

## The Investment Bank Special Administration (England and Wales) Rules 2011

**Special Administrator's progress report****2.24B**

Name of Company HUME CAPITAL SECURITIES PLC	Company number 06920660
In the High Court of Justice, Chancery Division, Companies Court	Court case number 1960 of 2015

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

I/We (a) J Irving, M J Colman & A Duncan of Leonard Curtis, Tower 12, 18/22 Bridge Street,  
Spinningfields, Manchester M3 3BZ

Special Administrator(s) of the above company attach a progress report for the period

(b) Insert dates	from (b) 16 September 2017	to (b) 15 March 2018
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Signed

Joint Special Administrator

Dated

10 April 2018

**Contact Details:**

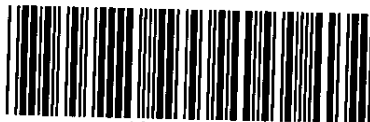
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Leonard Curtis	
Tower 12, 18/22 Bridge Street, Spinningfields, Manchester M3 3BZ	
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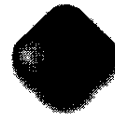
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**LEONARD CURTIS**  
BUSINESS RESCUE & RECOVERY

**HUME CAPITAL SECURITIES PLC  
(IN SPECIAL ADMINISTRATION)**

Registered Number: 06920660

Registered Office Address: Tower 12, 18/22 Bridge Street, Spinningfields, Manchester M3 3BZ

In the High Court of Justice, Chancery Division, Companies Court  
Court Ref: 1960 of 2015

**Joint Special Administrators' sixth progress report  
in accordance with Rule 122 of the Investment Bank Special  
Administration (England and Wales) Rules 2011**

**Report period  
16 September 2017 to 15 March 2018**

**10 April 2018**

Leonard Curtis Business Solutions Group  
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Ref: M/38/MSI/H757M/1010

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**GLOSSARY OF ABBREVIATIONS USED IN THIS REPORT**

**Client / Creditor Definitions**

Client Money Claimant	A client who may be entitled to participate in the client money pool
Client Asset Claimant	A client who may be entitled to assets held by XCAP (being shares and securities)
Creditor	A client who is not entitled to participate in the CMP nor entitled to assets held by XCAP; or Any Client with a shortfall; or Any other creditor who is owed an amount from the Company

NB. All subject to adjudication by the Joint Special Administrators

**Other Definitions**

AIM	Alternative Investment Market
BofE	Bank of England
CASS	The Client Asset Sourcebook
CMP	Client Money Pool
CAP	Client Asset Costs
DWF	DWF LL
DWT	David W Taylor
EIM	European Investment Management Limited
FCA	Financial Conduct Authority
FSCS	Financial Services Compensation Scheme
JSA	The Joint Special Administrators, being J Irving, M Colman and A Duncan
LCBSG	Leonard Curtis Business Solutions Group
LSE	London Stock Exchange
PPE	Primary Pooling Event
The Act	The Insolvency Act 1986 (as amended)
The Board	The board of directors of the Company
The Company	Hume Capital Securities Plc
The Group	The Company and its subsidiaries
The Regulations	The Investment Bank Special Administration Regulations 2011
The Rules	The Investment Bank Special Administration (England and Wales) Rules 2011
The Custodian	XCAP Nominees Limited

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

## **1 INTRODUCTION**

- 1.1 This report has been produced in accordance with Rule 122 of the Rules to provide creditors and clients with an update on the progress of the Special Administration of Hume Capital Securities Plc ("the Company") for the period from 16 September 2017 to 15 March 2018. This is the Joint Special Administrators' sixth progress report to creditors and clients.
- 1.2 Much of the information contained in this report encompasses the whole period of the Special Administration. Please be aware, however, that where reference is made to "the period of this report", this specifically means 16 September 2017 to 15 March 2018, being the period of 6 months since the last progress report.

### **Opting-out**

- 1.3 If you are a creditor, you can choose to opt out of receiving information regarding the Special Administration, but this does not preclude correspondence in regard to changes in office holder, your claim, or dividend rights. A full list of exceptions can be found at Rule 1.37 of the Insolvency (England & Wales) Rules 2016. Creditors electing to opt out should complete the notice at Appendix H and return it to this office. Creditors can opt back into receiving correspondence by giving notice in writing to this office.

### **Provision of Documentation on Website**

- 1.4 As previously advised, pursuant to Rule 1.50 of the Insolvency (England & Wales) Rules 2016, future documents will be available on a prescribed website, rather than being issued to creditors by post. The information required to access the website is provided at Appendix I, in addition to details of various statutory exemptions.

## **2 STATUTORY INFORMATION**

- 2.1 J Irving, M J Colman and A Duncan were appointed as Joint Special Administrators ("JSA") of Hume Capital Securities Plc ("the Company") in the jurisdiction of the High Court of Justice, Chancery Division, Companies Court, number 1960 of 2015 on 16 March 2015 at 10.47am, by order of the Court.
- 2.2 The Special Administration is being handled by the Leonard Curtis Business Solutions Group ("LCBSG"), which is situated at Tower 12, 18/22 Bridge Street, Spinningfields, Manchester, M3 3BZ.
- 2.3 The Company traded from premises located at 1 Carey Lane, London, EC2V 8AE ("Carey Lane") and 1<sup>st</sup> Floor, Crown House, Manchester Road, Wilmslow, Manchester, SK9 1BH ("Crown House"). The business traded under its registered name.
- 2.4 The registered office address of the Company at the date of appointment of the Special Administrators was 1 Carey Lane, London, EC2V 8AE. Following the appointment of the JSA, this was changed to Tower 12, 18/22 Bridge Street, Spinningfields, Manchester, M3 3BZ. The registered number of the Company is 06920660.

- 2.5 For the purposes of paragraph 100(2) of Schedule B1 of the Insolvency Act 1986 (as amended and as applied by Regulation 15 of the Investment Bank Special Administration Regulations 2011), it should be noted that during the period in which the Special Administration Regime is in force, any act or function required to be authorised under any enactment to be done by the JSA may be exercised by all or any of the persons holding that office.
- 2.6 Please note that the EC Regulation on Insolvency Proceedings 2000 (1346/2000) does not apply to the Special Administration.

### **3 JOINT SPECIAL ADMINISTRATORS' PROPOSALS**

- 3.1 Attached at Appendix A is a summary of the JSA's approved proposals for achieving the JSA's statutory objectives, as detailed below.
- 3.2 The proposals were approved by the Company's creditors and clients on 22 May 2015.
- 3.3 There have been no major amendments to, or deviations from, the proposals during the course of the Special Administration to date.

## 4 OBJECTIVES OF THE SPECIAL ADMINISTRATION

### THE OBJECTIVES

- 4.1 The JSA statutory objectives ("the Objectives") are set out in the Regulations being:
- (1) To ensure the return of Client Assets as soon as reasonably practicable;
  - (2) To ensure timely engagement with market infrastructure bodies and the authorities pursuant to Regulation 13; and
  - (3) To rescue the Investment Bank as a going concern or wind it up in the best interests of creditors.
- 4.2 There is no requirement to pursue the Objectives in a particular order and in practice the JSA initially sought to pursue all three of the Objectives simultaneously. However, given the default status issued by LSE, it became apparent shortly after the JSA's appointment that the first part of Objective 3, namely the rescue of the Company as a going concern, could not be achieved and therefore the JSA have sought to pursue objectives 1 and 2 simultaneously and expect to exit the Special Administration by way of dissolution.
- 4.3 The FCA have not given direction to the JSA under Regulation 16.
- 4.4 As detailed further below, the JSA have commenced the process of distributing the CMP and facilitating the return of Client Assets.
- 4.5 For the purposes of this section:
- A client who may (subject to adjudication) be entitled to participate in the CMP is referred to as a **"Client Money Claimant"**;
  - A client who may (subject to adjudication) be entitled to assets held by XCAP Nominees (mainly being stocks and shares) is referred to as a **"Client Asset Claimant"**; and
  - Any client with a shortfall, and any client who is not entitled to participate in the CMP nor entitled to assets held in XCAP Nominees, and any other creditor who is owed an amount from the Company are referred to as **"Creditors"**.

**OBJECTIVE 1 – TO ENSURE THE RETURN OF CLIENT ASSETS (INCLUDING CLIENT MONIES) AS SOON AS REASONABLY PRACTICABLE**

**4.6 CLIENT ASSETS (STOCKS AND SHARES)**

- 4.6.1 As previously advised, the Client Assets were not held in the Company directly, but held by and registered in the name of XCAP Nominees Limited (“the Custodian”), a wholly owned, non-trading, nominee and subsidiary of the Company, which is controlled by the Company.

Following their appointment, the JSA engaged Montpellier Chartered Accountants (“Montpellier”) to assist in the reconciliation of client asset statements. Approximately 2,000 statements were reconciled and circulated to Clients on 29 April 2015, together with a letter from the JSA providing an update on the Special Administration. The JSA requested that following a review of their statements, each client confirmed whether they agreed with the reconciled position.

The total value of Client Assets held by the Company, as at 16 March 2015 was estimated at £35,670,008.41, comprising Client Assets held between 780 accounts on behalf of 527 Client Asset Claimants.

**4.6.2 Distribution Plan**

On 22 May 2015, the JSA gave notice that a Bar Date of 5.00pm on 30 June 2015 had been set in accordance with Regulation 11 of the Regulations. Please note that the Bar Date provisions do not apply to Client Money Claimants.

Regulation 11 of the Regulations allows the JSA, if they think it necessary in order to expedite the return of Client Assets, to set a bar date for the submission of the following:

- (a) Claims to the beneficial ownership, or other form of ownership, of the client assets; or
- (b) Claims of persons in relation to a security interest asserted over, or other entitlement to, those assets.

A Bar Date is a date by which claims in the categories described above must be submitted.

Where the JSA set a Bar Date, they must return client assets in accordance with the Rules and shall not return client assets after the bar date without court approval of a distribution plan.

It should be noted that Rule 144(3) of the Rules does not allow the JSA to return any client assets until at least 3 months after the Bar Date.

As previously advised, following their appointment, the JSA conducted an extensive marketing exercise with a view to facilitating a sale of the Company's interest in the Client Assets, through a transfer of the shareholding of the Custodian, subject to the FCA's approval. Approximately 1,500 parties were circulated with the flyer and 11 parties expressed an initial interest.

The JSA had previously been approached by European Investment Management Limited (“EIM”) to purchase the business and assets of the Company, including the interest in the Client Assets held by the Custodian. The JSA were also approached by a number of clients advising that they would only consent to a transfer of their Client Assets to EIM. In such circumstances, the JSA accepted the offer submitted by EIM and provided them with an exclusivity agreement pending a transfer to them through the Bar Date process.

The rationale for transferring client assets to EIM in its entirety was to avoid the partitioning of the Client Assets. The Company's infrastructure would make the partitioning and the subsequent transfer of Client Assets to a number of new custodians difficult, time consuming and costly, and in the case of certain unit

trusts held by the Company, unworkable. This would have resulted in a significantly protracted and costly distribution process.

On 22 May 2015, the JSA circulated Consent Forms to all Client Asset Claimants together with a request that each Client express whether they consented to the transfer of Client Assets to EIM ("the Transfer"). The JSA were aware that some clients may ultimately want their Client Assets to be transferred to an alternative broker and therefore, it was agreed that EIM would allow for onward transfers following the transfer upon a client's request.

Following approval from the appointed Committee, the JSA made an application to the High Court of Justice on 30 October 2015, for approval of the Distribution Plan to return Client Assets, prepared in accordance with the Rules ("the Distribution Plan"). The Distribution Plan was approved by Court, without modification on 20 November 2015 ("the Transfer Date").

As previously advised, all Client Assets were held by and registered in the name of the Custodian, XCAP Nominees Limited, under the ultimate control of the Company. Pursuant to the Distribution Plan, shortly after the Transfer Date, the Company's shareholdings held in the Custodian were transferred to EIM. Following the Transfer, the Custodian held all Client Assets on trust for the JSA and the Company pursuant to the terms of the Distribution Plan, pending the return of the Client Assets in accordance with the Client's instructions (or otherwise).

#### **4.6.3 Costs of returning Client Assets**

The JSA are unable to release Client Assets until such time that the Fixed Costs attributable to dealing with the return of Client Assets, have been met and the Client has elected how their Client Assets are to be returned to them.

Each Client Asset Claimant will be charged a fixed cost of £4,992.63 per Client Asset account. The following options are available to Asset Clients in order to pay or otherwise discharge the Client Asset Costs:

1. The "Cash Option", whereby a Client may pay to the JSA the Client Asset Costs in Sterling by cheque (which must clear) or by bank transfer; or
2. The "Liquidation Option", whereby a Client may instruct the JSA to liquidate a sufficient amount of its assets to enable the Client Asset Costs to be discharged out of the proceeds of such liquidation (for which further costs may be incurred); or
3. Payment or discharge from any other source, including (where appropriate) by compensation from the FSCS.

Please note, no fixed charge has been applied to Client Asset accounts that have a £nil value at the date of the JSA appointment.

As previously advised, the FSCS can compensate eligible clients for the time spent and costs and charges incurred by the JSA in dealing with and returning the Client Assets. The FSCS will assess each claim for eligibility and also ensure that the claim, when added to any previous claims in this matter, does not exceed the maximum individual compensation limit of £50,000.

In order to expedite the return of Client Assets to clients, the FSCS agreed with the JSA to pay compensation in respect of the Client Asset Costs directly to the Company, as opposed to the costs being paid by the Client directly. As such, each client with known eligibility has been forwarded a FSCS Consent Form, whereby Clients can indicate whether they consent to the FSCS paying the Client Asset Costs directly to the Company. Alternatively, Clients can choose to discharge these costs directly with the Company via options 1 or 2, as detailed above.

To date, the JSA have received 440 direct payments from the FSCS in respect of Client Asset Costs. A further 169 payments have been made in respect of Client Asset accounts, where the client has chosen to discharge the Fixed Costs directly with the JSA.

The FSCS have advised that, should their eligibility be confirmed at a later date, compensation should be available to those Claimants who have made direct payment to the JSA, up to the maximum individual compensation limited of £50,000.

#### **4.6.4 Distribution of Client Assets**

As defined in the Distribution Plan, a Transferred Claimant means a Client Asset Claimant (including potential claimants) with accepted asset claims:

- (i) That have consented to the Transfer in the consent form; or
- (ii) They have instructed the JSA, by completing and returning the Instruction Form; and the Fixed Costs charged to the Client's Assets have been discharged to the satisfaction of the JSA in accordance with clause 11 of the Distribution Plan.

Following the Transfer Date of 20 November 2016, Instruction Forms were distributed to all Non-Transferred Claimants on 3 December 2016, in accordance with the Distribution Plan.

A total of 706 Client Asset accounts are now regarded as Transferred. A further 6 Clients returned their Instruction Forms detailing their request to transfer out of EIM. It is understood that such transfers have now been completed and the transfer of the relevant Client Assets has now been facilitated, as per the Client's request.

Currently, there are 68 Client Asset accounts that are still regarded as Non-Transferred Claimants. These Client Asset Claimants remain outstanding for one of two reasons; either claimants have failed to consent to how they wish for their Client Asset Costs to be discharged or claimants have failed to return a completed Instruction Form.

Please also note that should the non-transferred claimants' matters continue to remain outstanding and the JSA fixed costs not be met, the JSA will consider making an application to court to liquidate client assets to meet the costs.

**All Non-Transferred Claimants who have yet to have their Client Assets returned to them, are required to contact Megan Singleton at their earliest convenience on 01772 646180 or via email to [megan.singleton@leonardcurtis.co.uk](mailto:megan.singleton@leonardcurtis.co.uk), to ensure that any matters which remain outstanding may be dealt with, with a view to returning assets to Clients.**

**Please note that unless a client's instruction is received, the JSA may not be in a position to return the Client's assets.**

#### 4.7 CLIENT MONEY POOL

- 4.7.1 As previously advised, the appointment of the JSA created a primary pooling event ("PPE") at 10.47AM on 16 March 2015. A PPE triggers the notional pooling of all client money held in the designated client money accounts creating the Client Money Pool ("CMP"), which will be dealt with in accordance with the FCA Client Money Distribution Rules (CASS 7A) ("CASS 7A").

Following their appointment, the JSA undertook a reconciliation of the client money held in the CMP that *they were able to identify and of any entitlement apparent from the client account records*. Following the reconciliation on 29 April 2015, statements were circulated to each client to show their reconciled cash position, together with a reconciled position of the stocks and shares. At this time, the JSA requested that each client confirm whether they agree with their statement.

#### 4.7.2 Client Money Distribution Procedure

On 10 August 2015, the English High Court made an Order approving a procedure by which the Client Money held by the Company should be distributed to clients. The rules governing the client money distribution procedure are set out in Schedule A of the Order ("Client Money Distribution Procedure").

The total funds available for distribution in the CMP is £5,193,642.95, being the amount held in the CMP less the shortfall in the CMP. The shortfall in the CMP is comprised of the costs properly attributed to the distribution of the CMP, which have been calculated at £1,500,743.84, which also includes a sum of £45,582.46, being debts owed to the CMP ("CMP debt").

The CMP debt relates to trades settled prior to the PPE, but for which the client failed to deposit the required settlement monies with the Company, with the consequence that the Company settled the trades with monies which would otherwise be pooled as part of the CMP. To date, an amount totalling £31,210.88 has been recovered in respect of the debts due to the CMP. The JSA will continue to pursue the outstanding balances due to the CMP.

On 20 August 2015, the JSA gave notice that the first and final distribution of the CMP would be made within the period of two months following the last date for proving. The last date for proving was 5.00pm on 2 October 2015, as such, the distribution was due to be paid before 1 December 2015.

Shortly prior to the distribution deadline, as there remained a significant number of Claimants who had yet to have their eligibility assessed, the JSA were unable to distribute and as such, were required to delay the distribution until such time that the FSCS had completed their assessment determinations as detailed at 4.16.3 below.

On 27 November 2015, the JSA issued notice in accordance with Rule 8 of the Client Money Distribution Procedure, that the first and final distribution of the CMP shall be postponed for a period of two months from 27 November 2015.

As the FSCS assessment exercise continues to remain outstanding, the JSA have issued several postponements on this matter advising that the first and final distribution of the CMP shall be postponed for a further period of two months from the date of each notice. The most recent postponement was issued on 1 March 2018 advising that the first and final distribution of the CMP shall be postponed for a further period of two months from 1 March 2018.

#### 4.7.3 Costs associated with the Client Money Distribution Procedure

As detailed at 4.7.2 above, the shortfall in the CMP comprises the costs properly attributed to the distribution of the CMP and the debts due to the CMP. The total shortfall of £1,500,743.84 has charged against each Client Money Claimant via a fixed charge of £3,172.82.

#### 4.7.4 Distribution of the CMP

- 4.7.4.1 To date, 269 Client Money Claimants have received cleared payments totalling a collective sum of £1,259,092.40 from the FSCS, in respect of Client Money funds held by the Company as at 10.47am on 16 March 2015.

As previously advised, upon cleared payment, the Client Money Claimant's rights to the Claim are immediately assigned to the FSCS. As such, the FSCS are entitled to prove in the CMP in respect of these assigned claims.

The FSCS have issued a further 22 payments to Client Money Claimants in the total sum of £9,480.79. These payments have yet to be cashed by the relevant Claimants. The FSCS have since advised that such claims as these will continue to be assigned to the FSCS despite the claimants failing to cash such cheques.

- 4.7.4.2 There are a proportion of Client Money Claimants, with underlying clients, whereby the JSA have been advised do not meet the eligibility criteria for compensation from the FSCS. As such, the relevant Client Money Claimants have been contacted directly by the JSA in order to agree how the Fixed Costs associated with the Client Money Distribution and the Client Asset Distribution are to be discharged for their underlying client base.

As detailed in 4.7.3 above, the JSA have been required to postpone the first and final distribution of the CMP due to the on-going eligibility assessment process being carried out by the FSCS. As explained briefly above, there are 3 Client Money Claimants, who are holding Client Money and Client Assets on behalf of a significant number of underlying clients, who appear to be ineligible to receive compensation through the FSCS and as such, will not undertake the application form process as detailed at 4.16.3 below. The FSCS advised that this process could not be avoided. Following this decision, the JSA sought advice from DWF on how they may explore the option of an interim distribution, which would enable the JSA to distribute to those clients who appear to be unable to claim via the FSCS. The JSA approached the FCA on 25 November 2015 with their proposal on this matter. The FCA subsequently confirmed that the CASS policy has no objection to the JSA making an (interim) distribution in two tranches, as previously advised.

Shortly following the FCA's consent, it became evident that the application process would continue for a significant period, due to vast majority of Batch 2 Claimants with outstanding FSCS application forms yet to be processed. As such, the JSA sought further legal advice regarding the effect of an interim distribution on the remaining clients should there be a requirement for a further postponement of the distribution of the CMP.

At the date of the JSA appointment, the CMP held deposits in Sterling, US Dollars and Euros. In accordance with the Client Money Distribution Procedure, the JSA are at liberty to convert the funds comprising the fund of client money into a single currency prior to distributing. On 16 December 2015, shortly after the legal consultation of this matter, the JSA took steps to convert all currency held into Sterling.

Due to various banking constraints, the bank confirmed that the foreign currency exchange was completed on 11 January 2016. Following which, the JSA took steps to distribute the funds held on behalf of two Client Money Claimants, each of which held funds in respect of a collective 159 underlying clients and a further corporate Client Money Claimant with a significant Client Money holding, who had chosen to avoid the application form process at this time. The JSA are in receipt of claims totalling £5,124,511.45 in respect of the three Client Money Claimants. Two of these Client Money Claimants have now received their CMP distribution, less Fixed Costs. The distributions made in this regard total £4,093,275.37 in respect of 159 underlying clients. The remaining Client Money Claimant of this kind has failed to agree their costs and as such, a distribution has yet to be made.

A further Client Money Claimant advised earlier on in the process that they were aware that they were not eligible for compensation from the FSCS and as such, agreed directly with the JSA that their Client Money Costs could be deducted prior to distribution. Subsequently, a distribution totalling £522,840.64 was made in January 2016.

- 4.7.4.3 There remains a further 26 Client Money Claimants who have yet to receive a distribution either directly from the JSA or from the FSCS. As previously advised, it was anticipated that once the FSCS had completed their application form process, the JSA would be in a position to distribute the remaining funds held in the CMP. The FSCS have now advised that they have now completed assessments on all application forms received from Client Money Claimants. Of the application forms received, the FSCS have rejected three applications either on the grounds that they are not eligible for compensation or where the claimant has failed to supply sufficient documentation required in order for the FSCS to fully assess their eligibility. A further 9 Client Money Claimants never returned their application form to the FSCS and as such, the FSCS has been unable to make an assessment in this regard.

In addition to the above, one additional Client Money Claimant who was not eligible for compensation via the FSCS has recently made arrangements directly with the JSA for the agreed Client Money Costs to be deducted from their claim prior to distribution. This will be dealt with in the final distribution of the CMP.

There also remains 11 Client Money Claimants who have failed to respond to the JSA in order to agree their claim.

**All Client Money Claimants who have yet to receive a distribution (either via the FSCS or otherwise), are required to contact Megan Singleton at their earliest convenience on 01772 646180 or via email to [megan.singleton@leonardcurtis.co.uk](mailto:megan.singleton@leonardcurtis.co.uk), to ensure that any matters which remain outstanding may be dealt with, with a view to distributing monies due to Clients.**

**4.8 POST PPE CLIENT MONIES**

- 4.8.1 Following the JSA appointment, there was a significant number of cheques and payments received in respect of dividends and corporate actions which have occurred following the PPE.

Under the CASS rules, the JSA were required to reconstitute the payment arrangements of dividends to the JSA dividend trust accounts on behalf of clients. We considered this approach and considered that to contact all entities that pay dividends to the Company directly with new account details would be untimely and costly to administer. Consequently, a formal application was made to the FCA to have the CASS rules waived to the extent that the original payee amounts are maintained to receive dividends on an ongoing basis.

The JSA, together with Euroclear and several other parties, co-ordinated the re-enablement of the CREST system, to allow the transfer of dividends received post appointment to the JSA. The CREST system was re-enabled for the required period in order to receive such dividends.

- 4.8.2 As reported in our last reports, in addition to CREST, the Company contracted an overseas share-dealing platform ("the Platform") to provide custody services in respect of non-UK securities. The Company was unable to provide such services itself and accordingly contracted the Platform to do so. Following their appointment, the JSA continued to liaise with the Platform in respect of the funds and holdings held on behalf of the Company, so that the JSA may confirm that the records held by the Company are correct.

Although the Platform had previously confirmed that the records held by the Company were correct, the Platform subsequently informed the JSA that a balance of £208,328.11 was due to the Company in respect of Client monies; a proportion of which relates to the period prior to the PPE and a proportion thereafter, as detailed below:

- i. £129,149.50 in respect of the period prior to the PPE; and
- ii. £79,178.61 in respect of the period post the PPE.

Following confirmation of which, the JSA sought advice from both their appointed solicitors and the FCA concerning how to deal with such funds. It was subsequently advised that the funds received should be dealt with in accordance to the period for which they were due. As such, the funds due in respect of the period prior to the PPE have been incorporated in the CMP in accordance with CASS 7A and the post PPE funds have been distributed to the relevant clients accordingly.

- 4.8.3 Post PPE monies received as a result of corporate actions or dividends issued after 16 March 2015, and up to and including 1 October 2015, were returned to all relevant clients on or around 28 October 2015. Shortly afterwards on 29 October 2015, the JSA issued consolidated tax certificates to all clients for the period 6 April 2014 to 5 April 2015. It should be noted that prior to the re-enablement of CREST, the JSA were unable to obtain full visibility of the dividends received into CREST and as such, had insufficient information to complete the tax certificates by the required deadline of 31 May 2015.
- 4.9 On 31 March 2016, all post PPE monies received by the JSA on and after 2 October 2015, up to 8 March 2016 (inclusive) were returned to all relevant clients.
- 4.10 The JSA returned £718,427.79, \$6,384.49 and €45,719.71 to Clients in respect of post PPE received by the Company. Following the sale of the Transfer of Client Assets to EIM, the JSA do not anticipate any future receipts of this kind.
- 4.11.1 In April 2016, shortly after returning the final proportion of post PPE monies, the JSA were contacted by a number of clients to advise that they were missing two payments of dividends in respect of two investments for which they received regular dividend payments. Shortly after becoming aware of this, the JSA made contact with the two relevant Registrars to request that they look into whether such payments were issued. The JSA received a further £2,962.94, which was distributed accordingly to the relevant

clients on 13 January 2017. The final missing dividend receipts totalling £185.08 have now been received and were distributed to the relevant recipients on 20 September 2017.

- 4.11.2 It should be noted that at this time, as the JSA vacated the Company's premises on 23 December 2015, the JSA and their staff no longer have access to the Company systems or the trading platforms. In this instance, as the JSA no longer had access to the relevant trading platform, CREST, the JSA have limited visibility on this matter and as such, are solely reliant on 3<sup>rd</sup> parties.
- 4.11.3 Furthermore, such payments as these would have ordinarily, under normal course of business, be issued via CREST and subsequently received into the Company's designated bank account. Given the status of CREST following the appointment of the Special Administrators, the Company have been unable to receive payments in this manner. Consequently, the Registrars were required to issue such payments via cheques made out to the Custodian.
- 4.11.4 As detailed above at 4.10 following the share transfer to EIM, all dividend payments issued after the Transfer Date will be received directly by EIM and dealt with accordingly. As such, after the final post PPE receipts were received by the JSA, action was taken to close any accounts held in the name of the Custodian, so to mitigate any future costs as the accounts would no longer be required. As such, any cheques received by the JSA in the name of the Custodian cannot be banked. As such, the JSA requested that when the Registrars issue the missing dividend payment cheques that such cheques were issued to the Company directly, so that these can be banked and distributed accordingly.
- 4.11.5 It should be noted that the JSA encountered significant issues obtaining the replacement cheques in the correct name due to various regulatory guidelines followed by the Registrars. This matter has now concluded.

#### 4.12 Leasehold premises

The back office function of the Company was based at leasehold premises situated at Crown House, Station Road, Wilmslow SK9 1BH ("Crown House"). As previously advised, the JSA were required to retain occupancy of the premises until the Company had ensured the return of client assets, as per Objective 1. Following the completion of the Transfer of Client Assets to EIM, the JSA had no requirement to remain in occupation at Crown House and as such, vacated the premises on 23 December 2015.

#### 4.13 IT Infrastructure

As previously advised, following their appointment, the JSA retained only the key service lines required to achieve the Objectives and ensure the return of both Client Assets, Client Money and Post PPE receipts to Clients. Following on from the events detailed above, all service lines have since been terminated by the JSA.

#### 4.14 Trading and employees

Shortly prior to our appointment, all trading platforms were closed, and no trades were placed or settled following our appointment.

In order to assist the JSA to achieve Objective 1, seven employees were initially retained by the JSA in order to allow a full reconciliation of client positions, produce valuation statements.

The JSA regularly reviewed this position and the proportion of staff retained by the JSA was reduced accordingly at various stages of the Special Administration.

Two key members of staff were retained by the JSA up to 23 December 2015 in order to assist with the distribution of the CMP, the Transfer of the Client Assets to EIM and assist with the further reconciliations that were required as regards dividend receipts and corporate actions.

Following notice of their redundancy in December 2015, a key member of staff returned on a consultancy basis so to ensure that the relevant reconciliations and allocations were completed with regards to post PPE receipts received after this date. As such, a consultancy fee of £1,380 was paid to Paul Scanlon for the work completed on this matter. A consultancy fee of £100 has been paid to Paul Scanlon for his assistance and reconciliations carried out following receipt of the missing dividend cheques.

**OBJECTIVE 2 – TO ENSURE TIMELY ENGAGEMENT WITH THE MARKET INFRASTRUCTURE BODIES AND AUTHORITIES**

**4.15 FCA**

As previously disclosed, the FCA was consulted extensively during the period immediately prior to and following the Joint Special Administrators' appointment by both LCBSG and DWF.

The JSA continued to liaise closely with the FCA throughout the Special Administration, in relation to a variety of matters.

The FCA were consulted by the JSA prior to filing both their applications to Court with regards to the Client Money Distribution Procedure and the Distribution Plan. The FCA confirmed that they did not object to the application on both instances.

**4.16 FSCS**

**4.16.1 Client Asset Claimants**

As detailed at 4.6.3 above, following consent from the Client Asset Claimant, the FSCS have agreed to pay compensation in respect of the Client Asset Costs directly to the JSA, as opposed to the costs being paid by the Client directly.

As such, each Client with known eligibility has been forwarded a FSCS Consent Form, whereby Clients can indicate whether they consent to the FSCS paying the Client Asset Costs directly to the Company. Alternatively, Clients can choose to discharge these costs directly with the Company via options 1 or 2, as detailed at 4.6.3 above.

As detailed above, to date, the FSCS have made payment in respect of 440 Client Asset Accounts.

**4.16.2 Client Money Claimants**

As detailed at 4.7.4.1 above, the FSCS have issued payments to a total of 291 Client Money Claimants. Of this amount, 269 claimants have cashed their cheques and as such, received their Client Money funds held on appointment in full. The remaining 22 Client Money Claimants have yet to cash their cheques.

Upon cashing the cheque (should the Client choose to do so), all of the Client's rights to the Claim are immediately assigned to the FSCS. The FSCS are then entitled to prove in the CMP in respect of the assigned claims. The FSCS have since confirmed that where they have issued payment but the cheque has yet to be cashed by the Client Money Claimant these claims will be assigned to the FSCS.

If the Client Money Claim is for a sum greater than £50,000, the FSCS will take assignment for the whole of the claim upon payment of the compensation. The FSCS will then distribute to the Client the dividend it receives from its claim in the CMP, in accordance with the FSCS COMP Rules and ensuring that the Money Client is compensated as per their entitlement.

#### 4.16.3 FSCS Assessment for compensation

As part of their compensation process, the FSCS divided claimants into two batches - Batch 1 and Batch 2.

All individual private clients with single accounts ("Batch 1 Claimants") are automatically regarded as eligible and in order to expedite matters, avoided the requirement to submit a formal application for compensation to the FSCS. Once their claims were agreed and any necessary consents were obtained, the FSCS will issue compensation accordingly.

All non-individual clients, which includes corporate entities, together with any clients who held multiple or joint accounts ("Batch 2 Claimants") are required to complete and submit an application form to the FSCS, so that an eligibility assessment can be carried out on each Claimant. The FSCS advised that this process would also allow for the FSCS to monitor any payments made to each claimant so to ensure that the individual compensation limit of £50,000 was not exceeded.

It should be noted that the JSA made further enquiries with the FSCS with regards to the requirement for Batch 2 Claimants to complete and return an application form. The FSCS advised that this process could not be avoided. The FSCS advised that ordinarily an application process of this kind can take up to 6 weeks to complete however that they aimed to complete this application form process within a reduced timescale.

The JSA continued to work closely with the FSCS with regards to the compensation due to Claimants and to assist the FSCS where appropriate, with any additional information that may be required.

#### 4.16.4 Steps to be taken to conclude matters

Due to the time that has passed since the Order was granted with regards to the Distribution Plan, the Joint Administrators met with the FSCS in January 2017 in order to reach a possible resolution on this matter so that we may conclude all matters and progress the case to closure.

At the meeting, it was agreed that Batch 2 individuals (individuals with either joint or multiple accounts) will be deemed as eligible for the purposes of compensation (this does not include batch 2 non-individuals such as trusts and corporates). Additionally, where the FSCS have issued a cheque to a client in respect of their CMP claim and such client has failed to cash such cheque, it was agreed that the costs be met on the basis that there has been an equitable assignment to the FSCS.

It was also agreed that any rejected, ineligible or non-responding clients will be dealt with by way of a court application to liquidate assets on account of costs. This will be dealt with via a combined application with regards to the final CMP and CAP distribution.

The FSCS have now made payment in respect of all eligible Client Money Claimants and Client Asset Claimants who have submitted an application form together with all necessary documentation. Now that this has now been finalised based on current applications submitted, the JSA will now proceed with the steps to make the aforementioned application to Court.

**As mentioned earlier all Client Money and Client Asset Claimants who have yet to receive a distribution (either via the FSCS or otherwise), are required to contact Megan Singleton at their earliest convenience on 01772 646180 or via email to [megan.singleton@leonardcurtis.co.uk](mailto:megan.singleton@leonardcurtis.co.uk), to ensure that any matters which remain outstanding may be dealt with, with a view to distributing monies due to Clients.**

**4.17 Euroclear / CREST**

As previously disclosed, at the date of appointment, there were a number of open transactions which remained unsettled in CREST. CREST was subsequently re-enabled and these transactions have been cancelled. The re-enablement of CREST also enabled the JSA to release all dividends and corporate action receipts which were received into CREST following the PPE. As detailed at 4.8 above, all post PPE monies received by the JSA have now been returned to the respective Clients, with the exception of those detailed at 4.11 above.

The JSA also liaised extensively with Euroclear in order to ensure that the transfer of Client Assets to EIM was completed, in accordance with the Distribution Plan. Following which, the JSA issued a notice of termination of services to Euroclear, as the facility was no longer required.

**4.18 LSE**

Since appointment, the JSA have continued to liaise with the LSE and assisted with contacting each of the relevant counterparties to ensure each open transaction was subsequently cancelled. As confirmed in 4.14 above, the JSA and LSE have since successfully completed this exercise.

**4.19 Cofunds**

Since appointment, the JSA provided regular updates to Cofunds as regards the JSA progress and strategy. The JSA conducted a similar exercise with Cofunds to ensure that the transactions which remained open in Cofunds were subsequently canceled. This exercise has since been completed.

**OBJECTIVE 3 – TO RESCUE THE COMPANY AS A GOING CONCERN OR WIND IT UP IN THE INTERESTS OF THE CREDITORS**

- 4.20 As previously advised, as it was not been possible to rescue the Company as a going concern, the JSA have concentrated on an orderly wind down of the remainder of the Company's affairs in the best interests of the creditors and the clients, whilst seeking to secure and protect the position of clients.

**5 NON CLIENT ASSETS**

**5.1 Office furniture and IT equipment**

At the date of appointment, the Company owned office furniture and IT equipment consistent with its trading function. These assets are located at both the Wilmslow and London premises.

Following their appointment, the JSA instructed Cerberus Asset Management ("Cerberus") to provide a valuation of these assets. Cerberus attributed a collective forced sale value of £2,150 with regards to the office furniture and equipment held at the Wilmslow Premises and at the London premises.

Following our appointment, the JSA were advised that the majority of the office furniture located at the London premises was not the property of the Company. The portion of office furniture held in the London premises which was owned by the Company was subsequently sold to Peterhouse Corporate Finance Limited for a sum of £1,000 plus VAT.

The office furniture located at the Wilmslow premises was utilised by the Joint Special Administrators in order to receive a 50% deduction on rent and car parking charges, resulting in a £10,449 credit.

Once the JSA have completed the Transfer of Client Assets to EIM and vacated the offices at Wilmslow, the IT equipment held on the premises was sold at auction for a total sum of £1,185 plus VAT.

An offer of £458.33 plus VAT was received from EIM to purchase the TV's owned by the Company. This offer was accepted following the advice of our appointed agents, Cerberus.

The Company's IT systems were administrated by Purple Matrix, a firm based in London. Following the JSA's vacation of the Wilmslow premises, the JSA terminated these services. Following which, Purple Matrix advised they were holding a server on behalf of the Company. An offer of £1,250 plus VAT was subsequently received from Purple Matrix to purchase the server. This offer was accepted following the advice of our agents, Cerberus.

**5.2 Balance at Bank (House accounts)**

At the date of appointment, a balance of £158,105.61 was held in the Company's current accounts. This balance has since been received into the JSA bank account.

**5.3 Sale of hospitality tickets**

Prior to the Special Administration, the Company had purchased a hospitality package for The Grand National at Aintree Racecourse. A total amount of £2,344.18 was paid in this regard. Following appointment, a former employee of the Company, James Igoe, expressed his interest in purchasing the tickets. As a refund was not available from the event organiser, an offer of £1,406.51 plus VAT was subsequently accepted and received for the tickets.

**5.4 Sundry Receipts**

There were a number of unsettled trades at the time that the Company's default was declared. The LSE has now completed their final determination with regards to the unsettled trades. Subsequently, a refund of £26.61 has been received from the Share Centre in respect of charges applied to the unsettled trades. Further receipts of £2.78 have been received in this regard.

**5.5 Sundry Debtors**

At the date of appointment, there was a balance of £95,273.77 due to the Company in respect of sundry debtors. The balance comprised of a variety of pre-payments and deposits paid by the Company in advance for services. To date, an amount of £55,399.31 has been received in respect of refunds due to the Company.

**5.6 Rates Refund**

An amount of £2,794.78 has been received in respect of a rates refund due to the Company in respect of Carey Lane, London.

**5.7 VAT Refund**

Following their appointment, the JSA completed pre-appointment VAT returns to HMRC. Refunds totalling £25,910.83 have been received in this regard

**5.8 Warrants & Shares owned by the Company**

5.8.1 The Company has a number of stock warrants giving the Company the right to purchase various companies' stock at a specific price at a specific date. The Company currently holds 14 stock warrants with final exercise dates ranging from 22 May 2015 to 2 February 2018. The JSA marketed the Company's warrants for sale, however, it was subsequently advised that the JSA were not able to re-assign the warrants and as such, could not complete any such sale.

5.8.2 In addition to the warrants, there were a catalogue of shares owned by the Company itself. Since their appointment, the JSA have received a sum of £356.59. The remainder of the shares held will be sold in due course.

**5.9 Shares in Subsidiaries**

**5.9.1 Hume Capital Management Limited ("HCM") and Hume Capital Guernsey Limited ("HCG")**

We have reviewed the financial position of each of the subsidiaries of the Group, to determine if any recoveries are possible for the benefit of the Company.

Both Hume Capital Management Limited ("HCM") and Hume Capital Guernsey Limited ("HCG") are not subject to any insolvency procedure and were trading. Following their appointment, the JSA explored the possibility of selling the shares in these subsidiaries.

As previously reported, the Company held shares in HCM and HCG which undertook fund management activities with c.£95m under management.

An investment flyer was sent to potential interested parties, resulting in 55 non-disclosure agreements being issued. Following discussions between a shortlist of interested parties and the Guernsey registered protected cell which contracted with HCG, two offers were received for the shares in HCM and HCG. The higher offer, received from Peterhouse Corporate Finance Limited ("PCF"), was accepted. The offer provided that £190,000 would be payable on exchange with a balance of £10,000 being payable on PCF receiving consent from the FCA regarding change of ownership.

Contracts were exchanged on 19 May 2015 and following PCF receiving approval from the FCA, the contract completed on 1 September 2015 and a total balance of £200,000 has since been received.

The proceeds from the sale net of costs have been remitted to TCA Credit Fund LP, under their security previously registered against the Company.

**5.9.2 XCAP Nominees Limited ("the Custodian")**

As detailed at 4.6.2, the Company's shareholding held in the Custodian were transferred to EIM for a sum of £1. A further payment of £9,999 was paid by EIM on completion of the Transfer Agreement in respect of costs incurred in the preparation, drafting and negotiation of the Transfer Agreement.

**5.10 Interest**

A total sum of £3,913.31 has been received in respect of interest accrued to date on the bank accounts held by the JSA.

**5.11 VAT**

As previously advised, although the Company was VAT registered, the Company was partially exempt and as such, is only able to reclaim a proportion of the VAT paid on costs and expenses. The JSA have instructed Harold Sharp Chartered Accountants ("Harold Sharp") to submit any post appointment VAT returns on behalf of the JSA.

Harold Sharp are continuing to liaise with HMRC in respect of the recoverable VAT.

**6 NON CLIENT ASSETS YET TO BE REALISED**

**6.1 Sundry debtors**

As detailed in at 5.4 above, the JSA will continue to pursue any balances due to the Company that may be recoverable.

**6.2 Shares owned by the Company**

As detailed at 5.8.2 there are a number of shares owned by the Company itself, which the JSA will seek to realise in due course.

**7 INVESTIGATIONS**

**7.1** As previously reported, following their initial assessment, no detailed investigations were considered to be required by the JSA. Nothing further has been brought to the attention of the JSA in the period of this report.

**8 RECEIPTS AND PAYMENTS ACCOUNT**

**8.1** Attached at Appendix B are the JSA Receipts and Payments Accounts covering the period from 16 September 2017 to 15 March 2018, and cumulative up to 15 March 2018.

**8.2** Attached at Appendix C is the Client Money Pool Receipts and Payments Accounts covering the period from 16 September 2017 to 15 March 2018, and cumulative up to 15 March 2018.

**9 COSTS OF THE SPECIAL ADMINISTRATION**

9.1 The professional costs of the Special Administration to date can be split into the following categories:

- The costs incurred by LCBSG and DWF LLP in connection with the Court application;
- The Pre-Administration costs incurred by LCBSG and DWF LLP;
- The JSA Post-appointment costs; and
- The JSA disbursements.

These are explained further in the paragraphs below.

**9.2 Costs Connected with the Court Application**

9.2.1 As previously advised, the costs incurred in connection with the Court application are set out below:

Charged by	Services provided	Total amount charged £	Amount paid £	Amount unpaid £
LCBSG	Preparation of documents	3,241.40	0.00	3,241.40
LCBSG	Court related issues	1,524.00	0.00	1,524.00
DWF LLP	Costs incurred in connection with the Court application	25,514.64	25,514.64	-
Total		30,280.04	25,514.64	4,765.40

9.2.2 The Court ordered that the costs of and incidental to the application (including legal and accountancy costs incurred therewith) be paid as an expense of the Special Administration.

**9.3 Pre-Administration Costs**

9.3.1 On 22 June 2015, the Committee consented to the following pre-appointment fees charged and expenses incurred being paid as an expense of the administration:

Charged by	Services provided	Total amount charged £	Amount paid £	Amount unpaid £
LCBSG	Pre-appointment costs*	71,763.70	0.00	71,763.70
DWF LLP	Pre-appointment costs*	38,866.67	0.00	38,866.67
Total		110,630.37	0.00	110,630.37

\* Please note a detailed description was provided in the Joint Special Administrators' Report and Statement of Proposals, dated 7 May 2015.

9.3.2 The pre-appointment costs for both LCBSG and DWF LLP have been calculated on a time costs basis.

**9.4 JSA Remuneration**

9.4.1 On 22 June 2015, the Committee approved that the JSA be authorised to draw their remuneration by reference to time properly given by the JSA and their staff in attending to matters arising in the Special Administration. It was also agreed, that the JSA be authorised to draw fees on account of time costs incurred to date, as and when funds permit, and that the timing of future drawdowns against future time costs incurred are to be agreed by the Committee. Approval was also received to draw category 2 disbursements as detailed at Appendix D.

9.4.2 The JSA are entitled to receive remuneration for services given in respect of:

- The pursuit of Objective 1 – to be paid out of the client assets held by the Company
- Dealing with the distribution of client monies – to be paid out of the CMP; and
- The pursuit of Objectives 2 and 3.

9.4.3 The total time costs incurred to date are summarised below:

	<b>Hours No.</b>	<b>Rate / hr £</b>	<b>Total value of time £</b>
Time previously reported	7,135.80	392.66	2,801,920.00
Time incurred in the period of this report	95.8	421.54	40,383.10
<b>Total Administrators' time costs</b>	<b>7,231.60</b>	<b>392.66</b>	<b>2,842,303.10</b>

9.4.4 The total time charged by the JSA for the period of this report amounts to £40,383.10 (across general costs, costs of dealing with Client Monies and costs of dealing with Client Assets). This represents 95.8 hours at an average rate of £421.54 per hour. Attached at Appendix E is a summary of the JSA post-appointment time costs to date, which also details how these costs have been allocated against general time costs, time costs incurred in association with Client Monies and time costs incurred in association with Client Assets. A detailed explanation for each is also attached.

9.4.5 JSA remuneration drawn to date in respect of general time costs total £84,494.84 plus VAT.

9.4.6 JSA remuneration drawn to date in respect of time costs incurred in association with the distribution of the CMP total £640,701.61 plus VAT.

9.4.7 JSA remuneration drawn to date in respect of time costs incurred in association with the distribution of Client Assets total £1,905,094.43 plus VAT.

9.4.8 Further guidance may be found in "A Creditors' Guide to Administrators' Fees", although it should be noted that the requirements for approval of the JSA remuneration differ from an ordinary Administration. This guide may be downloaded from <https://www.r3.org.uk/what-we-do/publications/professional/fees>. If you would prefer this to be sent to you in hard copy please contact Megan Singleton of this office on 01772 646180. As a result of the complexities associated with a Special Administration, the firm's complex rates have been applied in this case.

9.4.9 Appendix F also includes details of LCBSG's policies regarding the recharge of disbursements, staff allocation, support staff and the use of subcontractors.

## 9.5 Disbursements

Summarised below are Category 1 and 2 disbursements incurred on the case since appointment:

### Category 1 disbursements

Charged by	Services provided	Total amount paid by LC £	Amount recovered from case £	Amount still to be recovered from case £
LCBSG	Postage	6,506.41	-	6,506.41
Courts Advertising	Statutory advertising	7,623.62	7,623.62	-
Creditor Web Pelstar	Document upload	2,221.80	2,221.80	-
Auctus	Collection of records and storage	2,072.93	1,533.41	539.52
Business tax centre	Money laundering checks	260.00	260.00	-
AUA Insolvency Risk Services	IP Bond	135.00	135.00	-
Total Data Management	Collection of records and storage	103.62	103.62	-
Pelstar Limited	Software licence	87.00	87.00	-
Companies House	Companies House searches	57.00	53.00	4.00
<b>Total</b>		<b>19,067.38</b>	<b>12,017.45</b>	<b>7,049.93</b>

### Category 2 disbursements

Charged by	Services provided	Total amount paid by LC £	Amount recovered from case £	Amount still to be recovered from case £
LCBSG	Mileage @ 45p/mile	9,712.84	9,676.09	33.75
		<b>9,712.84</b>	<b>9,676.09</b>	<b>33.75</b>

## 9.6 Expenses of the Special Administration

The JSA have incurred expenses during the period of this report. These expenses, together with all expenses incurred during the course of the Special Administration are detailed at Appendix D. The schedule also indicates whether these expenses have been paid. The allocation for the recharge of the expenses is also detailed within the schedule.

9.7 The Company was VAT registered, however due to the activities carried out by the Company, the Company was partially VAT exempt. Following their appointment, the JSA instructed Harold Sharp Chartered Accountants ("Harold Sharp") to undertake a full review of the Company's VAT position. Harold Sharp are still engaged on this matter and continue to liaise with HMRC in respect of any recoverable VAT. As the JSA are only able to recover a small percentage of the VAT, the expenses detailed at Appendix C are shown inclusive of VAT.

9.8 Attached at Appendix F is additional information in relation to the firm's policy on staffing, the use of sub-contractors, disbursements and details of current charge-out rates by staff grade.

9.9 Within 21 days of receipt of this report,

- A secured creditor, or
- An unsecured creditor with the concurrence of at least 5% in value of the unsecured creditors (including the creditor in question), or
- A client with the concurrence of clients claiming for at least 5% in value of the Client Assets (including the client in question); or

With the permission of the Court upon an application made within that period of 21 days, any unsecured creditor may make a request in writing to the JSA for further information about the remuneration or expenses (other than pre-administration costs).

- 9.10 In addition, unsecured creditors whose debts amount to at least 10% of the total value of the unsecured claims, any secured creditor, any client with the concurrence of at least 10% of the total claims in respect of client assets held by the Company (or with the permission of Court), or the FCA may apply to court, if they believe the remuneration charged or expenses incurred by the Joint Special Administrators to be excessive or the basis fixed for the Joint Special Administrators' remuneration to be inappropriate. Any application should be made within 8 weeks of receipt of this report.

**10 ESTIMATED OUTCOME FOR CREDITORS**

**10.1 Secured Creditors**

**10.1.1 Barclays Bank PLC ("Barclays")**

Barclays has the benefit of security by way of fixed and floating charges over the Company's assets. Barclays confirmed that the Company had no indebtedness as at the date it entered Special Administration.

**10.1.2 TCA Credit Fund LP ("TCA")**

TCA benefits from a debenture creating fixed and floating charges over the Company's assets. The indebtedness to TCA at the date of the Special Administration amounted to \$971,669.56 (approximately £615,924.48).

Following the sale of the shares of HCM and HCG, as detailed at 5.7 above, a distribution of £120,000 was made to TCA. There are insufficient funds available to enable a further distribution to be made to TCA.

**10.1.3 David W Taylor ("DWT")**

DWT holds security in the form of a debenture over the Company's assets. The Company's indebtedness to DWT as at the date of appointment of the JSA totalled £1,101,814. There are insufficient funds available to enable a distribution to be made to DWT under his security.

**10.2 Preferential Creditors**

10.2.1 The only categories of claims which have preferential status in this case are those of employees in respect of their arrears of wages and unpaid holiday pay. Such claims will be met by the Redundancy Payments Office ("RPO"), a department within the Department for Business, Innovation and Skills, who will then have a subrogated preferential claim in the Special Administration.

10.2.2 Preferential claims in respect of arrears of wages are capped at a maximum of £800 per employee. Any amount in excess of this will be an unsecured claim. Any holiday pay owing in excess of the applicable statutory limit will form the employee's residual preferential claim.

10.2.3 As at the date of the Special Administration, the Company had 29 employees. Following a detailed assessment of the work required to be completed, a number of employees were made redundant. A proportion of the employees were retained for varying periods during the course of the Special Administration, in order to assist the JSA in achieving the objectives of the Special Administration. All employees have since been made redundant.

10.2.4 Based on the information currently available, we estimate that the total preferential claims of the Company's employees will be £36,868.20. However, the JSA have yet to receive a statement of claim form from the RPO on this matter.

10.2.5 We do not anticipate that, after costs, there will be a distribution to preferential creditors in this matter.

**10.3 Prescribed Part**

10.3.1 The Act provides that, where the Company has granted a floating charge after 15 September 2003, the JSA must make a *prescribed part* of the Company's net property available to the unsecured creditors and should not distribute it to the floating charge holder except in so far as it exceeds the amount required for the satisfaction of unsecured claims.

10.3.2 Net property is defined as being the realisations from assets subject to the floating charge after costs and after settlement of the preferential claims.

10.3.3 The prescribed part is calculated as being 50% of the first £10,000 of net property and 20% of net property thereafter, subject to a maximum prescribed part fund of £600,000.

10.3.4 The net property in this case is less than the prescribed minimum after costs and we consider that the cost of making a distribution of the prescribed part in this case to be disproportionate to the benefits.

#### **10.4 Unsecured Creditors**

10.4.1 Unsecured creditor claims are split into three main categories:

- i. Client Money Claimant shortfall claims;
- ii. Any client who is not entitled to participate in the CMP, nor entitled to assets held by XCAP Nominees; and
- iii. Any other creditor who is owed an amount by the Company (to include Redundancy Payments Service and employee residual unsecured claims).

10.4.2 The Joint Special Administrators do not anticipate that realisations will allow for a distribution to the Company's unsecured creditors.

### **11 REGULATORY MATTERS**

11.1 Despite the appointment of the JSA, the Company remains an FCA regulated entity, albeit with no authority to trade.

11.2 On 11 March 2015 the Company requested the suspension of trading in its shares on AIM and consequently the Company's membership of the LSE was suspended.

11.3 On 12 March 2015, the Company applied to the FCA to voluntarily impose the requirements set out under section 55L(5) of the Financial Services and Markets Act 2000.

11.4 Following discussions with the FCA the Company's activities were restricted. The restrictions were:

- i. To stop carrying on regulated activities;
- ii. Not to take on new clients; and
- iii. Not to undertake any new business for new or existing clients.

11.5 The JSA are required to enable the Company to continue to comply with a range of regulatory requirements, or to seek necessary waivers for non-compliance as a result of the Special Administration and / or insolvency of the Company. The requirements include:

- i. Ensuring the complaints handling procedures are maintained;
- ii. Liaising closely with the FCA and FSCS to ensure their requirements are addressed; and
- iii. Ensuring full and accurate reconciliations in respect of client monies and client assets.

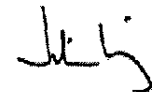
## 12 FUTURE REPORTS

- 12.1 The JSA aim to provide clients and creditors with regular and timely updates on progress and to provide you with relevant information and guidance to assist you through the administration period.
- 12.2 To assist you further, Client and Creditor Portals have been set up, which we hope you will find beneficial. The address of the Client Portal is: <http://leonardcurtis.insolvencydata.co.uk>. You can access the portal using the unique Key Code which has been previously provided to you.
- 12.3 *You are encouraged to register your details on the site as soon as possible. Registration will enable you to access important information and updates about the Special Administration at your convenience, plus you will be notified by email as soon as new information relevant to you becomes available.*
- 12.4 The JSA are also required to provide a progress report to clients and creditors within one month of the end of each period of six months commencing on the date the Company entered Special Administration. Creditors' attention is drawn to our notice dated 5 October 2017 as previously forwarded, which provides further information about the availability of future documents on a prescribed website.

Should you have any queries regarding this report please contact Megan Singleton at my office, **in writing**, via email at [megan.singleton@leonardcurtis.co.uk](mailto:megan.singleton@leonardcurtis.co.uk) or via telephone on **01772 646180**. All communications via post or email should also include a full postal address and your creditor / client reference if you have one.

for and on behalf of

**HUME CAPITAL SECURITIES PLC**



**J IRVING**  
**JOINT SPECIAL ADMINISTRATOR**

Julien Irving, Mark Colman and Andrew Duncan are authorised to act as insolvency practitioners in the UK by the Institute of Chartered Accountants in England and Wales under office holder numbers 13092, 9721 and 9319, respectively

Notwithstanding the appointment of Special Administrators under The Investment Bank Special Administration Regulations 2011, Hume Capital Securities Plc remains an FCA regulated entity

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

APPENDIX A

**SUMMARY OF JOINT SPECIAL ADMINISTRATORS' PROPOSALS**

- A. That the Special Administration Objectives be pursued, being:
1. To ensure the return of client assets as soon as is reasonably practicable;
  2. To ensure timely engagement with market infrastructure bodies and the Authorities; and
  3. To either rescue the Company as a going concern or wind it up in the best interests of the creditors
- Note: the first part of Objective 3, namely the rescue of the Company as a going concern, is not capable of being achieved because of the circumstances set out at paragraph 1.2.2.
- B. That, in the absence of a direction from the FCA under Regulation 16, the Special Administration Objectives continue to be addressed in parallel.
- C. That the JSA shall do all such things and generally exercise all powers as they, at their discretion, consider desirable in order to achieve the Objectives of the Special Administration, or to protect and preserve the assets of the Company, or to maximise realisations for any other purpose incidental to these Proposals.
- D. That the JSA continue to enable the Company to employ staff to assist in the various work identified as necessary in the pursuit of the Objectives of the Special Administration.
- E. That the JSA move funds realised or held on behalf of clients into bank accounts controlled by the JSA and, to avoid currency fluctuations, convert foreign currency accounts to sterling accounts as appropriate.
- F. That the JSA move and hold funds realised on behalf of the Company into bank accounts controlled by the JSA.
- G. That Client Monies and Client Assets be returned to clients prior to any distribution to any other class of creditors being made.
- H. That the JSA realise the Company's remaining assets in pursuit of the Objectives of the Special Administration.
- I. That the JSA make distributions to the secured, preferential and unsecured creditors as appropriate.
- J. That the JSA continue to investigate, and if appropriate, pursue any claims that an office holder and / or the Company may have under The Companies Act, the Act or other legislation against any parties concerned with the affairs of the Company.
- K. That, once the Objectives of the Special Administration have been fulfilled the JSA will seek to conclude the case by either:
- a. Filing appropriate notices that the Objectives have been achieved, that the Company no longer holds client assets and the Company will be dissolved thereafter without further recourse to the Creditors or Clients of the Company, or
  - b. Put forward further Proposals for a Company Voluntary Arrangement.

## APPENDIX B

SUMMARY OF JOINT SPECIAL ADMINISTRATORS' RECEIPTS AND PAYMENTS ACCOUNT FOR THE PERIOD FROM 16 SEPTEMBER 2017 TO 15 MARCH 2018,  
AND CUMULATIVE TO 15 MARCH 2018

	Estimated to realise £	16 March 2015 - 15 September 2015 £	16 September 2015 - 15 March 2016 £	16 March 2016 - 15 September 2016	16 September 2016 - 15 March 2017	16 September 2017 - 15 September 2017	16 September 2017 - 15 March 2018	Cumulative (NET) £
<b>Receipts</b>								
Client Asset Costs paid by FSCS	0.00	0.00	2,002,044.97	49,926.33	64,904.20	0.00	69,896.87	2,186,772.37
Withdrawal from CMP for costs	0.00	375,501.43	871,416.81	25,382.58	0.00	0.00	0.00	1,272,300.82
Client Asset Costs paid by Clients	0.00	0.00	828,776.17	4,992.63	0.00	0.00	9,985.26	843,754.06
Post PPE dividends	0.00	0.00	770,779.44	71.16	2,962.94	185.08	0.00	773,998.62
Sale of HCM/HCG	Uncertain	200,000.00	0.00	0.00	0.00	0.00	0.00	200,000.00
Balance at bank	158,105.61	158,105.61	0.00	0.00	0.00	0.00	0.00	158,105.61
Sundry debtors	33,000.00	312.88	24,083.03	7,524.42	23,478.98	0.00	0.00	55,399.31
HCM advance for services	0.00	15,000.00	0.00	0.00	0.00	0.00	0.00	15,000.00
Sale of XCAP Nominees	0.00	0.00	0.00	9,999.00	0.00	0.00	0.00	9,999.00
Pre-appointment VAT refund	10,000.00	9,837.75	0.00	0.00	16,073.08	0.00	0.00	25,910.83
Computer equipment	2,000.00	0.00	3,893.33	0.00	0.00	0.00	0.00	3,893.33
Deposit interest gross	0.00	117.81	1,338.43	2,282.84	188.23	0.00	170.85	4,098.16
Rates refund	0.00	0.00	2,794.78	0.00	0.00	0.00	0.00	2,794.78
Sale of hospitality tickets	0.00	1,406.51	0.00	0.00	0.00	0.00	0.00	1,406.51
Shares owned by the Company	0.00	0.00	0.00	356.59	0.00	0.00	0.00	356.59
Sundry receipts	0.00	20.84	0.00	0.00	5.77	2.78	0.00	29.39
	203,105.61	760,302.83	4,505,126.96	100,535.55	107,613.20	187.86	80,052.98	5,553,819.38
<b>Less payments:</b>								
CAP - JSA fees	0.00	0.00	964,006.94	813,541.84	87,545.65	0.00	40,000.00	1,905,094.43
Post PPE dividends	0.00	0.00	770,531.98	0.00	2,967.91	185.08	0.00	773,684.97
CMP - JSA fees	0.00	0.00	454,969.47	145,732.14	0.00	0.00	40,000.00	640,701.61
CAP - Solicitors' fees	0.00	0.00	335,420.50	0.00	0.00	0.00	0.00	335,420.50
IT Software costs	175,486.71	175,486.71	103,586.33	16.45	0.00	0.00	-10,090.33	268,999.16
CMP - Solicitors' fees	0.00	0.00	128,311.23	50,000.00	0.00	0.00	0.00	178,311.23
Secured Creditor - TCA Global	120,000.00	120,000.00	30,000.00	0.00	0.00	0.00	0.00	150,000.00
Employee wages	46,298.23	46,298.23	46,603.80	0.00	0.00	0.00	0.00	92,902.03
Solicitors fees - DWF	0.00	0.00	74,902.08	0.00	0.00	0.00	0.00	74,902.08
Rent, car park rental and service charges	42,002.50	42,002.50	23,737.34	0.00	0.00	0.00	0.00	65,739.84
JSA remuneration	0.00	0.00	33,882.30	0.00	0.00	0.00	20,000.00	53,882.30
JSA fees - costs with dealing with sale of HCM/HCG	0.00	0.00	30,612.54	0.00	0.00	0.00	0.00	30,612.54
Solicitors fees - Pre-apt (Costs associated with the Court app)	0.00	0.00	0.00	26,688.83	0.00	0.00	0.00	26,688.83
Rates	0.00	0.00	26,672.28	0.00	0.00	0.00	0.00	26,672.28

## Hume Capital Securities Plc - In Special Administration

CAP - Professional costs	0.00	19,916.25	5,000.00	0.00	2,750.00	0.00	27,666.25
CMP - Professional costs	0.00	19,916.25	5,000.00	0.00	2,750.00	0.00	27,666.25
Solicitors fees - DWF - costs with dealing with sale of HCM/HCG	10,172.05	0.00	0.00	0.00	0.00	0.00	10,172.05
Category 2 disbursements	0.00	8,571.91	945.18	162.00	42.75	54.00	9,775.84
Category 1 disbursements	0.00	9,311.43	111.08	5,847.61	3,894.54	1,564.51	20,729.17
Utilities	0.00	6,507.80	1,192.24	0.00	0.00	0.00	7,700.04
Expenses paid on behalf of HCM	6,845.28	0.00	0.00	0.00	0.00	0.00	6,845.28
Pension contributions	3,684.07	2,223.28	0.00	0.00	0.00	0.00	5,907.35
Statutory advertising	0.00	4,439.42	1,397.70	0.00	0.00	0.00	5,837.12
Statement of affairs fee	0.00	5,000.00	0.00	0.00	0.00	0.00	5,000.00
Agents fees - Cerberus	0.00	1,925.15	0.00	0.00	0.00	0.00	1,925.15
Consultancy fees	200.00	1,380.00	0.00	50.00	50.00	0.00	1,680.00
Accountancy fees	100.00	1,290.00	0.00	0.00	0.00	0.00	1,390.00
Healthcare	0.00	1,280.00	0.00	0.00	0.00	0.00	1,280.00
Counsel fees - Ogier	1,066.00	0.00	0.00	0.00	0.00	0.00	1,066.00
Payroll services	400.00	419.33	0.00	0.00	0.00	0.00	819.33
Insurance	261.14	416.67	0.00	0.00	0.00	0.00	677.81
Security costs	0.00	593.42	0.00	0.00	0.00	0.00	593.42
Mail redirection	0.00	390.00	0.00	0.00	0.00	0.00	390.00
CISI fees	390.00	0.00	0.00	0.00	0.00	0.00	390.00
Bank charges	85.00	177.59	15.00	5.00	0.00	0.00	282.59
	406,990.98	3,106,995.29	1,049,640.46	96,578.17	9,672.37	91,528.18	4,761,405.45
<b>Balance in hand</b>							<b>792,413.93</b>
<b>Represented by:</b>							
Fixed charge account - interest bearing							10.99
Floating charge account - interest bearing							218,254.14
VAT control account							574,159.79
							<b>792,413.93</b>

\* As detailed at 4.8 above, the JSA have returned £718,427.79, \$6,384.49 and €45,719.71 to Clients in respect of post PPE received by the Company. These balances have been returned in full to clients, without the deduction of any costs or charges. Due to the multiple currencies, these transactions have been excluded from the above receipts and payments account.

\*\* Although the Company was VAT registered, the Company was partially exempt and as such, is only able to reclaim a proportion of the VAT paid on costs and expenses. The JSA have instructed Harold Sharp Chartered Accountants ("Harold Sharp") to submit any post appointment VAT returns on behalf of the JSA. Harold Sharp are continuing to liaise with HMRC in respect of any VAT refunds that may be available to the JSA.

## APPENDIX C

**CLIENT MONEY POOL RECEIPTS AND PAYMENTS ACCOUNT  
FOR THE PERIOD 16 SEPTEMBER 2017 TO 15 MARCH 2018, AND CUMULATIVE UP TO  
15 MARCH 2018**

	16 March 2015 - 15 September 2015 £	16 September 2015 - 15 March 2016 £	16 March 2016 - 15 September 2016 £	16 September 2016 to 15 March 2017	16 March 2017 - 15 September 2017	16 September 2017 - 15 March 2018	Cumulative £
<b>Receipts</b>							
Client Money Pool	0.00	6,666,250.88	0.00	0.00	0.00	0.00	6,666,250.88
Debts due to the Client Money Pool	0.00	31,210.88	0.00	0.00	0.00	0.00	31,210.88
	0.00	6,697,461.76	0.00	0.00	0.00	0.00	6,697,461.76
<b>Less payments:</b>							
Distribution of the Client Money Pool	0.00	4,621,108.64	0.00	0.00	0.00	0.00	4,621,108.64
Withdrawal of costs associated with the return of the CMP	0.00	1,246,918.24	25,382.58	0.00	0.00	0.00	1,272,300.82
	0.00	5,868,026.88	25,382.58	0.00	0.00	0.00	5,893,409.46
<b>Balance in hand</b>							<b>804,052.30</b>

**APPENDIX D**  
**SCHEDULE OF EXPENSES INCURRED FOR THE PERIOD 16 SEPTEMBER 2017 TO 15 MARCH 2018, AND CUMULATIVE UP TO 15 MARCH 2018**

Details	Supplier	Costs incurred during the period of this report Inclusive of VAT £	Total costs incurred to date Inclusive of VAT £	Amount paid Inclusive of VAT £	Amount outstanding Inclusive of VAT £	Allocation of costs incurred to date			
						Costs allocated against general estate Inclusive of VAT £	Costs allocated against CMP Inclusive of VAT £	Costs allocated against Client Assets Inclusive of VAT £	Costs incurred on behalf of HCM Inclusive of VAT £
Rent	Emerson	-	44,772.50	44,772.50	-	-	22,386.25	22,386.25	-
Car Park Rent	Emerson	-	6,139.22	6,139.22	-	-	3,069.61	3,069.61	-
Service Charge	Emerson	-	27,976.09	27,976.09	-	-	13,988.05	13,988.05	-
Business Rates	Cheshire East Borough Council	-	24,718.72	24,718.72	-	-	12,359.36	12,359.36	-
Car parking spaces - non-domestic rates	Cheshire East Borough Council	-	1,953.56	1,953.56	-	-	976.78	976.78	-
Electricity	British Gas	-	7,809.36	7,809.36	-	-	3,904.68	3,904.68	-
Water	United Utilities	-	1,192.24	1,192.24	-	-	596.12	596.12	-
RIMS (Back Office System)	GL Settle Ltd	-	83,498.59	83,498.59	-	-	41,749.30	41,749.30	-
RIMS Swift 2 way interface	GL Settle Ltd	-	10,082.22	10,082.22	-	-	5,041.11	5,041.11	-
Tercero (Client Data System)	Third Financial	-	52,500.00	52,500.00	-	-	26,250.00	26,250.00	-
Tercero (Generate statements) one off payment	Third Financial	-	1,800.00	1,800.00	-	-	900.00	900.00	-
Phone handsets	BNP Paribas	-	351.73	351.73	-	-	-	-	351.73
Landlines	Frontier	-	13,671.41	13,671.41	-	-	6,835.71	6,835.71	-
Fund Data	Bilon	-	7,557.68	7,557.68	-	-	-	-	7,557.68
Office 365	Microsoft	-	1,397.76	1,397.76	-	-	698.88	698.88	-
Interion Rack Hosting	Purple Matrix	-	23,184.98	23,184.98	-	-	11,592.49	11,592.49	-
IT Support and maintenance services	Purple Matrix	-	24,631.22	24,631.22	-	-	12,315.61	12,315.61	-

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Backup and disaster recovery	Purple Matrix	17,241.86	17,241.86	-	-	8,620.93	8,620.93	-
Internet - Claranet	Advanced 365	6,359.04	6,359.04	-	-	3,179.52	3,179.52	-
Business quarterly charge	Advanced 365	1,008.67	1,008.67	-	-	504.34	504.34	-
Alarm	ADT	634.79	634.79	-	-	317.40	317.40	-
Access Control	ADT	77.30	77.30	-	-	38.65	38.65	-
Custody fee	Cofunds	9,000.00	9,000.00	-	-	4,500.00	4,500.00	-
Payroll services	S Hampson	700.00	700.00	-	-	350.00	350.00	-
Accountancy charges (est)	S Hampson	1,590.00	1,590.00	-	-	795.00	795.00	-
Monthly (Net)	Staff	92,902.01	92,902.01	-	-	46,451.01	46,451.01	-
PAYE	Staff	11,019.00	-	11,019.00	-	5,509.50	5,509.50	-
E's NI	Staff	7,855.20	-	7,855.20	-	3,927.60	3,927.60	-
E'rs NI	Staff	6,950.10	-	6,950.10	-	3,475.05	3,475.05	-
Student loan	Staff	98.00	-	98.00	-	49.00	49.00	-
Pension scheme (E's)	Staff	2,953.68	2,953.68	-	-	1,476.84	1,476.84	-
Pension scheme (E'rs)	Staff	2,953.68	2,953.68	-	-	1,476.84	1,476.84	-
Consultancy	Staff	1,680.00	1,680.00	-	-	840.00	840.00	-
Sage - Accounts HCS/HCM - April, May and June invoice only	Sage	316.80	316.80	-	-	158.40	158.40	-
Statement print out One off payment	Print it (Northwest) Limited	1,502.64	1,502.64	-	-	751.32	751.32	-
Handling client calls One off payment (Est)	Intalekt	1,833.72	1,833.72	-	-	916.86	916.86	-
Crest related	Fundtech	16,969.53	16,969.53	-	-	8,484.77	8,484.77	-
Custody fee & transaction charges	GIS	6,805.59	6,805.59	-	-	3,402.80	3,402.80	-
CREST	Euroclear UK & Ireland Limited	26,554.36	26,554.36	-	-	13,277.18	13,277.18	-
Employee Health care	Canada Life	1,280.00	1,280.00	-	-	640.00	640.00	-
CISI Memberships	CISI	390.00	390.00	-	-	195.00	195.00	-
Barclays bank charge	Barclays Bank	6,289.39	6,289.39	-	-	3,144.70	3,144.70	-
Data feeds	Interactive Data	36,022.79	36,022.79	-	-	18,011.40	18,011.40	-
Data feeds - one off payment	Exchange Data	3,969.00	3,969.00	-	-	1,984.50	1,984.50	-
Insurance	AUA Insolvency Risk Services	942.95	942.95	-	-	471.48	471.48	-

# Hume Capital Securities Plc - In Special Administration

Licence fee	-	19.33	19.33	-	-	9.67	9.67	-
Toner Cartridges	-	994.26	994.26	-	-	497.13	497.13	-
Hard drive	-	75.98	75.98	-	-	37.99	37.99	-
-	-	4,634.80	3,717.80	917.00	-	2,317.40	2,317.40	-
-	-	87.46	87.46	-	-	43.73	43.73	-
-	-	95.00	95.00	-	-	47.50	47.50	-
-	-	89.99	89.99	-	-	45.00	45.00	-
Sundry receipts	-	199.43	199.43	-	-	99.72	99.72	-
Room hire and refreshments	-	850.00	850.00	-	-	425.00	425.00	-
<b>Professional fees</b>								
Costs incurred - General costs	-	75,375.19	75,375.19	-	-	-	-	-
Costs incurred - Distribution of CMP	-	200,852.47	200,852.47	-	-	200,852.47	-	-
Costs incurred - Client Asset costs	-	366,564.60	366,564.60	-	-	-	366,564.60	-
Counsel's costs - CMP Distribution Procedure	-	13,950.00	13,950.00	-	-	13,950.00	-	-
Counsel's costs - Client Asset costs	-	29,950.00	29,950.00	-	-	-	29,950.00	-
Sale of HCM/HCG Shares	-	1,066.00	1,066.00	-	-	-	-	-
Sale of HCM/HCG Shares	-	12,206.46	12,206.46	-	-	-	-	-
Reconciliation exercise	-	44,708.40	44,708.40	-	-	22,354.20	22,354.20	-
Review of Company's systems	-	3,090.60	3,090.60	-	-	1,545.30	1,545.30	-
Review of Client debtors	-	2,250.00	-	2,250.00	-	1,125.00	1,125.00	-
Dealing with the sale of non-client assets	-	1,925.15	1,925.15	-	-	-	-	-
Review the VAT position and dealing with VAT returns	-	18,600.00	18,600.00	-	-	-	9,300.00	-
Statement of affairs fee	-	6,000.00	6,000.00	-	-	-	-	-
	-	1,382,722.51	1,353,633.21	29,089.30	94,647.65	548,264.09	729,976.22	7,909.41

## APPENDIX E

SUMMARY OF JOINT SPECIAL ADMINISTRATORS' TIME COSTS FOR THE PERIOD  
FROM 16 SEPTEMBER 2017 TO 15 MARCH 2018

## GENERAL TIME COSTS

	Director		Manager 1		Manager 2		Administrator 3		Administrator 4		Total		Average	
	Units	Cost £	Units	Cost £	Units	Cost £	Units	Cost £	Units	Cost £	Units	Cost £	Hourly Rate £	Hourly Rate £
Statutory & Review	-	-	13	592.80	15	600.00	-	-	-	-	28	1,192.80	426.00	426.00
Receipts & Payments	-	-	44	2,006.40	-	-	-	-	8	149.60	52	2,156.00	414.62	414.62
Insurance	-	-	6	273.60	8	320.00	-	-	-	-	14	593.60	424.00	424.00
Assets	73	4,102.60	-	-	10	400.00	-	-	-	-	83	4,502.60	542.48	542.48
Liabilities	-	-	62	2,827.20	8	320.00	-	-	13	243.10	83	3,390.30	408.47	408.47
General Administration	-	-	5	228.00	-	-	6	157.20	-	-	11	385.20	350.18	350.18
Planning & Strategy	10	562.00	-	-	-	-	-	-	-	-	10	562.00	562.00	562.00
Post Appointment Creds Mtngs	18	1,011.60	-	-	-	-	-	-	-	-	18	1,011.60	562.00	562.00
Total	101	5,676.20	130	5,928.00	41	1,640.00	6	157.20	21	392.70	299	13,794.10		
Average Hourly Rate (£)		562.00		456.00		400.00		262.00		187.00		461.34		
All Units are 6 minutes														

## Hume Capital Securities Plc - In Special Administration

### TIME COSTS ASSOCIATED WITH CLIENT MONIES

	Manager 1		Administrator 3		Administrator 4		Total		Average Hourly Rate £
	Units	Cost £	Units	Cost £	Units	Cost £	Units	Cost £	
<b>SAR - Client Monies</b>									
Correspondence with Clients	61	2,781.60	50	1,310.00	40	748.00	151	4,839.60	320.50
Liaising with FSCS	5	228.00	-	-	-	-	5	228.00	456.00
Distribution of Client Monies	6	273.60	34	890.80	-	-	40	1,164.40	291.10
Liaising with FCA	5	228.00	-	-	-	-	5	228.00	456.00
<b>Total</b>	77	3,511.20	84	2,200.80	40	748.00	201	6,460.00	
<b>Average Hourly Rate (£)</b>		456.00		262.00		187.00		321.39	

All Units are 6 minutes

# Hume Capital Securities Plc - In Special Administration

## TIME COSTS ASSOCIATED WITH CLIENT ASSETS

	Director		Manager 1		Manager 2		Total		Average Hourly Rate £
	Units	Cost £	Units	Cost £	Units	Cost £	Units	Cost £	
<b>SAR - Client Assets</b>									
Correspondence with Clients	9	505.80	77	3,511.20	152	6,080.00	238	10,097.00	424.24
Dealing with third parties	-	-	24	1,094.40	-	-	24	1,094.40	456.00
Liaising with FSCS	-	-	39	1,778.40	-	-	39	1,778.40	456.00
Distribution of Client Assets	-	-	78	3,556.80	-	-	78	3,556.80	456.00
Distribution plan / Stat mat	-	-	73	3,328.80	-	-	73	3,328.80	456.00
Dealing with dividends	-	-	6	273.60	-	-	6	273.60	456.00
<b>Total</b>	9	505.80	297	13,543.20	152	6,080.00	458	20,129.00	
<b>Average Hourly Rate (£)</b>		562.00		456.00		400.00		439.50	
<b>All Units are 6 minutes</b>									

**APPENDIX E (CONTINUED)**

**DETAILED EXPLANATION OF TIME COSTS INCURRED**

**Statutory & Review**

This involved undertaking regular reviews of the case to ensure statutory matters were being progressed in a timely manner.

**Receipts & Payments**

This involved liaising with our cashiers department in respect managing the JSA's bank accounts. This also involved reconciling of the accounts held by the JSA.

**Assets**

Time was spent dealing with the disposal of the Company's non-client assets, as detailed further at 5 above. Time was also spent consulting solicitors with regards to funds held by the JSA and how these are to be dealt with.

**Liabilities**

Time was also spent drafting and reviewing the JSA progress report for the period 16 March 2017 to 15 September 2017, which was circulated to all known creditors and clients on 5 October 2017.

**General Administration**

This involved time spent dealing with various administrative duties throughout the Special Administration.

**DETAILED EXPLANATION OF TIME COSTS INCURRED IN ASSOCIATION WITH THE DISTRIBUTION OF THE CMP**

Work undertaken by the JSA in respect of dealing with the distribution of the CMP included, but was not limited to the following:

- Correspondence with Client Money Claimants with regards to their Client Money Claims and dealing with any queries they may have;
- Liaising with the FSCS in respect of compensation payments due to Client Money Claimants;
- Liaising with the FSCS regarding progress of Batch 2 Claimants and providing any further information as required;
- Reviewing regular updates provided by the FSCS and updating clients accordingly;
- Issuing postponement notices to Clients with regards the first and final distribution of the CMP;
- Obtaining approval from Client Money Claimants with regards to discharging their Client Money Costs;
- Regular reconciliations of the CMP;
- Time spent pursuing the debtor balances due to the CMP and correspondence with respective clients in this regard;
- Reviewing and updating cash flow statements to monitor the costs associated with the distribution of the CMP;
- Dealing with various costs and expenses incurred during the Special Administration;
- Raising, approving and monitoring purchase orders and payment requests;
- Analysing VAT related transactions and collating relevant accounting information required by Harold Sharp in order to submit an accurate post appointment VAT return on behalf of the JSA;
- Formulating, monitoring and reviewing the Special Administration strategy, including regular internal and external meetings to agree the same;
- Regular internal team update meetings and calls;
- Complying with statutory requirements;
- Pursuing Client Money Claimants in respect of non-correspondence for Client Money Claims;
- Meetings with DWF to agree a strategy moving forward to deal with the residual balance of claims and unclaimed monies; and
- Regular reviews of progress of return of client monies.

**DETAILED EXPLANATION OF TIME COSTS INCURRED IN ASSOCIATION WITH THE RETURN OF CLIENT ASSETS**

Work undertaken by the JSA in respect of dealing with the return of Client Assets included, but was not limited to the following:

- Liaising with EIM in respect of the Transfer and ensuring all post transfer matters are dealt with accordingly;
- Liaising with Client Asset Claimants with regards to obtaining their approval of the Transfer;
- Liaising with Client Asset Claimants with regards to discharging the Client Asset Costs;
- Liaising with the FSCS with regards to payments due to both the JSA and individual clients on this matter;
- Notification to Client Asset Claimants providing updates on progress made on the distribution of the Client Assets;
- Monitoring receipt of payments received in respect of Client Asset Costs and confirming release of Client Assets to both EIM and Clients accordingly;
- Circulating Instruction Forms to all non-transferred Clients and liaising with EIM with regards to any instructions received on this matter;
- Correspondence with Client Asset Claimants and EIM dealing with any queries they may have and providing updates on the Client Asset Transfer;
- Liaising with the FSCS regarding progress of Batch 2 Claimants and providing any further information as required;
- Reviewing regular updates provided by the FSCS and updating clients accordingly;
- Providing regular updates to the FSCS;
- Reviewing and updating cash flow statements to monitor the costs associated with the distribution of the Client Assets;
- Dealing with various costs and expenses incurred during the Special Administration;
- Analysing VAT related transactions and collating relevant accounting information required by Harold Sharp in order to submit an accurate post appointment VAT return on behalf of the JSA;
- Formulating, monitoring and reviewing the Special Administration strategy, including regular internal and external meetings to agree the same;
- Liaising with legal advisors regarding various matters arising through the course of the Special Administration;
- Complying with statutory requirements;
- Pursuing Potential Claimants;
- Pursuing all non-transferred Clients in respect of any outstanding matters that may be preventing the release of Client Assets;
- Dealing with all enquires in relation to all post PPE funds received by the Company;
- Dealing with any subsequent queries regarding payments made by the JSA;
- Liaising and meeting with DWF to discuss a strategy moving forward to deal with all non-transferred claimants; and
- Undertaking regular reviews of the progress of return of Client Assets.

## LEONARD CURTIS POLICY REGARDING FEES, EXPENSES AND DISBURSEMENTS

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

### Staff Allocation and Charge Out Rates

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

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

With effect from 6 January 2014 the following hourly charge out rates apply to all assignments undertaken by Leonard Curtis:

	Standard	Complex
	£	£
Director	450	562
Senior Manager	410	512
Manager 1	365	456
Manager 2	320	400
Administrator 1	260	325
Administrator 2	230	287
Administrator 3	210	262
Administrator 4	150	187
Support	0	0

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

### Subcontractors

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

### Professional Advisors

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

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

### Expenses

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

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

## APPENDIX F (cont)

Type	Description	Amount																								
AML checks	Electronic client verification in compliance with the Money Laundering Regulations 2007	£5.00 plus VAT per individual																								
Bond / Bordereau fee	Insurance bond to protect the insolvent entity against and losses suffered as a result of the fraud or dishonesty of the IP	£10.00 to £1,200.00 dependent on value of assets within case																								
Company searches	Extraction of company information from Companies House	£1.00 per document unless document can be accessed via the free service																								
Document hosting	Hosting of documents for creditors	<table> <tr> <th>Type</th><th>100 creds</th><th>Every addtl 10</th></tr> <tr> <td>ADM</td><td>£14.00</td><td>£1.40</td></tr> <tr> <td>CVL</td><td>£7.00</td><td>£0.70</td></tr> <tr> <td>MVL</td><td>£7.00</td><td>£0.70</td></tr> <tr> <td>CPL</td><td>£7.00</td><td>£0.70</td></tr> <tr> <td>CVA</td><td>£10.00</td><td>£1.00</td></tr> <tr> <td>BKY</td><td>£10.00</td><td>£1.00</td></tr> <tr> <td>IVA</td><td>£10 p.a. or £25 for life of case</td><td></td></tr> </table>	Type	100 creds	Every addtl 10	ADM	£14.00	£1.40	CVL	£7.00	£0.70	MVL	£7.00	£0.70	CPL	£7.00	£0.70	CVA	£10.00	£1.00	BKY	£10.00	£1.00	IVA	£10 p.a. or £25 for life of case	
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CVA	£10.00	£1.00																								
BKY	£10.00	£1.00																								
IVA	£10 p.a. or £25 for life of case																									
Post re-direction	Redirection of post from Company's premises to office-holders' address	0-3 months £185.00 3-6 months £275.00 6-12 months £445.00																								
Software Licence fee	Payable to software provider for use of case management system	£87.00 plus VAT per case																								
Statutory advertising	Advertising of appointment, notice of meetings etc. - London Gazette - Other	£83.02 plus VAT per advert Dependent upon advert and publication																								
Storage costs	Costs of storage of case books and records	£5.07 plus VAT per box per annum plus handling charges																								

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

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

**Disbursements**

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

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

Internal photocopying	10p per copy
General stationery, postage, telephone etc	£100 per 100 creditors/ members or part thereof
Storage of office files (6 years)	£70.40 per box
Business mileage	45p per mile

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

**STATEMENT OF CLAIM FORM FOR CREDITORS**

**Date of administration order:** 16 March 2015

**Name of creditor:**

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**Address of creditor:**

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**Gross amount of claim:**  
(ie including VAT)

---

**Amount of VAT**

---

**Details of any document by  
reference to which the debt can be  
substantiated:**  
(eg invoices)

---

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**Particulars of how and when debt  
incurred:**

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**Particulars of any security held, the  
value of the security and the date it  
was given:**

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**Signature of creditor or person  
authorised to act on his behalf:**

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**Name in BLOCK CAPITALS:**

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**Position with or relation to creditor:**

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**Creditor's Election to Opt Out**

Insert court or Proceedings	In the:	In the High Court of Justice, Chancery Division, Companies Court	No:	1960 OF 2015
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Insert full name	Re:	HUME CAPITAL SECURITIES PLC (IN SPECIAL ADMINISTRATION)
	Previous Name:	XCAP SECURITIES PLC
	Registered No:	06920660

Address of Company	1 CAREY LANE, LONDON, EC2V 8AE
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a) Insert full name and address of creditor making the election	I, (a)	
---	--------	--

a creditor of the above Company, elect to opt out of receiving documents.

I acknowledge that I shall remain an opted-out creditor for the duration of these and any following proceedings unless and until I elect in writing to revoke my opt out.

I acknowledge that I shall continue to receive:

- all documents that the Insolvency Act 1986 or the court requires to be delivered to all creditors;
- notice of any change in the office-holder or their contact details; and
- notice of any distributions applicable to me.

b) Insert name and address of office holder to whom you will deliver this notice	(b)	JULIEN IRVING, MARK COLMAN AND ANDREW DUNCAN OF LEONARD CURTIS, TOWER 12, 18/22 BRIDGE STREET, SPINNINGFIELDS, MANCHESTER, M3 3BZ
--	-----	---

*This form can be be Authenticated for submission by email by entering your name and email address and sending the form as an attachment from an email address which clearly identifies you.	Signed / Authenticated*	
	Date	
	Name (BLOCK LETTERS)	
	Relationship to Creditor	

**Creditor's Election to Opt Out - Revocation**

Insert court or Proceedings	In the:	In the High Court of Justice, Chancery Division, Companies Court	No:	1960 OF 2015
-----------------------------	---------	--	-----	--------------

Insert full name	Re:	HUME CAPITAL SECURITIES PLC (IN SPECIAL ADMINISTRATION)
	Previous Name:	XCAP SECURITIES PLC
	Registered No:	06920660

Address of Company	1 CAREY LANE, LONDON, EC2V 8AE
--------------------	--------------------------------

c) Insert full name and address of creditor making the request	I, (a)	
--	--------	--

a creditor of the above Company, REVOKE my election to opt out elect to opt out of receiving documents.

d) Insert name and address of office holder to whom you will deliver this notice	(b)	JULIEN IRVING, MARK COLMAN AND ANDREW DUNACAN OF LEONARD CURTIS, TOWER 12, 18/22 BRIDGE STREET, SPINNINGFIELDS, MANCHESTER, M3 3BZ
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*This form can be be Authenticated for submission by email by entering your name and email address and sending the form as an attachment from an email address which clearly identifies you.	Signed / Authenticated*	
	Date	
	Name (BLOCK LETTERS)	
	Relationship to Creditor	