded under its registered name.
- 2.4 The registered office address of the Company at the date of the appointment of the Joint Administrators was Suite 6 St James Business Centre, Wilderspool Causeway, Warrington, Cheshire, WA4 6PS. Following the appointment, this was changed to Tower 12, 18/22 Bridge Street, Spinningfields, Manchester M3 3BZ. Following an office relocation, on 27 December 2019 the registered office address was then changed to Riverside House, Irwell Street, Manchester M3 5EN. The registered number of the Company is 04495557.
- 2.5 For the purposes of paragraph 100(2) of Schedule B1 to the Insolvency Act 1986 (as amended), it should be noted that during the period in which the Administration Order is in force, any act or function required or authorised under any enactment to be done by the Joint Administrators may be exercised by all or any of the persons holding that office.
- 2.6 The Company's main centre of operations is based in the UK. The EC Regulation on Insolvency Proceedings applies and the proceedings are main proceedings under the Regulation.

3 JOINT ADMINISTRATORS' PROPOSALS

- 3.1 Attached at Appendix A is a summary of the Joint Administrators' approved proposals with modifications for achieving one of the three statutory purposes of Administration.
- 3.2 Following the initial circulation of the Joint Administrators' Proposals dated 31 July 2019 ("the Proposals"), certain creditors requisitioned a decision procedure to be placed before creditors to consider modifications to the Proposals. The Proposals with modifications, specifically details that the Company would be placed into Creditors' Voluntary Liquidation ("Liquidation") within 2 months after 19 September 2019, being the date of the decision, were circulated to unsecured creditors on 4 September 2019. The proposed Joint Liquidators were Chris Purkiss of Moore Kingston Smith LLP and Julien Irving of Leonard Curtis.
- 3.3 The modified proposals were approved by creditors on the decision date of 19 September 2019.
- 3.4 The Joint Administrators made an application to Court for the approval of certain resolutions, further details of which are provided at paragraph 6. The initial Court application was heard on 31 January 2020, at which the resolutions for the basis of the Joint Administrators remuneration being fixed by reference to the time properly given by the Joint Administrators and their staff in attending to matters arising in the Administration and all expenses incurred during the Administration, including case specific expenses and Category 2 disbursements were duly approved.
- 3.5 The resolution in regards to time costs charged and expenses incurred by the Joint Administrators and their agents and solicitors in the period prior to the appointment was adjourned until 20 March 2020.
- 3.6 At the hearing on 31 January 2020 it was also ordered that the Joint Administrators may bring the Administration of Optima Catering Limited (in Administration) to an end by way of exit into Creditors' Voluntary Liquidation within 28 days of the final conclusion of all parts of the Application, hence following the hearing of 20 March 2020.
- 3.7 At the adjourned hearing on 20 March 2020 it was ordered that the time costs charged and expenses incurred by the Joint Administrators and their agents and solicitors in the period prior to their appointment as Joint Administrators of the Company were approved in the sum of £39,932.00 plus VAT.
- 3.8 Following the conclusion of all parts of the Court application the Joint Administrators are now in a position to place the Company into liquidation within the 28 day timeframe. The Joint Administrators do not consider that the deviation to the modified proposals is substantial, having been agreed by Court.
- 3.9 The objective of the Administration has been to achieve a better result for the Company's creditors as a whole than would be likely if the Company were to have been wound up (without first being in administration).
- 3.10 The Joint Administrators completed a pre-packaged sale of the Company's business and assets, which mitigated the claims of 79 employees that may have arisen on insolvency and certain finance company creditors that were able to novate/assign their agreements to Optima Catering and Facilities Management Limited ("the Purchaser"). In addition, it is anticipated that there will be a return to unsecured creditors, which will be distributed in the liquidation.

4 PROGRESS OF THE ADMINISTRATION

- 4.1 Attached at Appendix B is the Joint Administrators' receipts and payments account for the period from 7 December 2019 to 17 April 2020. Cumulative figures have also been provided to reflect transactions for the whole of the Administration period to date.

OPTIMA CATERING LIMITED – IN ADMINISTRATION

Sale of Business

- 4.2 As previously reported to creditors, the business and assets of the Company were sold on 15 May 2019 to Optima Catering Facilities Management Limited (CRN: 11993664) ("the Purchaser"), a company with a common director and shareholder to Optima Catering Limited.
- 4.3 The agreed sale consideration was £55,000.00, of which £30,000.00 was payable on completion followed by seven monthly instalments of £2,777.78 and two monthly instalments of £2,777.77. The sale consideration is secured by a Fixed and Floating Charge Debenture over its assets as provided by the Purchaser, which has been limited to the value of outstanding deferred consideration. The Director of the Purchaser has also provided personal guarantees.
- 4.4 The Purchaser agreed to pay £55,000 to acquire the following assets:

ASSETS SPECIFICALLY PLEDGED

Goodwill, Business Intellectual Property and Business Name 5,000

ASSETS NOT SPECIFICALLY PLEDGED

Plant & Machinery	30,000
Stock	19,998
Sellers records	1
Customer contracts	1
TOTAL	<u>55,000</u>

- 4.5 Payments have been received as specified in the sale agreement, with payments of £8,333.34 being received during the period of this report.
- 4.6 The total sale consideration has been received in full.

Book Debts

- 4.7 The Company was funded by way of an Invoice Finance Facility provided by RBS Invoice Finance Limited ("RBSIF") who hold security by way of Debenture, incorporating Fixed and Floating charge over all assets, created on 23 January 2018.
- 4.8 On 30 May 2018, shortly prior to the Administration, RBSIF were repaid in full by Bibby Financial Services Limited ("Bibby").
- 4.9 At the date of the Administration, the Company had a gross debtor ledger of £319,176.00, of which £272,709.00 had been approved for funding. Funds in use with Bibby totalled £191,823.00 (excluding interest and charges).
- 4.10 As the Book Debt ledger is subject to an assignment in favour of Bibby under its Fixed Charge security, Bibby advised that it would undertake and collect the ledger in Administration with the assistance of the directors.
- 4.11 As at 17 April 2020, debtor collections totalled £250,162.36, of which £212,217.01 has been paid to Bibby under their Fixed Charge. The balance of £20,394.01 related to interest and termination fees and Bibby have been paid in full.
- 4.12 The debtor surplus is £37,945.35. The level of further future recovery remains uncertain.
- 4.13 The Sale and Purchase Agreement provided that the Purchaser would, on behalf of the Company (as its agent), use all reasonable endeavours to collect the book debts. Once Bibby's indebtedness had been discharged in full, the Purchaser would be entitled to a collection fee equivalent to 30% of any surplus collections.

OPTIMA CATERING LIMITED – IN ADMINISTRATION

- 4.14 As the surplus to date is £37,945.35, the Purchaser is entitled to a collection fee of £11,383.61, which is 30% of the surplus. The Director has agreed to set the collection fee off against the overdrawn Director's loan account.

National Westminster Bank plc ("NatWest")

- 4.15 The Company obtained additional Working Capital from loan arrangements and a credit card with NatWest. NatWest hold security in respect of the outstanding loans by way of a Debenture incorporating Fixed and Floating Charge over all assets created on 13 October 2006.
- 4.16 The amount outstanding to NatWest at the date of Administration was £22,807.00, consisting of £20,149.00 in respect of term loans and £2,658.00 in respect of a credit card. With additional charges of £521.00, the Company's total indebtedness to NatWest was £23,328.00.
- 4.17 NatWest applied its right of set-off under its debenture against the Company's credit balance held in its' current account and has received distributions totalling £23,328.13, resulting in NatWest being paid in full.

Director's Loan Account

- 4.18 The book value of the Director's loan account as at 31 July 2018 was £140,139.00. As reported previously, a reconciled breakdown has been reviewed which details that £95,803.00 is due to the Company. The Director has agreed that this balance is payable. As mentioned in paragraph 4.14, above, it has been approved with the Director that the collection fee to date, £11,383.61, can be deducted and offset against the agreed balance of £95,803.00 owed in respect of the Director's Loan Account, thus resulting an amount payable of £84,419.39. Realisation of the balance is anticipated in the liquidation once the Director has completed on a sale of property being marketed in France.

Cash at Bank

- 4.19 At the date of appointment the Company's bank account held a credit balance of £40,065.04. These funds have been received into the Joint Administrators' bank account and no further action is required.

Post Appointment Receipts

- 4.20 Funds totalling £9,505.53, relating to pre-appointment sales were received into the Company's current account after the date of Administration. These funds were transferred to the Administration bank account and no further action is required.

Receipts Due to Purchaser

- 4.21 As part of the sale of the Company's business and assets, the Purchaser continued to trade from various sites and utilised the Company's PDQ machines during the initial transitional period of trade. As such, all of the Purchaser's sales being made through the PDQ machines were being deposited into the pre-appointment merchant services provider's account.
- 4.22 The Joint Administrators spent considerable time liaising with the merchant services provider to obtain details of the funds due to the Purchaser that were being held and liaising with the Purchaser to reconcile the receipts. In total, £51,769.41 of funds due to the Purchaser were remitted to the Administration bank account and immediately paid to the Purchaser.
- 4.23 The merchant services provider account was subsequently closed to prevent any further receipts and no further action is required.

Monies Received in Error

- 4.24 During the period of this report an amount of £13,676.61 was received from Worldpay in the Administration bank account in error. The funds were due to the Purchaser and as such have been transferred to the Purchaser's bank account.

Sundry Receipts

- 4.25 Funds totalling £1,723.75 have been received during the period of this report, in regards to two sundry payments received into the Administration bank account. The Joint Administrators have undertaken investigations in regards to the payments in order to identify the source of the funds. After liaising with the Director of the Company, the Joint Administrators were unable to specify the category to which the funds relate, and therefore they have been recorded as sundry receipts.

Cash in Hand

- 4.26 On appointment, the Company held petty cash balances across a number of its 25 sites. Petty cash collected and deposited into the Administration bank account totalled £1,452.01 and no further realisations are expected.

Deposit Interest Gross

- 4.27 A total of £178.88 was received in this reporting period in respect of interest on the Administration estate's bank account. A total of £231.75 has been received in interest during the Administration.

Security for Costs of Meeting

- 4.28 As detailed above, sufficient Company creditors requisitioned a decision procedure. As part of this request, they were required to advance sufficient costs to cover the expenses of a potential creditors meeting.
- 4.29 A meeting of creditors was convened and a resolution approved that costs were an expense of the Administration. As a result, the funds received to cover the expenses of the creditors meeting have subsequently been reimbursed.

5 INVESTIGATIONS

- 5.1 Following their appointment, the Joint Administrators considered the information acquired in the course of appraising and realising the business and assets of the Company, together with information provided by the Company's directors and its creditors, to identify any further possible realisations for the estate and what further investigations, if any, might be appropriate.
- 5.2 That assessment identified the prospect of further realisations. Whilst the Joint Administrators are unable to disclose too much information with regards their findings in conjunction with the investigations conducted to date at the risk of prejudice, the Joint Administrators concluded that further investigations were required, and these will continue during the ensuing Liquidation. If, however, any creditor is aware of any particular matters which they consider require investigation, they should please send full details to this office at the address given at the front of this report.

6 JOINT ADMINISTRATORS' REMUNERATION AND DISBURSEMENTS

Creditors' Committee

- 6.1 After the Joint Administrators issued the Proposals, sufficient creditors requested a decision procedure with the modifications to the Proposals detailed above. The Joint Administrators received sufficient requests from creditors during this decision procedure to form a Creditors Committee ("the Committee").

OPTIMA CATERING LIMITED – IN ADMINISTRATION

- 6.2 Certain resolutions that the Joint Administrators requested approval of in the decision procedure were not approved by creditors. As such, these resolutions required the approval of the Committee.
- 6.3 The Joint Administrators subsequently filed the relevant documentation with the Registrar of Companies and the Committee was established on 21 October 2019.
- 6.4 At the first meeting of the Committee on 18 November 2019, the Committee were unable to approve various resolutions, including those relating to pre-appointment costs, disbursements and Joint Administrators remuneration. The Joint Administrators made an Application to Court to request that the resolutions be approved.
- 6.5 The initial hearing with regards the Court Application was held on 31 January 2020. At the hearing it was ordered that the basis of the Joint Administrators remuneration be fixed by reference to the time properly given by the Joint Administrators and their staff in attending to matters arising in the Administration. All expenses incurred during the Administration, including case specific expenses and Category 2 disbursements were also approved.

Pre-Administration Costs

- 6.6 The resolution regarding the time costs incurred by the Joint Administrators and their agents and solicitors in the period prior to their appointment was adjourned at the hearing on 31 January 2020 to 20 March 2020.
- 6.7 At the adjourned hearing held on 20 March 2020 the Court ordered the approval of the following pre-Administration time costs charged and expenses incurred to be paid

Charged by	Services provided	Total amount agreed via Court £	Amount paid £	Amount unpaid £
Leonard Curtis Recovery	Carried out an assessment of the financial position with a view to establishing the appropriate insolvency procedure, providing insolvency advice to the Director and Company on the available options, liaising with the secured creditors with regards the strategy, marketing the Company and liaising with interested parties, negotiating and agreeing the sale of business and assets and dealing with all appointment formalities.	27,432.00	10,700.00	16,732.00
Cerberus Asset Management	Valuation of physical assets	3,500.00	3,500.00	-
Warburton & Freeman	Valuation of Goodwill	2,000.00	2,000.00	-
Trowers & Hamlins LLP	Preparing and executing the required sales and appointment documentation	7,000.00	7,000.00	-
	Total	39,932.00	23,200.00	16,732.00

The costs that have been paid are detailed in the receipts and payments account attached at Appendix B. The outstanding costs will be paid in the subsequent Liquidation, in priority to the Liquidation expenses

Joint Administrators' Remuneration

6.8 As detailed above, the Creditors' Committee resolved to reject the resolution put to them, that the basis of the Joint Administrators' remuneration be fixed by reference to time properly spent by them and their staff in attending to matters arising from the Administration for an amount not exceeding £85,336.00, as set out in a Fees Estimate. As noted in paragraph 6 above, the Joint Administrators applied to Court to request that the resolution be approved. The hearing was held on 31 January 2020 at which it was ordered that the basis of the Joint Administrators remuneration be fixed by reference to time properly given by the Joint Administrators and their staff in attending to matters arising in the Administration.

6.9 The Joint Administrators' time costs are summarised below:

	Hours No.	Rate / hr £	Total value of time £
Time previously reported to 1 December 2019	298.8	319.75	95,540.50
Time incurred between 2 and 6 December 2019, not previously reported	5.1	220.88	1,126.50
Time incurred in the period from 7 December 2019 to 13 April 2020	67.9	329.75	22,390.00
Total Administrators' time costs	371.8	320.22	119,057.00

6.10 The time charged by the Joint Administrators for the period from 7 December 2019 to 13 April 2020 amounts to £22,390.00. This represents 67.9 hours at an average rate of £329.75 per hour. A summary of time costs incurred in the period is attached at Appendix C. A detailed description of work undertaken attributable to each category of time costs and an explanation of why it was necessary for that work to be performed is also provided at Appendix C.

6.11 In addition, a summary of the Joint Administrators' time costs encompassing the whole of the Administration incorporating a comparison with time costs as set out in the Joint Administrators' Fees Estimate, is attached at Appendix D.

6.12 You will note that time costs incurred exceed the time as set out in the revised Fees Estimate. As demonstrated at Appendix D, costs attributable to each category of time generally fall within those anticipated. The areas where significant variance has occurred relate to Statutory and Review, Receipts and Payments, Liabilities, General Administration, Post Appointment Creditor Decisions and Creditors Committee Meetings.

6.13 Costs in respect of Statutory and Review total £18,999.50 compared to those estimated of £11,565.00. The difference is in respect of the additional time spent by the Joint Administrators in reviewing documents, reviewing the progress of the Administration on an ongoing basis, and providing consideration to the statutory requirements of a Creditors' Committee. At the time of preparing the Fees Estimate, it was not anticipated that there would be a request received to form a Creditors' Committee. More time than anticipated has also been spent on planning and strategising on how to progress the Administration.

6.14 A total amount of £5,505.00 has been incurred in respect of Receipts and Payments, compared to that provided for in the revised Fees Estimate of £1,865.00. More time than anticipated has been spent liaising with solicitors and agents in regards to pre-appointment work conducted and their associated costs due to the requirement to apply to Court for approval of these fees. This was not anticipated at the outset when the Fees Estimate was prepared. Additional time has been spent identifying and reviewing funds received in error from Worldpay, liaising with the Director and arranging the transfer of the monies to the Purchaser. At the outset it was not expected that these funds would be received and that time would be required to deal with this. Time has also been spent in regards to identifying sundry receipts paid into the Administration bank account in order to deal with these appropriately. These funds were not anticipated to be received when the original Fees Estimate was prepared.

6.15 Costs in respect of Liabilities total £32,481.50 compared to those estimated of £24,114.00. The reason for the increased costs is due to the complexities associated with dealing with creditor claims and the high number of

claims which have had to be dealt with. More time than anticipated has been spent liaising with creditors in regards to claims. Additional time has been incurred, compared to that which was estimated due to time being required to be spent preparing a revised Fees Estimate.

- 6.16 Time costs have exceeded the revised Fees Estimate by £5,793.50 for time posted to General Administration. Additional time was spent in regards to dealing with the Creditors' Committee, reviewing and gathering information in regards to this and general correspondence with the Committee members. Additional time has been spent liaising with creditors in respect of potential claims. Further time was also incurred in regards to the inventory count which was essential given the ongoing investigations, being time that was not anticipated as being required to be incurred when the Fees Estimate was prepared.
- 6.17 The time spent working on Post Appointment Creditor Decisions totals £20,644.50 compared to the £15,320.00 in the revised Fees Estimate. The additional time incurred relates to work which was carried out in regards to the Creditors' Committee and the subsequent Court Application. Time was spent liaising with the solicitors in respect of the Court Application and the two hearings, being time, which was not expected to be incurred at the outset when preparing the Fees Estimate.
- 6.18 The revised Fees Estimate did not provide for time that has been incurred in respect to Creditors' Committee Meetings. The time spent in this category totals £2,873.00 with the reason detailed in Appendix C (continued).
- 6.19 Further guidance may be found in "A Creditors' Guide to Administrators' Fees" (Version 4 – April 2017) which may be downloaded from:
- <https://www.r3.org.uk/technical-library/england-wales/technical-guidance/fees/>
- 6.20 If you would prefer this to be sent to you in hard copy please contact Claire Kunciewicz of this office on 0161 831 9999.
- 6.21 To date, the remuneration drawn by the Joint Administrators totals £59,985.00 plus VAT.
- 6.22 The balance of the Joint Administrators' fees estimate, amounting to £25,351.00 will be drawn in the subsequent Liquidation in priority to the Liquidators' fees. The balance of time costs incurred will be written off.

Joint Administrators' Statement of Likely Expenses

- 6.23 Creditors will recall that the Joint Administrators have previously circulated a 'Statement of Likely Expenses' in this matter.

Expenses are separated into the following categories:

- (i) Standard Expenses: this category includes expenses payable by virtue of the nature of the Administration process and / or payable in order to comply with legal or regulatory requirements.
- (ii) Case Specific Expenses: this category includes expenses likely to be payable by the Joint Administrators in carrying out their duties in dealing with issues arising in a particular case. Also included within this category are costs that are directly referable to the Administration but are not paid to an independent third party (and which may include an element of allocated costs).

These are known as "Category 2 disbursements" and are subject to the approval of the creditors. On 31 January 2020 the Court ordered that category 2 disbursements could be drawn by the Joint Administrators, as detailed at Appendix G.

Please note that in the previous progress report, it was inadvertently reported in error that on 18 November 2019, the Committee had approved that category 2 disbursements could be drawn by the Joint Administrators.

OPTIMA CATERING LIMITED – IN ADMINISTRATION

- 6.24 A copy of the Joint Administrators' statement of likely expenses, together with comparative details of expenses incurred during the current reporting period and confirmation as to whether those amounts are paid or unpaid is set out at Appendix E.
- 6.25 You will note that, in general, the nature and value of expenses incurred to date fall within those anticipated within the original statement of expenses. However, the costs incurred by Knights plc of £11,095.00 have exceeded the original Fees Estimate of £3,000.00. This is due to the additional time which has been spent preparing for and dealing with the Court Applications and the Creditors' Committee. This work was not anticipated to be required at the outset when the Fees Estimate was prepared.
- 6.26 During the Administration, the following professional advisors and / or subcontractors have been used:

Name of Professional Advisor	Service Provided	Basis of Fees
Knights plc	Legal advice	Time Costs
Cerberus Asset Management	Asset valuation advice	Fixed Fee of £5,000
Evolve IS	Handling of employee and pension claims	Fixed Fee of £3,075
Cerberus Receivables Management	Debt collection advice	Time Costs

- 6.27 The services of professional advisors and / subcontractors were utilised by the Joint Administrators as it was anticipated to be more cost effective than the Joint Administrators and their staff dealing with such matters. Advisors were chosen based upon their experience and specialist skills and requirements of the assignment.
- 6.28 Attached at Appendix G is additional information in relation to the firm's policy on staffing, the use of subcontractors, disbursements and details of our current charge-out rates by staff grade. Please be aware that the firm's charge out rates have been amended with effect from 1 August 2019.
- 6.29 Under Rule 18.9 of the Rules, within 21 days of receipt of this report, a secured creditor, or an unsecured creditor with either the concurrence of at least 5% in value of the unsecured creditors (including the creditor in question), or with the permission of the court, may make a written request to the Joint Administrators for further information about remuneration or expenses set out in this report.
- 6.30 Under Rule 18.34 of the Rules, any secured creditor, or any unsecured creditor with either the concurrence of at least 10% in value of the unsecured creditors (including that creditor) or the permission of the court, may apply to the court, on the grounds that the basis fixed for the Joint Administrators' remuneration is inappropriate, or the remuneration or expenses charged by the Joint Administrators are, in all the circumstances, excessive.
- 6.31 The application must be made no later than eight weeks after receipt of the progress report that first reports the fee basis, the charging of the remuneration or the incurring of the expenses in question.
- 6.32 Unless the court orders otherwise, the costs of the application shall be paid by the applicant and are not payable as an expense of the Administration.

7. OUTCOME FOR CREDITORS

Secured Creditors

- 7.1 The Secured Creditors have been paid in full.

NatWest

- 7.2 NatWest applied its right of set-off under its debenture against the Company's credit balance held in its current account and has received distributions totalling £23,328.13, resulting in NatWest being paid in full.

Bibby

- 7.3 At the date of the Administration, Bibby had a gross debtor ledger of £319,176.00, of which £272,709.00 had been approved for funding. Funds in use with Bibby totalled £191,823.00 (excluding interest and charges). As the Book Debt ledger is subject to an assignment in favour of Bibby under its Fixed Charge security, Bibby advised that it would undertake and collect the ledger in Administration with the assistance of the directors. As at 17 April 2020, debtor collections totalled £250,162.36, of which £212,217.01 have been paid to Bibby under their Fixed Charge. The balance of £20,394.01 relates to interest and termination fees, and Bibby have been paid in full.

Preferential Claims

- 7.4 The only categories of claims which have preferential status are those of employees in respect of wages and accrued holiday pay and certain pension contributions. Immediately following the Joint Administrators appointment, and the conclusion of a sale of the Company's business and assets to a connected company, Optima Catering and Facilities Management Limited, as part of that sale, 79 employees of the Company were transferred to the Purchaser under the Transfer of Undertakings (Protection of Employment) Regulations 2006 ("TUPE"). 6 of the contracts held by the Company over its 25 sites were not purchased, and the Joint Administrators made 25 employees that worked at these sites redundant following the appointment.
- 7.5 The Joint Administrators instructed Evolve IS ("Evolve") to assist employees with making their claims. An RP14 form has been completed and submitted to the Redundancy Payments Office ("RPO"), by Evolve following which, the RPO submitted a POD in respect of Arrears of Pay, Holiday Pay and Payment in Lieu of Notice. An amount of £10,715.39 has been confirmed as preferential, with £31,974.05 comprising the unsecured element of their claim.
- 7.6 An RP15 form has been completed by Evolve in regards to the Company's pension scheme and submitted to the RPO. Whilst a final claim is yet to be received from the RPO, based upon the information gathered by Evolve, it is anticipated that the arrears of employees' pension contributions will total £3,610.22, and will rank as a preferential claim.
- 7.7 We anticipate that there will be funds available to enable a distribution to Preferential Creditors.

Unsecured Non-Preferential Claims

- 7.8 Based upon the information currently available, there may be sufficient funds available to allow a dividend to be paid to unsecured creditors. The dividend will be paid out of the Liquidation.
- 7.9 From April 2017, the Joint Administrators have had the discretion to admit claims from creditors with claims under £1,000 without receiving a proof of debt. The Joint Administrators confirm that, to date, no claims have been admitted under the small claims provisions.
- 7.10 If you have not already done so, please submit details of your claim to my office. A proof of debt form is attached at Appendix H for your ease of use.

8 MATTERS STILL TO BE DEALT WITH

- 8.1 The following matters are still to be dealt with in the subsequent Liquidation:
- The realisation of the remaining assets, as detailed in sections 4 and 5;
 - A distribution to the preferential and unsecured creditors; and
 - The unpaid remuneration and expenses will need to be defrayed.

9 EXTENSIONS TO THE ADMINISTRATION

- 9.1 The appointment of administrators ordinarily ceases to have effect at the end of the period of one year from the date of their appointment.
- 9.2 In certain circumstances it may be necessary to extend the administrators' term of office.
- 9.3 An extension to the Administration will not be necessary in this case due to the agreed Proposals with modifications which specifically detailed that the Company would be moved to Liquidation. At the first meeting of the Creditors' Committee on 18 November 2019, the Committee were unable to approve various resolutions, including those relating to pre-appointment costs, disbursements and Joint Administrators remuneration. The Joint Administrators made an application to Court to request that the resolutions be approved. At the hearing on 31 January 2020 it was also ordered that the Joint Administrators may bring the Administration of Optima Catering Limited (in Administration) to an end by way of exit into Creditors' Voluntary Liquidation within 28 days of the final conclusion of all parts of the Application. The resolution specifically linked to the approval of pre-appointment costs and expenses was adjourned to 20 March 2020, and on this date was duly approved. The Joint Administrators have proceeded to convert the case to Liquidation within 28 days of this final hearing date, being the conclusion to the Application.

10 ENDING THE ADMINISTRATION

- 10.1 The Administration has now been completed. There is likely to be a dividend to unsecured creditors in this case and therefore the appropriate exit route from the Administration is to enter into Creditors' Voluntary Liquidation. Attached at Appendix I is Notice of Move from Administration to Creditors' Voluntary Liquidation. This Notice was sent to Companies House on 17 April 2020. Upon registration of this Notice by Companies House, the appointment of the Joint Administrators ceases to have effect and the appointment of the Joint Liquidators becomes effective as if a winding up resolution had been passed on that date.
- 10.2 The modified Proposals provided for the appointment of Julien Irving of Leonard Curtis and Chris Purkiss of Moore Kingston Smith LLP as Joint Liquidators of the Company. In the witness statement submitted with the Court application it was detailed that Andrew Poxon of Leonard Curtis would be appointed as Joint Liquidator, rather than Julien Irving, due to his better working knowledge of the case and having been involved on a day to day basis. There was no objection from the Court and therefore Andrew Poxon of Leonard Curtis and Chris Purkiss of Moore Kingston Smith LLP will be appointed as Joint Liquidators of the Company.
- 10.3 The Joint Administrators are discharged from liability in respect of any action(s) of theirs as Joint Administrators immediately upon their appointment ceasing to have effect.

11 DATA PROTECTION

- 11.1 Finally, when submitting details of your claim in the administration, you may disclose personal data to the Joint Administrators. The processing of personal data is regulated in the UK by the General Data Protection Regulation EU 2016/679 as supplemented by the Data Protection Act 2018, together with other laws which relate to privacy and electronic communications. The Joint Administrators act as Data Controllers in respect of personal data they obtain in relation to this administration and are therefore responsible for complying with Data Protection Law in respect of any personal data they process. The Joint Administrators' privacy notice, which is attached to this report at Appendix J, explains how they process your personal data. Terms used in this clause bear the same meanings as are ascribed to them in Data Protection Law.

OPTIMA CATERING LIMITED – IN ADMINISTRATION

If you wish to discuss the issues raised in this report or require any additional information please contact this office.

Yours faithfully
for and on behalf of
OPTIMA CATERING LIMITED

A handwritten signature in black ink, appearing to read 'Andrew Poxon', with a stylized flourish at the end.

ANDREW POXON
JOINT ADMINISTRATOR

Julien Irving and Andrew Poxon are authorised to act as insolvency practitioners in the UK by the Institute of Chartered Accountants in England and Wales under office holder numbers 13092 and 8620, respectively

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

SUMMARY OF JOINT ADMINISTRATORS' APPROVED PROPOSALS WITH MODIFICATIONS

1. The Joint Administrators continue to manage the business, affairs and property of the Company in such a manner as they consider expedient with a view to achieving the statutory purposes of the Administration.
2. The Joint Administrators file a notice with the Registrar of Companies in order that the Administration will cease and the Company will move automatically into Creditors' Voluntary Liquidation as soon as reasonably practicable and no more than two months from the decision date. It is further proposed that Julien Irving of Leonard Curtis Recovery Limited and Chris Purkiss of Kingston Smith & Partners LLP* be appointed Joint Liquidators of the Company and that where Joint Liquidators are proposed any act required or authorised to be done by the Joint Liquidators may be exercised by both or either of them. NB. Creditors may nominate a different person as the proposed Liquidator, provided that the nomination is made after receipt of these proposals and before the proposals are approved.
3. The Joint Administrators investigate and, if appropriate, pursue any claims that they or the Company may have against any directors or former directors, other third parties, officers or former officers, advisers or former advisers of the Company.
4. The Joint Administrators shall do all such other things and generally exercise all of his powers as contained in Schedule 1 of the Insolvency Act 1986, as he considers desirable or expedient to achieve the statutory purpose of the Administration.

*Please note that Kingston Smith & Partners LLP is now known as Moore Kingston Smith LLP

**SUMMARY OF JOINT ADMINISTRATORS' RECEIPTS AND PAYMENTS ACCOUNT FOR THE PERIOD FROM
7 DECEMBER 2019 TO 17 APRIL 2020**

	Per Estimated Financial Position £	Received by Joint Administrators Previous Period £	Received by Joint Administrators This Period £	Cumulative £
RECEIPTS				
Assets Specifically Pledged				
Goodwill and Intellectual Property	5,000.00	4,242.45	757.55	5,000.00
Book Debts	245,438.00	-	-	-
Assets not Specifically Pledged				
Surplus from fixed charge holder - Bibby	-	29,286.73	8,658.62	37,945.35
Plant & Machinery	30,000.00	25,454.54	4,545.46	30,000.00
Stock	19,998.00	16,968.00	3,030.00	19,998.00
Sellers records	1.00	0.85	0.15	1.00
Customer Contracts	1.00	0.84	0.16	1.00
Sales Receipts Post Appointment	9,505.53	9,505.53	-	9,505.53
Receipts due to Purchaser	-	51,769.41	-	51,769.41
Monies Received in Error	-	-	13,676.61	13,676.61
Sundry Receipts	-	-	1,723.75	1,723.75
Cash in Hand	1,159.02	1,452.01	-	1,452.01
Cash at Bank	40,065.04	40,065.04	-	40,065.04
Director's loan account	Unknown	-	0.02	0.02
Bank Interest	-	52.87	178.88	231.75
Security for Costs of Meeting	-	5,047.68	-	5,047.68
	<u>351,167.59</u>	<u>183,845.95</u>	<u>32,571.20</u>	<u>216,417.15</u>
PAYMENTS				
Pre-Appointment Costs				
Pre-Appointment Administrators Fees	-	-	(10,700.00)	(10,700.00)
Pre-Appointment Legal Fees	-	-	(7,000.00)	(7,000.00)
Pre-Appointment Agents' Fees	-	-	(5,500.00)	(5,500.00)
	-	-	<u>(23,200.00)</u>	<u>(23,200.00)</u>
Post Appointment Costs				
Funds due to Purchaser	-	(51,769.41)	-	(51,769.41)
Agents' Fees and Expenses	-	-	(2,285.00)	(2,285.00)
Solicitors' Fees and Expenses	-	-	(9,000.00)	(9,000.00)
Solicitors' Disbursements	-	-	(2,095.00)	(2,095.00)
Administrators Remuneration	-	(4,985.00)	(55,000.00)	(59,985.00)
Category 1 Disbursements	-	(1,168.36)	(220.54)	(1,388.90)
Category 2 Disbursements	-	-	(173.63)	(173.63)
Monies Received in Error Paid	-	-	(13,676.61)	(13,676.61)
Bank Charges	-	(22.50)	(22.50)	(45.00)
Return of Security for Costs of Meeting	-	(5,047.68)	-	(5,047.68)
	-	<u>(62,992.95)</u>	<u>(82,473.28)</u>	<u>(145,466.23)</u>
DISTRIBUTIONS				
Secured Creditor - NatWest	-	(23,328.13)	-	(23,328.13)
	-	<u>(23,328.13)</u>	-	<u>(23,328.13)</u>
BALANCE IN HAND	-	<u>97,524.87</u>	<u>(73,102.08)</u>	<u>24,422.79</u>

**SUMMARY OF BIBBY'S RECEIPTS AND PAYMENTS ACCOUNT FOR THE PERIOD FROM
7 DECEMBER 2019 TO 17 APRIL 2020**

	Per Estimated Financial Position £	Received by Bibby in Previous Period £	Received by Bibby in This Period £	Cumulative £
RECEIPTS				
Assets Specifically Pledged				
Book Debts	245,438.00	241,503.74	8,658.62	250,162.36
	<u>245,438.00</u>	<u>241,503.74</u>	<u>8,658.62</u>	<u>250,162.36</u>
DISTRIBUTIONS				
Secured Creditor – Bibby		(212,217.01)	-	(212,217.01)
		<u>(212,217.01)</u>	<u>-</u>	<u>(212,217.01)</u>
Surplus / (Deficit) as regards fixed charge holder		<u>29,286.73</u>	<u>8,658.62</u>	<u>37,945.35</u>

APPENDIX C

**SUMMARY OF JOINT ADMINISTRATORS' TIME COSTS FOR THE PERIOD
FROM 7 DECEMBER 2019 TO 13 APRIL 2020**

	Total	Average	Cost
	Units	Hourly Rate	£
		£	£
Statutory and Review	139	371.87	5,169.00
Receipts and Payments	106	297.36	3,152.00
Insurance	17	307.94	523.50
Assets	22	309.55	681.00
Liabilities	224	306.14	6,857.50
General Administration	32	286.41	916.50
Post Appointment Creditor Decisions	128	366.48	4,691.00
Creds Committee Meetings	11	363.18	399.50
Total	679	329.75	22,390.00
All Units are 6 minutes			

APPENDIX C (continued)

DESCRIPTION OF TIME SPENT BY CATEGORY (just for period)

Statutory and Review

This category of activity encompasses work undertaken for both statutory and case management purposes. Whilst this work will not directly result in any monetary value for creditors, it ensures that the case is managed efficiently and resourced appropriately, which is of benefit to all creditors. The work carried out under this category during the period of this report has comprised the following:

- Case management reviews. These have been carried out periodically throughout the life of the case to ensure the case progressed as planned. A review of the case has been conducted by the firm's Compliance team in regards to the modifications to the proposals and establishment of the Committee and fee approval. Further reviews will be carried out on an ongoing basis during the subsequent Liquidation as the case continues to progress to ensure that the case is progressing as planned;
- Time has been spent reviewing, preparing and submitting information in regards to the fee approval resolution for the Court Application;
- Review of directors' sworn statement of affairs and filing of document at Companies House in accordance with statutory requirements; and
- Completion of case closing procedures and case closure checklists.

Receipts and Payments

This category of work will not result in a direct financial benefit for creditors. However, close monitoring of case bank accounts is essential to ensure that bank interest is maximised where possible, estate expenses are properly managed and kept to a minimum and amounts payable to creditors are identified and distributed promptly. Work carried out in this category during the period of this report has involved the following:

- The preparation and periodic review of estimated outcome statements ("EOS") which have been used to monitor the progress of asset realisations, costs and the Administration generally;
- Preparation of periodic receipts and payments accounts for inclusion in the first progress report and final statutory report;
- Timely completion of all post appointment VAT returns;
- Time has been spent liaising with HMRC with regards to post appointment VAT Returns;
- Liaising with the Director in regards to funds received into the Administration bank account in error. Time was spent identifying the correct destination for the funds and arranging the transfer of these monies; and
- Managing estate expenses, which involved liaising with third parties with regards to their invoices and raising payment of these.

Insurance, Bonding and Pensions

Insolvency Practitioners are obliged to comply with certain statutory requirements when conducting their cases. Some of these requirements are in place to protect company assets (see insurance and bonding matters below), whilst requirements in respect of company pension schemes are there to protect the pension funds of Company employees. Whilst there is no direct financial benefit to Company creditors in dealing with these, close control of case expenditure is crucial to delivering maximum returns to the appropriate class of creditor. Work carried out during the period of this report has entailed the following:

- Periodic review of bonding requirements to ensure that creditors are appropriately protected. The bond is reviewed upon each large receipt of monies into the case and also at three month intervals in accordance with best practice;

OPTIMA CATERING LIMITED – IN ADMINISTRATION

- Liaising with both the pension scheme agent Evolve and the Director of the Company with regards to progression of matters relating to the Company's pension scheme; and
- Preparation, completion and submission of an RP15 form by the pension scheme agent, Evolve, to the Redundancy Payments Service ("RPS") for reimbursement of unpaid contributions to the scheme.

Assets

- Time has been spent liaising with the Director regards to the debtor ledger and undertaking a review of the ledger;
- Time has also been spent with the Director obtaining an update in regards to the sale of the property in France, ensuring this progressed; and
- Dealing with a query from the Director regards to a debtor.

Liabilities

This category of time includes both statutory and non-statutory matters.

Statutory

- Processing of claims from the Company's creditors. All claims received from the Company's 58 unsecured creditors have been logged. Claims have not formally been agreed at this stage, as they will be agreed by the subsequently appointed Joint Liquidators as it is anticipated there will be a dividend payable to unsecured creditors in the Liquidation;
- Processing of claims from the Company's employees. On our appointment, the Company employed 104 staff. I can advise that 25 staff were made redundant upon our appointment. Time has been spent liaising with the agents Evolve in regards to the employee claims, who prepared, completed and submitted an RP14 claim form to the RPS;
- Time has been spent recording the Proof of Debt form submitted by the RPS for reimbursement of payments made in relation to arrears of pay, compensatory notice pay, holiday pay and redundancy pay;
- Time has been spent preparing, reviewing and submitting the Joint Administrators' first progress report to creditors; and
- Time has been spent preparing and reviewing the Joint Administrators' final report prior to its finalisation and submission.

Non-statutory

- Dealing with enquiries from the Company's creditors via email and phone; and
- Providing information regarding the Administration to creditors as requested.

General Administration

This category of work does not result in a direct financial benefit for creditors, however it is necessary for these tasks to be completed in order to ensure the smooth and efficient progression of the Administration:

- Filing by junior members of staff, to ensure the case is maintained in an orderly manner;
- Forwarding of correspondence received for the Purchaser by the Joint Administrators;
- Liaising with the Purchaser in regards to funds being held with the merchant and arranging the return of these; and
- Time has been spent by the Joint Administrator reviewing the case following the Court hearing.

Post Appointment Creditors' Decisions

Agreeing and reporting on our proposals and fee basis is a statutory requirement. Work completed during the period of this report includes the following:

OPTIMA CATERING LIMITED – IN ADMINISTRATION

- Time has been spent liaising with solicitors in regards to the two Court hearings;
- Time has been spent reviewing and collating the necessary information required for submission at the Court hearings, which involved reviewing the draft applications and the witness statements;
- Time has been spent liaising with the Creditors Committee in regards to confirmation of the draft order and the scheduled Court hearing date;
- Further time was spent corresponding with the solicitors in regards to the second Court hearing for the approval of pre-appointment time costs. This included a review and submission of a second witness statement;
- Corresponding with the proposed Joint Liquidator; and
- Notification of the outcome of the Court hearing.

Creditors Committee Meetings

- Time has been spent reviewing the paperwork in regards to the Creditors Committee, ensuring completeness for the file; and
- Time has been spent corresponding with the Creditor Committee members, in regards to the application to Court for fee approval.

SUMMARY OF JOINT ADMINISTRATORS' TIME COSTS
FROM 7 JUNE 2019 TO 13 APRIL 2020
INCORPORATING A COMPARISON OF THE JOINT ADMINISTRATORS' REVISED FEE ESTIMATE

	Revised Fees Estimate			Incurred To Date			Variance
	Total			Total			
	Units	Cost	Average Hourly Rate	Units	Cost	Average Hourly Rate	
	No	£	£	No	£	£	Cost £
Statutory and Review	325	11,565.00	355.85	590	18,999.50	322.03	7,434.50
Receipts and Payments	45	1,865.00	414.44	173	5,505.00	318.21	3,640.00
Insurance	30	897.50	299.17	59	1,703.00	288.64	805.50
Assets	307	11,946.00	389.12	319	11,191.00	350.82	(755.00)
Liabilities	657	24,114.00	367.03	973	32,481.50	333.83	8,367.50
Debenture Holder	20	985.00	492.50	10	450.00	450.00	(535.00)
General Administration	262	6,609.50	252.27	472	12,403.00	262.78	5,793.50
Appointment	138	3,790.00	274.64	138	3,790.00	274.64	-
Planning and Strategy	88	4,221.50	479.72	106	4,613.00	435.19	391.50
Post Appointment Creditor Decisions	485	15,320.00	315.88	647	20,644.50	319.08	5,324.50
Creds Committee Meetings	-	-	-	76	2,873.00	378.03	2,873.00
Investigations	145	4,022.50	277.41	155	4,403.50	284.10	381.00
Total	2,502	85,336.00	341.07	3,718	119,057.00	320.22	33,721.00
All Units are 6 minutes							

**SUMMARY OF JOINT ADMINISTRATORS' EXPENSES
FROM 7 DECEMBER 2019 TO 17 APRIL 2020
INCORPORATING A COMPARISON OF THE JOINT ADMINISTRATORS'
STATEMENT OF LIKELY EXPENSES**

Standard Expenses (Category 1)

Type	Charged by	Description	Estimated Amount £	Total Amount Incurred to Date £	Amount Incurred in This Period £	Amount Paid £	Amount Unpaid £
AML Checks	Business Tax Centre	Electronic client verification	5.00	5.00	-	5.00	-
Bond Fee	AJA Insolvency Risk Services	Insurance bond	260.00	260.00	-	260.00	-
Document Hosting	Pelstar CreditorWeb	Hosting of documents for creditors	70.00	92.40	19.60	92.40	-
Software Licence Fee	Pelstar	Case management system licence fee	87.00	87.00	-	87.00	-
Statutory Advertising	Courts Advertising	Advertising	83.02	85.95	-	85.95	-
Storage Costs	Charles Taylor	Storage of books and records	500.00	647.55	166.90	647.55	-
Post Redirection	Post Office Ltd	Post Redirection with Royal Mail	211.00	211.00	-	211.00	-
		Total standard expenses	1,216.02	1,388.90	186.50	1,388.90	-

OPTIMA CATERING LIMITED – IN ADMINISTRATION**Case Specific Expenses**

Type	Charged by	Description	Estimated Amount £	Total Amount Incurred to Date £	Amount Incurred in This Period £	Amount Paid £	Amount Unpaid £
Staff Mileage (CAT 2)	LC Staff	Category 2 disbursement requiring specific creditor / committee approval	200.00	173.63	-	173.63	-
Accountancy Fees	TBC	Assistance with Tax Work	5,000.00	-	-	-	-
Professional Fees	Evolve IS	Assistance with processing employees' claims with the RPS.	1,730.00	1,345.00	-	1,345.00	-
Pension Fees	Evolve IS	Costs of dealing with the pension scheme	1,345.00	940.00	-	940.00	-
Legal fees	Knights plc	Cost of appointed Solicitors	3,000.00	11,095.00	11,095.00	11,095.00	-
Debt Collection Fees*	Optima Catering Facilities Management Limited	Assistance with the collection of book debts	11,643.00	11,383.61	2,597.59	-	11,383.61
Agent's Fees	Cerberus Asset Management	Collection of books and records	500.00	-	-	-	-
Debt Collection Fees	-	Assistance with collection of the DLA.	5,000.00	-	-	-	-
Bank Charges	AIB	Bank charges payable	-	45.00	22.50	45.00	-
		Total case specific expenses	28,418.00	24,982.24	13,715.09	13,598.63	11,383.61

* The sale and purchase agreement provided that the Purchaser would, on behalf of the Company (as his agent), use all reasonable endeavours to collect the book debts. Once the Company's indebtedness to Bibby has been discharged in full, there would be a collection fee equivalent to 30% of the book debt surplus. The fee advised above is based on the surplus as recorded at Appendix B. The final fee will be calculated once the book debt collections are deemed completed and the surplus is calculated.

APPENDIX F

ESTIMATED OUTCOME STATEMENT

	Secured Creditor Bibby £'000	Secured Creditor NatWest £'000	Preferential £'000	Unsecured £'000
Amount available to class of creditor	271	40	58	44
Amount due to creditor per Estimated Financial Position	(216)	(23)	(14)	(1,104)
Estimated dividend rate (as a %)	100%	100%	100%	4.0%

LEONARD CURTIS POLICY REGARDING FEES, EXPENSES AND DISBURSEMENTS

The following Leonard Curtis policy information is considered to be relevant to creditors:

Staff Allocation and Charge Out Rates

We take an objective and practical approach to each assignment which includes active director involvement from the outset. Other members of staff will be assigned on the basis of experience and specific skills to match the needs of the case. Time spent by secretarial and other support staff on specific case related matters, e.g. report despatching, is not charged.

Where it has been agreed by resolution that the office holders' remuneration will be calculated by reference to the time properly given by the office holders and their staff in attending to matters as set out in a fees estimate, then such remuneration will be calculated in units of 6 minutes at the standard hourly rates given below. In cases of exceptional complexity or risk, the insolvency practitioner reserves the right to obtain authority from the appropriate body of creditors that their remuneration on such time shall be charged at the higher complex rate given below.

The following hourly charge out rates apply to all assignments undertaken by Leonard Curtis:

6 Jan 2014 onwards	Standard	Complex	1 Aug 2019 onwards	Standard	Complex
	£	£		£	£
Director	450	562	Director	525	656
Senior Manager	410	512	Senior Manager	445	556
Manager 1	365	456	Manager 1	395	494
Manager 2	320	400	Manager 2	345	431
Administrator 1	260	325	Administrator 1	280	350
Administrator 2	230	287	Administrator 2	250	313
Administrator 3	210	262	Administrator 3	230	288
Administrator 4	150	187	Administrator 4	165	206
Support	0	0	Support	0	0

Office holders' remuneration may include costs incurred by the firm's in-house legal team, who may be used for non-contentious matters pertaining to the insolvency appointment

Subcontractors

Where we subcontract out work that could otherwise be carried out by the office holder or his/her staff, this will be drawn to the attention of creditors in any report which incorporates a request for approval of the basis upon which remuneration may be charged. An explanation of why the work has been subcontracted out will also be provided.

Professional Advisors

Details of any professional advisor(s) used will be given in reports to creditors. Unless otherwise indicated the fee arrangement for each is based on hourly charge out rates, which are reviewed on a regular basis, together with the recovery of relevant disbursements.

The choice of professional advisors is based around a number of factors including, but not restricted to, their expertise in a particular field, the complexity or otherwise of the assignment and their geographic location.

Expenses

We are required to provide creditors with an estimate of the expenses we expect to be incurred in respect of an assignment and report back to them on actual expenses incurred and paid in our periodic progress reports. There are two broad categories of expenses – standard expenses and case specific expenses. These are explained in more detail below:

- a) **Standard Expenses** – this category includes expenses which are payable in order to comply with legal or regulatory requirements and therefore will generally be incurred on every case. They will include:

OPTIMA CATERING LIMITED – IN ADMINISTRATION

Type	Description	Amount																								
AML checks	Electronic client verification in compliance with the Money Laundering, Terrorist Financing and Transfer of Funds (Information on the Payer) Regulations 2017	£5.00 plus VAT per search																								
Bond / Bordereau fee	Insurance bond to protect the insolvent entity against and losses suffered as a result of the fraud or dishonesty of the IP	£10.00 to £1,200.00 dependent on value of assets within case																								
Company searches	Extraction of company information from Companies House	£1.00 per document unless document can be accessed via the free service																								
Document hosting	Hosting of documents for creditors/shareholders. Cost per upload, plus VAT.	<table><tr><th>Type</th><th>First 100</th><th>Every addtl 10</th></tr><tr><td>ADM</td><td>£14.00</td><td>£1.40</td></tr><tr><td>CVL</td><td>£7.00</td><td>£0.70</td></tr><tr><td>MVL</td><td>£7.00</td><td>£0.70</td></tr><tr><td>CPL</td><td>£7.00</td><td>£0.70</td></tr><tr><td>CVA</td><td>£10.00</td><td>£1.00</td></tr><tr><td>BKY</td><td>£10.00</td><td>£1.00</td></tr><tr><td>IVA</td><td>£10 p a</td><td>or £25 for life of case</td></tr></table>	Type	First 100	Every addtl 10	ADM	£14.00	£1.40	CVL	£7.00	£0.70	MVL	£7.00	£0.70	CPL	£7.00	£0.70	CVA	£10.00	£1.00	BKY	£10.00	£1.00	IVA	£10 p a	or £25 for life of case
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BKY	£10.00	£1.00																								
IVA	£10 p a	or £25 for life of case																								
Post re-direction	Redirection of post from Company's premises to office-holders' address	0-3 months £204.00 3-6 months £303.00 6-12 months £490.00																								
Software Licence fee	Payable to software provider for use of case management system	£87.00 plus VAT per case																								
Statutory advertising	Advertising of appointment, notice of meetings etc. - London Gazette - Other	£91.80 - £102.00 plus VAT per advert Dependent upon advert and publication																								
Storage costs	Costs of storage of case books and records	£5.07 plus VAT per box per annum plus handling charges																								

- b) Case-specific expenses – this category includes expenses (other than office-holders' fees) which are likely to be payable on every case but which will vary depending upon the nature and complexity of the case and the assets to be realised. They will include:

Type	Description	Amount
Agents' fees	Costs of appointed agents in valuing and realising assets	Time costs plus disbursements plus VAT
Debt Collection fees	Costs of appointed debt collectors in realising debts	Generally agreed as a % of realisations plus disbursements plus VAT
Legal fees	Costs of externally appointed solicitors. Will generally comprise advice on validity of appointment, drafting of sale contracts, advice on retention of title issues and advice on any reviewable transactions	Time costs plus disbursements plus VAT
Other disbursements	See disbursements section below	See disbursements section below

Disbursements

Included within both of the above categories of expenses are disbursements, being amounts paid firstly by Leonard Curtis on behalf of the insolvent entity and then recovered from the entity at a later stage. These are described as Category 1 and Category 2 disbursements.

- a) Category 1 disbursements. These are costs where there is specific expenditure directly referable both to the appointment in question and a payment to an independent third party. These may include, for example, advertising, room hire, storage, postage, telephone charges, travel expenses (excl. mileage), and equivalent costs reimbursed to the office holder or his or her staff. Category 1 disbursements may be drawn without prior approval.
- b) Category 2 disbursements: These are costs that are directly referable to the appointment in question but not to a payment to an independent third party. They may include shared or allocated costs that can be allocated to the appointment on a proper and reasonable basis, for example, business mileage. In the event of charging for category 2 disbursements the following items of expenditure are recharged on this basis and are believed to be in line with the cost of external provision:

Internal photocopying	10p per copy
General stationery, postage, telephone etc	£100 per 100 creditors/ members or part thereof
Storage of office files (6 years)	£81.25 per box
Business mileage	45p per mile

Category 2 disbursements may be drawn if they have been approved in the same manner as an office holder's remuneration

Proof of Debt – General Form

Relevant date: 7 June 2019

Please e-mail completed form to:

claims.manchester@leonardcurtis.co.uk quoting ref: O241K/CK/PROOF

Name of Company in Administration:

Optima Catering Limited

Company registered number:

04495557

1. Name of creditor (if a company, provide registration number)

2. Correspondence address of creditor (including email address)

3. Total amount of claim (£) at relevant date (include any Value Added Tax)

4. If amount in 3 above includes outstanding uncapitalised interest, state amount (£)

5. Details of how and when the debt was incurred (if you need more space attach a continuation sheet to this form)

6. Details of any security held, the value of the security and the date it was given

7. Details of any reservation of title claimed in respect of goods supplied to which the debt relates

OPTIMA CATERING LIMITED – IN ADMINISTRATION

8. Details of any document by reference to which the debt relates

9. Signature of creditor (or person authorised to act on the creditor's behalf)

10. Date of signing:

11. Address of person signing (if different from 2 above)

12. Name in BLOCK LETTERS

13. Position with, or relation to, creditor

Notes:

1. There is no need to attach them now but the office-holder may ask you to produce any document or other evidence which is considered necessary to substantiate the whole or any part of the claim, as may the chairman or convenor of any qualifying decision procedure.
2. This form can be authenticated for submission by email by entering your name in block capitals and sending the form as an attachment from an email address which clearly identifies you or has been previously notified to the office-holder. If completing on behalf of a company, please state your relationship to the company.
3. **Please e-mail completed form to:**

claims.manchester@leonardcurtis.co.uk quoting ref: O241K/CK/PROOF

NOTICE OF MOVE FROM ADMINISTRATION TO CREDITORS' VOLUNTARY LIQUIDATION