

Rule 1.26/1 54

The Insolvency Act 1986

Notice to Registrar of Companies of
Supervisor's Progress Report**R.1.26A(4)(a)/
R.1.54****Pursuant to Rule 1.26A(4)(a) or
Rule 1 54 of the Insolvency Rules
1986**

To the Registrar of Companies

For Official Use

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Company Number

07168243

Name of Company

(a) Insert full name of

The Cock Inn (Sibson) Limited

(b) Insert full name and
Address

We W John Kelly
004857
Begbies Traynor (Central) LLP
3rd Floor
Temple Point
1 Temple Row
Birmingham
B2 5LG

Mary Anne Currie-Smith
008934
Begbies Traynor (Central) LLP
3rd Floor
Temple Point
1 Temple Row
Birmingham
B2 5LG

(c) Insert date

supervisors of a voluntary arrangement taking effect on

(c) 28 November 2014,

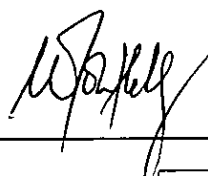
Attach our progress report for the period
from

(c) 28 November 2014

to

(c) 27 November 2015

Signed



Date 25/1/16

Presenter's name, address
and reference

TH421CVA
Begbies Traynor (Central) LLP
3rd Floor
Temple Point
1 Temple Row
Birmingham
B2 5LG

For Official Use

Liquidation Section

Post Room

THURSDAY



A10 *A4ZKLW20* #194
28/01/2016
COMPANIES HOUSE

HIGH COURT OF JUSTICE DISTRICT REGISTRY
No 8411 of 2014

W John Kelly and Mary Anne Currie-Smith appointed joint
supervisors on 28 November 2014

**The Cock Inn (Sibson) Limited (Company
Voluntary Arrangement)**

Joint Supervisors' Progress Report pursuant to
Rule 1.26A of The Insolvency Rules 1986

Period: 28 November 2014 to 27 November 2015

Important Notice

This progress report has been produced by the supervisors solely to comply with their statutory duty to report to creditors on the progress of the Voluntary Arrangement. The report is private and confidential and may not be relied upon, referred to, reproduced or quoted from, in whole or in part, by creditors for any purpose other than this report to them or by any other person for any purpose whatsoever.

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1. INTERPRETATION

<u>Expression</u>	<u>Meaning</u>
"the Company"	The Cock Inn (Sibson) Limited (Under a Voluntary Arrangement)
"the Supervisors"	W John Kelly of, 3rd Floor, Temple Point, 1 Temple Row, Birmingham, B2 5LG and Mary Anne Currie-Smith of Begbies Traynor (Central) LLP, 1st Floor, 24 High Street, Whittlesford, Cambridgeshire, CB22 4LT
"the Arrangement"	The terms of the Proposal, Standard Conditions and any modifications (and/or variations) agreed by the Company's creditors
"the Act"	The Insolvency Act 1986 (as amended)
"the Rules"	The Insolvency Rules 1986 (as amended)
"secured creditor" and "unsecured creditor"	Secured creditor, in relation to a company, means a creditor of the company who holds in respect of his debt a security over property of the company, and "unsecured creditor" is to be read accordingly (Section 248(1)(a) of the Act)
"security"	(i) In relation to England and Wales, any mortgage, charge, lien or other security (Section 248(1)(b)(i) of the Act), and (ii) In relation to Scotland, any security (whether heritable or moveable), any floating charge and any right of lien or preference and any right of retention (other than a right of compensation or set off) (Section 248(1)(b)(ii) of the Act)

2. RELEVANT INFORMATION

Name of Company	The Cock Inn (Sibson) Limited
Trading name(s)	The Cock Inn
Date of Incorporation	
Company registered number	07168243
Company registered office	The Counting House, High Street, Lutterworth, Leicestershire, LE17 4AY
Commencement date of the Arrangement	28 November 2014
Duration of the Arrangement	5 years
Main provisions of the Arrangement	The Company agreed to make monthly contributions of £750 The anticipated dividend to creditors is 48p in the £
Dividend(s) paid to creditors	No dividends have been paid to date

Anticipated dividend(s)

The anticipated dividend to creditors is 48p in the £. The first dividend is expected to be declared May 2017

3. INTRODUCTION

- 3 1 Pursuant to Rule 1 26A(6) of the Rules, the Supervisors are required to send the Company, its creditors (bound by the Arrangement) and its members an abstract of receipts and payments which shows all receipts and payments of money whilst the Supervisors have been acting as supervisors of the Arrangement
- 3 2 In addition to accounting for the receipts and payments, Rule 1 26A requires the Supervisors to report on the progress of the Arrangement and the prospects for its full implementation
- 3 3 This is the Supervisors' first annual report, which should be read in conjunction with the Proposal of the directors and accompanying documents approved at the meeting of creditors

4. ABSTRACT OF RECEIPTS AND PAYMENTS

- 4 1 Please find at Appendix 1 an abstract which shows the receipts and payments during the period of this report
- 4 2 The attached receipts and payments account for the first 12 months of the Arrangement shows total contributions of £8,250, being 11 contributions of £750
- 4 3 A recent review of the file highlighted that the Company had not commenced contributions until the first month after the approval of the Arrangement rather than making an immediate contribution as required by the terms of the CVA. Under clause 17 1 16, of the proposal as only 1 contribution was in arrears this did not constitute a default
- 4 4 As soon as the shortfall was noted and highlighted to the Company this was remedied and we can confirm that contributions are fully up to date
- 4 5 As the shortfall was remedied immediately we do not consider that creditors have been disadvantaged and therefore we do not propose to take any further action
- 4 6 The sum of £3 65 has been received in interest in respect of funds held in the Supervisors bank account
- 4 7 There have been no payments made in the period

5. PROGRESS DURING THE PERIOD OF THIS REPORT

- 5 1 Set out below are details of the progress that has been made during the period of this report
- 5 2 You will recall that the terms of the Arrangement as modified provided for the following

- 5.2.1 That the Company would make monthly contributions of £750 per month for 5 years from future profits totalling £45,000
- 5.2.2 To date the contributions have been made on a monthly basis
- 5.2.3 The Company's accountant advises that since the commencement of the voluntary arrangement the directors have taken further steps to minimise overheads and staff costs. The Company is trading around or above breakeven and the Company is up to date with payments to HM Revenue and Customs
- 5.2.4 Under the terms of the Voluntary Arrangement the supervisor is to retain sufficient funds to petition for winding up proceedings, if necessary. We will shortly be drawing the agreed Nominee's fee of £5,000. Accordingly, we propose to retain the balance of funds of £4,000 to fulfil this obligation and to provide for professional fees

6. PROSPECTS FOR FULL IMPLEMENTATION OF THE ARRANGEMENT

- 6.1 On present information the Supervisors believe the arrangement will succeed and creditors will receive a dividend of 48 pence in the pound

7. ESTIMATED OUTCOME FOR CREDITORS

- 7.1 The total amount owed to creditors at the commencement of the Arrangement was £62,442
- 7.2 On the basis of sums received to date and estimated future receipts the Supervisors estimate, in line with the terms of the Arrangement, an outcome for creditors in total of 48p in the £. They expect to be in a position to pay an interim dividend of 8p in the £ during May 2017

8. JOINT SUPERVISOR'S REMUNERATION & DISBURSEMENTS

- 8.1 The Supervisors' remuneration has been fixed by reference to the time properly given by them (as Supervisors) and the various grades of their staff calculated at the prevailing hourly charge out rates of Begbies Traynor (Central) LLP for attending to matters arising in the Arrangement and they are authorised to draw disbursements, including disbursements for services provided by their firm (defined as category 2 disbursements in Statement of Insolvency Practice 9) in accordance with their firm's policy, details of which are attached at Appendix 2 of this report
- 8.2 The Supervisors' time costs for the period from 28 November 2014 to 27 November 2015 amount to £8,186 which represents 27.5 hours at an average rate of £297.67 per hour. An analysis of time costs incurred in this period and prepared in accordance with Statement of Insolvency Practice 9 is attached at Appendix 2 showing the number of hours spent by each grade of staff on the different types of work involved in the case, and giving the average hourly rate charged for each work type. It is intended that the Time Costs Analysis and the information contained in this report will provide sufficient information to enable the body responsible for the approval of the Supervisors' fees to consider the level of those fees in the context of the case
- 8.3 The following further information in relation to the Supervisors' time costs and disbursements is set out at Appendix 2

- ☐ Begbies Traynor (Central) LLP's policy for re-charging disbursements
- ☐ Begbies Traynor (Central) LLP's charge-out rates
- ☐ Narrative summary of time costs incurred
- ☐ Table of time spent and charge-out value for the period 28 November 2014 to 27 November 2015

For the period from 28 November 2014 to 27 November 2015 the Supervisors have not drawn remuneration or disbursements

A copy of 'Voluntary Arrangements – A Creditors' Guide to Insolvency Practitioners' Fees (E&W) 2011' which provides guidance on creditors' rights can be obtained online at www.begbies-traynor.com/creditorsguides. Alternatively, if you require a hard copy of the Guide, please contact my office and I will arrange to send you a copy

9 CONCLUSION

John A Lowe resigned as joint supervisor, following his departure from the firm, W John Kelly was appointed joint Supervisor via a block transfer of cases through the Court. The order was granted on 23 September 2015.

10. CONCLUSION

The Supervisors will report again in approximately 1 year's time or at the conclusion of the Arrangement, whichever is the sooner.



W John Kelly
Joint Supervisor

Dated 25 January 2016

JOINT SUPERVISORS' ACCOUNT OF RECEIPTS AND PAYMENTS

Period 28 November 2014 to 27 November 2015

**Voluntary Arrangement of
The Cock Inn (Sibson) Limited
To 27/11/2015**

S of A £		£	£
	ASSET REALISATIONS		
2,000 00	Furniture & Equipment	NIL	
1,000 00	Stock	NIL	
	Debtor Contributions	8,250 00	
	Bank Interest Gross	3 65	
			8,253 65
	PREFERENTIAL CREDITORS		
(3,000 00)	RPO re Arrears/Holiday Pay	NIL	
			NIL
	UNSECURED CREDITORS		
(27,000 00)	Trade Creditors	NIL	
(19,000 00)	RPO	NIL	
(3,000 00)	HMRC (PAYE/NIC)	NIL	
(33,942 00)	HMRC (VAT)	NIL	
			NIL
	DISTRIBUTIONS		
(4 00)	Ordinary Shareholders	NIL	
			NIL
(82,946.00)			8,253 65
	REPRESENTED BY		
	Bank 1 Current		8,253 65
			8,253 65

W John Kelly
Joint Supervisor

JOINT SUPERVISORS' TIME COSTS AND EXPENSES

- a Begbies Traynor (Central) LLP's policy for re-charging expenses/disbursements,
- b Begbies Traynor (Central) LLP's charge-out rates,
- c Narrative summary of time costs incurred, and
- d Table of time spent and charge-out value for the period from 28 November 2014 to 27 November 2015

BEGBIES TRAYNOR CHARGING POLICY

INTRODUCTION

This note applies where a licensed insolvency practitioner in the firm is acting as an office holder of an insolvent estate and seeks creditor approval to draw remuneration on the basis of the time properly spent in dealing with the case. It also applies where further information is to be provided to creditors regarding the office holder's fees following the passing of a resolution for the office holder to be remunerated on a time cost basis. Best practice guidance¹ requires that such information should be disclosed to those who are responsible for approving remuneration.

Where the office holder's remuneration is proposed to be fixed on an additional or alternative basis, sufficient information will be provided to creditors in order to allow them to consider whether to approve the proposed basis or bases of the office holder's remuneration. Following approval further information will be provided to creditors regarding the office holder's fees as required by the legislation and best practice guidance.

In addition, this note applies where creditor approval is sought to make a separate charge by way of expenses or disbursements to recover the cost of facilities provided by the firm and also where payments are to be made to outside parties in which the office holder or his firm or any associate has an interest. Best practice guidance² requires that such charges should be disclosed to those who are responsible for approving the office holder's remuneration, together with an explanation of how those charges are calculated.

OFFICE HOLDER'S FEES IN RESPECT OF THE ADMINISTRATION OF INSOLVENT ESTATES

The office holder has overall responsibility for the administration of the estate. He/she will delegate tasks to members of staff. Such delegation assists the office holder as it allows him/her to deal with the more complex aspects of the case and ensures that work is being carried out at the appropriate level. There are various levels of staff that are employed by the office holder and these appear in Appendix 3.

The firm operates a time recording system which allows staff working on the case along with the office holder to allocate their time to the case. The time is recorded at the individual's hourly rate in force at that time which is detailed in Appendix 3. This is only applicable to those cases where the office holder is remunerated on a time costs basis.

EXPENSES INCURRED BY OFFICE HOLDERS IN RESPECT OF THE ADMINISTRATION OF INSOLVENT ESTATES

Best practice guidance classifies expenses into two broad categories:

- ☐ **Category 1 disbursements (approval not required)** - specific expenditure that is directly related to the case usually referable to an independent external supplier's invoice. All such items are charged to the case as they are incurred.
- ☐ **Category 2 disbursements (approval required)** - items of incidental expenditure directly incurred on the case which include an element of shared or allocated cost and which are based on a reasonable method of calculation.

(A) The following items of expenditure are charged to the case (subject to approval):

- Internal meeting room usage for the purpose of statutory meetings of creditors is charged at the rate of £100 (London £150) per meeting;

¹ Statement of Insolvency Practice 9 (SIP 9) – Remuneration of insolvency office holders in England & Wales

² Ibid 1

- Car mileage is charged at the rate of 45 pence per mile;
- Storage of books and records (when not chargeable as a *Category 1 disbursement*) is charged on the basis that the number of standard archive boxes held in storage for a particular case bears to the total of all archive boxes for all cases in respect of the period for which the storage charge relates;
- *Expenses which should be treated as Category 2 disbursements (approval required)* – in addition to the 2 categories referred to above, best practice guidance indicates that where payments are made to outside parties in which the office holder or his firm or any associate has an interest these should be treated as Category 2 disbursements.

(B) The following items of expenditure will normally be treated as general office overheads and will not be charged to the case although a charge may be made where the precise cost to the case can be determined because the item satisfies the test of a *Category 1 disbursement*:

- Telephone and facsimile
- Printing and photocopying
- Stationery

BEGBIES TRAYNOR CHARGE-OUT RATES

Begbies Traynor is a national firm. The rates charged by the various grades of staff that may work on a case are set nationally, but vary to suit local market conditions. The rates applying to the Leicester office as at the date of this report are as follows:

	Standard 1 May 2011 – until further notice Regional
Partner	395
Director	345
Senior Manager	310
Manager	265
Assistant Manager	205
Senior Administrator	175
Administrator	135
Trainee Administrator	110
Support	110

Time spent by support staff such as secretarial, administrative and cashiering staff is charged directly to cases. It is not carried as an overhead.

Time is recorded in 6 minute units.

The Cock Inn (Sibson) Limited

SUMMARY OF TIME COSTS AND EXPENSES

This summary, which should be read in conjunction with the Time Costs Analysis for the period of the report attached, is intended to provide sufficient information to enable the body responsible for the approval of our fees to consider the level of our fees and expenses in the context of the case

What work has been done in the period of the report, why was that work necessary and what has been the financial benefit (if any) to creditors?

Work which has been done during the period consists of -

- All statutory duties of the Supervisor including notification of appointment to Companies house and the Court,
- Monitoring monthly contributions from Company,
- Diary line completion,
- Case reviews,
- Bond reviews,
- Banking tasks,
- Dealing with creditor correspondence,
- Filing,

Details of the types of work that generally fall into the headings mentioned below are available on our firm's website - <http://www.begbies-traynorgroup.com/work-details> Under the following headings we have explained the specific work that has been undertaken on this case. Not every piece of work has been described, but we have sought to give a proportionate overview which provides sufficient detail to allow creditors to understand what has been done, why it was necessary and what financial benefit (if any) the work has provided to creditors

The costs incurred in relation to each heading are set out in the Time Costs Analysis which is attached

General case administration and planning

General case administration incorporates different categories such as cashiering, general case administration (filing, creditor correspondence) and dealing with sundry issues as and when they arise. Furthermore, this time cost comprises general records of maintenance on case files, undertaking case reviews incorporating compliance checks and dealing with general queries.

Whilst not necessarily of direct financial benefit to creditors this work is for the proper conduct of the case.

Compliance with the Insolvency Act, Rules and best practice

During the period we have carried out bond and case reviews. Whilst this is not of direct financial benefit to creditors it is a statutory requirement.

Realisation of assets

During the period the Company has paid contributions totalling £8,250.

Dealing with all creditors' claims (including employees), correspondence and distributions

We have sought to deal with all creditor correspondence and enquiries in an appropriate and timely manner.

Time Costs Analysis

An analysis of time costs for the period of the report is attached showing the time spent by each grade of staff on the different types of work involved in the case, and giving the total costs and average hourly rate charged for each work type

Please note that the analysis provides details of the work undertaken by us and our staff following our appointment only

The Directors confirmed that the nominees' fee should be £5,000 This amount was agreed by creditors at the meeting held on 28 November 2014

Why have subcontractors been used?

No subcontractors have been used in this case

What work remains to be done, why is this necessary and what financial benefit (if any) will it provide to creditors?

General case administration and planning

Case administration and planning will continue for the duration of this assignment This involves dealing with general correspondence and continuing file management In addition, regular cashiering tasks and banking will continue to be undertaken for the duration of the case

Whilst this work is not necessarily of direct financial benefit to creditors it is a requirement of the Statutory Regulations / The Insolvency Act and Rules

Compliance with the Insolvency Act, Rules and best practice

We regularly conduct compliance and bond reviews to ensure that sufficient insurance is held and to ensure that statutory requirements are met Statutory progress reports are also prepared during the administration to provide updates to all creditors, these reports are a statutory requirement

Whilst this work is not necessarily of direct financial benefit to creditors it is a requirement of the Statutory Regulations / The Insolvency Act and Rules

Realisation of assets

The Supervisor will continue to deal with the realisation of the Company's contributions

Dealing with all creditors' claims (including employees), correspondence and distributions

We will adjudicate and agree creditors' claims and issue dividends to creditors in due course We shall continue to deal with creditors' enquiries in an appropriate and timely manner

How much will this further work cost?

The cost of further work is estimated to be £10,000

Expenses

At this stage of the Arrangement we do not consider that any significant expenses will be incurred

Staff Grade	Partner	Director	Snr Mgr	Mngr	Asst Mgr	Snr Admin	Admin	Jnr Admin	Support	Total Hours	Time Cost £	Average hourly rate £
General Case Administration and Planning												0.00
Administration	7.1			5.6					0.9	13.6	4,387.50	322.61
Total for General Case Administration and Planning	7.1			5.6					0.9	13.6	4,387.50	322.61
Compliance with the Insolvency Act, Rules and best practice												0.00
Appointment												0.00
Banking and Bonding									3.2	3.2	352.00	110.00
Case Closure												0.00
Statutory reporting and statement of affairs				6.0						6.0	1,590.00	265.00
Total for Compliance with the Insolvency Act, Rules and best practice				6.0					3.2	9.2	1,942.00	211.09
Investigations												0.00
CCDA and Investigations												0.00
Total for Investigations												0.00
Realisation of assets												0.00
Debt collection												0.00
Property business and asset sales												0.00
Retention of Title/Third party assets												0.00
Total for Realisation of assets												0.00
Trading												0.00
Trading												0.00
Total for Trading												0.00
Dealing with all creditors claims (including employees), correspondence and distributions												0.00
Secured												0.00
Others	1.0									1.0	395.00	395.00
Creditors Committee												0.00
Total for Dealing with all creditors claims (including employees), correspondence and distributions	1.0									1.0	395.00	395.00
Other matters which includes meetings, tax, litigation, pensions and travel												0.00
Meetings	3.7									3.7	1,461.50	395.00
Other												0.00
Tax												0.00
Litigation												0.00
Total for Other matters	3.7									3.7	1,461.50	395.00
Total hours by staff grade	11.8			11.6					4.1	27.5		
Total time cost by staff grade	4,661.00			3,074.00					451.00		8,186.00	
Average hourly rate £	395.00	0.00	0.00	265.00	0.00	0.00	0.00	0.00	110.00			297.67
Total fees drawn to date £											0.00	