

The Insolvency Act 1986

Statement of administrator's proposals**R2.25****Pursuant to paragraph 49 of Schedule B1 to the Insolvency Act 1986 and Rule 2.25 of the Insolvency (Scotland) Rules 1986**

Name of Company

Kilwuddie Construction Limited

Company number

SC149844

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

I/ (a)
Bryan A Jackson
PKF (UK) LLP
78 Carlton Place
Glasgow
G5 9TH78 Carlton Place
Glasgow
G5 9TH

attach a copy of my proposals in respect of the administration of the above company.

A copy of these proposals was sent to all known creditors on

(b) Insert date

(b) 10 March 2010

Signed


Administrator(s)

Dated

10/3/10

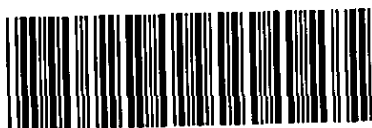
Contact Details:

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

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

Bryan A Jackson
PKF (UK) LLP
78 Carlton Place
Glasgow
G5 9TH

DX Number

0141 429 5900
DX Exchange

SCT

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23/03/2010

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COMPANIES HOUSE

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When you have completed and signed this form, please send it to the Registrar of Companies at:-
Companies House, 37 Castle Terrace, Edinburgh EH1 2EB
DX 235 Edinburgh / LP4 Edinburgh-2

TUESDAY

APPENDIX VI

LIST OF COMPANY'S CREDITORS

PKF (UK) LLP
Kilwuddie Construction Limited
B - Company Creditors

| Key | Name | Address | £ |
|------|---------------------------------|--|-----------|
| CA00 | Addacabin Limited | Mitchelston Drive, Mitchelston Industrial Estate, Kirkcaldy, Fife, KY1 3LZ | 354.20 |
| CA01 | Aggregate Industries | Bardon Hill, Coalville, Leicestershire, L67 1TL | 86,199.59 |
| CA02 | Aggregate Industries | Duntilland Quarry, Salsburgh, Shotts, ML7 4NZ | 1,247.92 |
| CA03 | Angus Chartered Surveyors | Harmony Undercroft, North Berwick, EH39 4GT | 2,561.63 |
| CA04 | A Stelle Masonry Contractors | East End Farm, Carstairs, Lanark, ML11 8QG | 3,419.86 |
| CA05 | Atlas Personal communications | Iron Gray House, Iron Gray Road, Dumfries, DG2 0HS | 927.99 |
| CA06 | Ayrshire Plant Services Ltd | 4 Blackfaulds Drive, Fenwick, Ayrshire, KA3 6EJ | 161.00 |
| CA07 | Ayrshire Steeles Limited | Lochside Works, 151 Lochside Road, Ayr, KA8 9LJ | 301.95 |
| CA08 | A McSpadyen T/A Re/Mark | 3 Moray Way, Holytown, Lanarkshire, ML1 4QJ | 43.75 |
| CA09 | Allied Irish Bank Asset Finance | | 0.00 |
| CB00 | B&Q Financial Services | Selectapost 28, Sheffield, S97 3GE | 156.08 |
| CB01 | Barr Ltd | 100 Inchinnan Road, Paisley, PA3 2RE | 2,060.89 |
| CB02 | Beaver 84 Ltd | Credit Control, Hillsborough Works, Langsett Road, Hillsborough, Sheffield, S6 2LW | 2,410.86 |
| CB03 | Bryce Irwin & Campbell | Block 16 Unit 3B, 4 Clydesmill Place, Glasgow, G32 8RF | 298.08 |
| CB04 | Blacktop Road Strathclyde | Gone away | 1,264.71 |
| CB05 | BRC Limited | Credit Control, Corporation Road, Newport, South Wales, NP19 4RD | 6,956.30 |
| CB06 | Bernad Brogan Limited | Nethan Street, Motherwell, ML1 3TF | 4,108.33 |
| CB07 | Brown Soil | Devonhill Farm, Hamilton, ML3 8RL | 169.15 |
| CB08 | Bryce Metal Work | 111 Deersdyke Road, Cumbernauld | 445.70 |
| CB09 | British Telecommunications | B.T. Telephone Payment Centre, Durham, DH98 1BT | 3,026.48 |
| CB0A | Buchandyke Filling Station | Maxwellton Road, Calderwood, East Kilbride, G74 3LT | 4,533.41 |
| CB0B | Bunzl UK Ltd | Central Accounts, 671 London Road, Isleworth, Middlesex, TW7 4EX | 1,974.35 |
| CB0C | Burdens LTD | Accounts Receivable, PO Box 3200, Stoke Hanley, ST4 9HF | 14,731.37 |
| CB0D | Bibby Factors Ltd | Unit 2, First Floor, Block B, Kittle Yards, Causewayside, Edinburgh, EH9 1PJ | 245.52 |
| CB0E | Bibby Factors Ltd | 2nd Floor, The Woodlands, 1 Frances Way, Grove Park, Leicester, LE19 1SH | 3,190.80 |
| CB0F | BP Fuel Network Ltd | 8 Kerry Hill, Horsforth, Leeds, LS18 4AY | 0.00 |
| CB0G | BRP | Corporation Road, Newport, NP9 4RD | 0.00 |
| CC00 | Cameron Water Coolers | 6 Belgrave Street, Bellshill Industrial Estate, Bellshill, ML4 3LE | 25.30 |
| CC01 | Campbell Fuel Oils | Hurford Road, Riccarton, Kilmarnock, KA1 3LS | 16,046.93 |
| CC02 | Central Skip Hire | Central House, Chattan Industrial Estate, Bonnybridge Road, Bonnybridge, FK4 2AG | 1,718.69 |
| CC03 | Claremont Office Interiors | 112 Cornwall Street, Glasgow, G41 1AA | 1,229.35 |
| CC04 | Cloburn Quarry Co Ltd | Cloburn Quarry, Lanark, ML22 8SR | 12,009.23 |

PKF (UK) LLP
Kilwuddie Construction Limited
B - Company Creditors

| Key | Name | Address | £ |
|------|---------------------------------------|--|------------|
| CC05 | CLR Plant Hire Ltd | Inchmuir Road, Whitehill Industrial Estate, Bathgate, EH48 2EW | 609.50 |
| CC06 | Colas Ltd | Rowfant, Crawley, West Sussex, RH10 4NF | 619.52 |
| CC07 | Contraflow Ltd | 1 Wardpark Road, Wardpark South Industrial Estate, Cumbernauld, G67 3EX | 88.93 |
| CC08 | Alistair Dick | Slacks Farm, Preistland, Darvel, Ayrshire, KA17 0LP | 6,203.77 |
| CC09 | Cemex UK Materials Ltd | PO Box 140, Thornaby, Stockton-on-Tees, TS17 6WZ | 3,613.83 |
| CC0A | Cunningham Truck Parts | Unit 5, Western Ind Est, Kilmarnock, KA3 1LU | 0.00 |
| CD01 | Ronald Docherty | Burnside Industrial Estate, Garrel Road, Kilsyth, Glasgow, G65 9JX | 16,414.47 |
| CD02 | Duncan Pryde Contractors | McLean House, Cartmore Industrial Estate, Lochgelly, Fife, KY5 8LL | 769.60 |
| CD03 | Dr Plant Hire Ratho Ltd | 10 Craigpark Crescent, Ratho, Midlothian, EH28 8RN | 906.20 |
| CE00 | Elite Civil Eng | 83 Scotia Street, Motherwell, ML1 3LD | 95,005.48 |
| CE01 | Encon Installations Ltd | Brunswick House, 1 Deighton Close, Wetherby, West Yorkshire, LS22 7GZ | 4,634.30 |
| CF00 | Ferrier Pumps | 71 Cumbernauld Road, Denniston, Glasgow, G60 9AQ | 2,269.62 |
| CG00 | G.B.Roadmarkings | Unit 1, Flowerhill Industrial Estates, Flowerhill Street, Airdrie, ML6 6AP | 1,047.89 |
| CG01 | D.Geddes (Construction) | Swirlburn, Collostoun, Arbroath, DD11 3SH | 2,928.00 |
| CG02 | Glasdon UK Ltd | Preston New Road, Blackpool, Lancashire, FY4 4UL | 824.56 |
| CG03 | Glasgow Caledonian University | The Finance Officer, Cowcaddens Road, Glasgow, G4 0BA | 1,750.00 |
| CG04 | GQ Security Ltd | Ayrbank House, 3 Ballochmyle Street, Catrine, Ayrshire, KA5 6QP | 4,388.40 |
| CH00 | HM Revenue & Customs - VAT | DMB, National Insolvency Unit, 3rd Floor, Queen's Dock, Liverpool, L74 4AA | 28,691.73 |
| CH01 | HM Revenue & Customs - Claim handling | Room BP 3202, Warkworth House, Benton Park View, Longbenton, Newcastle upon Tyne, NE98 1ZZ | 0.00 |
| CH04 | Hill & Smith | 1 McMillan Road, Netherton Industrial Estate, Wishaw, ML2 0LA | 757.33 |
| CH05 | Wm Hamilton & Sons Ltd | Dovesdale Farm, Carlisle Road, Stonehouse, ML9 3PR | 6,365.25 |
| CH06 | Hanson UK Ltd | PO Box 1828, Chipping Sodbury, Bristol, BS37 6AY | 24,479.28 |
| CH07 | David Harrison of Peebles Ltd | 85-91 Edinburgh Road, Peebles, EH45 8ED | 786.54 |
| CH08 | HM Revenue & Customs (CT) | Debt Management Enforcement & Insolvency, Durrington Bridge House, Barrington Road, Worthing, West Sussex, BN12 4SE | 114,796.83 |
| CH09 | HM Revenue & Customs (PAYE & NIC) | Debt Management, Enforcement & Insolvency, Durrington Bridge House, Barrington Road, Worthing, West Sussex, BN12 4SE | 87,032.84 |
| CI00 | ITT Flight Ltd | Colwick, Nottingham, NG4 2AN | 902.75 |
| CI01 | The Insolvency Service | Redundancy Payments Office, Ladywell House, Ladywell Road, Edinburgh, EH12 7UR | 777,746.78 |
| CJ00 | James Plant (Scotland) Ltd | Rosebank Yard, Bridge Street, Linwood, PA3 3DR | 5,219.52 |
| CJ01 | Jarvie Plant Ltd | Dalgrain Road, Grangemouth, Stirlingshire, FK3 8ET | 739.91 |

PKF (UK) LLP
Kilwuddie Construction Limited
B - Company Creditors

| Key | Name | Address | £ |
|------|---|--|------------|
| CJ02 | J.H. Civil Engineering | Broadless Industrial Estate, Carlisle Road, Chapelhall, Airdrie, ML6 8RH | 701.60 |
| CJ03 | J.J. Jordan (Quantity Surveyors) | Kilwuddie House, 8 Chapel Road, Strathaven, ML10 6NA | 806,130.00 |
| CK00 | Kerr Civil Engineering | Unit 5, Central Court, Bonnyside Road Industrial Estate, Falkirk, FK4 2AG | 0.70 |
| CK01 | Keyline Builder Merchants Ltd | PO Box 807, Kirkintilloch, Glasgow, G66 1XL | 11,916.02 |
| CK02 | Kyle Tarmac | 2 Murdoch Place, Old Hall West Industrial Estate, Shewalton, Irvine, KA11 5DG | 8,842.34 |
| CL00 | Air Liquide (UK) Ltd | Station Road, Coleshill, Birmingham, B46 1JY | 42.67 |
| CL01 | Lloyds TSB Commercial Finance | | 0.00 |
| CM00 | Maccaferri Ltd | Riverview House, Friarton Road, Perth, PH2 8DF | 264.90 |
| CM01 | W.H. Malcolm Ltd | Haulage Contractors, 2 Burnbrae Drive, Linwood Industrial Estate, Linwood, PA3 3BU | 10,652.60 |
| CM02 | Markon Limited | Old Star Works, Inchneuk Road, Glenboig, ML5 2QX | 7,311.97 |
| CM03 | Martin Plant Hire | 95 Orbiston Street, Motherwell, ML1 1PY | 4,046.83 |
| CM04 | M.A.S Electrical & D. Mackie | 12 Cherrywood Road, Elderslie, PA5 9EE | 1,514.31 |
| CM05 | M & C Pant Hire | Gone Away | 8,775.50 |
| CM06 | M & R Contractors Ltd | Sandyford Farm, Edinburgh Road, Motherwell, ML1 5SU | 17.50 |
| CM07 | H.C. Munton | The Old Inn, Ellenabeich, Argyleshore, PA34 4RF | 2,122.90 |
| CM08 | R Murphy Construction | Myrtlebank, 97 Clark Street, Airdrie, ML6 6DU | 47.98 |
| CM09 | Martin Tipper Hire Ltd | 22 Melford Road, Righead Industrial Estate, Bellshill, ML4 3LR | 2,070.00 |
| CN00 | Northridge Finance Limited | 32 Central Avenue, Bangor, Co Down, BT20 3AS | 6,213.25 |
| CO00 | O2 (UK) Ltd | 260 Bath Road, Slough, Berkshire, SL1 4DX | 1,585.16 |
| CO01 | On Site Tyre Services | 159 Glasgow Road, Barrhead, Glasgow, G78 1DT | 2,453.88 |
| CP00 | Parker Merchants Ltd | Hagemeyer Ltd, PO Box 9921, Birmingham, B15 1XB | 0.01 |
| CP01 | Patersons of Greenockhill | Gartsherrie Road, Coatbridge, ML5 2EU | 15,946.51 |
| CP02 | P.D.M. Merchants Ltd | 302 Drumoyne Road, Glasgow, G51 4DJ | 71,690.66 |
| CP03 | PHI Group Ltd | Harcourt House, Royal Crescent, Cheltenham, Gloucestershire | 10,153.08 |
| CP04 | Pioneer Asphalts | Tams Loup Quarry, Harthill, Lanarkshire, ML7 5TN | 1,468.26 |
| CP05 | Pipeline Drillers | 10 Krikford, Stewarton, Kilmarnock, Ayrshire | 126.65 |
| CP06 | Pirtek (Kinross) | Middle Balado, Kinross, KY13 0NH | 241.15 |
| CP07 | Parks of Hamilton (Townhead Garage) Ltd | 14 Bothwell Road, Hamilton, ML3 0AY | 2,568.02 |
| CQ00 | QTS | Rench Farm, Meadowfoot Road, Drumclog, Lanarkshire | 50.00 |
| CR00 | Rediwell Rubber & Plastics Ltd | 6/9 Newman Lane, Alton, Hampshire, GU34 2QR | 3,349.72 |
| CR01 | Robert Reid & Sons | Allanshaw Industrial Estate, Hamilton | 413.26 |
| CR02 | Riskend Aggregates Ltd | Burnside Industrial Estate, Kilsyth, Glasgow, G65 9JY | 461.38 |

PKF (UK) LLP
Kilwuddie Construction Limited
B - Company Creditors

| Key | Name | Address | £ |
|------------------------------|------------------------------|---|---------------------|
| CR03 | Ritchie Bros. (Scotland) Ltd | Old Rows, Seafeld, Bathgate, West Lothian, EH47 7AP | 184.12 |
| CR04 | Roadtechs Europe Ltd | Barondale Lane, Topcroft, Bungay, NR35 2BE | 500.00 |
| CR05 | Romtech Ltd | Eastern Avenue, Trent Valley, Litchfield, Staffordshire, WS13 6RN | 11,228.01 |
| CR06 | Ross Cleaning Services | 24a Pinewood Walk, Strathaven, ML10 6UL | 0.00 |
| CR07 | Reitokil Initial UK Ltd | Credit Control, PO Box 4973, Dudley, D71 9EY | 0.00 |
| CS00 | Samuel Preston Joiners | 48 Craigvar Street, Glasgow, G33 5LD | 28.80 |
| CS01 | Scottish Water | PO Box 420, 55 Buckstone Terrace, Edinburgh, EH10 6YN | 989.09 |
| CS02 | Seddons Ltd | PO Box 41, Plodder Lane, Bolton Lancs, BL4 0LS | 2,337.92 |
| CS03 | Shell UK Ltd | PO Box 13, Manchester, M22 5SZ | 74.20 |
| CS04 | Skene Group Ltd | Skene House, Viewfield Road, Viewfield Industrial Estate, Glenrothes, Fife, KY6 1ZZ | 2,746.73 |
| CS05 | Survey Connection (Scotland) | Paragon House, Unit 2, Ashwood Court, Oakbank Parkway, Livingston, EH53 0TL | 566.69 |
| CS06 | Springbank Service Station | Ayr Road, Irvine, KA12 8NF | 448.99 |
| CS07 | Sheilds Toyota | Whistleberry Road, Hamilton, ML3 0EJ | 2,117.83 |
| CS08 | Sunlight Textile Services | PO Box 6114, Basingstoke, RG24 8JP | 0.00 |
| CT00 | Tarmac Northern Ltd | PO Box 2700, Wolverhampton, WV4 6XP | 32,822.23 |
| CT01 | Wm. Thompson & SOns | Birch Road, Dumbarton, G82 2RN | 567.03 |
| CT02 | Tillicoultry Quarries | Tulliallan, Kincardine-on-Forth, FK10 4DT | 56,058.24 |
| CT03 | T.O.M. (Airdrie) Ltd | Airdrie Auto Electrics, 52 Southburn Road, Airdrie, ML6 9AD | 1,636.75 |
| CT04 | T.O.M Airdrie Ltd | Ninian Road, Brownsburn Industrial Estate, Airdrie, ML6 9SE | 17,585.58 |
| CT05 | Toolcom Supplies | Pitreaive Crescent, Pitreaive Business Park, Dunfermline, Fife, KY11 8UQ | 1,479.73 |
| CT06 | Transco Plc | PO Box 10148, Solihull, B1 3ZZ | 1,349.08 |
| CT07 | Travis Perkins | PO Box 5227, Hatlestone Road, Northampton, NN5 7ZE | 3,462.70 |
| CU00 | University of Strathclyde | John Anderson Campus, 16 Richmond Street, Glasgow, G1 1XR | 0.00 |
| CW00 | Wrenick Hire Limited | Molineaux House, Russell Gardens, Wickford, Essex, SS11 8BL | 404.66 |
| CW01 | Neil Williams Haulage | Unit 13, Mayfield Industrial Estate, Dalkeith, EH22 4AD | 63,362.12 |
| CW02 | Willisweep Ltd | Unit 2, Butlerfield Industrial Estate, Bonnyrigg, Midlothian, EH19 3JQ | 88.55 |
| CW03 | James F. Wylie | 21 Croft Street, Tarbolton, Ayrshire, KA5 5QS | 72,249.12 |
| CY00 | Young Plant & Equipment | Craighead Industrial Estate, Whistleberry Road, Blantyre, G72 0TH | 2,475.34 |
| 121 Entries Totalling | | | 2,617,354.57 |

Signature

APPENDIX VII

STATEMENT OF INSOLVENCY PRACTICE 9, A CREDITORS' GUIDE TO FEES

A Creditors' Guide to Administrator's Fees in Scotland

1 Introduction

- 1.1 When a company goes into administration the costs of the proceedings are paid out of the company's assets in priority to creditors' claims. The creditors, who hope eventually to recover some of their debts out of the assets, therefore have a direct interest in the level of costs, and in particular the remuneration of the insolvency practitioner appointed to act as administrator. The insolvency legislation recognises this interest by providing mechanisms for creditors to fix the basis of the administrator's fees. This guide is intended to help creditors be aware of their rights under the legislation to approve and monitor fees and explains the basis on which fees are fixed.

2 The Nature of Administration

- 2.1 Administration is a procedure which places a company under the control of an insolvency practitioner and the protection of the Court in order to achieve one or more of the following statutory purposes:

- the survival of the company or its business in whole or in part;
- the approval of a company voluntary arrangement;
- the sanctioning of a scheme under Section 425 of the Companies Act 1985;
- a better realisation of assets than would be possible in a liquidation.

Administration may be followed by a company voluntary arrangement or liquidation.

3 The Creditors' Committee

- 3.1 The creditors have the right to appoint a committee with a minimum of 3 and a maximum of 5 members. One of the functions of the committee is to determine the basis of the administrator's remuneration. The committee is established at the meeting of creditors which the administrator is required to hold within 3 months of the administration order to consider his proposals. The administrator must call the first meeting of the committee within 3 months of its establishment, and subsequent meetings must be held either at specified dates agreed by the committee, or when a member of the committee asks for one, or when the administrator decides he needs to hold one. The committee has the power to summon the administrator to attend before it and provide such information as it may require.

4 Fixing the Administrator's Fees

- 4.1 The basis for fixing the administrator's remuneration is set out in Rule 2.16 of the Insolvency (Scotland) Rules 1986 which states that it may be a commission calculated by reference to the value of the company's property with which he has had to deal.

It is for the creditors' committee (if there is one) to fix the remuneration and Rule 2.16 says that in arriving at its decision the committee should take into account:-

- the work which, having regard to the value of the company's property, was reasonably undertaken by the administrator; and
- the extent of his responsibilities in administering the company's assets.

Although not specifically stated in the Rules, the normal basis for determining the remuneration will be that of the time costs properly incurred by the administrator and his staff.

- 4.2 If there is no creditors' committee, or the committee does not make the requisite determination, the administrator's remuneration will be fixed by the Court on application by the administrator.

5 What Information should be Provided by the Administrator?

- 5.1 Claims by the administrator for the outlays reasonably incurred by him and for his remuneration shall be made in accordance with Section 53 of the Bankruptcy (Scotland) Act 1985 as applied by Rule 4.68 which provides that within two weeks after the end of the accounting period, the administrator shall submit to the creditors' committee or, if there is no creditors' committee, to the Court:

- his accounts of intromissions for audit;
- a claim for the outlays reasonably incurred by him and for his remuneration; and

where the documents are submitted to the creditors' committee he shall send a copy of them to the Court.

- 5.2 The administrator may at any time before the end of an accounting period submit to the creditors' committee (if any) an interim claim for the outlays reasonably incurred by him and for his remuneration.
- 5.3 When seeking agreement to his fees the administrator should provide sufficient supporting information to enable the committee to form a judgement as to whether the proposed fee is reasonable having regard to all the circumstances of the case. The administrator should always make available an up to date receipts and payments account. The administrator should be prepared to disclose the amount of time spent, together with such additional information as may reasonably be required having regard to the size and complexity of the case. Where the fee is charged as a commission based on the value of the company's property with which the administrator has had to deal, the administrator should provide details of any work which has been or is intended to be contracted out which would normally be undertaken directly by the administrator or his staff.
- 5.4 Where an administrator makes, or proposes to make, a separate charge by way of expenses and disbursements to recover the costs of facilities provided by his own firm, he should disclose those charges to the committee or the Court when seeking approval of his fees, together with an explanation of how those charges are made up and the basis on which they are arrived at.

6 What if a Creditor is Dissatisfied?

- 6.1 If a creditor believes that the administrator's remuneration is too high he may appeal against the determination by virtue of Section 53(6) of the Bankruptcy Act, applied by Rule 4.32 of the Insolvency Rules, which is in turn applied by Rule 2.16. Creditors have a right of appeal against the determination of an administrator's remuneration by virtue of the application of Section 53(6) of the Bankruptcy (Scotland) Act.
- 6.2 The right of appeal is either to the Court (if the determination is by the creditors committee) or to a higher court (if the determination is by a court). Notwithstanding the fact that the statutory time limit for appealing expires eight weeks from the end of the accounting period concerned, it is normal practice to advise the creditors that they may appeal within 14 days of being notified of the determination in cases where this extends beyond the statutory appeal period.

7 What if the Administrator is Dissatisfied?

- 7.1 If the administrator considers that the remuneration fixed by the creditors' committee is insufficient he may request that it be increased by resolution of the creditors. If he considers that the remuneration fixed by the committee or the creditors is insufficient, he may apply to the court for an order increasing its amount or rate. If he decides to apply to the court he must give at least 14 days' notice to the members of the creditors' committee and the committee may nominate one or more of its members to appear or be represented on the application. If there is no committee, the administrator's notice of his application must be sent to such of the company's creditors as the court may direct, and they may nominate one or more of their number to appear or be represented. The court may order the costs to be paid as an expense of the administration.

8 Other Matters Relating to Fees

- 8.1 Where there are joint administrators it is for them to agree between themselves how the remuneration payable should be apportioned. Any dispute arising between them may be referred to the court, the creditors' committee or a meeting of creditors.

APPENDIX VIII

SCHEDULE OF OFFICE HOLDERS' DISBURSEMENTS AND CHARGE OUT RATES

Schedule of Office Holders Charge-out Rates and Disbursements

The table detailed below sets out the basis on which this office charges internal disbursements.

Internal disbursements are charged, where appropriate, by PKF (UK) LLP as follows:-

| | |
|----------------------------|--|
| Postage | Charged at actual cost (first class) |
| Photocopying and Fax | Recharged at 10p per sheet |
| Microfiche and Files | Recharged at actual cost |
| Storage | Charged at cost |
| Room hire | No charge for a meeting held at this office. Any other venue at cost. |
| Archiving Files on closure | Recharged at staff time costs |
| Travel | Motor vehicles at 36p per mile |

The table detailed below sets out the charge-out rates utilised by PKF (UK) LLP for charging staff time.
All rates are charges per hour.

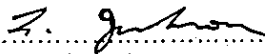
| Job Title | Scotland |
|----------------------|-------------|
| Partner | £291 |
| Director | £222 – £263 |
| Senior Manager | £203 |
| Manager | £176 |
| Assistant Manager | £142 |
| Supervisor | £124 |
| Senior Administrator | £111 |
| Administrator | £94 - £106 |
| Cashier | £48 - £64 |
| Secretarial | £59 |
| Support Staff | £30 - 78 |

It should be noted that the above rates increase from time to time over the period of the administration of each insolvency case.

**Kilwuddie Construction Limited
In Administration**

NOTICE is given, pursuant to Section 23(1) of the Insolvency Act 1986, that a Meeting of Creditors of the above Company will be held within 78 Carlton Place, Glasgow, G5 9TH on 29 March, 2010 at 12.00 noon for the purpose of considering the Administrator's proposals and to determine whether to establish a Creditors' Committee and who shall serve thereon, if one is appointed.

Creditors are entitled to attend in person to vote, provided their claims have been submitted to me at or before the Meeting, at the undernoted address, and that their claim has been accepted, in whole or in part, for the purpose of voting at the Meeting; in accordance with Rule 7.9 of the Insolvency Act (Scotland) Rules 1986. The Resolutions presented to the Meeting will be passed if a majority in value of those voting, in person or by proxy, have voted in favour of them.


.....
Bryan A Jackson
Administrator

PKF (UK) LLP
Accountants & business advisers
78 Carlton Place
Glasgow
G5 9TH

Reference: BAJ/ER/4016539 - SADM

Statement of Claim by Creditor

Pursuant to Rule 4.15(2)(a) of the Insolvency (Scotland) Rules 1986

WARNING

It is a criminal offence

- for a creditor to produce a statement of claim, account, voucher or other evidence which is false, unless he shows that he neither knew nor had reason to believe that it was false; or

- for a director or other officer of the company who knows or becomes aware that is false to fail to report it to the administrator within one month of acquiring such knowledge.

On conviction either the creditor or such director or other officer of the company may be liable to a fine and/or imprisonment.

Notes

(a) Insert name of company

(a) Kilwuddie Construction Limited

(b) Insert name and address of creditor

(b)

.....

.....

(c) Insert name and address, if applicable, of authorised person acting on behalf of the creditor

(c)

.....

.....

(d) Insert total amount as at the due date (see note (e) below) claimed in respect of all the debts, the particulars of which are set out overleaf.

I submit a claim of (d) £.....
in the liquidation of the above company and certify that the particulars of the debt or debts making up that claim, which are set out overleaf, are true, complete and accurate, to the best of my knowledge and belief.

(e) The due date in the case of a company

(i) which is subject to a voluntary arrangement is the date of a creditors' meeting in the voluntary arrangement;

(ii) which is in administration is the date on which the company entered administration;

(iii) which is in receivership is the date of appointment of the receiver; and

(iv) which is in liquidation is the commencement of the winding up.

Signed _____
Creditor/person acting on behalf of creditor

The date of commencement of the winding up is

(i) in a voluntary winding up the date of the resolution by the company for winding up (sect. 86 or 98); and

(ii) in a winding up by the court, the date of the presentation of the petition for winding up unless it is preceded by a resolution for voluntary winding up (section 129)

Date _____

Notes

1. Describe briefly the debt, giving details of its nature, the date when it was incurred and when payment became due

2. Insert total amount of the debt, showing separately the amount of principal and any interest which is due on the debt as at the due date (see note (e)). Interest may only be claimed if the creditors is entitled to it. Show separately the VAT on the debt and indicate whether the VAT is being claimed back from HM Customs and Excise.

3. Insert the nature and amount of any preference under Schedule 6 to the Act claimed in respect of the debt.

4. Specify and give details of the nature of any security held in respect of the debt, including:-

- (a) the subjects covered and the date when it was given;
- (b) the value of the security

Security is defined in section 248(b) of the Insolvency Act 1986 as meaning '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)'. For claims in administration procedure security also includes a hire purchase agreement, agreement for the hire of goods for more than three months and a conditional sale agreement (see Rule 2.33).

In liquidation only the creditor should state whether he is surrendering or undertakes to surrender his security; the liquidator may at any time after 12 weeks from the date of commencement of the winding up (note (e)) require a creditor to discharge a security or to convey or assign it to him on payment of the value specified by the creditor.

5. In calculating the total amount of his claim in a liquidation, a creditor shall deduct the value of any security as estimated by him unless he surrenders it (see note 4.). This may apply in administration (see Rule 2.11).

6. In the case of a member State liquidator creditor, specify and give details of underlying claims in respect of which he is claiming as creditor.

2. Amount of Debt

3. Preference claimed for Debt

4. Security for debt

5. Total amount of debt

6. Underlying claims

PROXY

Pursuant to Rules 7.14 and 7.15 of the Insolvency (Scotland) Rules 1986

- a) Insert name of Company.
b) Insert nature of Insolvency proceedings.

- a) **Kilwuddie Construction Limited**
b) **Administration**

Name of Creditor / Member

Address

.....(hereinafter called "the principal")

- c) Insert the name and address of the proxy-holder and of any alternatives. A proxy-holder must be an individual aged over 18.

Name of proxy-holder (c) 1.

Address

whom failing 2.

whom failing 3.

I appoint the above person to be the principal's proxy-holder at:-

- * [all meetings in the above Insolvency proceedings relating to the above Company]
- * [the meeting of * creditors/members of the above Company to be held on **29 March, 2010** or at any adjournment of that meeting].

VOTING INSTRUCTIONS

The proxy-holder is authorised to vote or abstain from voting in the name, and on behalf, of the principal in respect of any matter*/s including resolution*/s, arising for determination at said meeting*/s and any adjournment*/s thereof and to propose any resolution*/s in the name of the principal, either:-

- i) in accordance with instructions given overleaf, or;
- ii) if no instructions are given, in accordance with his/her own discretion.

- d) Set forth any voting instructions for the proxy-holder. If more room is required, attach a separate sheet.

| | |
|---------------------|-------------------|
| Resolution 1 | APPROVED/REJECTED |
| Resolution 2 | APPROVED/REJECTED |
| Resolution 3 | APPROVED/REJECTED |
| Resolution 4 | APPROVED/REJECTED |
| Resolution 5 | APPROVED/REJECTED |

For the appointment of

of _____

representing _____

as a member of the creditors' committee

| | |
|---------------------|-------------------|
| Resolution 6 | APPROVED/REJECTED |
|---------------------|-------------------|

Signed **Date**

NAME IN BLOCK LETTERS

Position of signatory in relation to the *creditor / member /
other authority for signing.

.....
.....

Notes for the Principal and Proxy-holder

1. The chairman of the meeting who may be nominated as proxy-holder, will be the insolvency practitioner who is presently *liquidator/receiver/administrator/nominee under the voluntary arrangement or a director of the Company.
2. All proxies must be in this form or a form substantially to the same effect with such variations as circumstances may require (Rule 7.15(3) and Rule 7.30).
3. To be valid the proxy must be lodged at or before the meeting at which it is to be used (Rule 7.16(2)).
4. Where the chairman is nominated as a proxy-holder he cannot decline the nomination (Rule 7.14(4)).
5. The proxy-holder may vote for or against a resolution for the appointment of a named person to be liquidator jointly with another person, unless the proxy states otherwise (Rule 7.16(4)).
6. The proxy-holder may propose any resolution in favour of which he could vote by virtue of this proxy (Rule 7.16(5)).
7. The proxy-holder may vote at his discretion on any resolutions not dealt with in the proxy, unless the proxy states otherwise (Rule 7.16(6)).
8. The proxy-holder may not vote in favour of any resolution which places him, or any associate of his, in a position to receive remuneration out of the insolvent estate unless the proxy specifically directs him so to vote (Rule 7.19(1)).
9. Unless the proxy contains a statement to the contrary, the proxy-holder has a mandate to act as representative of the principal on the creditors' or liquidation committee (Rule 4.48).

* Delete as appropriate.



Accountants &
business advisers

Kilwuddie Construction Limited
(In Administration)

Report and Proposals by the
Administrator

**(Pursuant to Schedule B1, paragraph 49 of the Insolvency Act 1986
And Rule 2.25 of the Insolvency (Scotland) Rules 1986)**

10 March 2010

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Appendices

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| Appendix VII | A Creditors' Guide to Fees |
| Appendix VIII | Schedule of Office Holders' Disbursements and Charge Out Rates |

1 Background to Administration Order

- 1.1 Kilwuddie Construction Limited was incorporated on 24 March 1994 by its original Directors, John Jordan and William Boyd to carry out civil engineering work and groundworks in the private housing market.
- 1.2 The Company initially operated out of an office in Strathaven but after a few years moved to larger premises in Strathaven Road, Hamilton which also included yard space for storage of material and a workshop for repairing and maintaining plant.
- 1.3 As the Company continued to expand, larger premises were required and in February 2003 the Company moved to the current premises in Wilson Place, East Kilbride.
- 1.4 For the next 5 years the Company traded successfully until 2008 when the housing market slumped. Thereafter, trading conditions became increasingly difficult and the labour force was significantly reduced to deal with the dwindling workload.
- 1.5 It also became increasing difficulty to obtain payment from a number of clients who were also suffering from the same problem.
- 1.6 As a result of the short payments, reduced workload and lack of new contracts this created severe cash flow problems in the latter half of 2009.
- 1.7 Having considered the options available, it was decided that the Company should be placed into administration and on 19 January 2010 I was appointed Administrator of the Company.
- 1.8 Pursuant to Schedule B1 Section 3(1) of the Insolvency Act 1986 the Administrator is required to perform his functions with the objective of:-
 - a) First, rescuing the Company as a going concern; or
 - b) Second, achieving a better result for the Company's creditors as a whole than would be likely if the Company were wound up without first being in Administration; or
 - c) If the first and second objectives are not reasonably practicable, the Administrator must perform his functions with the objective of realising property in order to make a distribution to one or more secured or preferential creditors.
- 1.9 The advantage of entering into Administration in comparison to the immediate winding-up of the Company was to achieve a better result for the Company's creditors than would be achieved in a winding-up.
- 1.10 The Administrator must perform his functions with the objective specified above unless he thinks it is not reasonably practicable to do so.

2 Administrator's Strategy

- 2.1 The strategy formulated in the Administration was to achieve a better result for the Company's creditors as a whole than would be likely if the route shown in Section 1.8(b) was not taken.
- 2.2 On 20 January 2010, my staff and I attended the Company's premises and met with the directors to inform them of the appointment and to obtain various information.
- 2.3 The ongoing contracts were discussed with the directors and it was agreed that it would not be possible to continue trading due to the nature of the work and the costs involved.
- 2.4 On 20 January 2010, the Company ceased to trade and the majority of employees were made redundant. The services of two directors, the quantity surveyors and three other employees were retained.
- 2.5 It was necessary to retain the services of the quantity surveyors to provide final accounts for all current contracts: they were subsequently made redundant on 29 January 2010.
- 2.6 The two directors and the other three employees were retained for a short period of time in order to assist with the collection of plant and machinery and various other matters.
- 2.7 GA Johnston Associates was instructed to finalise all contractual matters and recover outstanding sums due to the Company.
- 2.8 King Sturge Plant & Machinery Limited ["King Sturge"] was instructed to carry out a valuation and dispose of the Company's assets.
- 2.9 The Company's insurance cover continued in place until 5 February 2010 when it defaulted. Thereafter, Open Cover Insurance was put in place.

3 Financial Position of the Company

- 3.1 In accordance with Paragraph 47(1) of Schedule B1 of the Insolvency Act 1986, one of the directors was requested to prepare a Statement of Affairs indicating the financial position of the Company as at 19 January 2010. However, under paragraph 49(2)(a) of Schedules B1 and R2.23 of the Insolvency Act 1986 this request was revoked as the director felt unable to provide a Statement of Affairs as the Company's records were not fully up to date at the date of Administration.
- 3.2 A Statement of Affairs has been prepared from the information available, and is enclosed at Appendix II
- 3.3 An overview of the Company's financial position has also been provided from the information obtained to date.

Asset Realisations

Plant & Machinery and Motor Vehicles

- 3.4 A substantial amount of time was dedicated to the recovery of the assets and identifying the assets subject to finance.
- 3.5 King Sturge advised that, whilst they appreciated the construction sector is experiencing a period of recession at present, previous experience of disposal within this sector has been positive and they were confident that their reported values were robust enough to be sustainable in an orderly disposal.
- 3.6 In arriving at their values, King Sturge took into consideration the quantities, age and condition of the hydraulic excavators and dumpers being offered to the market at one time. However, they were of the opinion that the quality and quantity of the majority of the plant would attract a wide and diverse market with competitive interest, in which case their reported values could well be exceeded.
- 3.7 King Sturge recommended that the plant and machinery and motor vehicles should be sold by online auction. However, in order to provide funding for wages and asset recovery etc, some of the plant and machinery was sold prior to the auction at valuation.
- 3.8 The remaining plant and machinery and motor vehicles were included in an online auction which commenced on 23 February 2010.
- 3.9 The total sum realised from the sale of plant and machinery and motor vehicles, including assets subject to finance, was £1,099,395, which you will note from the Statement of Affairs, was in excess of valuation.

- 3.10 There were a few unsold lots and King Sturge will attempt to sell same; however, the value is minimal.

Furniture & Equipment

- 3.11 It was originally understood that the furniture and equipment was the property of one of the directors and, therefore, was not included in the auction. However, it subsequently came to light that the IT equipment and some of the furniture are the property of the Company and King Sturge has valued same at £2,500. Steps are currently being taken to dispose of the furniture and equipment.

Stock

- 3.12 Unfortunately, the material stock did not sell at auction. The estimated value of the stock is £5,000 and King Sturge is currently taking steps to dispose of same.

Debtors and Retentions

- 3.13 According to the Company's records, outstanding book debts and retentions total £4,940,800.78. However, contracts which were live at the date of Administration will incur completion costs which will be off-set and several contracts have incurred contra charges and counter claims. Also, I understand that groundworks are notoriously difficult to establish agreement on measurement and taking into consideration the current climate, GA Johnston Associates has estimated the funds realisable to be in the region of £340,000.

Cash at Bank

- 3.14 At the date of appointment the sum of £23,765.57 was held in the Company's bank account. However, the sum of £148,709.68 was due to Allied Irish Bank in respect of outstanding finance agreements and the Banker's Right of set-off was applied.

Cash in Hand

- 3.15 The Company had petty cash of £11 which was banked in the Administration account.

Refund

- 3.16 The Company had a Healthcare Policy with Standard Life and had paid an annual premium for the year to June 2010. Standard Life has been instructed to cancel the policy and issue a refund of £16,609.73 in respect of the premiums paid for the remaining period.

Secured Creditors

- 3.17 Allied Irish Bank Asset Finance was owed £148,709.68 in respect of outstanding finance agreements. As previously advised, the Bank set-off the sum of £23,765.57 held in the Company's bank account, resulting in the sum of £124,944.01 being due.
- 3.18 The plant and machinery and motor vehicles subject to the finance agreements were sold and Allied Irish Bank Asset Finance has been paid in full.
- 3.19 Northridge Finance Limited was owed £31,938.35 in respect of an outstanding Finance Agreement.
- 3.20 Unfortunately, there was insufficient equity in the machinery to enable the outstanding finance to be settled. Therefore, Northridge Finance Limited instructed King Sturge to dispose of the machinery on their behalf. The sum realised was £25,725 and the shortfall of £6,213 will rank as an unsecured claim in the Administration.
- 3.21 Lloyds TSB Commercial Finance was owed £11,092.21 in respect of outstanding finance agreements.
- 3.22 The motor vehicles subject to finance agreements were sold and Lloyds TSB Commercial Finance has been paid in full.

Preferential Creditors

- 3.23 The Insolvency Service's preferential claim in respect of payments made to employees for wages and holiday pay will be approximately £62,699.
- 3.24 The preferential claims from employees in respect of holiday pay is estimated to be around £9,125.
- 3.25 These figures are subject to change, as further claims have yet to be received from employees. A formal proof of debt will also be required to be submitted by the Insolvency Service.
- 3.26 From the information available, it would appear that the preferential creditors will be paid in full.

Unsecured Creditors

- 3.27 The estimated claims of non-preferential creditors are summarised below. These figures have been taken from the Company's books and records; however, are subject to change.

| | £ |
|--|------------------|
| Trade Creditors | 1,602,873 |
| HM Revenue & Customs: PAYE + NIC | 87,033 |
| HM Revenue & Customs – CT | 114,797 |
| HM Revenue & Customs: VAT | 28,692 |
| The Insolvency Service: | |
| Payment in lieu of notice and Redundancy Pay | 715,048 |
| Employees' additional claims for payment in lieu of notice | 84,848 |
| Director's Loan | 130,000 |
| Northridge Finance Limited | <u>6,213</u> |
| | <u>2,769,504</u> |

- 3.28 As the Company appears to have made trading losses in the period prior to the date of Administration, the position regarding corporation tax will require to be investigated.
- 3.29 A list of the Company's creditors, including their names, addresses and value of their debts, is enclosed at Appendix VI.
- 3.30 Based on current information, it is likely there will be a dividend to unsecured creditors.

4 Receipts and Payments

- 4.1 A Receipts and Payments Account to 9 March 2010 is enclosed at Appendix III.
- 4.2 As at 9 March 2010 the sum held in the Administration account is £52,739.68. The funds are being held in an interest bearing account.

5 Administrator's Remuneration

- 5.1 In accordance with Statement of Insolvency Practices No 9, enclosed, as Appendix IV, are full details of my time costs in this matter, from the date of appointment to 9 March 2010. You will note that the time costs to 9 March 2010 amount to £45,714.45, which represents 400.45 hours at an average hourly rate of £114.00.
- 5.2 To date, no fees have been drawn in respect of work undertaken.
- 5.3 These amounts are derived by reference to PKF (UK) LLP's normal rates in respect of time properly given by myself and my staff in attending to matters arising in the Administration. Where appropriate, certain staff have dealt with a specific area of the Administration due to their specialist skills in the area. I would advise you that the scale rates may increase from time to time over the period of the Administration.
- 5.4 Under Rule 2.39 of the Insolvency (Scotland) Rules, within 2 weeks after the end of an accounting period, the Administrator shall, in respect of that period, submit a claim for outlays and remuneration to the creditors' committee (or if none) a meeting of creditors. The Administrator may, at any time before the end of an accounting period, submit to the creditors committee, or a meeting of creditors, an interim claim for outlays reasonably incurred and his remuneration.
- 5.5 A Creditors' Guide to Fees is enclosed at Appendix VII, for your reference.
- 5.6 Total disbursements incurred from the date of appointment to date, but not yet charged, are £238.71 and are detailed as follows:-

| | Category 1 Disbursements | Category 2 Disbursements |
|-------------------|-----------------------------|-----------------------------|
| | £ | £ |
| Company Search | 12.00 | - |
| Travel | 36.99 | - |
| Security | 171.24 | - |
| Staff Subsistence | <u>18.48</u> | - |
| | <u>238.71</u> | - |

- 5.7 Category 1 Disbursements are those which generally comprise external supplies of incidental services specifically identifiable to the client. Category 2 Disbursements are generally services supplied internally and require approval.

6 Proposed Exit Route

- 6.1 In due course it will be necessary for the Company to exit from the Administration. This can either be into a Creditors' Voluntary Liquidation, into Compulsory Liquidation or by Dissolution of the Company. Unless stated, all references to paragraph numbers in this section are references to paragraphs in Schedule B1 to the Insolvency Act 1986.
- 6.2 As reported at Section 3.30, it is currently anticipated that there will be sufficient funds to enable a distribution to the unsecured creditors. In this event, I propose to place the Company into Creditors' Voluntary Liquidation, with myself being appointed as Liquidator, by filing the requisite forms with the Registrar of Companies pursuant to Paragraph 83 of Schedule B1 of the Insolvency Act 1986.
- 6.3 In accordance with paragraph 83(7) of Schedule B1 to the Insolvency Act 1986 and Rule 2.47(3) (b) of the Insolvency (Scotland) Rules 1986, creditors may nominate a different person as the proposed Liquidator. All valid nominations must be made after the receipt of these proposals and before the proposals are approved, with or without modifications.
- 6.4 However, if there are insufficient funds to enable a distribution to the unsecured creditors, it is proposed that once all outstanding matters have been concluded, I be granted my release as Administrator and will file the necessary forms with the Registrar of Companies to have the Company dissolved pursuant to Paragraph 84.
- 6.5 In the event that none of the above exit routes are deemed appropriate by me, as Administrator, it is proposed that I present a petition to Court for the winding-up of the Company pursuant to paragraph 79. I will also seek my appointment as Liquidator pursuant to Section 140(1) of the Insolvency Act 1986, and will seek my release as Administrator from the Court pursuant to paragraph 98(2) (c) of Schedule B1 to the Insolvency Act 1986.

7 Administrator's Proposals

- 7.1 In accordance with paragraph 49 of Schedule B1 to the Insolvency Act 1986 and Rule 2.25 of the Insolvency (Scotland) Rules 1986, I, as Administrator of the Company, make the following proposals for achieving the purposes of the Administration. Approval of the following proposals will be considered as a single resolution at the Meeting of Creditors to be held on 29 March 2010.

As Resolution 1

- 7.2 That the Administrator does all such things and generally exercise all of his powers as Administrator contained in Schedule 1 of the Insolvency Act 1986 as he in his discretion considers desirable or expedient, in order to achieve the purposes of the Administration and to protect and preserve the assets of the Company and to maximise the realisation of those assets or for any purpose incidental to these proposals.
- 7.3 That in the event there are sufficient funds to enable a payment by way of distribution to unsecured creditors then the Administrator will cause the Company to be placed into Creditors' Voluntary Liquidation, with Bryan A Jackson being appointed as Liquidator, by filing the requisite forms with the Registrar of Companies pursuant to paragraph 83 of Schedule B1 to the Insolvency Act 1986.
- 7.4 That if there are insufficient funds to make a payment by way of distribution to the unsecured creditors, once all outstanding matters have been concluded, the Administrator will file the requisite forms with the Registrar of Companies to enable the Company to be dissolved and be granted his release pursuant to paragraph 84 of Schedule B1 to the Insolvency Act 1986.
- 7.5 That in the event none of the above exit routes are deemed appropriate by the Administrator, it is proposed that he present a petition to the Court for the winding-up of the Company pursuant to paragraph 79. He will also seek his appointment as Liquidator pursuant to section 140(1) of the Insolvency Act 1986 and will seek his release from all liability in respect of his accounts as Administrator from the Court pursuant to paragraph 98(2) (c) of Schedule B1 to the Insolvency Act 1986.
- 7.6 That if sufficient funds are available and Liquidators are appointed (in any manner described in these proposals) then the net funds held, after the provision for costs, be passed by the Administrator to the appointed Liquidators.

- 7.7 In addition, the Administrator will seek approval of the following resolutions individually at the meeting to be held on 29 March 2010 at 12 noon.

As Resolution 2

- 7.8 That the Administrator shall be remunerated on a time cost basis by reference to PKF (UK) LLP's normal rates for time spent by him and his staff attending to matters arising in the Administration.

As Resolution 3

- 7.9 That the Administrator be authorised to draw Category 2 disbursements.

As Resolution 4

- 7.10 That the Administrator's remuneration of £45,714.75 and disbursements of £238.71 for the period from 19 January 2010 (Date of Administration) to 9 March 2010 is approved.

As Resolution 5

- 7.11 That, if thought fit, the Administrator seek a resolution from creditors present at the initial meeting on 29 March 2010 to establish a Creditors' Committee pursuant to paragraph 57 of Schedule B1 to the Insolvency Act 1986.

As Resolution 6

- 7.12 That the Administrator, pursuant to paragraph 98 of Schedule B1 of the Insolvency Act 1986, be released from all liability in respect of his acts as Administrator, 14 days after his appointment as Administrator ceases to have effect.

8 Conclusion and Recommendations

- 8.1 It is my view that the creditors sanction the proposals detailed at Section 7 of this report.
- 8.2 Based upon present information, it is expected that there will be sufficient funds to enable a dividend to unsecured creditors.
- 8.3 I am of the view that I should continue to manage the affairs of the Company in order to achieve the purposes of the Administration Order.

Meeting of Creditors

- 8.4 A Meeting of Creditors of the Company will be held within the offices of PKF (UK) LLP, 78 Carlton Place, Glasgow, G5 9TH, on 29 March 2010 at 12 noon to enable creditors to consider and vote on the proposals and the other resolutions proposed by the Administrator.

EC Regulations on Insolvency Proceedings 2000

- 8.5 EC Regulations apply to the Administration of the Company and the main proceedings are in the United Kingdom.



Bryan A Jackson
Administrator
Kilwuddie Construction Limited

APPENDIX I

STATUTORY INFORMATION

Statutory Information

Registered Number: SC149844

Date of Incorporation: 24 March 1994

Cessation of Trading: 20 January 2010

Nature of Business: Building & Civil Engineering Contractors

Registered Office: 78 Carlton Place, Glasgow, G5 9TH

Former Registered Office: 5 Wilison Place, Nerston Industrial Estate, East Kilbride, Glasgow, G74 4QD

Trading Address: 5 Wilison Place, Nerston Industrial Estate, East Kilbride, Glasgow, G74 4QD

Directors: John James Jordan
William Boyd
Fraser James Lyttle
Moira Bryden McIntyre

Secretary: Mary Christina Ferguson Jordan

Share Capital: Authorised: 100 Ordinary Shares of £1
Issued: 100 Ordinary Shares of £1

Shareholders: John James Jordan 100 Ordinary Shares of £1
Total 100

Court: Hamilton Sheriff Court

Court reference: B37/10

Appointed: Bryan Alan Jackson
of PKF (UK) LLP, 78 Carlton Place, Glasgow, G5 9TH

Date of Appointment: 19 January 2010

Appointers: The Directors of the Company

Regulations: EC Regulations on Insolvency Proceedings 2000 apply to the Company and the main proceedings are in the United Kingdom

APPENDIX II

STATEMENT OF AFFAIRS

Statement of Affairs

Estimated Statement of Affairs as at 19 January 2010 (Date of Appointment)

| | £ | £ |
|--|---------------|--------------|
| ASSETS | | |
| I <u>Plant & Machinery</u> | | |
| a) <u>Subject to Finance</u> | | |
| i) As valued by King Sturge Plant & Machinery Limited | 159,400 | |
| Less: Secured per Liabilities I(i) | <u>98,771</u> | |
| Estimated to Realise | | 60,629 |
| ii) As valued by King Sturge Plant & Machinery Limited | 25,725 | |
| Less: Secured per Liabilities I(ii) | <u>25,725</u> | |
| Estimated to Realise | | NIL |
| b) <u>Free of Finance</u> | | |
| i) As valued by King Sturge Plant & Machinery Limited | | 699,000 |
| II <u>Motor Vehicles</u> | | |
| a) <u>Subject to Finance</u> | | |
| i) As valued by King Sturge Plant & Machinery Limited | 33,750 | |
| Less: Secured per Liabilities I(i) | <u>26,173</u> | |
| Estimated to Realise | | 7,577 |
| ii) As valued by King Sturge Plant & Machinery Limited | 18,700 | |
| Less: Secured per Liabilities I(iii) | <u>11,092</u> | |
| Estimated to Realise | | 7,608 |
| b) <u>Free of Finance</u> | | |
| i) As valued by King Sturge Plant & Machinery Limited | | 11,550 |
| III <u>Furniture & Equipment</u> | | |
| As valued by King Sturge Plant & Machinery Limited | | <u>2,500</u> |
| | c/fwd | 788,864 |

| | £ | £ |
|---|------------------|------------------|
| | b/fwd | 788,864 |
| <u>ASSETS</u> (continued) | | |
| IV <u>Stock</u> | | |
| As valued by King Sturge Plant & Machinery Limited | | 5,000 |
| V <u>Debtors & Retention Monies</u> | | |
| As per Company's Books and Records | <u>4,940,800</u> | |
| Estimated to Realise | | 340,000 |
| VI <u>Cash at Bank</u> | 23,766 | |
| Less: Secured per Liabilities I(i) | <u>23,766</u> | |
| VII <u>Cash in Hand</u> | | 11 |
| VIII <u>Refund</u> | | <u>16,610</u> |
| TOTAL FREE ASSETS | | 1,150,485 |

LIABILITIES

| | | |
|---|----------------|------------------|
| I <u>Secured Creditor</u> | | |
| i) Allied Irish Bank Asset Finance | 148,710 | |
| Less: Secured per Assets I(a)(i), II(a)(i), VI | <u>148,710</u> | |
| ii) Northridge Finance Limited | 31,938 | |
| Less: Secured per Assets I(a)(ii) | <u>25,725</u> | |
| Balance transferred to Liabilities III(g) | <u>6,213</u> | |
| iii) Lloyds TSB Commercial Finance | 11,092 | |
| Less: Secured per Assets II(a)(ii) | <u>11,092</u> | |
| II <u>Preferential Creditors</u> | | |
| a) The Insolvency Service – wages arrears & holiday pay | 62,699 | |
| b) Employees' claims in excess of statutory limits | <u>9,125</u> | |
| | | <u>71,824</u> |
| | c/fwd | 1,078,661 |

| | |
|-------|-----------|
| £ | £ |
| b/fwd | 1,078,661 |

LIABILITIES (continued)**III Ordinary Creditors**

| | | |
|---|--------------|------------------|
| a) Trade Creditors | 1,602,873 | |
| b) HM Revenue & Customs - PAYE, NIC | 87,033 | |
| c) HM Revenue & Customs - CT | 114,797 | |
| d) HM Revenue & Customs - VAT | 28,692 | |
| e) The Insolvency Service: | | |
| Payment in lieu of notice and redundancy pay | 715,048 | |
| f) Employees' additional claims for payment in lieu of notice | 84,848 | |
| g) Director's Loan | 130,000 | |
| h) Northridge Finance Limited: | | |
| Balance transferred from Liabilities I(ii) | <u>6,213</u> | |
| | | <u>2,769,504</u> |
| | | 1,690,843 |

V Share Capital

| | |
|-----------------------------------|-------------------------|
| 100 Ordinary Shares of £1 | <u>100</u> |
| TOTAL ESTIMATED DEFICIENCY | <u>1,690,943</u> |

Notes:-

1. After the costs and expenses of the Administration, it would appear that, the preferential creditors will be paid in full and there will be funds available to enable a dividend to unsecured creditors.
2. The inclusion of any creditors' claims in this Statement of Affairs does not constitute an admission of liability and will require adjudication in due course.

APPENDIX III

RECEIPTS AND PAYMENTS ACCOUNT

**Kilwuddie Construction Limited
(In Administration)**

**Income and Expenditure Account
19 January 2010 to 09 March 2010**

| INCOME | Total (£) |
|---------------------------------|-------------------|
| Plant & Machinery | 174,700.00 |
| Petty Cash | 11.14 |
| | <hr/> |
| | 174,711.14 |
| | <hr/> |
| EXPENDITURE | |
| Direct Labour | 5,992.66 |
| Employee Expenses | 191.49 |
| Telephone | 60.09 |
| Water Rates | 55.80 |
| Security Costs | 5,806.22 |
| Settlement of Finance Agreement | 124,944.01 |
| Transport/Plant hire | 6,447.50 |
| Collection costs | 5,882.50 |
| Public Notices | 276.25 |
| Registers of Scotland | 15.00 |
| Bank Charges | 35.00 |
| Notary Public Fees | 40.00 |
| Legal Fees | 1,115.65 |
| | <hr/> |
| | 150,862.17 |
| | <hr/> |
| Balance | 23,848.97 |
| | <hr/> |
| MADE UP AS FOLLOWS | |
| VAT Receivable | 3,453.35 |
| Allied Irish Bank | 52,739.68 |
| VAT Payable | (30,572.51) |
| PAYE & National Insurance | (1,771.55) |
| | <hr/> |
| | 23,848.97 |
| | <hr/> |

APPENDIX IV

TIME COST ANALYSIS

SIP9 Analysis of OfficeHolders Timecosts from 19/1/10 to 09/03/10

Client: 4016539 Kilwuddie Construction Limited

| Tasks | Grade: | Partner / Director | Manager | Supervisor / Senior Administrator | Administrator / Assistant | Total |
|---|------------------------|--------------------|---------|-----------------------------------|---------------------------|------------|
| | | Amount (£) | Hours | Amount (£) | Hours | Amount (£) |
| | Average Cost per hour: | £291.00 | £176.00 | £111.00 | £76.00 | £114.00 |
| Partner/Senior Manager Review | | 436.50 | 1.50 | 0.00 | 0.00 | 436.50 |
| Cashiering Function Generally | | 0.00 | 0.00 | 205.35 | 1.85 | 499.75 |
| Partly Secured Creditors (including of lease and HP) | | 0.00 | 0.00 | 38.85 | 0.35 | 1,166.85 |
| Preferential Creditors | | 145.50 | 0.50 | 27.75 | 0.25 | 173.25 |
| Non Preferential Creditors | | 0.00 | 0.00 | 222.00 | 2.00 | 415.60 |
| Employee Claims | | 0.00 | 0.00 | 11,577.30 | 104.30 | 13,928.80 |
| Book Debt Realisations | | 0.00 | 0.00 | 0.00 | 0.00 | 510.40 |
| Other Asset Realisations | | 145.50 | 0.50 | 0.00 | 0.00 | 1,104.70 |
| Post Appointment Trading | | 0.00 | 0.00 | 83.25 | 0.75 | 5,563.75 |
| Insurance & Bonding | | 0.00 | 0.00 | 748.00 | 4.25 | 889.00 |
| General Administration | | 2,328.00 | 8.00 | 12,698.40 | 72.15 | 20,098.00 |
| Statutory Compliance (including CRO returns and lodges) | | 0.00 | 0.00 | 0.00 | 0.00 | 94.00 |
| Pre Appointment Work (including investigation work) | | 0.00 | 0.00 | 440.00 | 2.50 | 440.00 |
| Computerisation/IPS | | 0.00 | 0.00 | 0.00 | 0.00 | 108.00 |
| Secretarial | | 0.00 | 0.00 | 0.00 | 0.00 | 286.15 |
| | | 3,055.50 | 10.50 | 13,164.60 | 118.60 | 45,714.75 |
| | | | 88.95 | | 182.40 | 400.45 |

APPENDIX V

FORM 2.16B(SCOT)

STATEMENT OF ADMINISTRATORS' PROPOSALS