

# AM10

## Notice of administrator's progress report



Companies House

SATURDAY



A15 \*A84QZYT4\* #80  
04/05/2019  
COMPANIES HOUSE

### 1 Company details

Company number 0 6 2 5 2 4 7 5  
Company name in full Owen Pugh Properties Limited

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

### 2 Administrator's name

Full forename(s) Christopher J  
Surname Petts

### 3 Administrator's address

Building name/number Rotterdam House  
Street 116 Quayside  
Post town Newcastle-Upon-Tyne  
County/Region  
Postcode N E 1 3 D Y  
Country

### 4 Administrator's name ①

Full forename(s)  
Surname

① Other administrator  
Use this section to tell us about  
another administrator.

### 5 Administrator's address ②

Building name/number  
Street  
Post town  
County/Region  
Postcode  
Country

② Other administrator  
Use this section to tell us about  
another administrator

# AM10

## Notice of administrator's progress report

### 6 Period of progress report

|           |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |
|-----------|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| From date | d | 0 | d | 9 | m | 1 | m | 0 | y | 2 | y | 0 | y | 1 | y | 8 |
| To date   | d | 0 | d | 8 | m | 0 | m | 4 | y | 2 | y | 0 | y | 1 | y | 9 |

### 7 Progress report

☒ I attach a copy of the progress report

### 8 Sign and date

Administrator's  
signature

Signature

X



X

Signature date

|   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| d | 0 | d | 3 | m | 0 | m | 5 | y | 2 | y | 0 | y | 1 | y | 9 |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|

# AM10

## Notice of administrator's progress report



### 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  | Suzanne Blakey        |
| Company name  | Grant Thornton UK LLP |
|               |                       |
| Address       | Rotterdam House       |
|               | 116 Quayside          |
|               |                       |
| Post town     | Newcastle-Upon-Tyne   |
| County/Region |                       |
| Postcode      | N E 1 3 D Y           |
| Country       |                       |
| DX            |                       |
| Telephone     | Tel/Fax               |



### 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 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](http://www.gov.uk/companieshouse) or email [enquiries@companieshouse.gov.uk](mailto: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](http://www.gov.uk/companieshouse)



# **Owen Pugh Properties Limited - in Administration (the Company)**

Administrator's progress report for the  
period 9 October 2018 to 8 April 2019

Recovery and Reorganisation  
Grant Thornton UK LLP  
Rotterdam House  
116 Quayside  
Newcastle-Upon-Tyne  
NE1 3DY

Prepared by: Christopher J Petts, Administrator

Contact details: Should you wish to discuss any matters in  
this report, please do not hesitate to  
contact Suzanne Blakey on  
0191 203 7789

# Definitions

The following definitions are used either within the body of this report, the appendices to it, or both.

|     |  |                                          |
|-----|--|------------------------------------------|
| DLA |  | DLA Piper UK LLP                         |
| VAT |  | Value added tax                          |
| JLT |  | Jardine Lloyd Thompson Specialty Limited |

# 1 Executive summary

- This progress report for the Company's Administration covers the period from 9 October 2018 to 8 April 2019.
- My proposals were approved on 14 December 2017 by deemed consent
- The key work done in the period has been the completion of the sale of the Bassington Lane site and complying with statutory matters
- The Administration is currently due to end on 9 October 2019. It is anticipated that this matter will take a further 3 months to be completed.
- It is unlikely that there will be sufficient funds to make a distribution to unsecured creditors (other than by virtue of the prescribed part), and therefore it is intended to exit the Administration and move to dissolution.



Christopher J Petts  
Administrator

3 May 2019

Please be aware fraudsters have been known to masquerade as legitimate administrators. Fraudsters will contact creditors asking for an upfront fee or tax. The Administrator would never ask for such a payment nor instruct a third party to make such a request.

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## 2 Progress to date

### 2.1 Strategy and progress since my statement of proposals

As detailed in the Administrator's proposals dated 30 November 2017, the Administrator will pursue the objective of realising assets for the benefit of preferential and secured creditors.

In the period since my last report work has been undertaken in order to finalise a sale of the Bassington Lane site (which is expanded on in paragraph 2.2 below).

I can advise that David J Dunckley has been removed from office as Administrator, by Court Order, dated 25 February 2019. This was done as Mr Dunckley's role has changed within Grant Thornton UK LLP and he no longer holds any insolvency appointments.

### 2.2 Realisation of assets

Bassington Lane

As advised in my previous progress report all of the assets, except for the brownfield site located at Bassington Lane, Bassington Industrial Estate, Cramlington, have been realised.

Following the site being placed back onto the market, an offer of £452,400 was accepted and the sale completed on 27 December 2018.

I can advise that there are no further assets to be realised.

# 3 Creditors

## 3.1 Secured creditors

HSBC Bank plc was granted a fixed and floating charge debenture over the Company's assets on 18 February 2008. At the date of Administration, the balance due secured by this debenture was £5,569,245

Merino Industries Limited (as Security Agent) was granted a fixed and floating charge debenture over the Company's assets on 28 July 2017. At the date of Administration, the balance due secured by this debenture was £1,000,000.

DLA was engaged to provide legal advice to the Administrator on the validity of the security. No issues were identified.

To date, a distribution of £1,705,632.00 has been paid to HSBC Bank plc under its security. There is, therefore, a shortfall to the secured creditor

There will be no funds to enable a distribution to Merino Industries Ltd, whose security ranks behind that of HSBC Bank plc

## 3.2 Preferential creditors

There were no employees as at the date of Administration, therefore there are no preferential creditors.

## 3.3 Prescribed part – unsecured creditors

In accordance with section 176A of the Insolvency Act 1986, a prescribed part is to be set aside from the floating charge assets and made available to the unsecured creditors of the Company. The prescribed part calculation is applied to the net property available and is calculated at 50% of the first £10,000 of net realisations and 20% of all further amounts, up to a maximum prescribed part of £600,000.

There are insufficient floating charge assets to enable a distribution to the prescribed part.



# 4 Investigations into the affairs of the Company

## 4.1 Statutory investigations

As advised in my report dated 4 May 2018, based on the outcome of my investigations into the affairs of the Company to date, there are no matters identified that need to be reported to the creditors. However, I would be pleased to receive from any creditor any useful information concerning the Company, its dealings or conduct which may assist me.

# 5 Fees and costs

## 5.1 SIP9 disclosures

For information regarding payments, remuneration and expenses to me or my associates, please refer to the respective 'Statement of Insolvency Practice 9 disclosure' at Appendix B to this report, which covers:

- fee basis
- work done by me and my team during the period
- hourly charge out rates
- disbursements and expenses
- sub-contracted out work
- payments to associates
- relationships requiring disclosure
- information for creditors (rights, fees, committees)

# 6 Future strategy

## 6.1 Future conduct of the Administration

I will continue to manage the affairs, business and property of the Company in order to achieve the purpose of the Administration. This will include but not be limited to:

- payment of Administration expenses, including my remuneration
- finalisation of the Company's tax affairs, including completion of corporation tax and VAT returns and settlement of any liabilities, and
- complying with statutory and compliance obligations.

It is estimated that the Administration will take approximately 3 months to be concluded due to an outstanding VAT refund (that is required to settle the above liabilities) and finalisation of the Company's tax affairs.

## 6.2 Exit from Administration

Once all matters have been concluded the Administrator will progress the case to closure. As per the Administrator's proposals, it is proposed that the Administration will end by the Administrator filing a notice to dissolve the Company.

## 6.3 Discharge from liability

As there are insufficient funds to make a distribution to creditors other than by virtue of the prescribed part, I will seek a resolution from the secured creditors in order to obtain my discharge from liability.

## 6.4 Data Protection

Any personal information held by the Company will continue to be processed for the purposes of the Administration of the Company and in accordance with the requirements of data protection.

## 6.5 Future reporting

The date of my next, and final, report to creditors is anticipated to be no later than 9 October 2019.

# A Abstract of the Administrator's receipts and payments

from 9 October 2017 to 8 April 2019

|                                         | Statement<br>of Affairs<br>£ | From<br>09/10/2017<br>to 08/10/2018<br>£ | From<br>09/10/2018<br>to 08/04/2019<br>£ | Total<br>£          |
|-----------------------------------------|------------------------------|------------------------------------------|------------------------------------------|---------------------|
| <b>Receipts</b>                         |                              |                                          |                                          |                     |
| <b>Fixed Charge</b>                     |                              |                                          |                                          |                     |
| Freehold Land & Property                | 2,075,000 00                 | 1 405 000 00                             | 452 500 00                               | 1,857,500 00        |
| Fixed Charge VAT on Sales               |                              | 253,000 00                               | 90,500 00                                | 343,500 00          |
| Bank Interest                           |                              | -                                        | 132 78                                   | 132 78              |
| <b>Floating charge</b>                  |                              |                                          |                                          |                     |
| Sales                                   |                              | 2 000 00                                 | -                                        | 2 000 00            |
| Rents                                   |                              | 475 00                                   | -                                        | 475 00              |
| Plant & Machinery                       |                              | 17,455 00                                | -                                        | 17 455 00           |
| Misc Float Receipts                     |                              | 5 000 00                                 | -                                        | 5 000 00            |
| VAT on Sales                            |                              | 4,891 00                                 | -                                        | 4,891 00            |
|                                         |                              | <u>1 687,821 00</u>                      | <u>543 132 78</u>                        | <u>2 230,953 78</u> |
| <b>Payments</b>                         |                              |                                          |                                          |                     |
| <b>Fixed Charge</b>                     |                              |                                          |                                          |                     |
| Administrators Fees                     |                              | 70 000 00                                | 5 000 00                                 | 75 000 00           |
| Administrators Expenses                 |                              | 1,416 73                                 | -                                        | 1,416 73            |
| Legal Fees                              |                              | 29,761 38                                | 9 592 40                                 | 39,353 78           |
| Agents/Valuers Fees                     |                              | 17,928 97                                | 4 528 68                                 | 22 457 65           |
| Insurance                               |                              | 280 00                                   | -                                        | 280 00              |
| Bank Charges                            |                              | 108 82                                   | 61 78                                    | 170 60              |
| Fixed Charge VAT on Purchases           |                              | 23,820 22                                | 2,824 22                                 | 26 644 44           |
| HMRC - Fxd VAT received/paid            |                              | 249,414 21                               | 70 265 57                                | 319,679 78          |
| <b>Distribution to Secured Creditor</b> |                              |                                          |                                          |                     |
| HSBC Bank plc                           |                              | 1,250,000 00                             | 455 632 00                               | 1,705,632 00        |
| <b>Floating Charge</b>                  |                              |                                          |                                          |                     |
| Repairs & Maintenance                   |                              | 295 00                                   | -                                        | 295 00              |
| Property Expenses                       |                              | 475 00                                   | -                                        | 475 00              |
| Agents/Valuers Fees                     |                              | 229 54                                   | -                                        | 229 54              |
| Legal Fees                              |                              | 2,322 00                                 | -                                        | 2 322 00            |
| Telephone Telex & Fax                   |                              | 10 00                                    | -                                        | 10 00               |
| Statutory Advertising                   |                              | 68 70                                    | -                                        | 68 70               |
| Insurance of Assets                     |                              | 4,113 52                                 | (18 26)                                  | 4 095 26            |
| Bank Charges                            |                              | 128 08                                   | 61 14                                    | 189 22              |
| Corporation Tax                         |                              | -                                        | 7 985 89                                 | 7,985 89            |
| VAT on Purchases                        |                              | 668 05                                   | -                                        | 668 05              |
| HMRC - VAT received/paid                |                              | 4,686 35                                 | (463 40)                                 | 4 222 95            |
|                                         |                              | <u>1,655,726 57</u>                      | <u>555 470 02</u>                        | <u>2 211,196 59</u> |
| <b>Net Receipts/(Payments)</b>          |                              | <u>32,094 43</u>                         | <u>(12,337.24)</u>                       | <u>19,757.19</u>    |
| <b>Made up as follows</b>               |                              |                                          |                                          |                     |
| Fixed Current Account NIB               |                              |                                          |                                          | 11 64               |
| Floating Current Account NIB            |                              |                                          |                                          | 19,745 55           |
|                                         |                              |                                          |                                          | <u>19,757.19</u>    |

# B Statement of Insolvency Practice 9 disclosure: payments, remuneration and expenses to the Administrator or his associates

## Statement of Insolvency Practice 9 disclosure

This appendix has been prepared in conjunction with the requirements of the Insolvency Act 1986, the Insolvency (England and Wales) Rules 2016 (the Rules) and Statement of Insolvency Practice 9 (SIP9). In summary, it covers:

- fee basis
- work done by the Administrator and his team during the period
- hourly charge out rates
- disbursements and expenses
- sub-contracted out work
- payments to associates
- relationships requiring disclosure
- information for creditors (rights, fees, committees)

## Post-appointment costs

### Fee basis of the Administrator

I can advise that the following resolutions:

- The Joint Administrators' remuneration be calculated according to the time properly given by the Administrators and their staff
- The Joint Administrators will charge out of pocket expenses at cost and are authorised to charge mileage at 45p per mile, VAT to be added to disbursement charges as necessary

were approved as follows:

- On 22 June 2018 by HSBC Bank plc; the secured creditor
- On 2 July 2018 by Merino Industries Ltd (acting as Security Agent)

The time costs estimate provided to the creditors (secured and unsecured) was £179,354.85 with an estimated fee to be drawn of £90,000.

During the period from 9 October 2018 to 8 April 2019 (the Period) time costs were incurred totalling £14,700.55 represented by 51.44hrs at an average of £285.78hr (as shown in the 'Work done' section below). Description of the work done is provided in the respective section below

As at Period end, as shown in the 'Work done' section below, recorded time costs have exceeded the time costs in the fees estimate and expenses have fallen short of the expense estimate, both of which were provided to the creditors prior to the determination of my fee basis.

The reasons for the excess are as follows:

- Additional time spent re-marketing the Bassington Lane site and the resultant work involved following acceptance of an offer

Under r18.30 of the Rules, I am not permitted to draw remuneration in excess of the total amount set out in the fees estimate, £179,354.85, without approval. At present I do not expect to seek approval to draw remuneration in excess of my fees estimate, however I reserve my right to do so in the future.

## Work done by the Administrator and his team during the Period

| Area of work    |  | Work done                                                                                                                                                                                                                                                                                                                                                                                               |  | Why the work was necessary                                                                                                                                                      |  | Financial benefit to creditors                                                                                                                                                                                       |  | Fees incurred                                                                                                                                                                                                                |                               |
|-----------------|--|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------|
| Assets          |  |                                                                                                                                                                                                                                                                                                                                                                                                         |  |                                                                                                                                                                                 |  |                                                                                                                                                                                                                      |  | 9.10 hrs                                                                                                                                                                                                                     | £4,019.50<br>£/hr<br>£441.70  |
| Property        |  | <ul style="list-style-type: none"><li>• Liaising with agents, including numerous update calls, regarding re-marketing of Bassington Lane site and subsequent offer received</li><li>• Obtaining approval from secured creditor regarding offer received for Bassington Lane site</li><li>• Reviewing Heads of Terms regarding Bassington Lane site, including signing of completion documents</li></ul> |  | <ul style="list-style-type: none"><li>• All necessary work in order to sell the property and maximise the fixed charge realisations</li></ul>                                   |  | <ul style="list-style-type: none"><li>• This work was necessary to realise financial value for the estate and for a distribution to creditors should sufficient funds become available</li></ul>                     |  | <ul style="list-style-type: none"><li>• Legal Fees : DLA £9,592.40</li><li>• Agents/Valuers Fees : Lambert Smith Hampton : £4,528.68</li><li>• Insurance (£18.26)</li><li>• Mileage £12.00</li><li>• Postage £6.50</li></ul> |                               |
| General         |  | <ul style="list-style-type: none"><li>• Liaising with DLA regarding completion monies and associated costs following sale of Bassington Lane</li></ul>                                                                                                                                                                                                                                                  |  | <ul style="list-style-type: none"><li>• Necessary work to finalise all matters regarding the sale of the property and to ensure sale proceeds are correctly allocated</li></ul> |  | <ul style="list-style-type: none"><li>• This work was necessary to help realise financial value for the benefit of the estate and for a distribution to creditors should sufficient funds become available</li></ul> |  |                                                                                                                                                                                                                              |                               |
| Insurance       |  | <ul style="list-style-type: none"><li>• Update to JLT following sale of Bassington Lane</li></ul>                                                                                                                                                                                                                                                                                                       |  | <ul style="list-style-type: none"><li>• To comply with insurance requirements</li></ul>                                                                                         |  | <ul style="list-style-type: none"><li>• This work was completed solely for the purpose of complying with statutory requirements and had no direct financial benefit to creditors</li></ul>                           |  |                                                                                                                                                                                                                              |                               |
| Creditors       |  |                                                                                                                                                                                                                                                                                                                                                                                                         |  |                                                                                                                                                                                 |  |                                                                                                                                                                                                                      |  | 2.25 hrs                                                                                                                                                                                                                     | £675.00<br>£/hr<br>£300.00    |
| Secured         |  | <ul style="list-style-type: none"><li>• Updates and reports (including Estimated Outcome Statement) to and discussions with the secured creditors</li></ul>                                                                                                                                                                                                                                             |  | <ul style="list-style-type: none"><li>• To update the secured creditor of progress with the Administration, particularly the sale of the property at Bassington Lane</li></ul>  |  | <ul style="list-style-type: none"><li>• This work was completed solely for the purpose of complying with statutory requirements and had no direct financial benefit to creditors</li></ul>                           |  |                                                                                                                                                                                                                              |                               |
| Administration  |  |                                                                                                                                                                                                                                                                                                                                                                                                         |  |                                                                                                                                                                                 |  |                                                                                                                                                                                                                      |  | 40.09 hrs                                                                                                                                                                                                                    | £10,006.05<br>£/hr<br>£249.59 |
| Case management |  | <ul style="list-style-type: none"><li>• File reviews</li><li>• Maintenance of records</li></ul>                                                                                                                                                                                                                                                                                                         |  | <ul style="list-style-type: none"><li>• To comply with insolvency law and legislation</li></ul>                                                                                 |  | <ul style="list-style-type: none"><li>• This work was completed solely for the purpose of complying with statutory requirements and had no direct financial</li></ul>                                                |  | <ul style="list-style-type: none"><li>• Bank Charges £122.92</li><li>• Corporation Tax : £7,985.89</li></ul>                                                                                                                 |                               |

|                                           |                                                                                                                                                                                                                        |                                                                                                                                                                                                                                                                         |                                                                                                                                                                                                                                                                   |                                                                 |
|-------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------|
| Reports, circulars<br>notices & decisions | <ul style="list-style-type: none"> <li>Administrator's progress report</li> <li>Letters to creditors regarding</li> <li>Administrator's progress report</li> <li>Letter and Forms to Registrar of Companies</li> </ul> | <ul style="list-style-type: none"> <li>To comply with insolvency law and legislation</li> </ul>                                                                                                                                                                         | <ul style="list-style-type: none"> <li>This work was completed solely for the purpose of complying with statutory requirements and had no direct financial benefit to creditors</li> </ul>                                                                        | <ul style="list-style-type: none"> <li>Postage £6.60</li> </ul> |
|                                           |                                                                                                                                                                                                                        |                                                                                                                                                                                                                                                                         |                                                                                                                                                                                                                                                                   |                                                                 |
| Treasury, billing & funding               | <ul style="list-style-type: none"> <li>Inputting receipts</li> <li>BACS payments, cheques &amp; Fastpay</li> <li>Bank reconciliations</li> <li>Communication with Bank regarding accounts</li> </ul>                   | <ul style="list-style-type: none"> <li>To manage day to day banking requirements, transactions and to ensure sufficient funding available to support essential Administration costs and to ensure the Administrator and his staff can carry out their duties</li> </ul> | <ul style="list-style-type: none"> <li>This work was completed solely for the purpose of complying with statutory requirements and had no direct financial benefit to creditors</li> </ul>                                                                        |                                                                 |
| Tax                                       | <ul style="list-style-type: none"> <li>Preparation and submission of VAT return (Group company registration)</li> <li>Detailed work carried out in respect of statutory returns, including calls with HMRC</li> </ul>  | <ul style="list-style-type: none"> <li>All necessary work to ensure the Administrator complies with legal and reporting requirements</li> </ul>                                                                                                                         | <ul style="list-style-type: none"> <li>This work was necessary to discharge the office holders' duties. As explained under "Why the work was necessary", although it did not add financial value to the estate it adds value to the insolvency process</li> </ul> |                                                                 |
| Total fees incurred in the Period         |                                                                                                                                                                                                                        |                                                                                                                                                                                                                                                                         |                                                                                                                                                                                                                                                                   | 51.44 hrs    £14,700.55 £/hr<br>£285.78                         |



Detailed SIP9 time cost analysis for the period and fee estimate variance analysis as at period end  
Period from 09/10/2018 to 08/04/2019

| Area of work                                    | Partner<br>Hrs | £        | Manager<br>Hrs | £        | Executive<br>Hrs | £        | Administrator<br>Hrs | £        | Period total<br>Hrs | £         | E/hr   | Cumulative total as at period end<br>Hrs | £          | E/hr   | Fees estimate<br>Hrs | £          | Variance<br>Hrs | £           |
|-------------------------------------------------|----------------|----------|----------------|----------|------------------|----------|----------------------|----------|---------------------|-----------|--------|------------------------------------------|------------|--------|----------------------|------------|-----------------|-------------|
| Trading:                                        |                |          |                |          |                  |          |                      |          |                     |           |        |                                          |            |        |                      |            |                 |             |
| Trading (general)                               |                |          |                |          |                  |          |                      |          |                     |           |        | 16.95                                    | 6,996.75   | 412.79 | 16.95                | 6,996.75   |                 |             |
| General                                         |                |          |                |          |                  |          |                      |          |                     |           |        | 1.95                                     | 321.75     | 165.00 |                      |            |                 |             |
| Realisation of assets:                          |                |          |                |          |                  |          |                      |          |                     |           |        | 15.00                                    | 6,675.00   | 445.00 |                      |            |                 |             |
| Sale of business                                |                |          |                |          |                  |          |                      |          | 9.10                | 4,019.50  | 441.70 | 313.25                                   | 135,330.25 | 432.02 | 293.65               | 126,034.60 | (19.60)         | (9,295.65)  |
| Hive down                                       |                |          |                |          |                  |          |                      |          |                     |           |        |                                          |            |        |                      |            |                 |             |
| Property                                        | 7.00           | 3,395.00 |                |          | 1.25             | 375.00   |                      |          | 8.25                | 3,770.00  | 456.97 | 301.80                                   | 132,973.25 | 440.60 |                      |            |                 |             |
| Books & other debts                             |                |          |                |          |                  |          |                      |          |                     |           |        | 0.90                                     | 148.50     | 165.00 |                      |            |                 |             |
| Plant, machinery, fixtures & vehicles           |                |          |                |          |                  |          |                      |          |                     |           |        | 0.70                                     | 163.50     | 233.57 |                      |            |                 |             |
| Stock & work-in-progress                        |                |          |                |          |                  |          |                      |          |                     |           |        |                                          |            |        |                      |            |                 |             |
| Hire purchase, leasing agreements & third party |                |          |                |          |                  |          |                      |          |                     |           |        | 0.50                                     | 102.50     | 205.00 |                      |            |                 |             |
| Other assets                                    |                |          |                |          |                  |          |                      |          |                     |           |        |                                          |            |        |                      |            |                 |             |
| Insurance                                       |                |          |                |          | 0.10             | 24.50    |                      |          | 0.10                | 24.50     | 245.00 | 2.15                                     | 137.25     | 63.84  |                      |            |                 |             |
| General                                         |                |          |                |          | 0.75             | 225.00   |                      |          | 0.75                | 225.00    | 300.00 | 1.65                                     | 445.50     | 270.00 |                      |            |                 |             |
| Investigations:                                 |                |          |                |          |                  |          |                      |          |                     |           |        | 2.50                                     | 732.50     | 293.00 | 2.50                 | 732.50     |                 |             |
| Other assets                                    |                |          |                |          |                  |          |                      |          |                     |           |        |                                          |            |        |                      |            |                 |             |
| Debtor / director / senior employees            |                |          |                |          |                  |          |                      |          |                     |           |        |                                          |            |        |                      |            |                 |             |
| General                                         |                |          |                |          |                  |          |                      |          |                     |           |        | 2.50                                     | 732.50     | 293.00 |                      |            |                 |             |
| Creditors:                                      |                |          |                |          |                  |          |                      |          | 2.25                | 675.00    | 300.00 | 12.75                                    | 3,587.50   | 281.37 | 17.65                | 5,390.25   | 4.90            | 1,802.75    |
| Secured                                         |                |          |                |          | 2.25             | 675.00   |                      |          | 2.25                | 675.00    | 300.00 | 6.80                                     | 2,664.75   | 403.75 |                      |            |                 |             |
| Employees & pensions                            |                |          |                |          |                  |          |                      |          |                     |           |        | 0.25                                     | 61.25      | 245.00 |                      |            |                 |             |
| Unsecured                                       |                |          |                |          |                  |          |                      |          |                     |           |        |                                          |            |        |                      |            |                 |             |
| Retention of title                              |                |          |                |          |                  |          |                      |          |                     |           |        | 5.40                                     | 779.00     | 144.26 |                      |            |                 |             |
| Dividends                                       |                |          |                |          |                  |          |                      |          |                     |           |        | 0.50                                     | 82.50      | 165.00 |                      |            |                 |             |
| General                                         |                |          |                |          |                  |          |                      |          |                     |           |        |                                          |            |        |                      |            |                 |             |
| Administration:                                 |                |          |                |          |                  |          |                      |          | 40.09               | 10,006.05 | 249.89 | 173.90                                   | 45,990.75  | 264.47 | 145.91               | 40,200.75  | (27.99)         | (5,790.00)  |
| Statement of affairs                            |                |          |                |          |                  |          |                      |          |                     |           |        |                                          |            |        |                      |            |                 |             |
| Treasury, billing & funding                     |                |          |                |          | 5.80             | 1,180.50 |                      | 522.00   | 8.70                | 1,702.50  | 195.69 | 33.13                                    | 7,185.60   | 216.89 |                      |            |                 |             |
| Tax                                             |                |          | 1.90           | 814.00   | 1.08             | 292.10   |                      | 1,309.00 | 10.68               | 2,415.10  | 226.13 | 48.93                                    | 15,163.35  | 309.90 |                      |            |                 |             |
| Pensions                                        |                |          |                |          |                  |          |                      |          |                     |           |        | 1.50                                     | 582.00     | 388.00 |                      |            |                 |             |
| General                                         |                |          | 2.50           | 1,086.25 | 18.36            | 4,016.95 |                      | 57.75    | 20.71               | 5,888.45  | 284.33 | 90.34                                    | 23,059.80  | 255.26 |                      |            |                 |             |
| Other IPs & OR                                  |                |          |                |          |                  |          |                      |          |                     |           |        |                                          |            |        |                      |            |                 |             |
| Shareholders                                    |                |          |                |          |                  |          |                      |          |                     |           |        |                                          |            |        |                      |            |                 |             |
| Reports to creditors, notices & decisions       |                |          |                |          |                  |          |                      |          |                     |           |        |                                          |            |        |                      |            |                 |             |
| Total                                           | 8.50           | 4,122.50 | 4.40           | 1,900.25 | 27.59            | 6,789.95 | 10.95                | 1,888.75 | 51.44               | 14,700.55 | 285.78 | 519.35                                   | 192,637.75 | 370.92 | 476.66               | 179,354.85 | (42.69)         | (13,282.90) |

Notes:

- Partner includes partners and directors
- Manager includes associate directors and managers
- Executive includes assistant managers and executives
- Due to enhancements to our SIP9 reporting systems, allocation of time against areas of work may differ to previous periods, however this does not affect overall total time costs
- Adverse variances are presented in brackets
- Total time costs paid to date: £75,000 (excludes VAT)

Hourly charge out rates

Time is charged in units of 6 minutes for each grade of staff used. The hourly charge out rates applied during the Period are as follows:

| Grade              | From 9 October 2017 to current |                        |
|--------------------|--------------------------------|------------------------|
|                    | Insolvency<br>£/hr             | Pensions & Tax<br>£/hr |
| Partner            | • 510                          | • 510                  |
| Director           | • 485                          | • 485                  |
| Associate director | • 445                          | • 445                  |
| Manager            | • 340                          | • 340                  |
| Assistant manager  | • 300                          | • 300                  |
| Executive          | • 245 - 260                    | • 260                  |
| Administrator      | • 165 - 200                    | • 165 - 200            |
| Treasury           | • 180                          | • n/a                  |
| Support            | • 150                          | • n/a                  |

The current charge out rates have applied since 1 October 2017. I reserve the right to amend my charge out rates in the future. Any amendments will be detailed within the next report following such an amendment.

## Statement of expenses and disbursements incurred in the Period

This table provides details of expenses and disbursements incurred in the Period in connection with the work done by the Administrator, description of which is provided in the 'Work done' section above.

| Category                                | Incurred in the Period (£) | Cumulatively incurred as at Period end (£) | Of which paid by the estate as at Period end (£) |
|-----------------------------------------|----------------------------|--------------------------------------------|--------------------------------------------------|
| <b>Category 1 disbursements</b>         |                            |                                            |                                                  |
| Joint Administrators' Bond              | 20.00                      | 20.00                                      | 20.00                                            |
| Subsistence                             |                            | 269.55                                     | 269.55                                           |
| Accommodation                           |                            | 392.12                                     | 392.12                                           |
| Companies House Searches                |                            | 6.00                                       | 6.00                                             |
| Taxis                                   |                            | 33.51                                      | 33.51                                            |
| Postage                                 | 13.10                      | 13.10                                      | 0.00                                             |
| <b>Category 2 disbursements</b>         |                            |                                            |                                                  |
| Mileage @ 45p per mile                  | 12.00                      | 707.55                                     | 695.55                                           |
| <b>Expenses</b>                         |                            |                                            |                                                  |
| Administrators' Remuneration            | 14,700.55                  | 192,637.75 <sup>1</sup>                    | 75,000.00                                        |
| Repairs & Maintenance                   |                            | 295.00                                     | 295.00                                           |
| Property Expenses                       |                            | 475.00                                     | 475.00                                           |
| Legal Fees : DLA Piper UK LLP           | 9,592.40                   | 41,675.78                                  | 41,675.78                                        |
| Agents/Valuers Fees:                    |                            |                                            |                                                  |
| - Lambert Smith Hampton                 | 4,528.68                   | 22,457.65                                  | 22,457.65                                        |
| - Hilco                                 |                            | 229.54                                     | 229.54                                           |
| Insurance                               | (18.26)                    | 4,375.26                                   | 4,375.26                                         |
| Bank Charges                            | 122.92                     | 359.82                                     | 359.82                                           |
| Telephone, Telex & Fax                  |                            | 10.00                                      | 10.00                                            |
| Statutory Advertising                   |                            | 68.70                                      | 68.70                                            |
| Corporation Tax                         | 7,985.89                   | 7,985.89                                   | 7,985.89                                         |
| <b>Total expenses and disbursements</b> | <b>36,937.28</b>           | <b>272,012.22</b>                          | <b>154,349.37</b>                                |

<sup>1</sup> Whilst this figure may be greater than the time cost estimate, the Administrator will not be drawing remuneration in excess of the creditor approved time cost estimate

Disbursements are expenses met by and reimbursed to an office holder in connection with an insolvency appointment and fall into two categories:

### **Category 1 disbursements**

These are also known as 'out of pocket expenses' and are payments to independent third parties where there is specific expenditure directly referable to the insolvent estate; they can be drawn without prior approval and consist of the following categories:

- Travel and subsistence – these costs, which exclude mileage, are incurred by staff in attending trading premises or meetings, for example
- Office costs – these are costs such as postage or courier charges which are incurred in managing the case
- Statutory costs – these are costs such as bonding and advertising relating specifically to the case, which are required by statute

They also include expenses which have been paid using a Grant Thornton Loan, the balance of which (if any) can be seen on the Administrator's receipts and payment account at Appendix A

### **Category 2 disbursements**

These are expenses that are directly referable to the insolvent estate but not a payment to an independent third party. They may include shared or allocated costs that may be incurred by an office holder or their firm, and that can be allocated to the appointment on a proper and reasonable basis. Category 2 disbursements require approval in the same manner as an office holder's remuneration

To the extent that recovery of category 2 disbursements is sought, this will be for mileage only. Accordingly, the following resolution was made by the secured creditors on 22 June and 2 July 2018 respectively.

- The Joint Administrators will charge out of pocket expenses at cost and are authorised to charge mileage at 45p per mile. VAT to be added to disbursement charges as necessary.

Mileage is charged at 45p a mile. VAT is added as appropriate. Details of these costs are also provided in the table above

Sub-contracted out work

I confirm that, in the Period, I have not sub-contracted out any work that could otherwise have been carried out by me or my team.

Payments to associates

Where I have enlisted the services of others, I have sought to obtain the best value and service. In the interest of transparency, I disclose below services I have sought from within my firm or from a party with whom (to the best of my knowledge) my firm, or an individual within my firm, has a business or personal relationship:

| Service provider      | Services enlisted                                                                                                               | Cost of service                                                                                             |
|-----------------------|---------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------|
| Grant Thornton UK LLP | <ul style="list-style-type: none"><li>Tax work/advice (narrative is included within the above narrative of work done)</li></ul> | <ul style="list-style-type: none"><li>Costs are included within the above SIP9 time cost analysis</li></ul> |

Relationships requiring disclosure

I confirm that I am not aware of any business or personal relationships with any parties responsible for approving the Administrator’s fee basis, or who provide services to me as Administrator, which may give rise to a potential conflict.

## Information for creditors

Provided below is information to help creditors to understand their rights in insolvency and regarding officeholders' fees, and the roles and functions of committees.

R3 is the trade association for the UK's insolvency, restructuring, advisory and turnaround professionals. Amongst other things, R3 has made available written guidance for stakeholders affected by insolvency, in particular creditors, for some of which the web links are provided below.

Where web links are provided for the information, we will supply this information by post, free of charge on request.

'Office holder' means, for example, the appointed administrator(s), liquidator(s) or trustee(s) in bankruptcy.

### R3 creditor guides

- Rights of creditors during an insolvency process guides: <https://www.r3.org.uk/what-we-do/publications/professional/creditors-guides>
- Background information regarding the fees of officeholders: <https://www.r3.org.uk/what-we-do/publications/professional/fees>
- Liquidation/Creditors' committees and commissioners: <https://www.r3.org.uk/media/documents/publications/professional/R3-Guide-to-Creditors-Committees.pdf>

### Creditors' and members' rights to request information about remuneration or expenses under r18.9 of the Rules

(1) The following may make a written request to the office-holder for further information about remuneration or expenses (other than pre-administration costs in an administration) set out in a progress report under rule 18.4(1)(b), (c) or (d) or a final report under rule 18.14:

- (a) a secured creditor;
  - (b) an unsecured creditor with the concurrence of at least 5% in value of the unsecured creditors (including the creditor in question);
  - (c) members of the company in a members' voluntary winding up with at least 5% of the total voting rights of all the members having the right to vote at general meetings of the company;
  - (d) any unsecured creditor with the permission of the court; or
  - (e) any member of the company in a members' voluntary winding up with the permission of the court
- (2) A request, or an application to the court for permission, by such a person or persons must be made or filed with the court (as applicable) within 21 days of receipt of the report by the person, or by the last of them in the case of an application by more than one member or creditor

(3) The office-holder must, within 14 days of receipt of such a request respond to the person or persons who requested the information by:

- (a) providing all of the information requested,
- (b) providing some of the information requested; or
- (c) declining to provide the information requested.

(4) The office-holder may respond by providing only some of the information requested or decline to provide the information if:

- (a) the time or cost of preparation of the information would be excessive; or
- (b) disclosure of the information would be prejudicial to the conduct of the proceedings;

- (c) disclosure of the information might reasonably be expected to lead to violence against any person, or
  - (d) the office-holder is subject to an obligation of confidentiality in relation to the information.
- (5) An office-holder who does not provide all the information or declines to provide the information must inform the person or persons who requested the information of the reasons for so doing.
- (6) A creditor, and a member of the company in a members' voluntary winding up, who need not be the same as the creditor or members who requested the information, may apply to the court within 21 days of:
- (a) the office-holder giving reasons for not providing all of the information requested; or
  - (b) the expiry of the 14 days within which an office-holder must respond to a request.
- (7) The court may make such order as it thinks just on an application under paragraph (6).

**Creditors' and members' rights to challenge the office-holder's remuneration and expenses under r18.34 of the Rules**

(1) This rule applies to an application in an administration, a winding-up or a bankruptcy made by a person mentioned in paragraph (2) on the grounds that:

- (a) the remuneration charged by the office-holder is in all the circumstances excessive;
- (b) the basis fixed for the office-holder's remuneration under rules 18.16, 18.18, 18.19, 18.20 and 18.21 (as applicable) is inappropriate; or
- (c) the expenses incurred by the office-holder are in all the circumstances excessive.

(2) The following may make such an application for one or more of the orders set out in rule 18.36 or 18.37 as applicable:

- (a) a secured creditor,
- (b) an unsecured creditor with either:
  - (i) the concurrence of at least 10% in value of the unsecured creditors (including that creditor), or
  - (ii) the permission of the court, or
- (c) in a members' voluntary winding up:
  - (i) members of the company with at least 10% of the total voting rights of all the members having the right to vote at general meetings of the company, or
  - (ii) a member of the company with the permission of the court.

(3) The application by a creditor or member must be made no later than eight weeks after receipt by the applicant of the progress report under rule 18.3, or final report or account under rule 18.14 which first reports the charging of the remuneration or the incurring of the expenses in question ("the relevant report").

# C Statutory information

## Company Information

|                             |                                                                         |
|-----------------------------|-------------------------------------------------------------------------|
| Company name                | Owen Pugh Properties Limited                                            |
| Date of incorporation       | 18 May 2007                                                             |
| Company registration number | 06252475                                                                |
| Former trading address      | Cramlington Road<br>Dudley<br>Cramlington<br>Northumberland<br>NE23 7PR |
| Former registered office    | As above                                                                |
| Present registered office   | 4 Hardman Square<br>Spinningfields<br>Manchester<br>M3 3EB              |

## Administration information

|                                                          |                                                                                                                                                               |
|----------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Administration appointment                               | The Administration appointment granted in the High Court of Justice, Business and Property Court, 898 of 2017                                                 |
| Appointor                                                | the directors                                                                                                                                                 |
| Date of appointment                                      | 9 October 2017                                                                                                                                                |
| Joint Administrator's name                               | Christopher J Petts                                                                                                                                           |
| Joint Administrator's address                            | Rotterdam House, 116 Quayside, Newcastle-Upon-Tyne, NE1 3DY                                                                                                   |
| Changes in office holder(s)                              | David J Dunkley removed as office holder on 25 February 2019                                                                                                  |
| Purpose of the administration                            | Realising property in order to make a distribution to one or more secured or preferential creditors                                                           |
| Estimated values of the Net Property and Prescribed Part | The company's Net Property is estimated to be £20,386. The Prescribed Part is capped at the statutory maximum of £600,000                                     |
| Prescribed Part distribution                             | The Administrator does not intend to apply to Court to obtain an order that the Prescribed Part shall not apply                                               |
| Functions                                                | In accordance with paragraph 100(2) of Schedule B1 to the Insolvency Act 1986, the functions of the administrators are to be exercised by any or all of them. |
| Current administration expiry date                       | 9 October 2019                                                                                                                                                |



## D Notice about this report

This report has been prepared by Christopher J Petts, the Administrator of Owen Pugh Properties Limited – in Administration, solely to comply with the Administrator's statutory duty to report to creditors under the Insolvency (England and Wales) Rules 2016 on the progress of the Administration, and for no other purpose. It is not suitable to be relied upon by any other person, or for any other purposes, or in any other context.

This report has not been prepared in contemplation of it being used, and is not suitable to be used, to inform any investment decision in relation to the debt of or any financial interest in the Company.

Any estimated outcomes for creditors included in this report are illustrative only and cannot be relied upon as guidance as to the actual outcomes for creditors.

Any persons choosing to rely on this report for any purpose or in any context other than under the Insolvency (England and Wales) Rules 2016 do so at their own risk. To the fullest extent permitted by law, the Administrator does not assume any liability in respect of this report to any such person.

Christopher J Petts is authorised in the UK to act as an Insolvency Practitioner by the Insolvency Practitioners Association.

The Administrator is bound by the Insolvency Code of Ethics.

The Administrator acts as agent for the Company and contract without personal liability. The appointment of the Administrator is personal to him and to the fullest extent permitted by law, Grant Thornton UK LLP does not assume any responsibility and will not accept any liability to any person in respect of this report or the conduct of the Administration.

Please note you should read this progress report in conjunction with the Administrator's previous progress reports and proposals issued to the Company's creditors, which can be found on the Grant Thornton portal. Unless stated otherwise, all amounts in this progress report and appendices are stated net of VAT. For definitions of abbreviations please refer to the 'Definitions' table at the start of this progress report



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