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

(b) Insert date

The Insolvency Act 1986

## 2.24B

### Administrator's progress report

Name of Company		Company number				
Evemay 1 Limited		05744302				
In the		Court case number 19579 of 2009				
High Court of Justice	(full name of cour	1 1				
We (a) Michael Colin John Sa MacIntyre Hudson LLF New Bridge Street Hoi 30 - 34 New Bridge St London EC4V 6BJ	o use	Jamie Taylor Begbies Traynor The Old Exchange 234 Southchurch Road Southend on Sea SS1 2EG				
administrators of the a	bove company attach a p	rogress report for the period				
(b) 13 October 2010		(b) 29 March 2011				
Signed	Joint Administrator					
Dated	29/3/11					

#### 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

Michael Colin John Sanders MacIntyre Hudson LLP New Bridge Street House 30 - 34 New Bridge Street London EC4V 6BJ

DX Number

0207 429 4100 DX Exchange



16/04/2011 **COMPANIES HOUSE** COMPANIES HOUSE

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

Companies House, Crown Way, Cardiff CF14 3UZ DX 33050 Cardiff

Software Supplied by Turnkey Computer Technology Limited, Glasgow, Scotland

Joint Administrator's Final Progress Report for the period from 13 October 2010 to 29 March 2011 relating to

**Evemay 1 Limited ("the Company") – In Administration** 

Issued on: 29 March 2011

Michael Colin John Sanders of MacIntyre Hudson LLP and Jamie Taylor of Begbies Traynor are the Joint Administrators of the Company and this is my report on the progress of the Administration of the Company for the period from 13 October 2010 to 29 March 2011

The administration was extended for a period of 6 months with the consent of the chargeholder, Dunbar Bank plc ('the Bank') to 13 April 2011

#### 1. Statutory Information

Statutory information relating to the Company is attached at Appendix I

#### 2. Action taken by the Joint Administrator since the last progress report

Inter-company Book Debts

As you are aware the director's sworn statement of affairs listed book debts totalling £36,936 with an estimated to realise figure uncertain

PJM Insolvency Debt Collection & Site Services were instructed to assist in pursuing the inter-company books debts. Due to the lack of company information available in order to pursue these, no monies have been realised to date. The Bank has confirmed that they do not wish to fund any further investigations in this respect therefore the books debts have been written off as irrecoverable.

Administration Corporation Tax Liability

Saffery Champness ('Saffery') were instructed to complete the corporation tax liability for the first year of the administration. Saffery calculated a nil liability due to H.M. Revenue & Customs ('HMRC') for the period. This return has been submitted to HMRC together with the return for the final period of the administration.

#### 3. Joint Administrators' receipts and payment account

I attach a summary of my receipts and payments relating to the Company for the period from 13 October 2010 to 29 March 2011 at Appendix II

I would comment about this account as follows

#### Receipts

There have been no receipts in the reporting period

#### **Payments**

Administrator's fees

The amount of £1,914 77 plus VAT has been drawn in respect of Administrator's fees in the period

Overdraft Interest

The amount of £2,331 15 has been charged in overdraft interest on the period

As you are aware, the costs of the administration are being met by the Bank

Prescribed Part

As indicated in the proposals, there are provisions of the insolvency legislation that require an Administrator to set aside a percentage of a Company's assets for the benefit of the unsecured creditors in cases where the Company gave a "floating charge" over its assets to a lender on or after 15 September 2003. This is known as the "prescribed part of the net property." A Company's net property is that left after paying the

preferential creditors, but before paying the lender who holds a floating charge. An Administrator has to set aside

- 50% of the first £10,000 of the net property, and
- 20% of the remaining net property up to a maximum of £600,000

The Joint Administrators consider that the prescribed part as defined in section 176A of the Act is applicable in this matter however due to insufficient floating charge realisations there are no funds to enable a dividend in this respect.

#### 4. Administrator's Remuneration and Expenses

As a result of the approval of the proposals at the initial meeting of creditors held by correspondence on 17 December 2009, my fees have been approved on the basis of the time properly spent by me and my staff in dealing with matters relating to the Administration of the Company, such time to be charged at the hourly charge out rate of the grade of staff undertaking the work at the time it was undertaken

For the period of this report, my time costs amount to £2,869 77, representing 14 87 hours work, at an average charge out rate of £192 99. I have drawn remuneration of £1,914 77 plus VAT in the period

Begbies Traynor's time costs in the period amount to £264, representing 1 20 hours work, at an average charge out rate of £220

Appendix III contains more information about the Joint Administrator's remuneration and expenses, including an analysis of the hours worked

My total time costs in the Administration amount to £25,539 94, representing 104 70 hours at an average composite rate of £243 93. To date, I have been paid £24,287 against those time costs

Begbies Traynor's total time costs amount to 21 90 hours resulting in total time costs to date of £7,129 Begbies Traynor have not yet been paid against their time costs

Any outstanding time costs are to be agreed and paid by Dunbar Bank plc

Please go to <a href="www.macintyrehudson.co.uk/guide-to-fees">www.macintyrehudson.co.uk/guide-to-fees</a> for the "Creditors' Guide to Fees" if you require further information relating to Administrator's Remuneration. Alternatively a copy is available free of charge upon request to my office.

#### 5. Outcome of the Administration

The purpose of an Administration is to achieve one of the three objectives set out in the insolvency legislation, which are to -

- (a) rescue the company as a going concern, or
- (b) achieve a better result for the company's creditors as a whole than would be likely if the company were wound up (without first being in Administration), or
- (c) realise property in order to make a distribution to one or more secured or preferential creditors

I was seeking to achieve objective (b) and (c) in respect of the Administration of the Company, and do this by instructing independent agents to realise the company's property and recover the outstanding inter-company books debts for the benefit of the Administration

In order to achieve this objective the following proposals were agreed by the creditors

#### Extract from Administrator's Proposals

- 12.6 The Joint Administrators of the Company set out below their proposals for achieving the purpose of the Administration
  - 12 6 1 they take such steps as they consider appropriate to continue to realise any remaining assets of the business in order to achieve a better result for the Company's creditors as a whole than would be likely if the Company were wound up (without first being in administration).
  - 12 6 2 in the event that the Joint Administrators form the view that it is appropriate for the company to move from Administration to Creditors' Voluntary Liquidation, the Joint Administrators be authorised to take steps to place the Company into Creditors' Voluntary Liquidation. In this event, the proposed Joint Liquidators would be the current Joint Administrators
  - 12 6 3 in the event that the Joint Administrators consider that it is appropriate for them to make a distribution to the preferential creditors, they be authorised to take the necessary steps to enable such a distribution to be made
  - 12 6 4 In the event that the Joint Administrators consider that it is not appropriate for the Company to move into Creditors' Voluntary Liquidation, the Joint Administrators be authorised to take the necessary procedural steps to bring about the end of the administration
  - 12 6 5 as an alternative to paragraphs 12 6 2 and 12 6 4 the Joint Administrators be able to seek to place the company into Compulsory Liquidation in order to pursue such actions and bring proceedings that only Joint Liquidators are permitted to bring under the Act
  - 12 6 6 upon placing the company into Liquidation under paragraph 12 6 2 or 12 6 4 or the necessary form being filed for the Company to be dissolved, the Joint Administrators be discharged from liability in respect of any action undertaken by them pursuant to Schedule B1, paragraph 98 of the Act
  - 12 6 7 the Joint Administrators be authorised to agree the claims of each category of creditors in accordance with the provisions of the Insolvency Act 1986 (as amended),
  - 12 6 8 the Joint Administrators' fees as set out in Appendix III are approved on a time costs basis together with their category 2 disbursements
  - 12 6 9 the Joint Administrators' remuneration going forward be fixed on a time cost basis in accordance with their charge out rates applicable from time to time plus disbursements, including those disbursements known as Category 2 disbursements and VAT to be drawn as and when they see fit,
  - 12 6 10 the creditors should consider establishing, and if thought fit establish a creditors' committee to exercise the functions conferred on it by or under Insolvency Act 1986, and
  - 12 6 11 the Joint Administrators continue to employ project managers, solicitors and any other professional advisers or agents whom they deems necessary to assist in the performance of his duties
  - 12 6 12 should the Joint Administrators consider that the Administration needs to be extended an extension of six months is hereby approved without the need to convene a further meeting of creditors so that the costs of doing so are avoided

The purpose of the Administration has been achieved. There are however, insufficient realisations to enable a dividend to unsecured creditors in this matter.

In accordance with the proposals, I am ending the Administration of the Company by arranging for the Company to be dissolved. To do this I have filed a formal notice with the Registrar of Companies. The Company will be deemed dissolved three months after the registration of that notice.

That concludes the Administrator's final report on the progress of the Administration and should creditors require any further clarification then please contact the case administrator, Jasvanti Jesani of this office

M C J Sanders
JOINT ADMINISTRATOR
Authorised to act by the
Insolvency Practitioners Association

Enc

In accordance with paragraph 45 of schedule B1 of the Insolvency Act 1986, notice is hereby given that the affairs, business and property Evernay 1 Limited (In Administration) are being managed by Michael Colin John Sanders and Jamie Taylor acting as Joint Administrators. Pursuant to paragraph 69 of schedule B1 of the Insolvency Act 1986, the Joint Administrators act as agents of the company and without personal liability.

#### Appendix I – Statutory Information

#### **Company Information**

Company Name

Evemay 1 Limited

Previous Name

None

Company Number

05744302

Date of Incorporation

15 March 2006

Trading Address

3 Market Place, Margate, Kent, CT9 1ER

Current Registered Office

c/o MacIntyre Hudson LLP, New Bridge Street House, 30-34

New Bridge Street, London EC4V 6BJ

Former Registered Office

3 Market Place, Margate, Kent, CT9 1ER

Principal Trading Activity

Development and Sale of Real Estate

#### Appointment details

Joint Administrators

Michael Colin John Sanders & Jamie Taylor

Joint Administrator's address

MacIntyre Hudson LLP, New Bridge Street House, 30-34

New Bridge Street, London EC4V 6BJ

Begbies Traynor, The Old Exchange, 234 Southchurch

Road, Southend on Sea, SS1 2EG

Date of appointment

13 October 2009

Court Name and Reference

High Court of Justice No 19579 of 2009

Appointment made by

Dunbar Bank plc

Extension

The Administration was extended by consent of the chargeholder, Dunbar Bank plc, until 13 April 2011

Creditors Rights

Creditors can request information within 21 days of receipt of a progress report under Rule 2 48A. Any secured creditor or unsecured creditor with 5% value of unsecured creditors or unsecured creditors with permission of the court can make this request. Creditors can challenge administrator's

expenses within 14 days of request

Creditors can challenge administrator's remuneration and expenses under Rule 2 109 by applying to court. Secured creditors or unsecured creditors with 10% in value of unsecured creditors can make an application no later than 8 weeks after receipt of the progress report which first reports

on the charging of remuneration and expenses

# Evernay 1 Limited (In Administration) Joint Administrators' Abstract of Receipts & Payments

Statement of Affairs		From 13/10/2010 To 29/03/2011	From 13/10/2009 To 29/03/2011
	ASSET REALISATIONS	" <del>"</del> '	
715,000 00	Freehold Land & Property	NIL	307,000 00
	Rent	NIL	21,961 94
		NIL	328,961 94
	COST OF REALISATIONS		
	Office Holders Fees	1,914 77	24,286 94
	Office Holders Disbursements	NIL	751 91
	Swear Fee	NIL	5 00
	Overdraft	2,331 15	25,117 36
	Agents/Valuers Fees (1)	NIL	8,712 50
	Legal Fees (1)	NIL	8,246 69
	Legal disbursements	NIL	162 00
	VAT	NIL	NIL
	Statutory Advertising	NIL	259 58
	Insurance of Assets	NIL	405 46
		(4,245 92)	(67,947 44)
	UNSECURED CREDITORS		
188,770 00)	Trade & Expense Creditors	NIL	NIL
,	·	NIL	NIL
526,230 00		(4 245 02)	261,014.50
520,230 00		<u>(4,245.92)</u>	261,014.50
	REPRESENTED BY		
	Non Recoverable VAT		6,556 95
	Bank 2 Current		254,457 55
			261,014.50

Note

Michael Colin John Sanders Joint Administrator

#### **EVEMAY 1 LIMITED**

(IN ADMINISTRATION)

Analysis of Time Costs for the period 13 October 2010 to 29 March 2011

Classification of Work	Pai	rtner Director Manager Administrator		Inistrator	Assistant Cashlering			iering	Total Hours	Time Cost	Average Hourly Rate				
	Hours	Cost (£)	Hours	Cost (£)	Hours	Cost (£)	Hours	Cost (£)	Hours	Cost (£)	Hours	Cost (£)		£	£
Administration and Planning	-	-	0 80	268 00	1 00	240 00	710	1 318 60	0 70	94 50	-		9 60	1,921 10	200 11
nvestigations	-				0.75	177 00	-	-	-			_	0 75	177 00	236 00
Realisation of Assets	-		-	-	0 25	60 00	0 50	95 00				-	0 75	155 00	206 67
Creditors	-		-	-		- 1	1 97	373 67			-	-	197	373 67	189 68
Cashlering	-	•	-	•		-	-	-	٠	-	1 80	243 00	1 80	243 00	135 00
Cotal	-		080	268 DC	2 00	477 00	9 57	1 787.27	0 70	94 50	1 80	243 00	14 87	2 869 77	192 99
Average Hourly Rate, £				335 00		238 50		18676		135 00		135 00			

INFORMATION TO ASSIST CREDITORS IN MAKING AN INFORMED DECISION ON ANY RESOLUTION SEEKING APPROVAL OF THE OFFICE HOLDERS REMUNERATION

#### MACINTYRE HUDSON LLP CORPORATE RECOVERY DEPARTMENT

Our current charge-out rates which may be amended from time to time are as follows

POSITION	
Principal	420
Director Landon	335
Director - Other Offices	240
Managers	
Senior Manager Manager	290 240
Administrators	
Senior Administrator Administrator	190 155
Assistant	135
Cashier	135

Please note that MacIntyre Hudson LLP do not make a separate charge for support staff

#### MACINTYRE HUDSON LLP DISBURSEMENT CHARGE

Our current disbursement charges which may be amended from time to time are as follows

 Category 1
 Per current postal charges

 Postage
 Per current postal charges

 Travel
 As per cost

 Document Storage
 As per cost

 Category 2
 40p per mile

 Car Mileage
 40p per mile

 Photocopying (where applicable)
 15p per sheet

It is the firm's policy to recharge all disbursements properly incurred to the relevant insolvency case where there is identifiable specific expenditure. Any costs which may involve an element of shared or allocated costs or are for services provided by the firm are detailed in the firm's receipts and payments accounts as Category 2 Disbursements. Please note that no charge is made relating to the recovery of the firm's overhead costs.

Should you require clarification on any of the above do not hesitate to contact MacIntyre Hudson LLP on 020 7429 4100

#### **BEGBIES TRAYNOR**

#### **EVEMAY 1 LIMITED**

(IN ADMINISTRATION)

Analysis of Time Costs for the period 13 October 2010 to 29 March 2011

Classification of Work	Partner		Senior Manager		Senior Administrator		Assistant		Cashlering		Total Hours	Time Cost	Average Hourly Rate
	Hours	Cost (£)	Hours	Cost (£)	Hours	Cost (£)	Hours	Cost (£)	Hours	Cost (£)		£	£
Administration and Planning	-	•	-	-	1 20	264 00	-			-	1 20	264 00	220 00
Appointment activity	_	_	_	_			_	- 1	_		_	-	
Floating Charge Assets	-	- 1	-	-		-	-	-	-	-		-	-
Fixed Charge Assets	-	-	-	-		- !		_	-	-			-
Case Strategy & Planning	-	-	-	-	-	-	-	-	-	-	-	-	-
Sale of Business/Asset	-	-	-	-			-	-	-	-	-	-	-
Travel	-	-	•	-	-	-	-	-	•	-	-	-	-
Total			<u> </u>		1 20	264 00					1 20	264 00	220 00
Average Hourly Rate, £				-		220 00							

#### **CHARGEOUT RATES**

POSITION	£
Partner	450
Senior Manager	350
Senior Administrator	220