

Form 1.3

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

(a) Insert full name of

Name of Company

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 Curne-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 2015

to

(c) 27 November 2016

Signed

MCune Smith

Date

24.1.17

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

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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' Annual Progress Report

Period: 28 November 2015 to 27 November 2016

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

Contents

- ☐ Interpretation
- ☐ Relevant information
- ☐ Introduction
- ☐ Abstract of receipts and payments
- ☐ Progress during the period of this report
- ☐ Prospects for full implementation of the Arrangement
- ☐ Estimated outcome for creditors
- ☐ Supervisors' remuneration & disbursements
- ☐ Assets that remain to be realised and work that remains to be done
- ☐ Conclusion
- ☐ Appendices
 - 1 Joint supervisors' account of receipts and payments
 - 2 Joint supervisors' time costs and expenses

1. INTERPRETATION

<u>Expression</u>	<u>Meaning</u>
"the Company"	The Cock Inn (Sibson) Limited (Under a Voluntary Arrangement)
"the Supervisors" "we" "us" "our" etc	W John Kelly of Begbies Traynor (Central) LLP, 3rd Floor, Temple Point, 1 Temple Row, Birmingham, B2 5LG and Mary Anne Curne-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	24 February 2010
Company registered number	07168243
Company registered office	3rd Floor, Temple Point, 1 Temple Row, Birmingham, B2 5LG
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 £
Variations to the Arrangement since approval	No variations have been made during the Voluntary Arrangement
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

The Rules require that we send the Company, its creditors (bound by the Arrangement) and its members details of all receipts and payments of money that we have received or paid whilst we have been acting as Supervisors of the Arrangement.

In addition to accounting for the receipts and payments, we are required to report each year on the progress of the Arrangement and the prospects for its full implementation.

This is our second annual report, which should be read in conjunction with the first annual report circulated on 25 January 2016.

4. ABSTRACT OF RECEIPTS AND PAYMENTS

Please find at Appendix 1 an abstract which shows the receipts and payments during the period of this report as well as cumulative figures showing the receipts and payments since the date of our appointment.

RECEIPTS

Debtor contributions

£9,750 The attached receipts and payments account for the period 28 November 2015 to 27 November 2016 of the Arrangement shows continued contributions being received in the sum of £9,750, being 13 contributions of £750. The total contributions received to date amount to £18,000, monthly contributions continue to be received as per the CVA proposals and contributions are up to date.

Bank Interest Gross

The sum of £8.66 has been received in interest in respect of funds held in the Supervisors' bank account during the period.

PAYMENTS

Nominees' fee

An amount of £5,000 has been paid in respect of the Nominees' fee, as agreed, for the work carried out in relation to the assistance provided to the directors in respect of the preparation of the CVA proposals.

5. PROGRESS DURING THE PERIOD OF THIS REPORT

You will recall that the terms of the Arrangement provided for the following:

That the Company would make monthly contributions of £750 per month for 5 years from future profits totalling £45,000.

To date the contributions have been made on a monthly basis.

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.

Under the terms of the Voluntary Arrangement the supervisor is to retain sufficient funds to petition for winding up proceedings, if necessary.

Accordingly, we propose to reserve a balance of funds of £4,000 to fulfil this obligation and to provide for professional fees.

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

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 at Appendix 2. There is an analysis for the past year and also an analysis of time spent on the case since the date of our appointment. The details below relate to the work undertaken in the past year only. Our previous reports contain details of the work undertaken since our appointment.

General case administration and planning

General case administration incorporates different categories such as cashierring, 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 necessary 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 and first annual report.

6. PROSPECTS FOR FULL IMPLEMENTATION OF THE ARRANGEMENT

We are pleased to be able to confirm that as indicated in our previous annual progress report, the Company appears to be on target to complete the Arrangement in accordance with the terms approved by creditors.

As detailed above, we have continued to collect contributions from the Company at the agreed rate and we have no reason to believe that this will not continue.

7. ESTIMATED OUTCOME FOR CREDITORS

The total amount owed to creditors at the commencement of the Arrangement was £62,442.

On the basis of sums received to date and estimated future receipts, we estimate that, in line with the terms of the Arrangement, an outcome for creditors in total of 48p in the £p in the £. Although this will be

dependent on the cost of the CVA. We expect to be in a position to pay the first interim dividend of 8p in the £ in May 2017

8. JOINT SUPERVISORS' REMUNERATION & DISBURSEMENTS

Our remuneration has been fixed by reference to the time properly given by us (as Supervisors) and the various grades of our staff calculated at the prevailing hourly charge out rates of Begbies Traynor (Central) LLP for attending to matters arising in the Arrangement and we are authorised to draw disbursements, including disbursements for services provided by our firm (defined as category 2 disbursements in Statement of Insolvency Practice 9) in accordance with our firm's policy, details of which are attached at Appendix 2 of this report

Our time costs for the period from 28 November 2015 to 27 November 2016 amount to £4,584.50 which represents 19.8 hours at an average rate of £231.54 per hour. An analysis of time costs incurred in this period 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 creditors to consider the level of those fees in the context of the case.

The following further information in relation to our time costs and disbursements is set out at Appendix 2

- ☐ Begbies Traynor (Central) LLP's charging policy
- ☐ Time Costs Analysis for the period 28 November 2015 to 27 November 2016
- ☐ Cumulative Time Costs Analysis for the period from 28 November 2014 to 27 November 2016

For the period from 28 November 2015 to 27 November 2016 we have not drawn any remuneration on account.

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.

Supervisors' disbursements

No disbursements have been drawn during the period of this report.

9. ASSETS THAT REMAIN TO BE REALISED AND WORK THAT REMAINS TO BE DONE

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 CVA 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 collection 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

10. CONCLUSION

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



Mary Currie-Smith
Joint Supervisor

Dated 24 January 2017

JOINT SUPERVISORS' ACCOUNT OF RECEIPTS AND PAYMENTS

Period: 28 November 2015 to 27 November 2016

**Voluntary Arrangement of
The Cock Inn (Sibson) Limited
Joint Supervisors' Summary of Receipts & Payments**

Statement of Affairs £		From 28/11/2015 To 27/11/2016 £	From 28/11/2014 To 27/11/2016 £
	ASSET REALISATIONS		
2,000 00	Furniture & Equipment	NIL	NIL
1,000 00	Stock	NIL	NIL
	Debtor Contributions	9,750 00	18,000 00
	Bank Interest Gross	8 66	12 31
		<u>9,758 66</u>	<u>18,012 31</u>
	COST OF REALISATIONS		
	Nominees' fee	5,000 00	5,000 00
		<u>(5,000 00)</u>	<u>(5,000 00)</u>
	PREFERENTIAL CREDITORS		
(3,000 00)	RPO re Arrears/Holiday Pay	NIL	NIL
		<u>NIL</u>	<u>NIL</u>
	UNSECURED CREDITORS		
(27,000 00)	Trade Creditors	NIL	NIL
(19,000 00)	RPO	NIL	NIL
(3,000 00)	HMRC (PAYE/NIC)	NIL	NIL
(33,942 00)	HMRC (VAT)	NIL	NIL
		<u>NIL</u>	<u>NIL</u>
	DISTRIBUTIONS		
(4 00)	Ordinary Shareholders	NIL	NIL
		<u>NIL</u>	<u>NIL</u>
<u>(82,946.00)</u>		<u><u>4,758 66</u></u>	<u><u>13,012.31</u></u>
	REPRESENTED BY		
	Bank 1 Current		13,012 31
			<u><u>13,012.31</u></u>

W John Kelly
Joint Supervisor

JOINT SUPERVISORS' TIME COSTS AND EXPENSES

- a Begbies Traynor (Central) LLP's charging policy,
- b Time Costs Analysis for the period from 28 November 2015 to 27 November 2016, and
- c Cumulative Time Costs Analysis for the period from 28 November 2014 to 27 November 2016

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.

SIP9 The Cock Inn (Sibson) Limited - Company Voluntary Arrangement - 60TH421.CVA : Time Costs Analysis From 28/11/2015 To 27/11/2016

Staff Grade	Consultant/Partner	Director	Senior Manager	Manager	Assistant Manager	Senior Advisor	Advisor	Junior Advisor	Support	Total Hours	Time Cost £	Average hourly rate £
General Case Administration and Planning		1.0						0.1		1.1	354.00	322.94
Case planning												
Administration	0.2			0.9	1.3				0.2	2.6	806.00	233.08
Total for General Case Administration and Planning	0.2			0.9	1.3				0.2	2.6	806.00	233.08
Compliance with the Insolvency Act, Rules and best practice												
Appointment												
Banking and Bonding			0.1						4.7	4.8	648.00	114.17
Case Closure												0.00
Statutory reporting and statement of affairs		1.0		10.3						11.3	3,074.50	272.09
Total for Compliance with the Insolvency Act, Rules and best practice		1.0	0.1	10.3						11.3	3,074.50	272.09
Investigations												
GDPA and investigations												0.00
Total for investigations												0.00
Realisation of assets												
Debt collection												0.00
Property business and asset sales												0.00
Retention of Time/Third party assets												0.00
Total for Realisation of assets												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												0.00
Creditors committee												0.00
Total for Dealing with all creditors claims including employees, correspondence and distributions												0.00
Other matters which includes correspondence, litigation, pensions and travel												0.00
Meetings												0.00
Other												0.00
Tax												0.00
Litigation												0.00
Total for Other matters												0.00
Total hours by staff grade	0.2	2.0	0.1	11.2	1.3			0.1	4.1	19.3		
Total time cost by staff grade	78.00	890.00	31.00	2,881.00	264.30			11.00	539.00	4,584.50		
Average hourly rate £	395.00	345.00	310.00	253.00	205.00	0.00	0.00	110.00	110.00	231.84		
Total fees drawn to date £										0.00		

SIP9 The Cock Inn (Sibson) Limited - Company Voluntary Arrangement - 60TH421.CVA : Time Costs Analysis From 28/11/2014 To 27/11/2016

Staff Grade	Consultant's name	Director	Senior Manager	Manager	Senior Advisor	Admin	Jer Admin	Support	Total Hours	Time Cost £	Average hourly rate £
General Case Administration and Planning		1.0					0.1	1.1	1.1	354.00	322.84
	Case planning										
	Administration	7.3		0.5	1.3			1.1	10.2	4,093.80	508.24
	Total for General Case Administration and Planning	7.3		0.5	1.3			1.1	10.2	4,093.80	508.24
Compliance with the Insolvency Act, Rules and best practice											
	Appointment										0.00
	Banking and Bonding		0.1					7.9	8.0	900.00	112.50
	Case Closure										0.00
	Statutory reporting and statement of affairs	1.0		18.3					17.3	4,084.50	239.62
	Total for Compliance with the Insolvency Act, Rules and best practice	1.0	0.1	18.3					19.4	5,078.30	261.94
Investigations											0.00
	CCMA 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 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 (including employees, landlords and shareholders)											0.00
	Secured										0.00
	Unsecured	1.0							1.0	395.00	395.00
	Other										0.00
	Creditors committee										0.00
	Total for Dealing with all Creditors (including employees, landlords and shareholders)	1.0							1.0	395.00	395.00
Other matters which include meetings, tax, litigation, pensions and travel											0.00
	Meetings	3.7							3.7	1,481.50	395.00
	Other										0.00
	Tax										0.00
	Litigation										0.00
	Total for Other matters	3.7							3.7	1,481.50	395.00
	Total hours by staff grade:	12.0	0.1	22.8	1.3		0.1	9.0	43.3		
	Total time cost by staff grade	4,740.00	395.00	4,042.00	384.00		11.00	990.00		12,770.00	
	Average hourly rate £	395.00	345.00	265.00	295.00	0.00	110.00	110.00			269.89
	Total fees drawn to date £									0.00	