

# 2.24B

The Insolvency Act 1986

## Administrators' progress report

Name of Company

Abbey Hotel (2007) Limited

Company number

06137612

In the  
High Court of Justice, Leeds District Registry  
(full name of court)Court case number  
1419 of 2007(a) Insert full  
name(s) and  
address(es) of  
administrator(s)We  
Stephen Goderski  
Geoffrey Martin & Co  
7-8 Conduit Street  
London  
W1S 2XFJohn Twizell  
Geoffrey Martin & Co  
St James's House  
28 Park Place  
Leeds  
LS1 2SP

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

(b) Insert date

From

26 November 2007

To

26 May 2008

Signed

Joint Administrator

Dated

10 June 2008

### Contact Details.

You do not have to give any contact information in the box opposite but if you do, it will help Companies House to contact you if there is a query on the form

The contact information that you give will be visible to searchers of the public record

Stephen Goderski  
Geoffrey Martin & Co  
7-8 Conduit Street  
London  
W1S 2XF

DX Number

020 7495 1100  
DX Exchange

WEDNESDAY



A30

COMPANIES HOUSE

357

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



G E O F F R E Y  
M A R T I N  
& C O

10 June 2008

7-8 Conduit Street  
London  
W1S 2AF

**To all known creditors**

Telephone 020 7495 1100  
Fax 020 7495 1144

E-Mail [info@geoffreymartin.co.uk](mailto:info@geoffreymartin.co.uk)  
[www.geoffreymartin.co.uk](http://www.geoffreymartin.co.uk)

Your Ref  
Our Ref SG/LA/ABBE401/RB/4

when telephoning please  
ask for—

Lucy Azzopardi

Dear Sirs

**Abbey Hotel (2007) Limited – In Administration (“the Company”)**

I write to provide a report to creditors on the progress of the Administration pursuant to Rule 2 47 of The Insolvency Rules 1986 (“The Rules”)

This report should be read in conjunction with my paragraph 49 of Schedule B1 report sent to creditors on 18 January 2008

The information that is required to be disclosed in accordance with Rule 2 47(1) (a) to (c) of The Rules is attached at Appendix A

**Sale of Business and Assets**

As you will be aware from my previous report, the Company's principal asset is the Property consisting of the Hotel and Cottage at Tintern Parva, Nr Chepstow, Monmouthshire, NP16 6SF

Regarding the application for possession of the Cottage, I advise the Court gave the Administrators' possession on 30 January 2008. The Cottage is currently vacant

Whilst the Hotel is continuing to trade under the supervision of Legacy Hotels Limited, I have been liaising with a number of interested parties concerning the sale of the Company's business and assets. I have received various offers and contracts have been issued. For reasons of confidentiality I cannot disclose details of the offers I have received, however, I will update creditors further on this matter in my next report.

As previously advised, agents have provided a valuation of the Property and assets, however this is commercially sensitive and I am unable to disclose it until the sale of the Company's assets has been completed.

**Administration Trading**

The Company in Administration has been trading since 20 December 2007

The trading figures will be provided in the next statutory report to creditors

### **Asset Realisations**

To date, there have been no asset realisations

### **Receipts and Payments Account Estimated Outcome for Creditors**

I am unable to provide you with a Receipts and Payments Account and an Estimated Outcome Statement until the Property and assets have been sold for reasons of commercial sensitivity

### **Outcome for Creditors**

The outcome to creditors will largely depend on the price of the sale of the Company's Property and assets and the costs of the Administration and I am unable to confirm the quantum and timing of any distribution

### **Summary of the Administrators' Proposals**

A copy of my proposals, as presented in my last report dated 18 January 2008, is attached at Appendix B

You will recall that the main terms of my proposals were to achieve the purpose of the Administration. This was 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). These proposals were deemed to have been approved by creditors in accordance with Rule 2.33(5) of The Insolvency (Amendment) Rules 2003 ("The Rules") on 4 February 2008.

### **Administrators' Costs**

At the initial meeting of creditors held on 4 February 2008 it was resolved that the Joint Administrators be authorised to draw their remuneration from time to time during the period of the Administration, as and when funds allow.

Details of the time costs incurred in respect of the Company are attached at Appendix C. I have provided this information in this format as required by the provisions of the Statement of Insolvency Practice 9. To date, I have not invoiced and drawn any sum against these costs.

In addition, there is £5,161 plus VAT and disbursements in respect of advice provided by my firm to the Company in the period immediately prior to the Administration. I confirm that the Administrators will not be seeking the approval to the payment of the fees relating to the pre-appointment period.

Appendix D contains further details on the firm's current charging and disbursements policy. Due to insufficient funds, the Administrators have not yet drawn any of the outstanding disbursements.

### **Outstanding Matters**

The matters requiring resolution and finalisation are

- i) Completion of the sale of the Company's Property and assets
- ii) Wind down the Company's affairs following the Administration trading activities and collect the consideration due from the agreed sale
- iii) Discharge any remaining Administration undertakings, which include trading costs, legal fees and payment of taxes accrued in the Administration period
- iv) Distribute available funds to the creditors

- iv) Distribute available funds to the creditors
- v) Submission of VAT and Corporation Tax Returns to HM Revenue & Customs for the Administration period
- vi) Obtain clearance from HM Revenue & Customs that all tax issues have been resolved
- vii) Conclude the ongoing investigations into the Company's affairs

Should you require any further information, please do not hesitate to contact my colleague Lucy Azzopardi of this office

Yours sincerely  
For and on behalf of  
The Abbey Hotel (2007) Limited



**Stephen Goderski**  
Joint Administrator  
Acting as agent of the Company  
and contracting without personal liability

Stephen Goderski is licensed by the Department for Business, Enterprise and Regulatory Reform  
John Twizell is licensed by the Insolvency Practitioners Association

**Abbey Hotel (2007) Limited**

The statutory information of the Company as extracted from the Company's file at Companies House is as follows

<b>Court Details</b>	In the High Court of Justice, Leeds District Registry
<b>Court Number.</b>	1419 of 2007
<b>Date of appointment:</b>	26 November 2007
<b>Administrators' details:</b>	Stephen Goderski & John Twizell Geoffrey Martin & Co 7-8 Conduit Street London, W1S 2XF
<b>Appointed by:</b>	The debenture holder of a fixed and floating charge and legal charge created on 13 June 2007 and registered 15 June 2007  Helmsley Acceptances Limited Colenso House Omega 1 Monks Cross Drive Monks Cross York, YO32 9GZ
In accordance with paragraph 100(2) to Schedule B1 of The Insolvency Act 1986 the Joint Administrators confirm that any act required or authorised under any enactment to be done by an Administrator may be done by either of us individually or jointly	
<b>Company Number.</b>	06137612
<b>Registered Office:</b>	C/o Geoffrey Martin & Co 7 – 8 Conduit Street London W1S 2XF
<b>Date of incorporation:</b>	05 March 2007
<b>Trading address and former registered office:</b>	The Abbey Hotel Tintern Parva Nr Chepstow Monmouthshire NP16 6SF

## Appendix A cont

**Authorised & Issued share capital:** Unknown

**Shareholders.** No Annual Return or accounts have been lodged at Companies House and we are unable to confirm any details regarding the Company's shareholding position

<b>Directors</b>	<b>Appointed</b>	<b>Resigned</b>
Graham George	24/06/2007	19/07/2007
Paul Dallimore	19/06/2007	N/a
Alun Weeks	18/06/2007	30/06/2007
Susan George	25/04/2007	18/06/2007 *
Christina Powell	25/04/2007	18/06/2007 *
Paul Dallimore	05/03/2007	04/05/2007

\*It transpired that the removal of these directors were invalid as no notice was given to them of their removal

**Company Secretary.** Colin Harris

**Change of name:** None

**ABBHEY HOTEL (2007) LIMITED  
IN ADMINISTRATION**

**APPENDIX B**

**ADMINISTRATORS' PROPOSALS**

## Joint Administrators' proposals

Abbey Hotel (2007) Limited – In Administration ("the Company")

Statement of Joint Administrators' proposals under Paragraph 49 to Schedule B1 of the Insolvency Act 1986

In accordance with paragraph 49 to Schedule B1 of the Insolvency Act 1986 ("The Act") and Rule 2.33 (1) of The Insolvency (Amendment) Rules 1986 ("The Rules"), Stephen Goderski and John Twizell, the Joint Administrators of the Company, ("the Joint Administrators"), make the following proposals for achieving the purposes of the Administration, following their appointment on 26 November 2007, to the creditors of the Company for consideration and, if thought fit, approval at the meeting of the creditors to be held at 10.30 a.m. on 4 February 2008 at Geoffrey Martin & Co, 7-8 Conduit Street, London, W1S 2XF

### Proposals

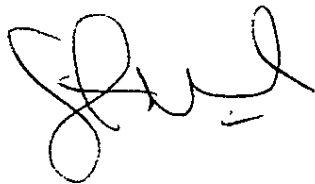
The Joint Administrators propose that.

- (1) They continue to manage the business, affairs and property of the Company in order to achieve the following purposes for which the Administration Order was made; namely
  - Achieving 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
  - Realising property in order to make a distribution to the secured or preferential creditors
- (2) They continue to take any action they consider expedient with a view to achieving the purposes of administration detailed at (1) and in particular that
  - (i) they continue to trade the Hotel, whilst seeking a sale of the Hotel and Cottage
  - (ii) Investigate the nature of the ownership of the Hotel's business and assets and take whatever action necessary to enhance the realisations available for the creditors
  - (iii) they continue to take any necessary action to vacate the Cottage and take possession
  - (iii) the wind down the Company's affairs following the Administration trading activities and collect the consideration due from the agreed sale of the Company's business and assets on the terms that they consider expedient;
  - (iv) they dispose of the Company's remaining assets, if any, on such terms as they consider expedient



- (3) They be authorised to make a distribution to any preferential creditors and floating charge holders, where appropriate to calculate the value of the prescribed part from any floating charge realisations and return for the benefit of the unsecured creditors in accordance with Section 176A of The Insolvency Act 1986. If they believe there may be a distribution to the unsecured creditors of the Company the Joint Administrators be authorised to propose that either one or both of them be appointed as liquidator(s) in accordance with paragraph 83(7) of the Act and Rule 2.33(m) of the Rules. Alternative creditors may nominate a different person as the proposed liquidator, provided that the nomination is made after the receipt of these proposals and before these proposals are accepted by creditors. Any such request should be made in accordance with 2.37 of the Rules and made within twelve days of the date on which these proposals were sent out.
- (4) If the Joint Administrators conclude that the Company has no property to permit a distribution to its unsecured creditors, and when the Joint Administrators think that the purpose of Administration has been sufficiently achieved they will file a notice in accordance with Paragraph 80 of Schedule B1 of the Act and the Administrators' appointment shall cease to have effect. Alternatively, in such circumstances they shall send a notice to that effect and in accordance with Paragraph 84 of The Act and the appointment of Joint Administrators' appointment shall cease to have effect, and that the Joint Administrators be released at that time. The effect of this is that the Company would be dissolved three months thereafter without any formal liquidation.
- (5) The creditors should consider establishing and if thought fit appointing a Creditors' Committee to exercise the functions conferred on it by or under the Act.
- (6) They consult with the Creditors' Committee, if formed, at appropriate intervals concerning the conduct of the Administration and the implementation and development of these proposals and where they consider it expedient obtain the sanction of that Committee on behalf of the creditors of the Company (and without further reference to them) to any proposed action on the part of the Joint Administrators.
- (7) If no Creditors' Committee is to be formed then the Joint Administrators' remuneration be fixed by reference to the time properly incurred by them and their staff in attending to matters arising in the Administration. The Joint Administrators be authorised to draw their remuneration from time to time during the period of the Administration without further recourse to creditors, as and when funds allow. The Joint Administrators will incur and shall pay such costs and expenses, including professional fees as they consider to be incidental to the achievement of the proposals outlined above or their statutory duties as and when funds allow.
- (8) The Joint Administrators be authorised to draw a disbursements charge relating to the recovery of overheads costs in accordance with their firm's current disbursements policy (Appendix E).
- (9) With the acceptance of these proposals creditors confirm that upon discharge of the Administration by way of whichever route applicable as set out between paragraph 76 to 84 of Schedule B1 of the Act, the Joint Administrators is discharged from all liability incurred in respect of the Administration, in accordance with paragraph 98(1) of Schedule B1 of the Act.
- (10) The Joint Administrators shall be discharged from liability pursuant to Paragraph 98(1) of Schedule B1 of the Act in respect of any action of theirs as Administrators when they cease to be Joint Administrators of the Company at a time fixed by the creditors' committee, or, if there is no creditors' committee, by resolution of the secured creditors and any preferential creditors or in any case by the Court.

- (11) The Joint Administrators may consider it will be necessary to extend the Administration beyond the statutory duration of one year. If an extension is deemed necessary, the Joint Administrators shall seek the appropriate resolutions of the secured creditors and any preferential creditors, or the agreement of the Court.
- (12) That in the event that either one or both of the Joint Administrators be appointed liquidator(s) the following resolutions be approved, namely -
- a that the liquidator be authorised to pay preferential creditors in full if appropriate and any balance of funds available be distributed by way of a dividend to unsecured creditors
  - b that the liquidator be authorised to compromise any debt owing to the company, or any claim against the company.
  - c In order for the liquidator to draw fees by reference to time properly spent by the liquidator and his staff and a disbursements charge relating to the recovery of overhead costs in accordance with his firm's disbursements policy, the liquidator shall seek sanction from either the Court, the Committee, if one is formed or via a meeting of the company's creditors
  - d in the event the liquidator is to bring legal proceedings under Section 213, 214, 238, 239, 242, 243 or 423 of the Insolvency Act 1986, then the liquidator shall seek sanction from either the Court, the Committee, if one is formed or via a meeting of the Company's creditors
- (13) That in the event that the Joint Administrators considers that the Company should be placed into Compulsory Liquidation, that they be authorised to take the necessary steps and that creditors shall be notified in accordance with the Act
- (14) In addition, they do all such other things and generally exercise all their powers as Joint Administrators as they in their discretion consider desirable or expedient in order to achieve a purpose of the Administration or protect and preserve the assets of the Company or maximise realisations of those assets, or for any other purpose incidental to these proposals. Without limitation to the general powers of the Joint Administrators they shall have the power and discretion to compromise claims should, in their opinion, it be beneficial to the achievement of the proposals outlined above



**Stephen Goderski and John Twizell**  
Joint Administrators of Abbey Hotel (2007) Limited

**ABBHEY HOTEL (2007) LIMITED  
IN ADMINISTRATION**

**APPENDIX C**

**ADMINISTRATORS' COSTS**

## ABBE401 Abbey Hotel (2007) Limited

10 June 2008

## SIP 9 - Time &amp; Cost Summary

Period 26/11/07 26/05/08

## Time Summary

Hours						Time Cost (£)	Average hourly rate (£)
Classification of work function	Partner	Manager	Other Senior Professionals	Assistants & Support Staff	Total Hours		
Administration & Planning	0 90	0 00	0 30	22 40	23 60	2,213 00	93 77
Administrative Setup	0 00	0 00	0 30	0 70	1 00	89 00	89 00
Appointment, Notification / Filing	2 50	0 00	5 90	1 70	10 10	2,069 50	204 90
Post Appointment VAT & Tax Ref	0 00	0 00	1 40	0 00	1 40	280 50	200 36
Case Monitoring	0 00	0 70	21 50	0 00	22 20	4,263 50	192 05
Secretarial / Filing	0 00	0 00	5 10	24 10	29 20	2,924 50	100 15
Cashier for Non Trading	0 00	0 00	0 10	1 20	1 30	112 50	86 54
Travelling	2 30	0 00	4 50	0 00	6 80	1,595 00	234 56
Other Statutory matters	0 00	0 00	9 90	3 00	12 90	2,129 00	165 04
Case Strategy	30 30	0 00	0 00	0 00	30 30	9,115 00	300 83
Administration & planning	36 00	0 70	49 00	53 10	138 80	24,791 50	178 61
Investigations	0 10	0 00	1 70	0 00	1 80	353 00	196 11
CDDA Reports	2 00	0 00	5 20	1 00	8 20	1,768 50	215 67
Pursuing Antecedent Transactions	2 00	0 00	0 00	0 50	2 50	705 00	282 00
Investigations	4 10	0 00	6 90	1 50	12 50	2,826 50	226 12
Property	107 10	0 80	25 60	5 40	138 90	40,791 00	293 67
Book Debts	0 10	0 00	0 00	0 00	0 10	30 00	300 00
Plant & Machinery / Motor Vehicle	0 30	0 00	0 00	0 00	0 30	90 00	300 00
Other Assets	6 50	0 00	9 10	1 60	17 20	4,002 50	232 70
Going Concern Sale Assets/Business	5 70	0 00	0 40	1 00	7 10	1,896 00	267 04
Insurance Claims	1 70	0 00	0 00	0 00	1 70	510 00	300 00
Strategy	16 20	0 00	8 60	0 00	24 80	6,681 50	269 42
Realisations of assets	137 60	0 80	43 70	8 00	190 10	54,001 00	284 07
Trading	24 30	0 50	24 60	3 40	52 80	13,033 50	246 85
Management of Operations	0 00	0 00	10 70	0 00	10 70	2,033 00	190 00
Cashiering for Trading	0 00	0 00	0 00	1 80	1 80	144 00	80 00
Ongoing Employee Issues (Trading)	0 00	0 00	1 00	0 00	1 00	120 00	120 00
Trading Strategy	2 50	0 00	0 40	0 00	2 90	892 50	307 76
Trading	26 80	0 50	36 70	5 20	69 20	16,223 00	234 44
Unsecured Creditors	3 40	0 00	2 50	0 00	5 90	1,570 00	266 10
Employee Matters (Claims)	3 50	0 00	7 40	5 00	15 90	2,959 50	186 13
Statutory Reporting to Creditors	4 00	3 00	18 40	9 70	35 10	6,397 00	182 25
Report / Secured Creditor	23 50	0 00	2 70	0 00	26 20	8,013 00	305 84
Pension Issues	0 00	0 00	0 20	0 00	0 20	38 00	190 00
Shareholders - Communication	0 10	0 00	0 00	0 00	0 10	30 00	300 00
Creditors	34 50	3 00	31 20	14 70	83 40	19,007 50	227 91
Case Specific	10 20	0 00	12 20	0 50	22 90	5,755 00	251 31
Case Specific 1	5 50	0 00	5 10	0 80	11 40	2,858 50	250 75
Case Specific 2	2 50	0 00	0 30	0 00	2 80	932 00	332 86
Case specific matters	18 20	0 00	17 60	1 30	37 10	9,545 50	257 29

Total Hours	257 20	5 00	185 10	83 80	531 10	126,395 00	237 99
Total Fees Claimed						0 00	

**ABBHEY HOTEL (2007) LIMITED  
IN ADMINISTRATION**

**APPENDIX D**

**CHARGING AND DISBURSEMENTS POLICY**

<b>Case Name</b>	Abbey Hotel (2007) Limited
<b>Court and Number</b>	High Court of Justice No 1419 of 2007
<b>Office Holder</b>	Stephen Goderski and John Twizell
<b>Firm</b>	Geoffrey Martin & Co
<b>Address</b>	7-8 Conduit Street London W1S 2XF
<b>Telephone</b>	020 7495 1100
<b>Reference</b>	SG/LA/ABBE401/4
<b>Type of Appointment</b>	Trading Administration
<b>Date of Appointment</b>	26 November 2007

#### CHARGING AND DISBURSEMENTS POLICY (Combined London & Leeds Offices)

##### Time Costs

The firm's hourly charge out rates are revised annually from 1 May. The rates currently in use are within the following bands:

	£
Partner	300 – 350
Manager	190 – 300
Senior Administrator	125 – 210
Junior Administrator and Support Staff	60 – 125

##### Disbursements

A disbursement charge relating to the recovery of overhead costs is levied at the rate of £9.00 per creditor. This sum is drawn at the outset of the case and on each anniversary thereafter and covers printing, postage, stationery, photocopying, telephone and fax usage.

Outsourced printing and/or photocopying will be charged at cost in addition to the above.

Travelling expenses are charged at the rate of 40p per mile.