

# AM06 (Scot)

## Notice of approval of administrator's proposals



Companies House

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14/07/2020

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COMPANIES HOUSE

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### 1 Company details

Company number S C 2 8 1 5 6 7

Company name in full PPG Realisations Limited (previously known as Parsons  
Peebles Generation Limited)

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

### 2 Court details

Court name Court of Session, Scotland

Court number

### 3 Administrator's name

Full forename(s) James

Surname Stephen

### 4 Administrator's address

Building name/number 4 Atlantic Quay

Street 70 York Street

Post town Glasgow



County/Region

Postcode G 2 8 J X

Country

## AM06 (Scot)

Notice of approval of administrator's proposals

<b>5</b>	<b>Administrator's name</b> ●		<b>Other administrator</b> Use this section to tell us about another administrator.
Full forename(s)	Francis Graham		
Surname	Newton		
<b>6</b>	<b>Administrator's address</b> ●		<b>Other administrator</b> Use this section to tell us about another administrator.
Building name/number	Central Square		
Street	29 Wellington Street		
Post town	Leeds		
County/Region			
Postcode	L S 1 4 D L		
Country			
<b>7</b>	<b>Date administrator(s) appointed</b>		
Date	<div> <div>d</div><div>1</div> <div>d</div><div>2</div> <div>m</div><div>0</div> <div>m</div><div>6</div> <div>y</div><div>2</div> <div>y</div><div>0</div> <div>y</div><div>2</div> <div>y</div><div>0</div> </div>		
<b>8</b>	<b>Date statement of proposals delivered to creditors</b>		
Date	<div> <div>d</div><div>2</div> <div>d</div><div>3</div> <div>m</div><div>0</div> <div>m</div><div>6</div> <div>y</div><div>2</div> <div>y</div><div>0</div> <div>y</div><div>2</div> <div>y</div><div>0</div> </div>		
<b>9</b>	<b>Date proposals were deemed to be approved</b>		
Date	<div> <div>d</div><div>0</div> <div>d</div><div>6</div> <div>m</div><div>0</div> <div>m</div><div>7</div> <div>y</div><div>2</div> <div>y</div><div>0</div> <div>y</div><div>2</div> <div>y</div><div>0</div> </div>		
<b>10</b>	<b>Sign and date</b>		
Administrator's signature	Signature 		
Signature date	<div> <div>d</div><div>0</div> <div>d</div><div>9</div> <div>m</div><div>0</div> <div>m</div><div>7</div> <div>y</div><div>2</div> <div>y</div><div>0</div> <div>y</div><div>2</div> <div>y</div><div>0</div> </div>		

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Notice of approval of administrator's proposals



## Presenter information

You do not have to give any contact information, but if you do it will help Companies House if there is a query on the form. The contact information you give will be visible to searchers of the public record.

Contact name James Stephen

Company name BDO LLP

Address 4 Atlantic Quay  
70 York Street

Post town Glasgow

County/Region

Postcode G 2 8 J X

Country

DX

Telephone 0141 248 3761



## Checklist

We may return forms completed incorrectly or with information missing.

Please make sure you have remembered the following:

- ☐ The company name and number match the information held on the public Register.
- ☐ You have signed and dated the form.



## Important information

All information on this form will appear on the public record.



## Where to send

You may return this form to any Companies House address, however for expediency we advise you to return it to the address below:

The Registrar of Companies, Companies House,  
Fourth floor, Edinburgh Quay 2,  
139 Fountainbridge, Edinburgh, Scotland, EH3 9FF.  
DX ED235 Edinburgh.



## Further information

For further information please see the guidance notes on the website at [www.gov.uk/companieshouse](http://www.gov.uk/companieshouse) or email [enquiries@companieshouse.gov.uk](mailto:enquiries@companieshouse.gov.uk)

This form is available in an alternative format. Please visit the forms page on the website at [www.gov.uk/companieshouse](http://www.gov.uk/companieshouse)

**PPG Realisations Limited (previously  
known as Parsons Peebles Generation  
Limited)**

**In Administration**

**Registration Number: SC281567**

Statement to Creditors pursuant to Rule 3.35 of  
the Insolvency (Scotland) (Company Voluntary  
Arrangements and Administration) Rules 2018  
(‘the Rules’) and Statement of Proposals under  
Paragraph 49 of Schedule B1 of the Insolvency Act  
1986



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**PPG REALISATIONS LIMITED (PREVIOUSLY KNOWN AS PARSONS PEEBLES GENERATION LIMITED - IN ADMINISTRATION) ('the Company' or 'PPGEN')**

Registered No: SC281567

Registered office situated at: Ground Floor East, 120 Bothwell Street, Glasgow, Scotland, G2 7JL to be changed to c/o BDO LLP, 4 Atlantic Quay, 70 York Street, Glasgow G2 8JX.

Former Registered office situated at: Ground Floor East, 120 Bothwell Street, Glasgow, Scotland, G2 7JL

Trading Address: Wood Road, Rosyth Royal Dockyard, Rosyth, KY11 2EA

In the Court of Session: P451/20

**1. Introduction**

James Stephen (officeholder number: 9273) of BDO LLP, 4 Atlantic Quay, 70 York Street, Glasgow, G2 8JX and Francis Graham Newton (officeholder number: 9310) of BDO LLP, Central Square, 29 Wellington Street, Leeds, LS1 4DL, were appointed Joint Administrators of PPG Realisations Limited (previously known as Parsons Peebles Generation Limited) on 12 June 2020.

This report is addressed to the creditors of the Company and incorporates the Joint Administrators' proposals. These proposals are to be considered by the creditors through a deemed consent procedure. I additionally attach a notice of decision procedure by correspondence to allow creditors to consider if a creditors' committee should be formed. The initial decision date is 6 July 2020.

In order to object to the Joint Administrators' proposals, a creditor must deliver to us at the registered office address above by no later than 6 July 2020, a written notice stating that the creditor objects to the resolutions. Additional information about the deemed consent procedure for approval of the proposals is contained at Appendix 5, Notice of Deemed Consent.

Creditors may approve the Joint Administrators' proposals with or without modifications, subject to the Joint Administrators' agreement to any such modifications. If the creditors reject the Joint Administrators' proposals, a report will be sent to the Court of Session confirming that the creditors have rejected the proposals. The Court may then discharge the Administration and make consequential directions. Alternatively, it may adjourn the hearing or make some other Order as it thinks fit.

If the Joint Administrators' proposals are approved by the creditors, the Joint Administrators will continue to control the business of the Company to the extent that it has not ceased or been transferred. The Joint Administrators would at some later date arrange for the Company to exit from the Administration, as agreed by the creditors. Based on the information presently available and the current situation, the Joint Administrators' proposal is that the Company will be dissolved once the Administration is complete.

The Joint Administrators are bound by the Insolvency Code of Ethics when carrying out all professional work relating to this appointment. A copy of the code is at <https://www.icaew.com/technical/ethics/icaew-code-of-ethics/icaew-code-of-ethics>.

Creditors may access information setting out creditors' rights in respect of the approval of the Joint Administrators' remuneration at [https://www.bdo.co.uk/en-gb/insights/advisory/business-restructuring/creditors-guides\\_](https://www.bdo.co.uk/en-gb/insights/advisory/business-restructuring/creditors-guides_)

The management of this case is being undertaken in our Glasgow office. Should you wish to discuss the proposals the contact details are as follows:

**Office Address: 4 Atlantic Quay, 70 York Street, Glasgow, G2 8JX**

**Case Manager: Gillian Johnston**  
**Email: gillian.johnston@bdo.co.uk**  
**Telephone: 0141 249 5248**

## **2. Events leading up to the Appointment of the Joint Administrators**

### **Background**

The Company was incorporated on 15 March 2005 and its principal trade is the design, manufacture, installation, commission, refurbishment, servicing and repairs of high voltage electric motors, generators and associated equipment.

The Company is part of a larger Group (as detailed in Appendix 11), and the Group as a whole has been in a loss-making position with its last consolidated statutory accounts for the year to 31 December 2018 showing a loss of £22.8m (after exceptional items and a goodwill impairment of £12.9m). On a Company only basis, PPGEN made a loss in the year to 31 December 2018 of £2.4m.

Following a refinance in December 2015, the overall borrowings of the group from AIB Group (UK) plc ('the Bank') increased, and the ultimate shareholder, MDP Fund LP ('the Shareholder') of the group capitalised £11.8m of outstanding loans into preference shares.

In conjunction with the Shareholder, the directors of the Company and of the Group commenced a marketing process of the Group with a view to selling all or part of it and thereby to reduce the overall debt to the Bank. With increasing cash pressure on the Group, an accelerated mergers and acquisitions ('AMA') marketing process was undertaken and in May 2020 the directors filed a Notice of Intention to Appoint Administrators over the Company. Concurrently to this, the directors engaged BDO to assist with the AMA process.

On 12 June 2020, an application for appointment of Joint Administrators was made by the directors of the Company pursuant to Paragraph 22 of Schedule B1 to the Act and James Stephen and Francis Graham Newton were appointed Joint Administrators of the Company.

Shortly after their appointment, on 12 June 2020, the Joint Administrators completed a sale of the business and assets of the Company to T D C (Rosyth) Limited ('the Purchaser') for consideration of £250,000 which was paid in full on completion.

For full details of the events leading up to the appointment of the Joint Administrators, and of the sale to the Purchaser, please refer to the SIP16 statement, which is included at Appendix 11 to this report.

The Joint Administrators carry out their functions jointly and severally meaning any actions can be done by one Administrator or by both of them.

## **3. Estimated Financial Position and Statutory Information**

At Appendix 1 is a record of the names of the Company's directors and Company secretary together with details of shareholdings.

The directors have yet to provide us with a Statement of Affairs. We have therefore produced an Estimated Outcome Statement ('EOS') of the financial position of the Company, which is attached at Appendix 2.

#### 4. Achieving the purpose of the Administration

The statutory purpose of an Administration consists of three objectives, and we now address the progress that has been made in this respect.

- (a) The first objective is rescuing the Company as a going concern (i.e. restructuring the Company's business, resulting in the survival of the Company). We would comment that this objective was not achievable due to the lack of immediately available funding and the level of the Company's liabilities. As detailed in Appendix 11, the Group had a funding deficit of around £5m. The Bank had granted a short term extension to the Group's banking facilities and the Shareholder had already capitalised £11.8m of loans. As such, no funding was available from these sources and, given the level of creditor arrears, external funding was not considered possible to source.
- (b) With regard to the second objective of 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), this objective is likely to be achieved per the EOS, which estimates a return to the secured creditors and also to the unsecured creditors via the prescribed part, as well as the preservation of employment of nearly all staff. An immediate closure would have resulted in a significantly lower return to creditors and increased creditor claims, both preferential and unsecured.
- (c) The final objective is realising property in order to make a distribution to one or more secured or preferential creditors and we can confirm that this objective will be achieved by way of distributions to the secured creditors.

#### 5. Management of the Company's affairs since the Joint Administrators' appointment

##### Initial Actions

We have complied with all statutory requirements under the Insolvency Act 1986. Statutory information has been placed on file and we are notifying all known creditors of our appointment and of the sale of the business from Administration (refer to the section below for more information).

A bordereau return has been submitted and Form AD01 has been submitted to the Registrar of Companies to change the registered office address of the Company to be that of the Joint Administrators' office. We have placed a notice in the Edinburgh Gazette of the appointment.

We have notified all relevant employees of the transfer of their employment under TUPE regulations, as a result of the sale of the business. The remaining employees are assisting the Administrators with the transfer of the business to the Purchaser.

##### Sale of Business

Immediately on appointment, the Joint Administrators completed a sale of the business and certain assets of the Company to T D C (Rosyth) Limited ('the Purchaser'). The Purchaser paid total consideration of £250,000, which was payable in full upon completion.

The completion funds were paid to the appointed lawyers, and have not yet been paid on to the Administration therefore the Receipt & Payments account at Appendix 4 does not yet reflect the sale.

Further detail surrounding the sale to the Purchaser is discussed in our SIP 16 Statement, attached at Appendix 11.



### Trading during the Administration

As the Joint Administrators completed the sale to the Purchaser immediately following appointment, no trading in Administration will be carried out. However, as stated above, a number of employees, and the directors, are assisting the Joint Administrators with a transitional period in which the business is being transferred to the Purchaser.

## **6. Creditors' Claims**

### Secured Creditors

Please see below details of the registered charges against the Company and the estimated debt due to the charge holder on the date of appointment.

In Favour of	Type of Security	Date of Creation	Date Registered	Debt Outstanding (£'000)
AIB Group (UK) plc	Fixed and Floating Charge	15 December 2015	30 December 2015	£9.5m
Clyde Blowers Capital Fund Iii LP/MDP Fund LP	Fixed and Floating Charge	12 October 2018	22 October 2018	£7.2m

There is an inter-creditor agreement in place between AIB Group (UK) Ltd ('the Bank') and MDP Fund LP ('the Shareholder') confirming the Bank as first ranking charge-holders and the Shareholder as second-ranking charge-holders. Each company within the Group is party to the charges and, as such, the Company is liable for the full Bank debt.

A review of the Group's securities has been carried out by Addleshaw Goddard LLP and will be referred to by the Joint Administrators prior to making any distributions of the Group's assets, with separate legal advice being taken where required.

Based on present information, it is anticipated that a distribution will be paid to the Bank as first ranking charge-holder, but that the Bank will suffer a shortfall on its lending and therefore there will be no recovery to the Shareholder under its second-ranking charge.

### Preferential Creditors

Preferential claims are defined as monies owed to the former employees in respect of arrears of wages (capped at £800 per employee) and accrued holiday pay at the date of Administration.

All employees had received wages up to and including the date of appointment and the majority of employees transferred to the Purchaser under the sale agreement. As such, we anticipate there may be a small number of preferential claims lodged in the Administration however this is subject to confirmation in due course.

### Unsecured Creditors

The Companies' records detail unsecured creditor claims totalling £2,112,727.

We have not yet received any formal creditor claims.

Creditors who have yet to submit their claims should do so by completing the Statement of Claim form found at Appendix 8, together with any supporting invoices. Please return

completed proof of debt forms to the Joint Administrators at BDO LLP, 4 Atlantic Quay, 70 York Street, Glasgow, G2 8JX or email them to [lorraine.clark@bdo.co.uk](mailto:lorraine.clark@bdo.co.uk).

Based on current information, it is anticipated there will be sufficient funds to make a distribution to the unsecured creditors in the Administration, by way of the Prescribed Part.

#### Prescribed Part

Under the provisions of Section 176A of the Insolvency Act 1986, the Joint Administrators must state the amount of funds available to unsecured creditors in respect of the Prescribed Part. This provision only applies where a company has granted a floating charge to a creditor after 15 September 2003.

The Company had granted a floating charge after 15 September 2003 and therefore the Prescribed Part provisions will apply in this Administration.

Based on present information the Joint Administrators estimate that after allowing for costs, the value of the Company's net property, after preferential claims, will be £36k. Please note, these values are inherently uncertain being subject to the value of future asset realisations and the associated costs of these realisations.

A further update will be given in the next report to creditors.

### **7. Investigations**

The Joint Administrators have a duty to investigate the affairs of the Company to establish if there are any actions that can be pursued for the benefit of the creditors as a whole and also to report on the conduct of the directors. In this latter respect, the Joint Administrators must submit a confidential report to the Secretary of State regarding the conduct of all directors and shadow directors during the three years before the Administration.

If creditors wish to bring to our attention any matters that merit investigation they should contact the Joint Administrators c/o BDO LLP, 4 Atlantic Quay, 70 York Street, Glasgow, G2 8JX quoting reference 00330169. A questionnaire for creditors' use in this regard is enclosed at Appendix 9.

### **8. Other Matters**

The Insolvency Service has established a central gateway for considering complaints in respect of insolvency practitioners. In the event that you make a complaint to us but are not satisfied with the response from us then you should visit <https://www.gov.uk/complain-about-insolvency-practitioner> where you will find further information on how you may pursue the complaint.

Creditors may wish to establish a creditors' committee. A committee must comprise between three and five committee members. A guide to creditors' committees is available at <https://www.icaew.com/technical/insolvency/understanding-business-restructuring-and-insolvency/creditors-guides>.

This provides guidance to allow creditors to know what the purpose of a committee is and be able to assess whether the creditor would like to be a committee member. If creditors wish to establish a creditors' committee, they should provide their consent on the attached Decision Process at Appendix 6.

## 9. EC Regulations on Insolvency Proceedings

We are required under the Rules to state whether and if so the extent to which the European Regulation on Insolvency Proceedings (No.1346/2000) applies to the Company in Administration. We confirm the Regulations apply to the Company and these are the main proceedings as defined in Article 3(1) of that Regulation.

## 10. Pre-Administration Costs

Certain costs were incurred in preparing and planning for the Administration. The creditors may under Rule 3.52 of the Rules approve those costs to be paid from the Administration estate, as an expense of the Administration. These costs do not form part of our proposals, but are subject to a separate resolution. If a creditors' committee is appointed it will be responsible for considering and approving these costs, otherwise, where a company has insufficient property to enable a distribution to be made to unsecured creditors other than by virtue of the Prescribed Part, pre-appointment costs will be subject to the approval of the secured and any preferential creditors, pursuant to Paragraph 52(1)(b) of Schedule B1 to the Insolvency Act 1986.

Allowable costs fall into the following categories:

- (i) The fees charged by the Joint Administrators;
- (ii) The expenses incurred by the Joint Administrators;
- (iii) The fees charged (to the Joint Administrators' knowledge) by any other person qualified to act as an insolvency practitioner.

Under Rule 3.36(e) of the Rules, the table below summarises the outstanding costs for which approval is sought and also, where relevant, records payments received.

	Costs Incurred (£)	Payments Received (£)	Costs Outstanding (£)
(i)	£51,237	£0.00	£51,237
(ii)	£20,736	£0.00	£20,736
(iii)	£0.00	£0.00	£0.00
<b>TOTAL</b>	<b>£71,973</b>	<b>£0.00</b>	<b>£71,973</b>
(ii)*	£71,406	£0.00	£71,406

*NOTE: the items marked (ii)\* above (of £71,406) represent the total costs for the whole group (under category (ii) of expenses incurred by the Administrators). We are awaiting an allocation between individual entities and this will be added to the total costs in relation to this Company. As such, we have presented these costs under a separate line and will report on the individual cost in due course.*

We now explain in more detail the facts behind the above. In respect of the fees and expenses incurred by the Joint Administrators prior to the Administration appointment. These were subject to a formal engagement with the Company, dated 15 May 2020, which set out that our fees would be based on time costs, using the same rates as are recorded in the BDO policy document attached to this proposal. The engagement also provided for the proposed Administrators to engage other specialists to assist, where necessary, on such reasonable terms as we could negotiate.

### (i) The fees charged by the Joint Administrators

The following remuneration has been paid by the Group to BDO in respect of pre-appointment engagements:

<b>Engagement Letter date</b>	<b>Scope</b>	<b>Fees paid</b>
16 August 2019	Strategic options review by corporate finance team	£26,137
23 December 2019	Assistance Management with preparation of estimated outcomes for the Bank, in the event of an insolvency event	£10,000
18 March 2020	AMA process and options review	£18,000
15 May 2020	AMA process	nil

The above table does not reflect the total pre-Administration time costs incurred by BDO in respect of the engagement letters agreed with the Group and a request will be made for requisite approval to draw the balance of our pre-appointment time costs as an expense of the Administration.

This request is in relation to time incurred from 15 May 2020 onwards, and is only in relation to time costs incurred on matters which are directly related to the Directors' settled intention to appoint Administrators and the intention to complete a pre-packaged sale of the business and assets via an Administration.

Time costs incurred prior to the appointment of the Administrators amount to £51,237 which reflects 154.65 hours charged, at an average rate of £331.31 per hour. The time charged relates to the following matters:

- Liaising with the Directors and obtaining financial information;
- Liaising with the secured creditors;
- Liaising with the appointed agent in relation to the valuation of assets;
- Managing the process in relation to interested parties and potential interest in acquiring the business and assets of the Company, including the provision of information, liaison with preferred bidder;
- Preparation of the statutory documentation to be issued following the Administrators' appointment, including the SIP 16 report and the Administrators' Proposals;
- Liaising with the appointed lawyers in relation to the sales documentation in order to be in a position to complete the sale immediately following the Administrators' appointment;
- Preparation of letters to employees confirming the position with regard to the transfer of their employment;
- Liaison with the Directors and the secured creditors in relation to the sales process and the Administration appointment process.

To date, no payments have been received in respect of these costs.

**(ii) The expenses incurred by the Joint Administrators**

In preparation for the Administration the following disbursements and expenses have been incurred by the Joint Administrators.

The Joint Administrators' disbursements are reimbursements of precise costs we have had to meet. The expenses in respect of other professional fees are reasonable and have been necessary in preparation for the Administration.

Addleshaw Goddard LLP have incurred, to date, £20,736 in time costs specifically in relation to the drafting of the sales agreement, two licence to occupy agreements, transitional services agreement and other related sale and Administration appointment matters. We propose to pay this cost as an expense of the Administration. In addition, there are time costs of £49,628.75 across all Group entities collectively and we await a split of this by

entity - these costs relate to the security review, appointment documentation and general advice over-arching all sales processes within the Group. We propose settling the Company's element of the costs as an expenses of the Administration.

Sanderson Weatherall's fee in relation to the valuation of the Company's assets amounted to £3,250 (plus VAT and disbursements). We propose to settle this fee as an expense of the Administration.

Brodies LLP were appointed by the Directors to assist the Directors in relation to the appointment process and other matters in relation to the sale of the business. As such, we propose to settle the Company's element of the fee in relation to this as an expense of the Administration. Time costs to date amount to £23,259.60 across all Group entities and we await a split of the time across each individual entity.

To date, no payments have been made.

- (iii) **the fees charged (to the Joint Administrators' knowledge) by any other person qualified to act as an insolvency practitioner (and, if more than one, by each separately)**

The Joint Administrators are not aware of any other person qualified to act as an Insolvency Practitioner having acted in relation to the Company immediately preceding the appointment of the Joint Administrators.

## **11. Joint Administrators' Remuneration**

Rule 3.97 of the Rules provides how Administrators may be remunerated. This permits remuneration to be fixed either:

- (i) As a percentage of the value of the property with which the Joint Administrators have to deal;
- (ii) By reference to the time the Joint Administrators and their staff spend in attending to matters in this Administration in accordance with a Fees Estimate;
- (iii) Or a set amount; or
- (iv) A combination of any of the foregoing bases.

In respect of this Administration, we wish to ask creditors to approve our remuneration on a time cost basis.

If a creditors' committee is appointed it will be responsible for considering and approving the Joint Administrators' remuneration. Otherwise, given that the Company has insufficient property to enable a distribution to be made to unsecured creditors (other than potentially by virtue of the Prescribed Part), the Joint Administrators' remuneration will be subject to the approval of the secured creditors and the preferential creditors, pursuant to Paragraph 52(1)(b) of Schedule B1 to the Insolvency Act 1986. This approval will be sought separately in due course from the secured and preferential creditors, should no committee be formed.

Attached at Appendix 3 is a schedule that summarises the time that has been spent in dealing with this Administration up to 12 June 2020. The time incurred to date records time costs of £9,080.60 which represents 26.15 hours spent at an average charge out rate of £347 per hour. This excludes the pre-appointment time of £51,237.

Creditors may access information about creditors' rights in respect of the Joint Administrators' remuneration at <https://www.bdo.co.uk/en-gb/insights/advisory/business-restructuring/creditors-guides>.

Attached at Appendix 10 is a document that outlines the policy of BDO LLP in respect of fees and disbursements.

## **12. Joint Administrators' Disbursements**

Where disbursements are recovered in respect of precise sums expended to third parties there is no necessity for these costs to be authorised. These are known as category 1 disbursements. To date, no category 1 disbursements have been incurred.

Some Administrators recharge expenses, for example printing, photocopying and telephone costs, which cannot economically be recorded in respect of each specific case. Such expenses, which are apportioned to cases, require the approval of the creditors before they can be drawn, and these are known as category 2 disbursements. The policy of BDO LLP in respect of this appointment is not to charge any category 2 disbursements with the exception of mileage on the basis of the mileage scale approved by HM Revenue & Customs ('HMRC'), being 45p per mile unless otherwise disclosed to the creditors. Since appointment, no category 2 disbursements have been incurred for mileage.

No disbursements have been incurred yet in this Administration.

## **13. Possible outcomes for the Company and Creditors**

The Insolvency Act 1986 and the Rules provide a variety of options regarding the possible exit routes for the Company from the Administration, being primarily a Company Voluntary Arrangement, Liquidation or dissolution of the Company.

It is the Joint Administrators' recommendation and proposal, as detailed below, that once all assets have been realised and distributed in the Administration that the Joint Administrators arrange for the Company to be dissolved. We will seek discharge from liability in respect of any action during the Administration from each secured creditor of the Company and preferential creditors in terms of paragraph 98 (3) of Schedule B1 of the Insolvency Act 1986. This is normally requested at the conclusion of the Administration.

## **14. Statement of proposals under Paragraph 49 of Schedule B1 to the Insolvency Act 1986**

**Formal Proposals - the Joint Administrators propose that:**

- (a) They continue to manage the business, affairs and property of the Company in accordance with Objective (b) of the statutory purpose of the Administration, and they make payments to the secured and any preferential creditors and distribute to the unsecured creditors from the Prescribed Part.
- (b) They may investigate and, if appropriate, pursue any claims the Company may have under the Companies Act 1985 and 2006 or Insolvency Act 1986 or otherwise. In addition, the Joint Administrators shall do all such other things and generally exercise all their powers as Joint Administrators as they in their discretion consider desirable in order to achieve the purpose of the Administration or to protect and preserve the assets of the Company or to maximise their realisations or for any other purpose incidental to these proposals.
- (c) They exit the Administration by way of dissolving the Company under paragraph 84 of Schedule B1 to the Act.

**OTHER RESOLUTIONS FOR APPROVAL:**

- (d) That a creditors' committee be established if sufficient creditors are willing to be members (such committee must comprise of between 3 and 5 creditors).

**15. Notices of decision procedures**

Resolutions (a), (b) and (c) (Formal Proposals, above) will be dealt with using the deemed consent procedure. Unless 10% in value of the creditors of the Company object by the decision date, the resolutions will be deemed to have been made on the decision date. Creditors, including creditors claiming a small debt (£1,000 or less), who wish to object must send us a proof of debt form with a written notice of their objection. Creditors who have a small debt of £1,000 or less must send us a proof of debt in order to object, even though they may receive dividends without sending a proof of debt. Additional information regarding the deemed consent procedure is set out in Appendix 5, Notice of Deemed Consent.

Resolution (d) (Formal Proposals, above) will be dealt with using the postal resolution procedure. Creditors are requested to use the attached postal resolution form to vote on this resolution. The decision date for postal resolutions in this case is 6 July 2020 - you should return the postal resolution form to us by this date. If you have not already done so, you will need to send us a proof of debt for your postal resolutions to be included in the decision. Creditors with a 'small debt' of £1,000 or less must send a proof of debt for their postal resolution to count, even though they may receive dividends without sending a proof of debt. Additional information regarding the postal resolution procedure is set out in Appendix 6, Notice of Arranging a Decision Procedure for Creditors by Correspondence.

We will summon a physical meeting with respect to:

- (A) Resolutions (a), (b) and (c); or
- (B) Resolution (d); if

(1) Asked to do so by:

- (a) Those creditors whose debts amount to at least 10% of the total debts of the Company; or
- (b) 10% in number of creditors; or
- (c) 10 creditors; and

(2) The procedures set out in Appendix 5, Notice of Deemed Consent, or Appendix 6, Notice of Arranging a Decision Procedure for Creditors by Correspondence, are followed.

Requests for a physical meeting must be made within five business days of the date on which these proposals were delivered, which is deemed to be upon upload to the portal. However, these proposals have been published at the same time as the SIP 16 notification to creditors was issued by post, deemed delivery of which is 23 June 2020. As such, deemed delivery of these proposals will also be 23 June 2020 and requests for a meeting must be within five business days of this date. The expenses of summoning and holding a meeting at the request of a creditor must be paid by that creditor. That creditor is required to deposit security for such expenses with us.

Dated: 18 June 2020



.....  
James Stephen  
Joint Administrator



**Joint Administrators' Proposals Regarding  
PPG Realisations Limited (previously known as Parsons  
Peebles Generation Limited) - In Administration**



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**PPG Realisations Limited (previously known as Parsons Peebles Generation Limited)**

**Statutory Information**



**PPG Realisations Limited (previously known as Parsons Peebles Generation Limited) - In  
Administration  
Statutory Information**

<b>Registered Number</b>	SC281567
<b>Date of Incorporation</b>	15 March 2005
<b>Address of Registered Office</b>	Ground Floor East, 120 Bothwell Street, G2 7JL to be changed to c/o BDO LLP, 4 Atlantic Quay, 70 York Street, Glasgow G2 8JX
<b>Directors</b>	Patrick James Mennie Gareth Lloyd Roberts
<b>Company Secretary</b>	None recorded
<b>Nominal Share Capital</b>	£500,002 divided into 500,002 Ordinary Shares at £1 each
<b>Registered Shareholder No of £1 Ordinary Shares held</b>	Parsons Peebles Group Limited 500,002
<b>Date of Administration appointment</b>	12 June 2020
<b>Administrators' names and addresses:</b>	James B Stephen, 4 Atlantic Quay, 70 York Street, Glasgow G2 8JX Francis Graham Newton, Central Square, 29 Wellington Street, Leeds, LS1 4DL
<b>Securities</b>	AIB Group (UK) plc: floating charge dated 12/12/15 MDP Fund LP: floating charge date 12/10/18
<b>Appointer's / applicant</b>	Gareth Roberts, Director
<b>Objective being pursued by the Administrators:</b>	Objective 2 - 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
<b>Division of the Administrators' responsibilities</b>	Pursuant to S100(2) of Schedule B1 of the Insolvency Act 1986 any one Joint Administrator may exercise all and/or any of the powers which are conferred on them as Joint Administrators.
<b>Proposed end of the Administration</b>	Dissolution of the company

**Trading Results:**

	<b>Turnover</b>	<b>Gross Profit</b>	<b>Net Loss (before tax)</b>	<b>Directors' remuneration</b>
<b>FY18</b>	£5,655k	£561k loss	£2,419k loss	Nil *
<b>FY17</b>	£5,167k	£778k	£1,180k loss	Nil *

\*Directors' remuneration was borne by another group company

**PPG Realisations Limited (previously known as Parsons Peebles Generation Limited)**

**Estimated Outcome Statement**

**Joint Administrators' Proposals Regarding  
PPG Realisations Limited (previously known as Parsons  
Peebles Generation Limited) - In Administration**

**Parsons Peebles Generation Ltd  
Estimated Outcome Statement  
As at 16 June 2020**

<b>Assets subject to floating charge</b>	<b>To date £'000</b>	<b>Future £'000</b>	<b>Total £'000</b>
Goodwill	-	-	-
Fixed Assets	-	180	180
Stock	-	5	5
WIP	-	5	5
Book Debts	-	115	115
Other debtors, prepayments etc	-	-	-
Intercompany	-	-	-
Cash at Bank	-	2	2
<b>Total assets</b>	<b>-</b>	<b>307</b>	<b>307</b>
<b>Costs of Administration</b>			
Administrators' fees	-	(120)	(120)
Administrators' disbursements	-	(2)	(2)
Legal fees & disbursements	-	(90)	(90)
Agents' fees & disbursements	-	(5)	(5)
Costs of realisations	-	(50)	(50)
Statutory costs	-	(2)	(2)
ERA costs re employees	-	(1)	(1)
<b>Total costs</b>	<b>-</b>	<b>(270)</b>	<b>(270)</b>
<b>Net available for preferential creditors</b>	<b>-</b>	<b>37</b>	<b>37</b>
Preferential claims	-	(1)	(1)
<b>Net available after preferential claims</b>	<b>-</b>	<b>36</b>	<b>36</b>
Prescribed parts		(10)	
<b>Net available to floating charge holder</b>		<b>26</b>	
Due to AIB		(9,533)	
Due to MDP		(7,231)	

*\* Debts to AIB and MDP are due by PPGRP however the Company has provided a cross-guarantee for the entire del*

BDO LLP  
Parsons Peebles Generation Limited  
Company Registered Number: SC281567  
B - Company Creditors

Key	Name	Address
CA00	ADT	TYCO, PARKS, GRIMSHAW LAKE, HEWTON HEATH, MANCHESTER, M40 2WL
CA01	AEMT	St. Saviours house, St. Saviours place, York, England, YO1 7PJ
CA02	Aggreko	overburn avenue, dumbarton, Glasgow, United kingdom, G822RL
CA03	AMAZON	8 CANADA SQUARE, LONDON, ., E145HQ
CA04	AON LTD - DD ONLY	Hexagon House, 5 Mercury Garden, Romford, Essex, RM1 3EL
CA05	Autoglass	1 Priory Business Park, Bedford, MK44 3U5
CA06	Aviva Money	
CA07	AIB Group (UK) plc	Podium, 1 Undershaft, Lime Street, London, EC3A 8AB
CB00	BABCOCK MARINE (ROSYTH) LTD	Rosyth Busines Park, Rosyth, Dunfermline, Fife, KY11 2YD
CB01	Bar head travel	Barrhead Travel Service Ltd, 130 St Vincent Street, Glasgow, G2 5HF
CB02	B. O. B. Stevenson Ltd	Coleman Street,, ., Derby, ., DE24 8NL
CB03	Braid Logistics (UK) Ltd	Maritime House, 143 Woodville Street, Glasgow, G51 2RQ
CB04	British Gas	
CB05	Brush Transformers Ltd	falcon works, nottingham road loughbrough, leicestershire, LE111EX
CB06	Bsi	receipts office, miltons kaynes, united kingdom, MK1 9EL
CC00	Cameron Water Ltd	6 Belgrave Street, Hamilton, United Kingdom, ML3 6LD
CC01	Change Recruitment	16 George Street, Edinburgh, EH2 4LH
CC02	CHROMALOX	AMP HOUSE, DINGWALL RD, CROYDON SURREY, UNITED KINGDOM, CRO2LX
CC03	CLEAR TECH	17 LANGLANDS AVENUE, KELVIN BUSINESS PARK, EAST KILBRIDE, south lanarkshire G750YG
CC04	Coleherne Limited	Lodge Street, Newton, Hyde, Cheshire, SK14 4LE
CC05	Collett	minstral point, aw nielsen road, goole, east yorkshire, DN146EU
CC06	Concept Group Ltd	Concept House, Fairbairn House, Fairbairn Road, Livingston, EH54 6TS
CC07	Cromwell Tools Ltd	Unit 4 Wood Way South, Eastfield Industrail Estate, Glenrothes, Fife, KY7 4PF
CC08	CRONER-I	240 BLACKFAIRS ROAD, LONDON, SE181NW
CC09	CUTHBERTSON LAIRD LTD	PARKBURN COURT, BURNBANK, HAMILTON, UNITED KINGDOM, ML30QQ
CC0A	Canada Life Ltd	
CC0B	Concept Group	Concept House, Fairbairn House, Fairbairn Road, Livingston, EH54 6TS
CD00	Dawson Downie Lamont	Unit 31 Rutherford Road, Southfield Ind. Est., Glenrothes, Fife, KY6 2RT

Signature \_\_\_\_\_

BDO LLP  
Parsons Peebles Generation Limited  
Company Registered Number: SC281567  
B - Company Creditors

Key	Name	Address
CD01	Dron & Dickson Stirling	18 Whitehouse Road, Springkerse Industrial Estate, Stirling, FK7 7SS
CE00	Excitation & Engineering services Ltd	2 amber business village, amber close, amington tamworth, STAFFORDSHIRE, B77
CE01	Enva Scotland Ltd	49 Burnbrae Road, Linwood, PA3 3BD
CE02	ETS Cable components	Unit 43, Barwell Business Park, Leatherhead road, Chessington, Surrey, KT9 2NY
CE03	Expo technologies	unit 2, the summit, hamworth road, sunbury, TW16 5DB
CF00	Fife Chamber of Commerce	Wemyssfield House, Kirkcaldy, Fife, KY1 1XN
CF01	Fife Council - DD ONLY	Fife House, West Building North Street, Glenrothes, Fife, KY7 5LT
CF02	Filton Ltd	Caswell Road, Sydenham Industrial Estate, Leamington Spa, Warwickshire, CV31 1
CF03	First Health & Safety Ltd	Unit 8 Isidore Road, Broomsgrove Technology Park, Broomsgrove, B40 3ET
CF04	Flender (Siemens)	5 Navigation Park, Lockside Road, Stourton, Leeds, LS10 1EP
CF05	FORCE MEASUREMENT SYSTEMS LTD	HILLINGTON INDUSTRIAL ESTATE, GLASGOW, G52 4BH
CF06	Fleet Operations	Fleet Operations Limited, Fleet house, Maries way, Silverdale business park, Newt ST56PA
CG00	George brown & sons	5-6 shore, leith, edinburgh, EH66QS
CG01	GFP Engineering Ltd	Britannia Enterprise Park, Europa Way, Lichfield, Staffordshire, WS14 9TZ
CG02	GILLRICK METALWORK LTD	BLOCK 5, UNIT 38 THIRD STREET, BLANTYRE IND ESTATE, BLANTYRE, G72 0UP
CG03	Glacier Energy Services Ltd	unit603, clyde gateway east, London Road, glasgow, G32 8RH
CG04	Gordon Butler Welding Services	22 Maitland Road, kirkliston, West Lothian, EH299AR
CH02	Harmsworth Townley & Co	The Melting Pot, White Hart Fold, Todmorden, Lancashire, OL14 7BD
CH03	HARRISON LUBRICATION ENGINEERING	LYNSTOCK WAY, LOSTOCK, BOLTON, UNITED KINGDOM, BL64SA
CH04	HI-WIRE LTD	UNIT E4 WILLOWBRIDGE WAY, WHITWOOD CASTLEFORD, WEST YORKSHIRE, UNITED KINGDOM, WF105NP
CH05	Howard Wipers Denny Ltd	13 Winchester Avenue, Denny, Stirlingshire, SK6 6QE
CH06	Hydrasun	Units 1516 Freskyn Place, East Mains Industrial Estate, Broxburn, Edinburgh, EH52
CI00	IBS Tapes Limited	30 Glenburn road, College Milton, East Kilbride, G74 5BA
CI01	Insulam Limited	33 Fairfield Place, West Mains, East Kilbride, South Lanarkshire, G74 5LP
CI02	ITS TIME TO SHINE SCOTLAND LTD	31 TARMACHAN ROAD, DUNFERMLINE, FIFE, KY118LA
CJ00	Jigsaw Travel	H Building, Philips Complex Wellhall Road, Hamilton, South Lanarkshire, ML3 9BZ
CJ01	JMS METALTEC LTD	2 Tamlaght Road, Kilrea, Coleraine, BT51 5UL

Signature \_\_\_\_\_

BDO LLP  
Parsons Peebles Generation Limited  
Company Registered Number: SC281567  
B - Company Creditors

Key	Name	Address
CJ02	Johnsons Apparelmaster	Inveralmond Industrial Estate, Perth, PH1 3SW
CK00	KENNEDYS	25 FENCHURCH AVENUE, LONDON, UNITED KINGDOM, EC3M 5AD
CL00	Lamond & Murray Ltd	BURNSIDE, RIVERKEITHING, FIFE, KY111HT
CL01	Lothian Inspection	Suite 9 Fleming House, 5 Fleming Road, Livingston, EH54 7BN
CM00	Mainbrace Marine Ltd	Building 1020, Wood Road, Rosyth, Fife, KY11 2YD
CM01	Mersen UK Teeside (Power Transfer Technologies)	Unit 12 Tungsten Building, George Street, Portslade, West Sussex, BN41 1RA
CM02	M&G PERSONNEL LTD	11 SWAN HOUSE, TEWITFIELD, LANCAIRE, ., LA61GQ
CM03	MGS Logistics Ltd	Roadside Croft, Findon, Aberdeen, AB12 4SA
CM04	MJ Wilson Group	Unit 6 Bentley Street, Gravesend, Kent, DA12 2DH
CM05	MULLER MILK	12 DICKSON STREET, DUNFERMLINE, UNITED KINGDOM, KY1279L
CM06	MDP Fund LP	16 Charlotte Square, Edinburgh, EH2 4DF
CO00	Office depot uk ltd	Manchester DC, manchester, United Kingdom, OL7 0QH
CO01	Osborne Engineering Ltd	Unit 19, Atley Way, North Nelson Ind. Est., Cramlington, Northumberland, NE23 1P
CP00	PCM PROPERTIES	CASTLEBLAIR WORKS, ., DUNFERMLINE, FIFE, KY12 9DP
CP01	PITNEY BOWES	BUILDING 5 TRIDENT PLACE, HATFIELD BUSINESS PARK, HATFIELD, HERTFORDSHIRE AL109UJ
CP02	Portakabin Limited	Glasgow Road, Newbridge, Edinburgh, EH28 8SY
CP03	Prime Industrial & Janitorial Supplies Ltd	Unit 4A Castle Industrial Centre, Pitreavie Business Park, Dunfermline, KY11 8PX
CP04	PRUFTECHNIK	City Wharf, Davidson road, Lichfield, Staffordshire, WS14 9DZ
CP05	Premium Credit Ltd	Hexagon House, 5 Mercury Garden, Romford, Essex, RM1 3EL
CP06	PPW Realisations Ltd (Preformed Windings Ltd)	c/o BDO LLP, 4 Atlantic Quay, 70 York Street, Glasgow, G2 8JX
CP07	Parsons Peebles Service Ltd	c/o BDO LLP, 4 Atlantic Quay, 70 York Street, Glasgow, G2 8JX
CP08	Parsons Peebles Service (Reading) Ltd	c/o BDO LLP, 4 Atlantic Quay, 70 York Street, Glasgow, G2 8JX
CP09	Parsons Peebles Group Limited	c/o BDO LLP, 4 Atlantic Quay, 70 York Street, Glasgow, G2 8JX
CRPT	R Jackson	Unit 9 Lochlands Industrial Estate, Larbert, FK5 3NS
CRPU	R.b.grant	
CRPV	ROYAL MAIL	100 VICTORIA EMBANKMENT, LONDON, EC4Y 0HQ
CS00	Stratis Limited	15 Cambuslang Road, Glasgow, G32 8JH
CS01	Sherwin Williams	Tower Works, Kestor Street, Bolton, BL2 2AL

Signature \_\_\_\_\_



Joint Administrators' Proposals Regarding  
PPG Realisations Limited (previously known as Parsons  
Peebles Generation Limited) - In Administration

BDO LLP  
Parsons Peebles Generation Limited  
Company Registered Number: SC281567  
B - Company Creditors

Key	Name	Address
CS02	Salesforce	Floor 26 Salesforce tower, 110 Bishopsgate, London, EC2N 4AY
CS03	Scattergood & Johnson Ltd	80 Fifty Pitches Road, Cardonald Business Park, Cardonald, Glasgow, G51 4EB
CS04	SCOTTISH CRANE & ENGINEERING SERVICES	UNIT 8 STIRLING ROAD INDUSTRIAL EST, 15 LAVEROCK ROAD, AIRDRE, LAHARKSHIRE ML67UD
CS05	Scotia Bearings & Hydraulics Ltd	unit 6/7 epoch house, falkirk road, grangemouth, stirlingshire, FK3 8WW
CS06	Scottish Engineering	105 WEST GEORGE SQUARE, GLASGOW, G21QL
CS07	Scott Direct	Caledon Green, Earls gate park, Grangemouth, FK3 8TR
CS08	Scots Bearings Ltd	UNIT 1, DEERDYKES VIEW, WESTFIELD, CUMBERNAULD, GLASGOW, G689H81
CS09	SIG Industrial Gas Supplies	Langmuir Road, Baregeddie, Glasgow, G69 7TS
CS0A	Smith Packaging Products Ltd	Unit c, Lochlands Business Park, Larbert, Stirlingshire, FK53HS
CS0B	SPEEDY ASSET SERVICES LIMITED	CHASE HOUSE, 16 THE PARKS, NEWTON-LE-WILLOWS, UNITED KINGDOM, WA120JQ
CT00	THE EDGE SYSTEMS	WINDSOR PLACE, PLEAHARTH, GLAMMORGAN, CF64 1JL
CT01	Tusker Direct	Building 4 Hatters Lane, Croxley Business Park, WATFORD, WD18 8YF
CV00	Vodafone	vodafone online account
CV02	Vodafone	
CW00	Wm. W. M. Rose & Sons Ltd	Lamancha, West Linton, Peeblesshire, EH46 7BD
CW01	Worldwide Cargo Logistics	Caledonian House, Midmill Ind. Est, Kintore, Aberdeenshire, AB51 0UY
CX00	Xerox Finance	PO Box 4017, Worthing, West Sussex, BN13 1QG
100 Entries Totalling		

Signature \_\_\_\_\_





Joint Administrators' Proposals Regarding  
PPG Realisations Limited (previously known as Parsons  
Peebles Generation Limited) - In Administration

BDO LLP  
Parsons Peebles Generation Limited  
B1 - Company Creditors - Employees & Directors

Key	Name	Address	Pref £	Unsec £
0 Entries Totalling			0.00	0.00

Signature \_\_\_\_\_

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16 June 21

*\*Employee details have been redacted due to data protection*



BDO LLP  
Parsons Peebles Generation Limited  
Company Registered Number: SC281567  
B2 - Company Creditors - Consumer Creditors

Key	Name	Address
0 Entries Totalling		

Signature \_\_\_\_\_

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**PPG Realisations Limited (previously known as Parsons Peebles Generation Limited)**

**Time Cost Report**

Name of assignment: Parsons Peebles Generation Limited 00330169

Summary of time charged and rates applicable from 15 May 2020 to 12 June 2020

Pre-appointment

Description

- A. Pre-appointment matters  
- sale of the business  
- other matters

	PARTNER		MANAGER		ASSISTANT MANAGER		SENIOR ADMINISTRATOR		ADMINISTRATOR		OTHER STAFF	
	Hours	Total £	Hours	Total £	Hours	Total £	Hours	Total £	Hours	Total £	Hours	Total £
	23.50	11,961.50	78.30	26,433.25	18.80	3,816.40	6.15	1,248.45	1.20	283.20		
			18.65	5,859.60	7.75	1,573.25	0.30	60.90				
	23.50	11,961.50	96.95	32,292.85	26.55	5,389.65	6.45	1,309.35	1.20	283.20	-	-

No  
Disburs  
Gra

Post-appointment

Description

- B. Steps on Appointment  
D. General Administration  
E. Asset Realisations  
- sale of the business  
G. Employee Matters  
H. Creditor Claims

	PARTNER		MANAGER		ASSISTANT MANAGER		SENIOR ADMINISTRATOR		ADMINISTRATOR		OTHER STAFF	
	Hours	Total £	Hours	Total £	Hours	Total £	Hours	Total £	Hours	Total £	Hours	Total £
			1.70	500.90	7.75	1,573.25						
			0.20	60.20	0.50	101.50	1.25	105.00				
	12.00	6,108.00										
			0.75	225.75	2.00	406.00						
	12.00	6,108.00	2.65	786.85	10.25	2,080.75	1.25	105.00	-	-	-	-

No  
Disburs  
Gra

In the following pages we provide a summary of the work we believe is necessary. Where applicable, all fees and disbursements will be subject to VAT at the prevailing rate.

In any work of this nature we may have recourse to engage specialists to assist us for example in ensuring that we obtain best value for the estate assets and also to protect the legal interests of the estate including where necessary taking action to recover sums due to the estate. The specialists we engage will invoice us and that will be an expense of the estate. Such expenses are not subject to creditor approval but nevertheless have an effect on the funds available for creditors in the estate.

## **1. Joint Administrators' Fees**

Fees (remuneration) may be sought on four different bases and a guide for creditors is attached. The four bases are, a time costs basis; a percentage of the assets realised; fixed amount; or a combination of the first three bases. In this insolvency case we are seeking fees on a time cost basis.

Where possible we will delegate work to my staff and by this expedient the work is conducted by suitably qualified and experienced members of staff at different hourly costs. The current charge out rates per hour of staff within my office is below:

<b>GRADE</b>	<b>£</b>
Partner	509-549
Manager	225-380
Assistant Manager	203-218
Senior Administrator	131-206
Administrator	119-185
Other Staff	73-77

These rates are confirmed in an attached document which sets out my firm's policy on time costs and expenses. My firm's hourly time costs rate are normally reviewed on a regular basis and adjusted to take account of inflation and the firm's overheads. We have estimated the time we will spend in respect of the following areas of work in respect of this insolvency. Below we provide the primary work that will be undertaken by us.

### **A Pre Appointment**

We have attended meetings with key stakeholders, reviewed initial information, provided advice regarding any options available and considered the ethical, technical, practical and legal requirements and relevant to the appointment. In addition, we were engaged to commence a full AMA process with a view to achieving a pre-packaged sale of the business via an administration process. This is discussed in greater detail earlier in this document and in the SIP 16 report appended to this report.

This work led by me as the partner together with a director or senior manager, as appropriate, with occasional support from staff at manager and executive level.

### **B Steps upon Appointment**

Reviewing appointment and statutory documents, preliminary organisation review, initial interviews and meetings with key stakeholders including third parties, taking steps to gather in and protect all assets, establishing internal responsibilities regarding staffing of elements of the work and steps to protect assets. This work is primarily led by a director or senior manager with the majority of work delegated to staff below manager.

## **C Planning and Strategy**

Reviewing historic records and business performance, establishing the current financial position and reviewing the business processes and systems, liaising with key stakeholders and any committee and engaging with specialists and planning overarching strategy. This area of work is led by me as partner in conjunction with a director or senior manager, with some support below manager level in documenting and recording proposed strategy. Although this work does not directly benefit creditors it does contribute to the efficient management of this insolvency appointment and contributes to reducing costs.

## **D General Administration**

Reviewing and regularising affairs regarding Insurance, VAT, and Taxation, undertaking investigation regarding the conduct of the directors and reporting thereon\*, investigations into the affairs and transactions of the entity. The work contemplated does not at this time include forensic examination of records and transactions. It will also include recovery and storage of entities books and records, and may include engaging and liaising with solicitors. Day to day management of the company's assets will include managing accounting and investment of realisations, suitable banking investment and preparing reports on receipts & Payments, ensuring appropriate approval of all costs *including approval of remuneration and matching costs of specialists against their expense estimates*, dealing with statutory\*, regulatory\* and licensing matters, managing formal contractual matters regarding the entity, including equipment hire and property leases, and licences, dealing with court hearings regarding the insolvency (excluding third party litigation), dealing with Press enquiries and PR matters and managing general administrative matters\*, basic enquiries\* and meetings\*. The majority of this work requires a range of insolvency knowledge and experience, balanced with good accounting and administrative skills and is delegated largely to executives with suitable levels of experience, supervised by directors or managers. Issues marked with an asterisk (\*) will not contribute to the financial outcome for the creditors but are statutory or regulatory duties imposed on the office holder.

## **E Asset Realisation/Management**

Identifying and controlling recorded assets, evaluating strategy on realising assets and reconciling recoveries, asset tracing of assets revealed through investigation or third party information, engaging and liaising with Valuers/Agents, agreeing strategies and monitoring implementation, preparation, review and approval of sales material, information memorandum, dealing with any property, buildings and land, including securing the same, undertaking/managing debt collection and where appropriate engaging and monitoring specialist agents, dealing with plant, machinery, stock, work in progress and intangible assets including intellectual property and consulting/liasing with and engaging specialist agents and solicitors and monitoring the same. Managing third party, HP and leased assets. Managing and investigating Retention of Title claims including site inspections and meetings. No provision has been made for handling contentious Retention of Title claims or any other third party rights to property not disclosed in the entities records. Managing environmental & HSE matters including consultation with specialists, site inspections, meetings. Sale of business and assets immediately following appointment. This area of work requires a greater level of commercial experience and insolvency knowledge, than the general administration category of work, together decision making skills. The work is led at director or senior manager level supported by executives with suitable competencies and almost equal numbers of hours are spent by the two groups. My managers liaise with me as the partner and escalate major decisions to me.

## **F Trading Related Matters**

No trading is planned.

**G Employee Matters**

Immediately following appointment, the Joint Administrators completed a sale of the business and assets of the Company to the Purchaser. The majority employees of the Company transferred to the Purchaser under the sale agreement. However, we will still be required to submit notifications to the Pensions Regulator, liaise with scheme managers and the Pension Protection Fund. There may be employee claims in relation to the employees who did not transfer to the Purchaser.

**H Creditor Claims**

Receiving and recording all creditor claims and where a dividend is likely, identifying whether additional supporting evidence is necessary from the creditor, reviewing the validity of all claims submitted by creditors alleging they have security rights which would afford them a higher priority when funds are distributed, considering and checking and recording all preferential claims, considering and checking and recording all unsecured creditor claims and identifying any claims which might be categorised as deferred claims. It may be necessary to take legal advice where a creditor maintains a secured claim which is not supported by unequivocal evidence or where an unsecured claim is made which is significantly in excess of any value recorded by the insolvent entity and the claim is inadequately evidenced. No provision has been made for dealing with any creditor's claims where the matter is referred to Court. To estimate costs in respect of administering creditor claims we consider the volume of known creditors and the nature of the insolvent entities business. We understand from available records that there are 72 creditors.

**I Reporting**

Preparing periodic progress reports to creditors regarding the progress achieved, including preparation of Receipts & Payments Accounts, a suitable analysis of time costs accrued and a review of actual costs and accrued costs as against this fees and expense estimate. At the time this estimate was prepared no information was available regarding whether creditors were going to appoint a committee, if a committee is appointed there will be additional reports, which have not currently been budgeted for. The Director or Senior Manager is responsible for leading the reporting and delegating the production of the accounts, fee analysis and comparison with estimates to suitably experienced executives. The ratio of time spent on reporting is generally that executive hours are twice as many as those of the Director or Senior Manager. Much of the basic accounting and analysis is conducted by various grades of Executives. In estimating costs in respect of reporting we have formed a view of the duration of the insolvency and estimated how many reports will be required. These activities do not contribute to the financial outcome for creditors - they are statutory duties imposed by the relevant legislation. However they do contribute to the creditors' understanding of the work being undertaken on their behalf.

**J Distribution and Closure**

Giving notice to relevant creditors to prove their claims, adjudicating upon the claims issuing formal rejection of any relevant claims, dealing with any appeal to court concerning a rejected claim (\*), establishing the distributable funds in the estate, calculating the dividend, issuing payment with suitable notification to creditors, reconciling payments and accounting for unclaimed dividends. (\*) no provision is made for additional time costs for dealing with an appeal concerning a rejected cost because the likelihood of such an eventuality is small, although the costs could be significant). It also includes preparing a final report to creditors together with a Receipts & Payments Accounts, analysis of time costs accrued and a review of actual costs compared to the fee and expense estimate, completing all administrative arrangements including storage of any records for statutory periods and filing final statutory documentation. The work is supervised by directors and Senior Managers and final decisions and release of funds is authorised by the partner. The majority of these activities do not contribute to the financial outcome for the creditors (although the matters relating to payment of dividends will do so). The formalities of bringing an insolvency to a close are statutory requirements.

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**PPG Realisations Limited (previously known as Parsons Peebles Generation Limited)**

**Receipts & Payments**



**Parsons Peebles Generation Limited**  
**(In Administration)**  
**Joint Administrators' Summary of Receipts & Payments**

Statement of Affairs £	From 12/06/2020 To 17/06/2020 £	From 12/06/2020 To 17/06/2020 £
REPRESENTED BY	<u>NIL</u>	<u>NIL</u>
		<u>NIL</u>

James Stephen  
Joint Administrator

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**PPG Realisations Limited (previously known as Parsons Peebles Generation Limited)**

**Notice of Deemed Consent**

## **The Insolvency Act 1986 - Notice of Deemed Consent Procedure**

### **Pursuant to Rules 5.7 and 5.8 of the Insolvency (Scotland) (Company Voluntary Arrangements and Administration ) Rules 2018 ('the Rules')**

To consider approving the Joint Administrators' Proposals dated 18 June 2020.

<b>Name of Company</b> PPG Realisations Limited (previously known as Parsons Peebles Generation Limited)	<b>Company number</b> SC281567
<b>In the Court of Session</b>  [full name of court]	<b>Court case number</b> P451/20

The Joint Administrators are James Stephen (Officeholder no: 9273) of BDO LLP, 4 Atlantic Quay, 70 York Street, Glasgow, G2 8JX and Francis Graham Newton (Officeholder no: 9310) of BDO LLP, Central Square, 29 Wellington Street, Leeds, LS1 4DL who were appointed on 12 June 2020. The Joint Administrators may also be contacted via Gillian Johnston by emailing [gillian.johnston@bdo.co.uk](mailto:gillian.johnston@bdo.co.uk).

**NOTICE IS GIVEN**, pursuant to Paragraph 51 of Schedule B1 to the Insolvency Act 1986 that the administrator's proposals will be dealt with by deemed consent by the Decision date: 6 July 2020.

The Joint Administrators proposals are that:

- (a) They continue to manage the business, affairs and property of the Company in accordance with Objective (b) of the statutory purpose of the Administration, and they make payments to the secured and any preferential creditors and distribute to the unsecured creditors from the Prescribed Part.
- (b) They may investigate and, if appropriate, pursue any claims the Company may have under the Companies Act 1985 and 2006 or Insolvency Act 1986 or otherwise. In addition, the Joint Administrators shall do all such other things and generally exercise all their powers as Joint Administrators as they in their discretion consider desirable in order to achieve the purpose of the Administration or to protect and preserve the assets of the Company or to maximise their realisations or for any other purpose incidental to these proposals.
- (c) They exit the Administration by way of dissolving the Company under paragraph 84 of Schedule B1 to the Act.

**For the avoidance of doubt:** Other resolutions within the Joint Administrators report accompanying the proposals will be approved by a decision procedure by correspondence.

In order to object to the administrator's proposals a creditor must deliver, to me at the address below, by no later than 6 July 2020, a written notice stating that the creditor objects to the proposals. The objection must be accompanied by a proof of debt (form attached) otherwise the creditor's objection will be disregarded. A creditor with a 'small debt' £1,000 or less must still submit a proof of debt if submitting a notice of objection. The threshold is 10% in value of the creditors who are entitled to vote.



It is the convenor's responsibility to aggregate the objections to see if the threshold is met. If the threshold is met the deemed consent procedure will terminate. It will then be necessary for the convenor to arrange for a meeting of creditors to decide on the resolutions put to creditors. If less than 10% in value of creditors object, the creditors are treated as having approved the decisions, above.

Appeals against decisions (Rule 5.32): Creditors may appeal to the court in respect of the convenor's decision. Any appeal must be made within 21 days of the Decision date stated above.

**Date of Decision Notice: 23 June 2020**

A handwritten signature in black ink, appearing to read 'J. Stephen'.

**James Stephen**  
**Joint Administrator and Convenor of the decision process**

Objections to the administrator's proposals, together with a proof of debt must be forwarded to James Stephen c/o Business Restructuring, BDO LLP, 4 Atlantic Quay, 70 York Street, Glasgow G2 8JX, by no later than 6 July 2020. Alternatively they may be emailed to [gillian.johnston@bdo.co.uk](mailto:gillian.johnston@bdo.co.uk).



## **Extract of Insolvency (Scotland) (Company Voluntary Arrangements and Administration) Rules 2018 that are Relevant to A Deemed Decision Process**

### **Deemed consent**

*[Note: the deemed consent procedure cannot be used to make a decision on remuneration of any person, or where the Act, these Rules, any other legislation or a court order requires a decision to be made by a decision procedure.]*

- 5.7** (1) This rule makes further provision about the deemed consent procedure to that set out in section 246ZF.
- (2) A notice seeking deemed consent must, in addition to the requirements of section 246ZF, comply with the requirements of rule 5.8 so far as applicable and must also contain—
- (a) a statement that in order to object to the proposed decision a creditor must have delivered a notice, stating that the creditor so objects, to the convener not later than the decision date together with a statement of claim and documentary evidence of debt in accordance with these Rules, failing which the objection will be disregarded;
  - (b) a statement that it is the convener's responsibility to aggregate any objections to see if the threshold is met for the decision to be taken as not having been made; and
  - (c) a statement that if the threshold is met the deemed consent procedure will terminate without a decision being made and if a decision is sought again on the same matter it will be sought by a decision procedure.
- (3) In this rule, the threshold is met where the appropriate number of relevant creditors (as defined in section 246ZF(7)) have objected to the proposed decision.
- (4) For the purpose of aggregating objections, the convener may presume the value of relevant creditors' claims to be the value of claims by those creditors who, in the convener's view, would have been entitled to vote had the decision been sought by a decision procedure in accordance with this Part, even where those creditors had not already met the criteria for such entitlement to vote.
- (5) Rules 5.28, 5.29 and 5.30 apply to the admission or rejection of a claim for the purpose of the convener deciding whether or not an objection should count towards the total aggregated objections.
- (6) A decision of the convener on the aggregation of objections under this rule is subject to appeal under rule 5.32 as if it were a decision under Chapter 7 of this Part.

### **S246ZF of the Insolvency Act 1986**

- (1) The deemed consent procedure may be used instead of a qualifying decision procedure where a company's creditors or contributories are to make a decision about any matter, unless—
- (a) a decision about the matter is required by virtue of this Act, the rules, or any other legislation to be made by a qualifying decision procedure, or
  - (b) the court orders that a decision about the matter is to be made by a qualifying decision procedure.
- (2) If the rules provide for a company's creditors or contributories to make a decision about the remuneration of any person, they must provide that the decision is to be made by a qualifying decision procedure.
- (3) The deemed consent procedure is that the relevant creditors (other than opted-out creditors) or (as the case may be) the relevant contributories are given notice of—
- (a) the matter about which they are to make a decision,
  - (b) the decision that the person giving the notice proposes should be made (the "proposed decision"),
  - (c) the effect of subsections (4) and (5), and
  - (d) the procedure for objecting to the proposed decision.
- (4) If less than the appropriate number of relevant creditors or (as the case may be) relevant contributories object to the proposed decision in accordance with the procedure set out in the notice, the creditors or (as the case may be) the contributories are to be treated as having made the proposed decision.
- (5) Otherwise—
- (a) the creditors or (as the case may be) the contributories are to be treated as not having made a decision about the matter in question, and



(b) if a decision about that matter is again sought from the creditors or (as the case may be) the contributories, it must be sought using a qualifying decision procedure.

(6) For the purposes of subsection (4) the “appropriate number” of relevant creditors or relevant contributories is 10% in value of those creditors or contributories.

(7) “Relevant creditors” means the creditors who, if the decision were to be made by a qualifying decision procedure, would be entitled to vote in the procedure.

(8) “Relevant contributories” means the contributories who, if the decision were to be made by a qualifying decision procedure, would be entitled to vote in the procedure.

(9) In this section references to creditors include creditors of a particular class.

(10) The rules may make further provision about the deemed consent procedure.

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**PPG Realisations Limited (previously known as Parsons Peebles Generation Limited)**

**Notice of Arranging a Decision Procedure for Creditors by Correspondence**

**The Insolvency Act 1986 - Notice of Convening a Creditors Decision Procedure by Correspondence**

**Pursuant to Rule 5.8 Insolvency (Scotland) (Company Voluntary Arrangements and Administration ) Rules 2018**

To consider qualifying resolutions contained in the Joint Administrators' Proposals dated 18 June 2020.

<b>Name of Company PPG Realisations Limited (previously known as Parsons Peebles Generation Limited)</b>	<b>Company number</b> SC281567
<b>In the Court of Session</b>  [full name of court]	<b>Court case number</b> P451/20

The Joint Administrators are James Stephen (Officeholder no: 9273) of BDO LLP, 4 Atlantic Quay, 70 York Street, Glasgow, G2 8JX and Francis Graham Newton (Officeholder no: 9310) of BDO LLP, Central Square, 29 Wellington Street, Leeds, LS1 4DL who were appointed on 12 June 2020. The Joint Administrators may also be contacted via Gillian Johnston by emailing [gillian.johnston@bdo.co.uk](mailto:gillian.johnston@bdo.co.uk).

**NOTICE** that the Creditors of the above named Company are invited to make decisions as to whether to approve or reject the resolutions below:

- (d) That a creditors' committee be established if sufficient creditors are willing to be members (such committee must comprise of between 3 and 5 creditors).

**Decision Procedure:** The Creditors are invited to indicate by correspondence whether they approve or reject the resolutions. A Decision by Correspondence form is attached for recording your vote along with a statement of claim. The completed form, together with details of your claim, if not already provided, must be sent to the Joint Administrator whose details are below and on the attached form. Your response must be delivered to the Joint Administrators before the Decision date below otherwise it cannot be counted.

**Decision Date: 6 July 2020**

Creditors may within five business days of this notice require a physical meeting to be held to consider the matter. This is explained overleaf.

Any response may be sent by correspondence, using the attached form. To be valid your response must be received by the Joint Administrator by no later than the Decision detailed above.

**Date of Decision Notice: 23 June 2020**



**James Stephen**  
Joint Administrator and Convenor of the decision process





## **Summary of Insolvency (Scotland) (Company Voluntary Arrangements and Administration) Rules 2018 that are Relevant to the Decision Process by Correspondence**

**Certain Rules apply to decision procedures.** The full text of the Insolvency (Scotland) (Company Voluntary Arrangements and Administration) Rules 2018 relevant to this decision process is attached but the key effects of the Rules are summarised below:

**Creditor Voting rights (R.5.26):** Every creditor who has this notice is entitled to vote in respect of the debt due to the creditor. Where there is a physical meeting the creditor must submit a proxy form (not relevant at this stage). Creditors, including creditors whose debt is treated as a 'small debt' (£1,000 or less) must still deliver a statement of claim and documentary evidence of debt if they wish to vote.

**Calculation of creditors voting rights (R.5.28):** In respect of this Administration creditors' claims will be calculated as at the date the company entered Administration being: «LQCASE\_APPDATE». Claims that have an uncertain value will be subject to £1, or a higher value if the chairman allows.

**Requisite majority of creditors for making a decision (R.5.31):** An Administration decision is approved if a majority of creditors, by value vote, in favour by the Decision date.

**Appeals against decisions (R.5.32):** Decisions of the Joint Administrators in convening the Decision Procedure and dealing with voting is subject to appeal to the court by a creditor. Any appeal must be made within 21 days of the Decision date.

**Physical Meeting:** If creditors want to consider the resolutions at a physical meeting they must notify in writing the Joint Administrator, whose details are above, within five business days of delivery of this notice. A meeting will be convened if sufficient creditors notify the Administrators within the timeframe. Section 246ZE of the insolvency Act sets the "minimum number" of creditors for requisitioning a meeting at any of the following:

- (a) 10% in value of the creditors or contributories;
- (b) 10% in number of the creditors or contributories;
- (c) 10 creditors or contributories.

## **Extract of Section 246ZE of the Insolvency Act 1986**

- (1) This section applies where, for the purposes of this Group of Parts, a person ("P") seeks a decision about any matter from a company's creditors or contributories.
- (2) The decision may be made by any qualifying decision procedure P thinks fit, except that it may not be made by a creditors' meeting or (as the case may be) a contributories' meeting unless subsection (3) applies.
- (3) This subsection applies if at least the minimum number of creditors or (as the case may be) contributories make a request to P in writing that the decision be made by a creditors' meeting or (as the case may be) a contributories' meeting.
- (4) If subsection (3) applies P must summon a creditors' meeting or (as the case may be) a contributories' meeting.
- (5) Subsection (2) is subject to any provision of this Act, the rules or any other legislation, or any order of the court—
  - (a) requiring a decision to be made, or prohibiting a decision from being made, by a particular qualifying decision procedure (other than a creditors' meeting or a contributories' meeting);
  - (b) permitting or requiring a decision to be made by a creditors' meeting or a contributories' meeting.
- (6) Section 246ZF provides that in certain cases the *deemed consent procedure* may be used instead of a qualifying decision procedure.
- (7) For the purposes of subsection (3) the "minimum number" of creditors or contributories is any of the following—
  - (a) 10% in value of the creditors or contributories;
  - (b) 10% in number of the creditors or contributories;
  - (c) 10 creditors or contributories.
- (8) The references in subsection (7) to creditors are to creditors of any class, even where a decision is sought only from creditors of a particular class.
- (9) In this section references to a meeting are to a meeting where the creditors or (as the case may be) contributories are invited to be present together at the same place (whether or not it is possible to attend the meeting without being present at that place).
- (10) Except as provided by subsection (8), references in this section to creditors include creditors of a particular class.
- (11) In this Group of Parts "qualifying decision procedure" means a procedure prescribed or authorised under paragraph 8A of Schedule 8.



## **Extract of Insolvency (Scotland) (Company Voluntary Arrangements and Administration) Rules 2018 that are Relevant to Decision Process by Correspondence**

### **Voting in a decision procedure**

- 5.9. (1) In order to be counted in a decision procedure other than where votes are cast at a meeting, votes must—
- (a) be received by the convener on or before the decision date; and
  - (b) in the case of a vote cast by a creditor—
    - (i) in a CVA, be accompanied by written notification of the creditor's debt unless such a notification has already been given to the convener;
    - (ii) in an administration, be accompanied by a statement of claim and documentary evidence of debt (where the requirement to provide the latter is not dispensed with under rule 5.26(2)) unless already given to the convener.
- (2) In an administration, a vote must be disregarded if—
- (a) a statement of claim and, where required, documentary evidence of debt are not received by the convener on or before the decision date or, in the case of a meeting, at or before the meeting (unless under rule 5.24 the chair is content to accept them before resumption of the adjourned meeting); or
  - (b) the convener decides, in the application of Chapter 7 of this Part, that the creditor is not entitled to cast the vote.
- (3) The convener must have received at least one valid vote on or before the decision date in order for a decision to be made.

### **Non-receipt of notice of decision**

- 5.15. Where a decision is sought by a notice in accordance with the Act or these Rules, the decision procedure or deemed consent procedure is presumed to have been duly initiated and conducted, even if not everyone to whom the notice is to be delivered has received it.

### **Decisions on remuneration and conduct**

- 5.16. (1) This rule applies in relation to a decision or resolution which is proposed in an administration, and which affects a person in relation to that person's remuneration or conduct as administrator (actual, proposed or former).
- (2) The following may not vote on such a decision or resolution whether as a creditor, proxy-holder or corporate representative, except so far as permitted by rule 6.7 (proxy-holder with financial interest)—
- (a) that person;
  - (b) the partners and employees of that person;
  - (c) the officers and employees of the company of which that person is a director, officer or employee; and
  - (d) the representative of any person mentioned in sub-paragraphs (a) to (c).

### **Requisitions of decision**

[Note: this rule is concerned with requests by creditors for a decision, rather than requests for decisions to be made by way of a physical meeting under section 246ZE(3).]

- 5.17. (1) In this Chapter, "requisitioned decision" means a decision requested to be sought under paragraph 52(2) or 56(1) of Schedule B1.
- (2) A request for a decision to be sought under paragraph 52(2) of Schedule B1 must be delivered within eight business days of the date on which the administrator's statement of proposals is delivered.
- (3) The request for a requisitioned decision must include a statement of the purpose of the proposed decision and either—
- (a) a copy of the requesting creditor's statement of claim, together with—
    - (i) a list of the creditors concurring with the request and of the amounts of their respective claims, and
    - (ii) confirmation of concurrence from each creditor concurring; or
  - (b) a copy of the requesting creditor's statement of claim and a statement that that alone is sufficient without the concurrence of other creditors.

### **Expenses and timing of requisitioned decision**

- 5.18. (1) The convener must, not later than 14 days from receipt of a request for a requisitioned decision, provide the requesting creditor with itemised details of the sum to be deposited as caution for payment of the expenses of such procedure.
- (2) The convener is not obliged to initiate the decision procedure or deemed consent procedure (where applicable) until either—
- (a) the convener has received the required sum; or
  - (b) the period of 14 days has expired without the convener having informed the requesting creditor of the sum required to be deposited as caution.
- (3) A requisitioned decision must be made within 28 days of the date on which the earlier of the events specified in paragraph (2) of this rule occurs.
- (4) The expenses of a requisitioned decision must be paid out of the deposit (if any) unless the creditors decide that they are to be payable as an expense of the administration.
- (5) The notice of a requisitioned decision of creditors must contain a statement that the creditors may make a decision as in paragraph (4) of this rule.
- (6) Where the creditors do not so decide, the expenses must be paid by the requesting creditor to the extent that the deposit (if any) is not sufficient.
- (7) To the extent that the deposit (if any) is not required for payment of the expenses, it must be repaid to the requesting creditor.

#### **Creditors' voting rights**

- 5.26. (1) In an administration, a creditor is entitled to vote in a decision procedure or to object to a decision proposed using the deemed consent procedure only if—
- (a) the creditor has delivered to the convener a statement of claim and documentary evidence of debt, including any calculation for the purposes of rule 5.28 or 5.29;
  - (b) the statement of claim and documentary evidence of debt were received by the convener not later than the decision date, or in the case of a meeting, at or before the meeting; and
  - (c) the statement of claim and documentary evidence of debt has been admitted for the purposes of entitlement to vote.
- (2) The convener or chair may dispense with the requirement to produce documentary evidence of debt in paragraph (1)(a).
- (3) In the case of a meeting, a proxy-holder is not entitled to vote on behalf of a creditor unless the convener or chair has received the proxy intended to be used on behalf of that creditor.
- (4) In a decision relating to a proposed CVA every creditor, secured or unsecured, who has notice of the decision procedure is entitled to vote in respect of that creditor's debt.
- (5) Where a decision is sought in an administration under rule 3.52(3)(b), rule 3.96(5) or rule 3.96(6), creditors are entitled to participate to the extent stated in those rules.

#### **Claim made in proceedings in other member States**

- 5.27.—(1) Where, in an administration,—
- (a) a creditor is entitled to vote under rule 5.26 (as determined, where that is the case, in accordance with rule 5.32);
  - (b) that creditor has made the claim in other proceedings;
  - (c) that creditor votes on a resolution in a decision procedure; and
  - (d) a member State liquidator casts a vote in respect of the same claim,
- only the creditor's vote is to be counted.
- (2) Where, in an administration,—
- (a) a creditor has made a claim in more than one set of other proceedings; and
  - (b) more than one member State liquidator seeks to vote in respect of that claim,
- the entitlement to vote in respect of that claim is exercisable by the member State liquidator in the main proceedings, whether or not the creditor has made the claim in the main proceedings.
- (3) In this rule, "other proceedings" mean main, secondary or territorial proceedings in another member State.

#### **Calculation of voting rights**

- 5.28. (1) Votes are calculated according to the amount of each creditor's claim—
- (a) in an administration, as at the date on which the company entered administration, less—
    - (i) any payments that have been made to the creditor after that date in respect of the claim, and
    - (ii) any adjustment by way of set-off which has been made in accordance with that principle or would have been made if that principle were applied on the date on which the votes are counted;
  - (b) in a proposed CVA—

- (i) at the date the company went into liquidation where the company is being wound up,
  - (ii) at the date the company entered administration (less any payments made to the creditor after that date in respect of the claim) where it is in administration,
  - (iii) at the beginning of the moratorium where a moratorium has been obtained (less any payments made to the creditor after that date in respect of the claim), or
  - (iv) where (i) to (iii) do not apply, at the decision date.
- (2) A creditor may vote in respect of a debt of an unliquidated or unascertained amount if the convener or chair decides to put upon it an estimated minimum value for the purpose of entitlement to vote and admits the claim for that purpose.
- (3) In relation to a proposed CVA, a debt of an unliquidated or unascertained amount is to be valued at £1 for the purposes of voting unless the convener or chair or an appointed person decides to put a higher value on it.
- (4) Where a debt is wholly secured its value for voting purposes is nil.
- (5) Where a debt is partly secured its value for voting purposes is the value of the unsecured part.
- (6) The value of the debt for voting purposes is its full value without deduction of the value of the security in the following cases—
- (a) where the administrator has made a statement under paragraph 52(1)(b) of Schedule B1 and the administrator has been requested to seek a decision under paragraph 52(2) of that Schedule; and
  - (b) where, in a proposed CVA, there is a decision on whether to extend or further extend a moratorium or to bring a moratorium to an end before the end of the period of any extension.
- (7) No vote may be cast in respect of a claim more than once on any resolution put to the meeting and for this purpose (where relevant), the claim of a creditor and of any member State liquidator in relation to the same debt are a single claim.
- (8) A vote cast in a decision procedure which is not a meeting may not be changed.
- (9) Paragraph (7) does not prevent a creditor or member State liquidator from—
- (a) voting in respect of less than the full value of an entitlement to vote; or
  - (b) casting a vote one way in respect of part of the value of an entitlement and another way in respect of some or all of the balance of that value.

#### **Calculation of voting rights: hire-purchase agreements**

- 5.29. (1) In an administration, a creditor under a hire-purchase agreement is entitled to vote in respect of the amount of the debt due and payable by the company on the date on which the company entered administration.
- (2) In calculating the amount of any debt for the purpose of paragraph (1), no account is to be taken of any amount attributable to the exercise of any right under the relevant agreement so far as the right has become exercisable solely by virtue of—
- (a) the making of an administration application;
  - (b) a notice of intention to appoint an administrator or any matter arising as a consequence of the notice; or
  - (c) the company entering administration.

#### **Procedure for admitting creditors' claims for voting**

- 5.30. (1) The convener or chair in respect of a decision procedure must ascertain entitlement to vote and admit or reject claims accordingly.
- (2) The convener or chair may admit or reject a claim in whole or in part.
- (3) If the convener or chair is in any doubt whether a claim should be admitted or rejected, the convener or chair must mark it as objected to and allow votes to be cast in respect of it, subject to such votes being subsequently declared invalid if the objection to the claim is sustained.

#### **Requisite majorities**

- 5.31. (1) A decision is made by creditors when a majority (in value) of those voting have voted in favour of the proposed decision, except where this rule provides otherwise.
- (2) In the case of an administration, a decision is not made if those voting against it include more than half in value of the creditors to whom notice of the decision procedure was delivered who are not, to the best of the convener's or chair's belief, persons connected with the company.
- (3) Each of the following decisions in a proposed CVA is made when 75% or more (in value) of those responding vote in favour of it—
- (a) a decision approving a proposal or a modification;
  - (b) a decision extending or further extending a moratorium; or
  - (c) a decision bringing a moratorium to an end before the end of the period of any extension.
- (4) In a proposed CVA a decision is not made if more than half of the total value of the unconnected creditors vote against it.
- (5) For the purposes of paragraph (4)—

- (a) a creditor is unconnected unless the convener or chair decides that the creditor is connected with the company;
- (b) in deciding whether a creditor is connected reliance may be placed on the information provided in the company's statement of affairs or otherwise in accordance with these Rules; and
- (c) the total value of the unconnected creditors is the total value of those unconnected creditors whose claims have been admitted for voting.

#### **Appeals against decisions under this Chapter**

**5.32. (1)** A decision of the convener or chair under this Chapter is subject to appeal to the court by a creditor.

- (2) In a proposed CVA, an appeal to the court against a decision under this Chapter may also be made by a member of the company.
- (3) If the decision is reversed or varied, or votes are declared invalid, the court may order another decision procedure to be initiated or make such order as it thinks just but, in a CVA, the court may only make an order if it considers that the circumstances which led to the appeal give rise to unfair prejudice or material irregularity.
- (4) An appeal under this rule may not be made after the end of the period of 21 days beginning with the decision date.
- (5) However, the previous paragraph does not apply in a proposed CVA where an appeal may not be made after the end of the period of 28 days beginning with the day on which the first of the reports required by section 4(6) or paragraph 30(3) of Schedule A1 was lodged with the court.
- (6) The person who made the decision is not personally liable for costs incurred by any person in relation to an appeal under this rule unless the court makes an order to that effect.

#### **Record of a decision**

**5.36. (1)** Where a decision is sought using a decision procedure, the convener or chair must make a record of the decision procedure.

(2) In the case of a meeting, the record must be in the form of a minute of the meeting.

(3) The record must be authenticated by the convener or chair and must include—

- (a) identification details for the insolvency proceedings;
- (b) a list of the names of the creditors who participated in the decision procedure and their claims;
- (c) where a decision is taken on the election of members of a creditors' committee, the names and addresses of those elected;
- (d) a record of any change to the result of the resolution made under rule 5.35(6) and the reason for any such change; and
- (e) in any case, a record of every decision made and how creditors voted.

(4) Where a decision is sought using the deemed consent procedure, the convener must make a record of the procedure.

(5) The record under paragraph (4) must be authenticated by the convener and must—

- (a) identify the insolvency proceedings;
- (b) state whether or not the decision was made; and
- (c) contain a list of the creditors who objected to the decision and their claims.

(6) A record made under this rule must also identify any decision procedure (or the deemed consent procedure) by which a decision had previously been sought.

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**PPG Realisations Limited (previously known as Parsons Peebles Generation Limited)**

**Decision by Correspondence Form**

**The Insolvency Act 1986 -Creditors Decision Procedure by Correspondence****Pursuant to Rule 5.8 & 5.9 of Insolvency (Scotland) (Company Voluntary Arrangements and Administration ) Rules 2018**

To consider qualifying resolutions contained in the Joint Administrators' Proposals dated 18 June 2020

<b>Name of Company PPG Realisations Limited (previously known as Parsons Peebles Generation Limited)</b>	<b>Company number</b> SC281567
<b>In the Court of Session</b>  [full name of court]	<b>Court case number</b> P451/20

**TO BE COMPLETED BY CREDITORS****RESOLUTIONS IN THE DECISION NOTICE DATED - 23 June 2020**

To consider whether a creditors' committee should be established

**(\* Please indicate voting preference)**

- (d) That a creditors' committee be established if sufficient creditors are willing to be members (such committee must comprise of between 3 and 5 creditors). *\*Approved/Rejected*
- Do you consent to be a member of the creditors' committee? *\*Yes/No*

Name of  
Creditor: \_\_\_\_\_

Signature of Creditor: \_\_\_\_\_

(If signing on behalf of creditor, state capacity. E.g. directors/ solicitor)

**NOTE:**

This form must be accompanied by a proof of the amount due to the creditor unless a statement of claim form has already been delivered. Creditors whose debt is treated as a 'small debt' (£1,000 or less) must still deliver a proof for voting purposes otherwise their vote will be disregarded.

Should you wish to serve on a Creditor's Committee, you should also return the attached Consent Form evidencing your consent to serve on any Creditor's Committee that may be formed as result of this decision process.

This form must be returned to James Stephen c/o Business Restructuring, BDO LLP, 4 Atlantic Quay, 70 York Street, Glasgow G2 8JX no later than the Decision date 6 July 2020. The Joint Administrator may also be contacted via Gillian Johnson at [gillian.johnston@bdo.co.uk](mailto:gillian.johnston@bdo.co.uk).





**PPG Realisations Limited (previously known as Parsons Peebles Generation Limited)**

**Statement of Claim Form**

**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) PPG Realisations Limited (previously known as Parsons Peebles Generation 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 administration 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

**Date for Claims: 17 August 2020**

Signed \_\_\_\_\_  
Creditor/person acting on behalf of creditor

Date \_\_\_\_\_



#### Notes

A separate set of particulars should be made out in respect of each debt.

- |   |   |
|---|---|
| <p>1. Describe briefly the debt, giving details of its nature, the date when it was incurred and when payment became due</p> <p>Attach any documentary evidence of the debt, if available.</p> <p>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 creditor 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.</p> <p>3. Insert the nature and amount of any preference under Schedule 6 to the Act claimed in respect of the debt.</p> <p>4. Specify and give details of the nature of any security held in respect of the debt, including:-</p> <p>(a) the subjects covered and the date when it was given;</p> <p>(b) the value of the security</p> <p>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</p> <p>5. In calculating the total amount of his claim in a administration, a creditor shall deduct the value of any security as estimated by him unless he surrenders it (see note 4).</p> <p>6. In the case of a member state administrator creditor, specify and give details of underlying claims in respect of which he is claiming as creditor</p> | <p>1. <b>Particulars of debt</b></p> <p>2. <b>Amount of debt</b></p> <p>3. <b>Preference claimed for debt</b></p> <p>4. <b>Security for debt</b></p> <p>5. <b>Total amount of debt</b></p> <p>6. <b>Underlying claims</b></p> |
|---|---|

The statement of claim should be posted to James Stephen, c/o Business Restructuring, 4 Atlantic Quay, 70 York Street, Glasgow G2 8JX. Alternatively it may be emailed to Lorraine Clark at [lorraine.clark@bdo.co.uk](mailto:lorraine.clark@bdo.co.uk).

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**PPG Realisations Limited (previously known as Parsons Peebles Generation Limited)**

**Creditors Questionnaire**

## Questionnaire

Ref: JS/NN/00330169/1300

**Re: PPG Realisations Limited (previously known as Parsons Peebles Generation Limited) - In Administration**  
**Registered Number: SC281567**

Creditor's name:	
Address:	
Estimated claim:	£
What was the authorised Credit limit?:	£
Was any security, guarantee or assurance given to you in respect of ongoing trade?:	
When did you first encounter delays in obtaining payment of your account, and do you have any evidence?:	
Please provide details of any legal proceedings you took to recover your debts:	
Please supply details of any cheques which were not honoured, including amounts and dates:	
<b>If there is any other information you wish to supply, or issues you consider should be reviewed, please provide brief details on the reverse of this form.</b>	
Date:	
Signature/ Authentication:	
Name:	
Position:	
<b>Please return the completed form to BDO LLP, 4 Atlantic Quay, 70 York Street, Glasgow G2 8JX</b>	

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**PPG Realisations Limited (previously known as Parsons Peebles Generation Limited)**

**BDO LLP Policy in Respect of Fees and Expenses**



**PPG Realisations Limited (previously known as Parsons Peebles Generation Limited) - In Administration**

In accordance with best practice I provide below details of policies of BDO LLP in respect of fees and expenses for work in relation to the above insolvency.

The current charge out rates per hour of staff within my firm who may be involved in working on the insolvency, follows:

GRADE	£
Partner	549
Manager	242-380
Assistant Manager	218
Senior Administrator	206
Administrator	119-185
Other Staff	73-77

This in no way implies that staff at all such grades will work on the case. The rates charged by BDO LLP are reviewed on a regular basis and are adjusted to take account of inflation and the firm's overheads.

Time spent on casework is recorded directly to the relevant case using a computerised time recording system and the nature of the work undertaken is recorded at that time. Units of time can be as small as 3 minutes. BDO LLP records work in respect of insolvency work under the following categories:-

Pre Appointment  
Steps upon Appointment  
Planning and Strategy  
General Administration  
Asset Realisation/Management  
Trading Related Matters  
Employee Matters  
Creditor Claims  
Reporting  
Distribution and Closure  
Other Issues.

Under each of the above categories the work is recorded in greater detail in sub categories. Please note that the 11 categories provide greater detail than the six categories recommended by the Recognised Professional Bodies who are responsible for licensing and monitoring insolvency practitioners.

Where an officeholder's remuneration is approved on a time cost basis the time invoiced to the case will be subject to VAT at the prevailing rate.

Where remuneration has been approved on a time costs basis a periodic report will be provided to any committee appointed by the creditors or in the absence of a committee to the creditors. The report will provide a breakdown of the remuneration drawn and will enable the recipients to see the average rates of such costs.

**1) Other Costs**

Where expenses are incurred in respect of the insolvent estate they will be recharged. Such expenses can be divided into two categories.



## 2) Category 1

This heading covers expenses where BDO LLP has met a specific cost in respect of the insolvent estate where payment has been made to a third party. Such expenses may include items such as advertising, couriers, travel (by public transport), land registry searches, fees in respect of swearing legal documents etc. In each case the recharge will be reimbursement of a specific expense incurred.

## 3) Category 2

We propose to recover from the estate the cost of travel where staff use either their own vehicles or company cars in travelling connected with the insolvency. In these cases a charge of 45p per mile is raised which is in line with the HM Revenue & Customs Approved Mileage Rates (median - less than 10,000 miles per annum) which is the amount the firm pays to staff. Where costs are incurred in respect of mileage, approval will be sought in accordance with the Insolvency (England and Wales) Rules 2016 to recover this disbursement.

Where applicable, all disbursements will be subject to VAT at the prevailing rate.

BDO LLP  
16 June 2020





## **Creditors' Guide to Administrators' Remuneration (Scotland)**

**This guide applies to all appointments on or after 6 April 2006.**

### **1 Introduction**

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 determine the basis of the administrator's remuneration. This guide is intended to help creditors be aware of their rights under the legislation to approve and monitor remuneration and outlays and explain the basis on which remuneration and outlays are fixed.

### **2 The Nature of Administration**

Administration is a procedure which places a company under the control of an insolvency practitioner and the protection of the court with the objective of:

- (a) rescuing the company as a going concern, or
- (b) 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) *realising property in order to make a distribution to one or more secured or preferential creditors*

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

### **3 The Creditors' Committee**

Where a meeting is held by the Administrator 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 10 weeks of the administration order (or longer with the consent of the court) 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 power to summon the administrator to attend before it and provide such information as it may require.

## **4 Fixing the Administrator's Fees**

The basis for fixing the administrator's remuneration is set out in Rule 2.39 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 to deal. It is for the creditors' committee (if there is one) to fix the remuneration and Rule 2.39 says that in arriving at its decision the committee shall 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.

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

Where no meeting is held, the administrator's remuneration is approved by each secured creditor of the company or where a distribution to the preferential creditors is proposed by each secured creditor and 50% in value of the preferential creditors disregarding those who do not respond or withhold approval.

## **5 What Information should be Provided by the Administrator?**

Claims by the administrator for the outlays reasonably incurred by him and for his remuneration shall be made in accordance with Rule 2.39 of the Insolvency (Scotland) Rules 1986 which provides that within two weeks after the end of an accounting period, the administrator shall submit to the creditors' committee or if there is no creditors' committee, to a meeting of creditors:

- his accounts of intromissions for audit;
- a claim for the outlays reasonably incurred by him and for his remuneration, broken down into category 1 disbursements, being those costs where there is specific expenditure relating to the administration of the insolvent's affairs and referable to payment to an independent third party, and category 2 disbursements, which are costs which include elements of shared or allocated costs, and are supplied internally by the administrator's own firm and

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 category 1 and 2 disbursements reasonably incurred by him and for his remuneration.

When seeking agreement to his fees and disbursements, the administrator should provide sufficient supporting information to enable the committee or the creditors to form a judgement as to whether the proposed fee and disbursements are reasonable having regard to all circumstances of the case. The nature and extent of the supporting information which should be provided will depend on:

- the nature of the approval being sought;
- the stage during the administration of the case at which it is being sought; and
- the size and complexity of the case.

Where, at any creditors' committee meeting or meeting of creditors, the administrator seeks agreement to the terms on which he is to be remunerated, he should provide the meeting with details of the charge-out rates of all grades of staff, including principals, which are likely to be involved on the case.

Where the administrator seeks agreement to his remuneration during the course of the administration, he should always provide an up to date receipts and payments account. Where the proposed remuneration is based on time costs the administrator should disclose to the committee or the creditors the time spent and the charge-out value in the particular case, together with, where

appropriate, such additional information as may reasonably be required having regard to the size and complexity of the case. The additional information should comprise a sufficient explanation of what the administrator has achieved and how it was achieved to enable the value of the exercise to be assessed (whilst recognising that the administrator must fulfil certain statutory obligations that might be seen to bring no added value for creditors) and to establish that the time has been properly spent on the case. That assessment will need to be made having regard to the time spent and the rates at which that time was charged, bearing in mind the factors set out in paragraph 4.1 above. To enable this assessment to be carried out it may be necessary for the administrator to provide an analysis of the time spent on the case by type of activity and grade of staff. The degree of detail will depend on the circumstances of the case, but it will be helpful to be aware of the professional guidance which has been given to insolvency practitioners on this subject.

The guidance suggests the following areas of activity as a basis for the analysis of time spent:

- Administration and planning
- Investigations
- Realisation of assets
- Trading
- Creditors
- Any other case specific matters

The following categories are suggested as a basis for analysis by grade of staff:

- Partner
- Manager
- Other senior professionals
- Assistants and support staff

The explanation of what has been done can be expected to include an outline of the nature of the assignment and the administrator's own initial assessment, including the anticipated return to creditors. To the extent applicable it should also explain:

- Any significant aspects of the case, particularly those that affect the amount of time spent.
- The reasons for subsequent changes in strategy.
- Any comments on any figures in the summary of time spent accompanying the request the administrator wishes to make.
- The steps taken to establish the views of creditors, particularly in relation to agreeing the strategy for the assignment, budgeting, time recording, or the drawing, or agreement of remuneration.
- Any existing agreement about remuneration.
- In cases where there are distributable funds available to unsecured creditors by means of the creditors' prescribed part, how the administrator has allocated remuneration and costs with regard to dealing with the administration of and agreeing of unsecured creditors' claims. Remuneration in respect of time spent dealing with issues specific to the funds for ordinary creditors will be applied against the creditors prescribed part, prior to the funds being distributed, and will not be applied against the total funds available to all creditors, including those available to the floating charge holder.
- Details of how other professionals, including subcontractors, were chosen, how they were contracted to be paid, and what steps have been taken to review their fees.

It should be borne in mind that the degree of analysis and form of presentation should be proportionate to the size and complexity of the case. In smaller cases not all categories of activity will be relevant, whilst further analysis may be necessary in larger cases.

Where the remuneration 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.

Any claim for outlays must be approved in the same way as remuneration. Professional guidance issued to Insolvency Practitioners requires that where the administrator proposes to recover costs



which, whilst being in the nature of expenses or disbursements may include an element of shared or allocated costs (such as room hire, document storage or communication facilities) they must be approved as if they were remuneration. Such disbursements must be directly incurred on the case and subject to a reasonable method of calculation and allocation. A charge for disbursements calculated as a percentage of the amount charged for remuneration is not allowed.

Payments to outside parties in which the office holder or his firm or any associate has an interest should be disclosed to the body approving remuneration and should be treated in the same way as payments to himself. They therefore require specific approval as remuneration prior to being paid.

#### **6 What If a Creditor is Dissatisfied?**

If the administrator's remuneration has been fixed by the creditors' committee or by the creditors, by virtue of Rule 2.39A of the Insolvency (Scotland) Rules 1986, any creditor or creditors of the company representing in value at least 25 per cent of the creditors may apply to the court not later than eight weeks after the end of an accounting period for an order that the administrator's remuneration be reduced, on the grounds that it is, in all the circumstances excessive.

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?**

If the administrator considers that the remuneration fixed by the creditors' committee or by resolution of 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**

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

September 2013

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**PPG Realisations Limited (previously known as Parsons Peebles Generation Limited)**

**SIP 16 Statement**

**TO ALL KNOWN CREDITORS****18 June 2020**

Our ref: PPGen-SADM/2400

Please ask for: Gillian Johnston

Direct Dial: 0141 249 5248

Email: gillian.johnston@bdo.co.uk

Dear Sir/Madam

**PPG Realisations Limited (previously known as Parsons Peebles Generation Limited ('the Company'))****Company number: SC281567**

I give you notice, per Paragraph 46 of Schedule B1 of the Insolvency Act 1986, that on 12 June 2020 James Bernard Stephen of BDO LLP, 4 Atlantic Quay, 70 York Street, Glasgow, G2 8JX and Francis Graham Newton of BDO LLP, Central Square, 29 Wellington Street, Leeds, LS1 4DL ('the Joint Administrators') were appointed Joint Administrators of the Company. James B Stephen (office holder 9273) is authorised to act as an insolvency practitioner in the UK by the Institute of Chartered Accountants in England and Wales. Francis Graham Newton (office holder 9310) is authorised to act as an insolvency practitioner in the UK by the Insolvency Practitioners Association.

Notice of the Joint Administrators' appointment over the Company has been delivered to the Registrar of Companies.

Immediately following appointment, the Joint Administrators completed a sale of the business assets ('the Transaction') of the Company to T D C (Rosyth) Limited ('the Purchaser'). The consideration was £250,000 and the Purchaser paid this in full upon completion of the sale. As part of the sale, 37 of the Company's employees transferred to the Purchaser as part of the sale, including a number currently on furlough.

We provide below some further background in respect of the Company, the events leading up to the appointment of the Joint Administrators, and the sale to the Purchaser. This statement is made in order to comply with the Joint Administrators' duties under the revised Statement of Insolvency Practice ('SIP') number 16, which came into force on 1 November 2015.

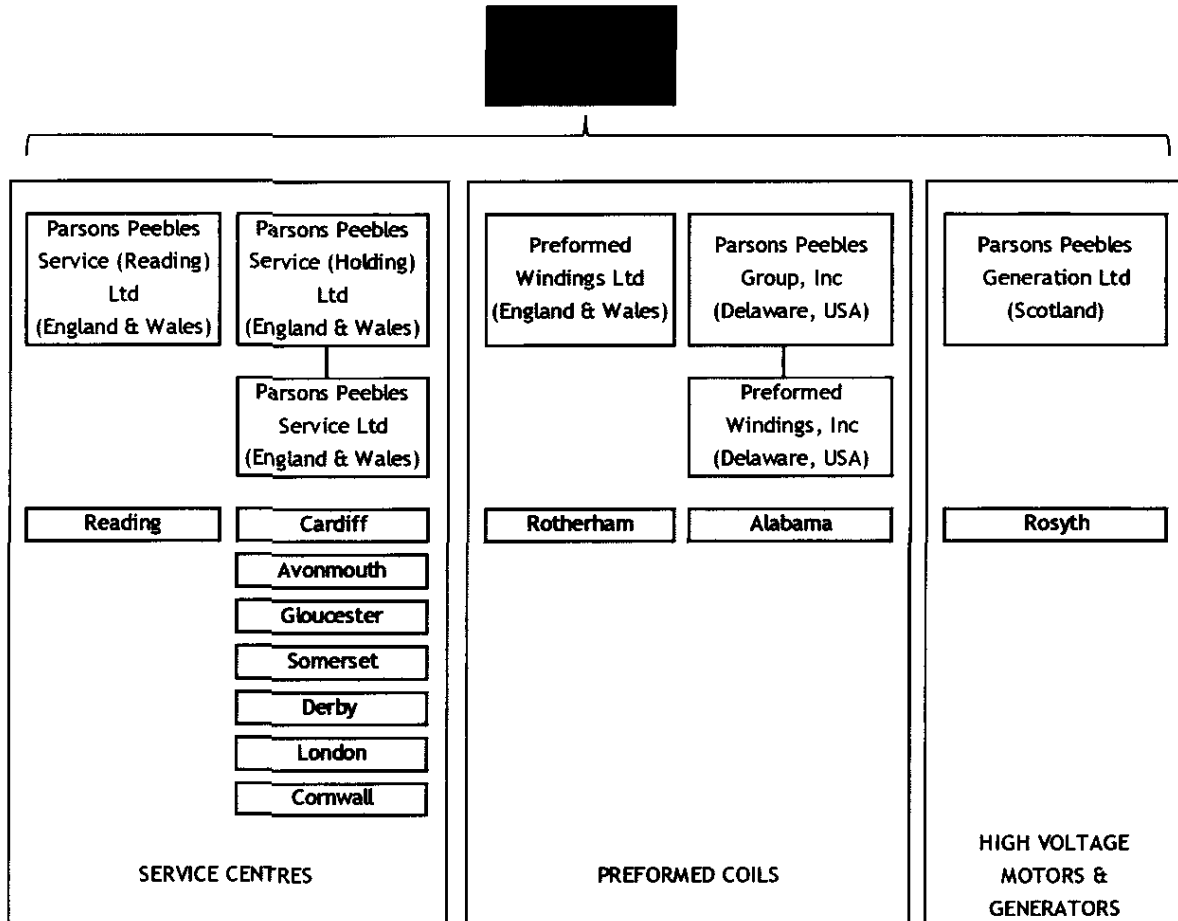
The SIPs are guidance notes issued to licenced insolvency practitioners by the Association of Business Recovery Professionals with a view to maintaining standards by setting out required practice and harmonising the approach of practitioners to particular aspects of insolvency. The SIP 16 note can be located at:

<https://www.r3.org.uk/technical-library/england-wales/sips/more/29131/page/1/sip-16-pre-packaged-sales-in-administrations/>



### Company Background

The Company is a subsidiary of Parsons Peebles Group Limited, and the full group structure is set out below, along with the trading locations:



Parsons Peebles Group Limited ('PPGrp') is the ultimate parent company of the group and the sole shareholder of the following companies:

- Parsons Peebles Generation Limited, now called PPG Realisations Limited ('PPGen'/'the Company')
- Parsons Peebles Service (Holdings) Limited ('PPSH')
- Parsons Peebles Service (Reading) Limited ('PPSR')
- Preformed Windings Limited, now called PFW Realisations Limited ('PFW')

In turn, PPSH is the sole shareholder of Parsons Peebles Service Limited ('PPS'). Collectively, the UK companies will be referred to as 'the Group'.

The Group also has investments in the USA. These entities are traded in Delaware, and are not included in the current insolvency process across the UK entities.



The following charges are registered against each company within the Group:

Company	Type of security	In favour of	Date created
All	Debenture	AIB Group (UK) plc	15 December 2015
PPGen	Floating charge	AIB Group (UK) plc	15 December 2015
PPGrp	Floating charge	AIB Group (UK) plc	15 December 2015
PPGrp	Share pledge	AIB Group (UK) plc	25 October 2018
All	Fixed and floating	MDP Fund LP*	12 October 2018
PPGen	Floating charge	MDP Fund LP*	12 October 2018
PPGrp	Floating charge	MDP Fund LP*	12 October 2018

*\*formerly Clyde Blowers Capital Fund III LP*

There is an inter-creditor agreement in place between AIB Group (UK) plc ('the Bank') and MDP Fund LP ('the Shareholder') confirming the Bank as first ranking charge-holders and the Shareholder as second-ranking charge-holders. A review of the Group's securities has been carried out by Addleshaw Goddard LLP and will be referred to by the Joint Administrators prior to making any distributions of the Group's assets, with separate legal advice being taken where required.

The Group's principal trade activities can be categorised into the following three key service lines:

#### **Service Centres**

- Operating from eight locations providing sales, repair and refurbishment of electric motors, pumps and gearboxes plus fabrication and installation work across all industrial sectors.

#### **Preformed Coils**

- Specialist manufacture of both high and low voltage coils with a global customer base and across industry sectors including power, industrial and marine.

#### **High voltage motors and generators**

- Specialists in the design, manufacture, installation, refurbishment, servicing and repairs of high voltage generators and associated equipment, with a specialist in-house team.

The service line operated by the Company specifically was that in relation to high voltage motors and generators, and this service line was operated from premises in Rosyth.

#### **Events leading up to the Administration**

The Group as a whole has been in a loss-making position and, following a refinance to the Bank in December 2015, its borrowing from the Bank increased thereafter.

The Group's last set of filed statutory accounts, for the year to 31 December 2018, show a consolidated loss before tax of £22.8m, however this is after exceptional items and a goodwill impairment totalling £12.9m. On a Company only basis, the loss before tax for PPGen was £2.4m.

Demand for the Group's products has fluctuated over recent years, with high value orders in PPGen declining, combined also with downward price pressure on the other service lines within the Group.





During 2019, the Group's trading performance did not meet the forecasted levels, resulting in a decreasing cash position and a growing pressure to meet creditor liabilities as they fell due.

This cashflow pressure resulted in the Group negotiating payment terms with creditors and a request to HM Revenue & Customs to defer payment of liabilities to them. The Group requested support from the Bank via an extension of 12 months to the period of its facilities, which were due to expire in March 2020, as the Group was not going to be in a position to repay when due. This request to the Bank was made with the aim of maintaining the ongoing trade of the business whilst a sale was sought for all or part of it.

The Bank agreed to extend the term of the Group's facilities for a period of 12 months, until 31 March 2021, however this was conditional upon a deleveraging of the Bank by 30 September 2020.

In support of the Group, the Shareholder capitalised £11.8m of outstanding loans into preference shares.

However, the Group's performance over the early months of 2020 did not meet forecast and, despite its efforts, in conjunction with the Shareholder, to market the Group for sale, it did not appear that a sale of any part of the Group would be concluded in the required timescale. As a result of the increasing cash pressure, it was concluded by the Directors that an accelerated mergers and acquisitions ('AMA') process should be commenced.

In order to progress the disposal strategy, the Group engaged BDO LLP ('BDO') in March 2020 to assess the options available given its cash position, and then to assist with an accelerated sales process, further details of which are given later in this report.

Given the level of liabilities across the Group and the immediate cash pressure, the Directors (after seeking their own independent legal advice) concluded that, being mindful of their duties as Directors, they should lodge a Notice of Intention to Appoint Administrators. This provided a set moratorium period, during which the Group could be marketed for sale before the Company was placed into Administration on 12 June 2020.

### **Purpose of the Administration**

The statutory purpose of an Administration consists of a hierarchy of three objectives:

- The first objective is rescuing the company as a going concern (i.e. restructuring the business, resulting in the survival of the corporate entity).
- The second objective is to achieve a better result for creditors as a whole than would be likely if the Company were wound up (without first being in Administration).
- The final objective is realising property in order to make a distribution to one or more secured or preferential creditors.

The first objective could not be achieved for this Company due to the lack of funding available, the cashflow pressure and potential creditor action, and the ongoing losses of the Company.

The attached estimated outcome statement ('EOS') indicates that the sale of the Company's business and assets will result in a better return to the Company's creditors than if the Company were placed directly into Liquidation, therefore the Transaction enables the second objective to be achieved and represents the best outcome for creditors as a whole in the circumstances, as well as safeguarding the employment of the staff.



### **Involvement of BDO LLP**

The Group had been considering the possibility of a managed disposal of all or part of its operations, to facilitate a repayment and reduction of the Bank debt and also with reference to the debt outstanding to the Shareholder. The former Finance Director of the Group approached BDO's Corporate Finance team, who were then engaged in August 2019 to carry out a strategic options review of the Group and its service lines.

Due to the performance of the Group against budget and the increasing cash pressure, with its Bank facilities due to expire on 21 March 2020, the Group sought some assurance from the Bank that it would extend the facilities whilst the Group carried out the marketing and sales process.

The Bank, as first ranking secured creditor, wished to understand the recovery available to it in alternative circumstances to a sale, and requested that the Group prepare indicative outcome statements for an insolvency scenario. The Group engaged the BDO Business Restructuring team in December 2019 to assist with the process, due to the nuances of presentation of the information. However all assumptions in the outcome statements were the Group's own and the presentation of the information to the Bank was done by the Group.

The Group's Shareholder initially commenced process of marketing the business for sale, however a sale was not secured and both the Bank and the Group were in agreement that BDO be appointed to assist with this process, particularly due to the cashflow pressure and the timescale available in which to complete any sales.

Unfortunately, in the midst of the BDO AMA sale process, the covid-19 pandemic and related lockdowns resulted in the interested parties pausing their engagement with the process, and further impacted the Group's financial position.

As such, the Directors filed a Notice of Intention to Appoint Administrators, recognising that the options available to the Group were diminishing, and appointed BDO to resurrect the AMA process to seek to achieve sales across the Group where possible, via an Administration process.

We have considered our prior engagement between BDO and the Group and concluded that this does not present a conflict of interest. We have reached this conclusion due to (i) at no stage has BDO been responsible for advising the Directors of the group with regard to the Group's strategy and the Directors have sought their own, independent, advice from a reputable law firm, (ii) there being no self-review or self-interest threat arising as a result of previous engagement and (iii) the fees were not material to the firm.

### **Pre-Administration costs**

The following remuneration has been paid by the Group to BDO in respect of pre-appointment engagements:

Engagement Letter date	Scope	Fees paid
16 August 2019	Strategic options review by corporate finance team	£26,137
23 December 2019	Assistance Management with preparation of estimated outcomes for the Bank, in the event of an insolvency event	£10,000
18 March 2020	AMA process and options review	£18,000



15 May 2020	AMA process	nil
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The above table does not reflect the total pre-Administration time costs incurred by BDO in respect of the engagement letters agreed with the Group and a request will be made to creditors for requisite approval to draw the balance of our pre-appointment time costs as an expense of the Administration.

This request is in relation to time incurred from 15 May 2020 onwards, and is only in relation to time costs incurred on matters which are directly related to the Directors' settled intention to appoint Administrators and the intention to complete a pre-packaged sale of the business and assets via an Administration.

Time costs incurred prior to the appointment of the Administrators amount to £51,237 which reflects 154.65 hours charged, at an average rate of £331.31 per hour. The time charged relates to the following matters:

- Liaising with the Directors and obtaining financial information;
- Liaising with the secured creditors;
- Liaising with the appointed agent in relation to the valuation of assets;
- Managing the process in relation to interested parties and potential interest in acquiring the business and assets of the Company, including the provision of information, liaison with preferred bidders;
- Preparation of the statutory documentation to be issued following the Administrators' appointment, including the SIP 16 report and the Administrators' Proposals;
- Liaising with the appointed lawyers in relation to the sales documentation in order to be in a position to complete the sale immediately following the Administrators' appointment;
- Preparation of letters to employees confirming the position with regard to the transfer of their employment;
- Liaison with the Directors and the secured creditors in relation to the sales process and the Administration appointment process.

Details of the approval process in relation to these fees are given in the Joint Administrators' Proposals document.

Addleshaw Goddard LLP have incurred, to date, £20,735.75 in time costs specifically in relation to the drafting of the sales agreement, licence to occupy, transitional services agreement and other related sale and Administration appointment matters. We propose to pay this cost as an expense of the Administration. In addition, there are time costs of £49,628.95 across all Group entities collectively and we await a split of this by entity - these costs relate to the security review, appointment documentation and general advice over-arching all sales processes within the Group. We propose settling the Company's element of the costs as an expenses of the Administration.

Sanderson Weatherall's fee in relation to the valuation of the Company's assets amounted to £3,250 (plus VAT and disbursements). We propose to settle this fee as an expense of the Administration.

Brodies LLP were appointed by the Directors to assist the Directors in relation to the appointment process and other matters in relation to the sale of the business. As such, we propose to settle PPGen's element of the fee in relation to this as an expense of the



Administration. Time costs to date amount to £23,259.60 across all Group entities and we await a split of the time across each individual entity.

### **AMA Process and Marketing**

BDO was first engaged in March 2020 to assist the Group with an AMA process. At the outset of the AMA process, consideration was given to the way in which the Group, containing a number of subsidiaries and operating locations, should be marketed for sale, particularly given the different service lines within the Group.

The marketing process saw the acquisition opportunity marketed to around 150 financial buyers and 15 potential trade buyers, drawn from BDO's comprehensive database of potential investors and purchasers. Consideration was given to the parties approached in order to avoid any reputational risk to the Group, interruption to supply chain and/or customer withdrawal which would have impacted negatively on the value of the business.

This process resulted in five interested parties who had received the process letter and non-disclosure agreement and who were proceeding with due diligence on the Group.

However, due to the covid-19 pandemic and the restriction on movements imposed by the UK Government in March 2020, all interested parties withdrew/paused their involvement prior to the offer stage of the process, due to the uncertainty of the length and impact of the covid-19 lockdown.

The Group's short term cash flow forecast and a lack of a supportable turnaround plan led the Directors to consider the options available to the Group, including taking steps to place all companies in the Group into an insolvency process.

However, given the feedback from the interested parties, and the fact that these parties had already commenced and carried out a level of due diligence on the Group prior to the covid-19 lockdown restrictions, it was considered that the option of being able to re-engage those interested parties and, indeed, other interested parties who may re-consider due to the changing circumstances of the sale, should be explored.

As such, BDO was re-engaged on 15 May 2020 to carry out the AMA process concurrently with the Directors filing a Notice of Intention to Appoint Administrators, with a view to being able to complete a pre-packaged sale following an Administration appointment. The Group was advised that any marketing of the business and assets of the Group should conform to the Marketing Essentials set out in SIP 16.

A public marketing process making use of trade press advertisement, social media outlets and engagement with the local press was considered but ruled out on the basis that to conclude a transaction from a cold start in the timescale available was highly unlikely, and in addition to this, AMA marketing had already been carried out prior to this. This process allowed costs to be kept to a minimum, directing focus to the most credible buyers without the requirement for trading in Administration which would be detrimental to the recoveries available to creditors in each entity in the Group.

This AMA process invited offers for the shares and/or the business and assets of the Group or of any part of the Group - this allowed maximum optionality to potential buyers, which was important given the limited time available to run a sales process, and the financial position of the Group.



As the Group had an immediate funding requirement and was unable to settle creditor arrears, an accelerated sales process was considered to present the best opportunity to achieve maximum recoveries to creditors as a whole, given the likely alternative outcome of the Group ceasing to trade.

As stated above, marketing of the business had already taken place and it was concluded that prior interested parties would be contacted, along with other relevant interested parties.

A deadline for best and final offers was set for 25 May 2020 which gave parties sufficient time to complete further due diligence and submit meaningful final offers. This was following a targeted campaign to interested parties, in a focussed manner and without eroding value.

Following the expiry of the deadline for offers, BDO was in receipt of ten offers across the various Group entities and assets.

Of these ten offers, only one party had offered on the business and assets of PPGen, all other offers related solely to other group entities.

The offer in relation to PPGen is summarised below:

	<b>Proposed consideration</b>	<b>Details</b>
Offer A	£250k	Payable in full on completion. Acquire business and assets of PPGen, including trade debtors. TUPE of employees.

Following an assessment of this offer, it was considered to represent the best outcome to the creditors of the Company. It was evaluated with consideration to the allocation of consideration to the Company's assets, the ability to safeguard employment, and the general outcome to creditors, whereby the alternative outcome would have resulted with a cessation of trade and a shut-down scenario.

We believe that the marketing process was appropriate, in the specific circumstances, and that it achieved the best outcome for the creditors of the Company.

It should be noted that the role of an Insolvency Practitioner prior to appointment is to provide advice to the Company on the sale of its business and assets, however the Administrators' duty following their appointment over the Company is to the body of creditors as a whole. Further, the role of an Insolvency Practitioner prior to appointment does not involve providing advice to the directors nor to the purchaser. Both the Directors of the Group and the Purchaser have been independently advised.

#### **Professional valuations**

Professional valuations were obtained of the Group's fixed assets and these were used to assess the offers received. Sanderson Weatherall ('SW') was engaged on 19 May 2020 to undertake a valuation against which to measure the offers received.

SW has confirmed that they are independent of the Group and of BDO and that the opinions they expressed and the valuation advice provided in connection with valuing the assets of the Group has been wholly independent. SW also confirmed that their professional indemnity insurance policy is adequate to the value of the assets. The valuations were undertaken by Mark Rowlands,



ASA, Associate Partner with 19 years' experience; Mark Weston, Partner with 30 years' experience; Stephen Jepson, Associate Partner with 25 years' experience; Lee Joyce, Partner with 15 years' experience and David Fawcett, MRICS, Partner with 20 years' experience.

SW has prepared the valuation on two bases: going concern ('in situ') which represents the value of assets should they be used in continuation of the business; and break-up ('ex situ') reflecting the value likely to be achieved in the next best alternative (for example, a liquidation process) whereby they be removed from the premises and sold.

### The Transaction

On 12 June 2020, the Joint Administrators completed a sale of the business and assets of the Company to the Purchaser, for total consideration of £250k. The assets sold include the Company's book debts, the customer contracts, the goodwill, the business intellectual property, the plant & machinery, the stock, the transferred records, the systems and the vehicles, and the consideration was allocated as follows:

• Debts:	£59,995
• Customer contracts	£1
• Goodwill	£1
• Business IP	£1
• Plant & Machinery	£180,000
• Stock and WIP	£10,000
• Records	£1
• Systems	£1

To the best of our knowledge, the Purchaser is an independent third party and there is no connection or association with the Directors or Shareholder of the Group or with the Bank. As we do not believe this is a sale to a connected party, the sale was not referred to the Pre-Pack Pool for additional review.

The table below shows the sales price compared with the asset valuations:

Asset	Sale price	Basis 1 (in-situ / going concern)	Basis 2 (ex-situ / break-up)
<b>Fixed assets</b>	<b>£180k</b>		
Stock and work-in-progress	£10k	£20k	£nil
Trade debtors	£60k	£60k	£35k
<b>Total</b>	<b>£250k</b>	<b>£530k</b>	<b>£230k</b>

Although the Purchaser intends to continue to trade the business, we have used the ex-situ valuations to assess the offer. This is due to the alternative option being the cessation of trade, the realisation of assets on a break-up basis and the resulting redundancy of the employees. SW provided an ex-situ valuation of the fixed assets of £195k.

The machinery and equipment used by the Company is bespoke and would require significant decommissioning, at a cost, in order to be able to sell on a break-up basis. Due to the size of the machinery, this decommissioning would take a period of time. The premises at Rosyth, where the machinery is located, are not owned by the Company and, as such, negotiations with the landlord would also be required in relation to the decommissioning and removal of the equipment.



As such, and with no other offers forthcoming for this business, the indicative EOS shows that acceptance of this offer still represents a better outcome to the Company's creditors than cessation of trade, taking the above factors into account, and in addition it safeguards employment. Therefore, progressing with the offer was deemed to be in the best interests of creditors as a whole.

Stock has been valued using the net book value of the stock as at the date of appointment - much of the Company's stock was bespoke to customer contracts and, on an ex-situ basis, it would not have been possible to convert this stock into saleable products. Similarly work-in-progress, which represents mostly the time spent to date on projects, upon cessation of trade would not be recoverable.

The offer includes the Company's trade debtors, based on the aged debtor ledger at completion, with a discount applied. Including trade debtors with the sale removes the need for the Administrators to collect out the book debts, reducing time costs in the Administration. A lower recovery of book debts would be anticipated in a break-up scenario due to various potential issues (such as obtaining supporting documentation, the lack of an ongoing relationship and potential disputes). As such, with the Transaction consideration being payable on completion of the sale, this represents a higher recovery than would be expected on a break-up basis and with the cash receipt received at the outset of the Administration rather than over a period of time.

#### **Other matters relating to the sale to the Purchaser**

1. The Company's cash balances were excluded from the sale. The cash at bank on appointment was £2k.
2. The trade debtors excludes one specific debt of £110k, in relation to which the Company had already commenced recovery action via KPMG LLP in Pakistan. This has been excluded from the deal therefore any recovery of this debt will be to the Administration.
3. Terms for the Purchaser's occupation of the Company's sites are included in a separate Licence to Occupy ('LTO') agreements for each of the premises at Rosyth and Dunfermline for a one month and two month period respectively, during which the Purchaser will negotiate directly with the landlord of each property either to assign the existing lease, agree a new lease or exit the site. A licence fee is payable to the Administration, under the terms of each LTO and the Purchaser is responsible for all related property costs during the LTO period.
4. Of the Company's total of 41 employees, 37 (including some currently on furlough), were transferred to the Purchaser, who has adopted all accrued employee liabilities, outstanding at the date of completion, hence reducing the preferential claims in the Administration. The Directors will not have any involvement in the future business, save for any assistance required in handing over the business, defined as a three month transitional period on the sale agreement.
5. This sale was a single contract and not part of any wider transaction and does not incorporate any options, buy-back arrangements, or other conditions. All consideration was paid on completion of the Transaction, there are no deferred elements.

#### **Consultation with major creditors**



Throughout the period of engagement with the Group under prior engagement letters, there has been ongoing dialogue and consultation with the Bank, as the major secured creditor of the Group. The Bank has provided approval to the sale transaction.

Due to the nature of the Group's trade, and to mitigate any negative impact upon operations and supplies to the Group, we did not undertake any consultation with the Group's major unsecured creditors.

#### **Alternatives to Pre-packages Sale Considered**

##### ***1. Additional funding/investment***

The Group's forecasts and short term cash flow indicated a significant funding requirement in the region of £5m to enable the Group to trade beyond the short term and able to pay its creditors as they fell due. As stated previously, the Group had already sought amended creditor terms with suppliers and HMRC. Neither the Shareholder (having recently capitalised £11.8m of debt) nor the Bank (who had only granted a short term extension to the Group's facilities on the basis of a significant reduction by September 2020) were willing to provide any additional funding to the Group. Given the creditor position, external funding was not considered possible to source.

##### ***2. Company Voluntary Arrangement ('CVA')***

The funding requirement (detailed above) led to the conclusion that there would be insufficient funds available to enable the Group to continue to trade for the period of time it would take to draw up the CVA proposal and have it approved by creditors. The risk of creditor action was also taken into consideration, and it was concluded that CVA was not a viable option for the Group.

##### ***3. Trading in Administration***

This was considered on an individual basis in relation to each of the Group entities, including the Company. The ability of the Company to generate funds during a period of trading in Administration was considered, as well as the possibility of securing any external funding. It was determined that trading the Group as a whole would not be appropriate as the funding required would not be available.

Given the risk of incurring a trading loss, with no guarantee that it would bring any additional benefit to the Company's creditors, trading in Administration was considered unnecessary. However this approach was kept under review during the AMA process until it was confirmed that a sale would complete within the required timescale.

##### ***4. Liquidation***

A liquidation appointment would have resulted in an immediate cessation of trade and the redundancy of all employees. Due to a combination of higher asset realisations and the mitigation of certain creditor claims (specifically claims from employees), completion of the sale will result in a higher return to creditors than a shut-down scenario.

#### **Effect of the Joint Administrators' appointment**





With regard to orders placed by the Company prior to the administration but not yet delivered, suppliers should obtain confirmation from the Purchaser that the goods or services are still required.

As a result of the administration, your previous account with the Company is frozen. Please let me have a detailed account of the amount owing to you as at the date of the Administration, together with details of any security you may hold, and of any claim you may have to be treated as a preferential creditor. A statement of claim form is attached. Your account, and any future correspondence in connection with the Company, should be sent to me at BDO LLP, 4 Atlantic Quay, 70 York Street, Glasgow, G2 8JX.

If you claim retention of title in respect of goods delivered to the Company please notify me at BDO LLP, 4 Atlantic Quay, 70 York Street, Glasgow, G2 8JX, in writing within seven days. Such claims should be supported by relevant documentation and an indication of how such stocks may be identified to specific unpaid invoices.

Creditors who are registered for VAT should be able to obtain VAT bad debt relief in respect of unpaid supplies, six months after the date that payment was due for the supply. Bad debt relief is subject to compliance with HMRC requirements (see VAT Notice 700/18).

#### **Creditor Communications**

Please note that notice is hereby given that all future documentation will be available for viewing and downloading at:

<https://brportal.bdo.co.uk>

Username: 00330169

Password: 6ZkSKur (case sensitive)

With the exception of:

- Notices of intention to declare a dividend;
- Documents for which personal delivery is required;
- Documents which are not delivered generally; and
- Documents which I consider should be brought to the attention of members and creditors

all proposals and reports will be published on this website - we will not advise you separately of the dates on which documents are published but you will be able to set up email alerts that will tell you when new documents have been published on the website that relate to this Company's insolvency.

If you would prefer to receive a hard copy of any proposals or reports you may request them and we will be obliged to send them to you within 5 days. You may also request reports on this Company's insolvency previously published on the website. If you have any difficulty in accessing this website please report them to my colleague at the email address above.

You are entitled to ask us to write to you by Royal Mail if you would prefer us to do so, although we are allowed by law to assume that we can communicate with you by email if the Company normally contacted you in this way. If a creditor wishes to receive notifications of future



documents and reports in respect of this administration via email, please provide details of the email address you want to use, to me in writing to the address at the top of this letter.

Creditors have the right to opt-out of receiving notifications in respect of this administration. If a creditor opts out they will still receive notices regarding any notices of dividend or any change in officeholder, but no other documents. Opting out will not affect a creditor's entitlement to dividends, subject to proving their debt and they may still vote in any future decision procedure, although the creditor will not receive notice in this latter respect. A creditor may elect to opt-out by writing to me at the address at the top of this letter. To opt back into communications a creditor must notify me in writing.

Creditors may access information setting out creditors' rights in respect of the approval of the Joint Administrators' remuneration at <https://www.r3.org.uk/what-we-do/publications/professional/fees>.

### **Insolvency Ethics and Complaints**

As Insolvency Practitioners we are bound by the Insolvency Code of Ethics. The fundamental principles are:

- Integrity
- Objectivity
- Professional competence and due care
- Confidentiality
- Professional behaviour

A full copy of the code of ethics is available at: <http://www.insolvency-practitioners.org.uk/regulation-and-guidance/ethics-code>.

The Insolvency Service has established a central gateway for considering complaints in respect of insolvency practitioners. In the event that you make a complaint to us are not satisfied with the response from us then you should visit <https://www.gov.uk/complain-about-insolvency-practitioner> where you will find further information on how you may pursue the complaint.

### **Company Investigations**

At this stage we have not made any detailed investigation into the affairs of the Company. We therefore invite creditors to provide any information that they have which may assist in the administration of the Company, a questionnaire is enclosed.

### **Administrators' Proposals and Progress Reports**

Please note that the Administrators' Proposals have been published on the above website (log in details given above) and that a decision will be needed on remuneration and appointment of a creditor's committee. Progress reports will be published at six monthly intervals on the web site and filed at Companies House. Additional reports may be published should a creditors' decision be required or a Court extension application be necessary to extend the Administration.

Please note that the Joint Administrators are agents of the Company/Group and act without personal liability.

Yours faithfully



For and on behalf of  
PPG Realisations Limited (previously known as Parsons Peebles Generation Limited)

A handwritten signature in black ink, appearing to read 'JBS', is located below the text 'For and on behalf of'.

**James B Stephen**  
**Joint Administrator**

James Stephen and Francis Graham Newton of BDO LLP, 4 Atlantic Quay, 70 York Street, Glasgow, G2 8JX, were appointed Joint Administrators on 12 June 2020. The business and assets of the company are now managed by the Joint Administrators. The Joint Administrators act as agents of the company, without personal liability.

James Stephen is authorised to act as an insolvency practitioner in the UK by the Institute of Chartered Accountants in England and Wales. Office holder number JBS/9273; and  
Francis Graham Newton is authorised to act as an insolvency practitioner in the UK by the Insolvency Practitioners Association. Office holder number 9310.

The Joint Administrators are bound by the Insolvency Code of Ethics which can be found at:  
<https://www.gov.uk/government/publications/insolvency-practitioner-code-of-ethics>.

The Joint Administrators are Data Controllers as defined by the General Data Protection Regulations. Personal data will be kept secure and processed only for matters relating to the Administration of PPG Realisations Limited (previously known as Parsons Peebles Generation Limited). Please see the privacy statement at <https://www.bdo.co.uk/en-gb/legal-privacy/privacy-notice>.

**Enc:**

Indicative Estimated Outcome Statement

Notice of Administrators' Appointment

BDO Data Protection Privacy Statement

Statement of Claim Form

Creditors' Guide to Fees

BDO Remuneration & Disbursements Policy

Creditors Questionnaire



**PPG Realisations Limited (Previously known as Parsons Peebles Generation Limited)**  
**Indicative Estimated Outcome Statement**

Parsons Peebles Generation Ltd

Indicative Estimated Outcome Statement

<b>Assets subject to floating charge</b>	<b>Book value</b>	<b>On appointment</b>	<b>Going concern</b>	<b>Break-up basis</b>
	<b>£'000</b>	<b>with Transaction</b>	<b>basis</b>	
		<b>£'00</b>	<b>£'000</b>	<b>£'000</b>
Goodwill/intangible	-	-	-	-
Fixed Assets	88	180	450	195
Stock	35	5	10	-
WIP	22	5	10	-
Book Debts excluding ENI Pakistan	88	60	60	35
Book Debts: ENI Pakistan	110	55	55	55
Other debtors, prepayments etc	TBC	-	-	-
Intercompany	TBC	-	-	-
Cash at Bank	2	2	2	2
<b>Total assets</b>	<b>345</b>	<b>307</b>	<b>587</b>	<b>287</b>
<b>Costs of Administration</b>				
Administrators' fees		(120)	(120)	(120)
Administrators' disbursements		(2)	(2)	(2)
Legal fees & disbursements		(90)	(90)	(50)
Agents' fees & disbursements		(5)	(5)	(20)
Costs of realisations		(50)	(50)	(50)
Statutory costs		(2)	(2)	(2)
ERA costs re employees		(1)	(1)	(5)
<b>Total costs</b>		<b>(270)</b>	<b>(270)</b>	<b>(249)</b>
<b>Net available for preferential creditors</b>		<b>37</b>	<b>317</b>	<b>38</b>
Preferential claims		(1)	(1)	(20)
<b>Net available after preferential claims</b>		<b>36</b>	<b>316</b>	<b>18</b>
Prescribed parts		(10)	(66)	(5)
<b>Net available to floating charge holder AIB</b>		<b>26</b>	<b>250</b>	<b>13</b>



PPG Realisations Limited (previously known as Parsons Peebles Generation Limited)  
Notice of Administrators' Appointment


<p><small>in accordance with Rule 3.274 of the Insolvency (Scotland) Company Voluntary Arrangements and Administration) Rules 2018 in paragraph 44(a) of Schedule B1 of the Insolvency Act 1986.</small></p>		<h1>AM01 (Scot)</h1> <h2>Notice of administrator's appointment</h2>		<p>Companies House</p>	
<p>For further information, please refer to our guidance at <a href="https://www.gov.uk/companieshouse">www.gov.uk/companieshouse</a></p>					
<h3>1 Company details</h3>					
Company number	S C 2 8 1 5 6 7				<p>→ Filling in this form Please complete in typewritten or in bold block capitals.</p>
Company name in full	Parsons Peebles Generation Limited				
<h3>2 Court details</h3>					
Court name	Court of Session, Scotland				
Court number	P 4 5 1 / 2 0				
<h3>3 Administrator's name</h3>					
Full (surnames)	James				
Surname	Stephen				
<h3>4 Administrator's address</h3>					
Building name/number	4 Atlantic Quay				
Street	70 York Street				
Post town	Glasgow				
County/Region					
Postcode	G 2 8 J X				
Country					
<h3>5 Administrator's email address or telephone number *</h3>					
Email address					<p>* You must give an email address or telephone number. All information on this form will appear on the public record.</p>
Telephone number	0141 248 3761				
<h3>6 Insolvency practitioner number</h3>					
Insolvency practitioner number	J B S / 0 2 7 3				

04/19 Version 1.0



## AM01 (Scot)

Notice of administrator's appointment

<b>7 Administrator's name *</b>		
Full forename(s)	Francis Graham	<input type="checkbox"/> Other administrator Use this section to tell us about another administrator
Surname	Newton	
<b>8 Administrator's address *</b>		
Building name/number	Central Square	<input type="checkbox"/> Other administrator Use this section to tell us about another administrator
Street	20 Wellington Street	
Post town	Leeds	
Country/Region		
Postcode	L S 1 4 D L	
Country		
<b>9 Administrator's email address or telephone number *</b>		
Email address		<input type="checkbox"/> You must give an email address or telephone number. All information in this form will appear on the public record.
Telephone number	0141 248 3701	
<b>10 Insolvency practitioner number</b>		
Insolvency practitioner number	0 3 1 0	
<b>11 Statement of appointment</b>		
I confirm the appointment of the administrator(s) on		
Date	1 2 0 8 2 0 2 0	
<b>12 Name of person, body or court appointing administrator</b>		
Person, body or court name	the directors of the Company	
<b>13 Sign and date</b>		
Administrator's signature	X  X	
Signature date	1 5 0 8 2 0 2 0	



## AM01 (Scot)

Notice of administrator's appointment

<b>1</b> <b>Presenter information</b> You do not have to give any contact information, but if you do it will help Companies House if there is a query on the form. The contact information you give will be visible to searchers of the public record.	<b>2</b> <b>Important information</b> All information on this form will appear on the public record.
<b>3</b> <b>Where to send</b> You may return this form to any Companies House address, however for expediency we advise you to return it to the address below:  The Registrar of Companies, Companies House, Fourth floor, Edinburgh Quay 2, 139 Fountainsbridge, Edinburgh, Scotland, EH3 9RF DX ED235 Edinburgh.	<b>4</b> <b>Further information</b> For further information please see the guidance notes on the website at <a href="http://www.gov.uk/companieshouse">www.gov.uk/companieshouse</a> or email <a href="mailto:inquiries@companieshouse.gov.uk">inquiries@companieshouse.gov.uk</a>  This form is available in an alternative format. Please visit the forms page on the website at <a href="http://www.gov.uk/companieshouse">www.gov.uk/companieshouse</a>
<b>5</b> <b>Checklist</b> We may return forms completed incorrectly or with information missing.  Please make sure you have remembered the following: <input type="checkbox"/> The company name and number match the information held on the public register. <input type="checkbox"/> You have signed and dated the form.	



## **Data Protection Privacy Statement**

### **Introduction**

This privacy statement describes how and why BDO LLP ("BDO UK", or "we" or "us") collects and uses personal data (i.e. data relating to an identified or identifiably individual) in the course of its business. It applies to personal data provided directly to us by the individuals concerned and to personal data provided to us by companies and other organisations.

BDO UK is committed to the protection of personal data and to fair and transparent processing. If you have any questions about this Privacy Notice, you can contact our Data Protection Officer via email at [dpo@bdo.co.uk](mailto:dpo@bdo.co.uk).

To find out more about how and why we process personal data, please refer to the relevant section of this Privacy Notice.

### **Data controller**

BDO LLP (a limited liability partnership registered in England with number OC305127 with a registered address of 55 Baker Street, London W1U 7EU) is registered as a data controller.

### **Security of personal data**

We have policies, procedures and training in place in respect of data protection, confidentiality and information security. We regularly review such measures with the objective of ensuring their continuing effectiveness. The privacy notice was last updated on 25 May 2018.

### **International transfers of personal data**

In the course of running our business and providing services to clients we may transfer personal data to third parties located in other countries, including countries outside the EEA. Where we transfer personal data to a country not determined by the European Commission to provide an adequate level of protection for personal data, we will only do so under a form of agreement approved by the European Commission, such as the Standard Contractual Clauses.

### **Provision of personal data to third parties**

We will only share personal data with third parties where we are legally permitted to do so. Where we transfer personal data to third parties, we will put in place appropriate contractual arrangements and seek to ensure that there are appropriate technical and organisational measures in place to protect personal data.

We may provide personal data to:

- (i) **Other BDO Member Firms** - we may share personal data with other members of the BDO International Network where required for the provision of services to our clients and/or for administrative purposes.
- (ii) **Third parties involved in the performance of services** - we may also transfer personal data to third party organisations who assist us in providing services to clients or are otherwise involved in the services we provide to clients.





- (iii) **Third parties who provide IT services, data processing or functionality** - like many professional service providers, we use third party providers to support our business and the provision of services to our clients, such as cloud based software providers, web hosting/management providers, data analysis providers, and data back-up and security/storage providers. We may therefore transfer personal data to such third parties.
- (iv) **Auditors and advisers** - we may transfer personal data to our auditors and advisers as required by law or as reasonably required in the management of our business.
- (v) **Third parties where required by applicable law and regulation** - we may be requested or compelled to disclose personal data to third parties such as regulators and law enforcement agencies. We will only provide personal data to such parties where there is a legal requirement or permission to do so.

### Your Rights

You have rights in relation to any of your personal data held by us as a data controller. Should you wish to exercise your rights right, please contact our Data Protection Officer via email at [gillian.johnston@bdo.co.uk](mailto:gillian.johnston@bdo.co.uk). We will endeavour to respond to any request promptly and within any legally required time limit.

You also have a right to update your personal data that we hold. To do so, please either update the personal data via the web page or applications open to you, or otherwise contact [gillian.johnston@bdo.co.uk](mailto:gillian.johnston@bdo.co.uk).

Where we process your personal data based on your consent, you have a right to withdraw consent at any time. Should you wish to do so, please contact [gillian.johnston@bdo.co.uk](mailto:gillian.johnston@bdo.co.uk).

Finally, in addition to the rights identified above, you may also have other rights in relation to personal data, including a right to erasure/deletion, the right to data portability and the right to restrict and/or object to our processing of personal data. Such rights may only be available to you from 25 May 2018, when the General Data Protection Regulation comes into effect.

### Complaints

Should you wish to complain about our use of personal data, please contact our Data Protection Officer via email at [dpo@bdo.co.uk](mailto:dpo@bdo.co.uk). We will investigate all complaints that are received and will endeavour to respond to complaints promptly.

You may also complain about our use of personal data to the Information Commissioner's Office. For further information on your rights and the complaints process, please visit the Information Commissioner's Office website: <https://ico.org.uk/for-the-public/raising-concerns/>.

### Data Retention

We will only keep personal data for as long as necessary for the purposes for which it was collected, or as required by applicable law or regulation.

Unless there are any overriding legal, regulatory or contractual requirements, we will retain records of services provided (which may include personal data) in accordance with our document retention policy.



## **Individuals whose personal data we process where providing services to our clients**

We aim to collect personal data only to the extent necessary for us to provide our services to our clients and for other agreed purposes. Where personal data is required for us to perform services for our clients, we request that our clients provide all necessary information to relevant individuals (known as “data subjects”) about our use of personal data. Our clients may therefore refer data subjects to this Privacy Notice.

We provide a range of services to clients and in doing so may process personal data that relates to third parties with a business connection to our clients, such as other advisers, suppliers, transaction counterparties etc. The personal data we process may include contact details, details of business activities, information relating to management and employees, payroll details, and financial information such as details of income, taxation, financial interests and investments.

We generally collect personal data directly from our personal clients or from third parties acting on their instructions. We may collect personal data directly from third parties such as transaction counterparties. Such personal data may be used for the following purposes:

- (i) **Provision of professional services** - BDO UK undertakes a wide range of services, including Audit, Tax, Advisory and Outsourcing services. We may have to process personal data in order to perform such services and/or provide advice and deliverables to our clients.
- (ii) **Managing, administering and developing our business** - We process personal data in order to manage our relationship with clients, develop our business and services, maintain and develop our IT systems, manage and host events, and to administer and manage our website, systems and applications.
- (iii) **Quality and risk management and security** - we use various measures to protect personal data and other client information, which include monitoring the services provided to clients to detect, investigate and resolve security threats. Such monitoring may involve processing personal data, for example the automatic scanning of email correspondence for threats. Our client take-on procedures involve processing personal data that may be obtained from publically available sources (such as sanctions lists, criminal convictions databases, and general internet searches) to identify any risks relating to individuals and organisations that may prevent us from working for a particular client or on a particular matter.
- (iv) **Providing information about our services to our clients** - unless the relevant individual has opted-out, we may use client business contact details to provide information about BDO UK's services and activities and events that may be of interest.

**Compliance with legal and regulatory obligations** - as a regulated body, we are subject to various legal, regulatory and professional obligations that may require us to process and/or retain personal data held on our client files.



## **A CREDITORS' GUIDE TO ADMINISTRATORS' REMUNERATION (SCOTLAND)**

This guide applies to all appointments on or after 6 April 2006.

### **1 Introduction**

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 determine the basis of the administrator's remuneration. This guide is intended to help creditors be aware of their rights under the legislation to approve and monitor remuneration and outlays and explain the basis on which remuneration and outlays are fixed.

### **2 The Nature of Administration**

Administration is a procedure which places a company under the control of an insolvency practitioner and the protection of the court with the objective of:

- (a) rescuing the company as a going concern, or
- (b) 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) realising property in order to make a distribution to one or more secured or preferential Creditors

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

### **3 The Creditors' Committee**

Where a meeting is held by the Administrator 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 10 weeks of the administration order (or longer with the consent of the court) 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 power to summon the administrator to attend before it and provide such information as it may require.

### **4 Fixing the Administrator's Fees**

The basis for fixing the administrator's remuneration is set out in Rule 2.39 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 to deal. It is for the creditors' committee (if there is one) to fix the remuneration and Rule 2.39 says that in arriving at its decision the committee shall 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.

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



Where no meeting is held, the administrator's remuneration is approved by each secured creditor of the company or where a distribution to the preferential creditors is proposed by each secured creditor and 50% in value of the preferential creditors disregarding those who do not respond or withhold approval.

## 5 What Information should be Provided by the Administrator?

Claims by the administrator for the outlays reasonably incurred by him and for his remuneration shall be made in accordance with Rule 2.39 of the Insolvency (Scotland) Rules 1986 which provides that within two weeks after the end of an accounting period, the administrator shall submit to the creditors' committee or if there is no creditors' committee, to a meeting of creditors:

- his accounts of intromissions for audit;
- a claim for the outlays reasonably incurred by him and for his remuneration, broken down into category 1 disbursements, being those costs where there is specific expenditure relating to the administration of the insolvent's affairs and referable to payment to an independent third party, and category 2 disbursements, which are costs which include elements of shared or allocated costs, and are supplied internally by the administrator's own firm and

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 category 1 and 2 disbursements reasonably incurred by him and for his remuneration.

When seeking agreement to his fees and disbursements, the administrator should provide sufficient supporting information to enable the committee or the creditors to form a judgement as to whether the proposed fee and disbursements are reasonable having regard to all circumstances of the case. The nature and extent of the supporting information which should be provided will depend on:

- the nature of the approval being sought;
- the stage during the administration of the case at which it is being sought; and
- the size and complexity of the case.

Where, at any creditors' committee meeting or meeting of creditors, the administrator seeks agreement to the terms on which he is to be remunerated, he should provide the meeting with details of the charge-out rates of all grades of staff, including principals, which are likely to be involved on the case.

Where the administrator seeks agreement to his remuneration during the course of the administration, he should always provide an up to date receipts and payments account. Where the proposed remuneration is based on time costs the administrator should disclose to the committee or the creditors the time spent and the charge-out value in the particular case, together with, where appropriate, such additional information as may reasonably be required having regard to the size and complexity of the case. The additional information should comprise a sufficient explanation of what the administrator has achieved and how it was achieved to enable the value of the exercise to be assessed (whilst recognising that the administrator must fulfil certain statutory obligations that might be seen to bring no added value for creditors) and to establish that the time has been properly spent on the case. That assessment will need to be made having regard to the time spent and the rates at which that time was charged, bearing in mind the factors set out in paragraph 4.1 above. To enable this assessment to be carried out it may be necessary for the administrator to provide an analysis of the time spent on the case by type of activity and grade of staff. The degree of detail will depend on the circumstances of the case, but it will be helpful to be aware of the professional guidance which has been given to insolvency practitioners on this subject. The guidance suggests the following areas of activity as a basis for the analysis of time spent:

- Administration and planning
- Investigations
- Realisation of assets
- Trading
- Creditors
- Any other case specific matters



The following categories are suggested as a basis for analysis by grade of staff:

- Partner
- Manager
- Other senior professionals
- Assistants and support staff

The explanation of what has been done can be expected to include an outline of the nature of the assignment and the administrator's own initial assessment, including the anticipated return to creditors. To the extent applicable it should also explain:

- Any significant aspects of the case, particularly those that affect the amount of time spent.
- The reasons for subsequent changes in strategy.
- Any comments on any figures in the summary of time spent accompanying the request the administrator wishes to make.
- The steps taken to establish the views of creditors, particularly in relation to agreeing the strategy for the assignment, budgeting, time recording, or the drawing, or agreement of remuneration.
- Any existing agreement about remuneration.
- In cases where there are distributable funds available to unsecured creditors by means of the creditors' prescribed part, how the administrator has allocated remuneration and costs with regard to dealing with the administration of and agreeing of unsecured creditors' claims. Remuneration in respect of time spent dealing with issues specific to the funds for ordinary creditors will be applied against the creditors prescribed part, prior to the funds being distributed, and will not be applied against the total funds available to all creditors, including those available to the floating charge holder.
- Details of how other professionals, including subcontractors, were chosen, how they were contracted to be paid, and what steps have been taken to review their fees.

It should be borne in mind that the degree of analysis and form of presentation should be proportionate to the size and complexity of the case. In smaller cases not all categories of activity will be relevant, whilst further analysis may be necessary in larger cases.

Where the remuneration 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.

Any claim for outlays must be approved in the same way as remuneration. Professional guidance issued to Insolvency Practitioners requires that where the administrator proposes to recover costs which, whilst being in the nature of expenses or disbursements may include an element of shared or allocated costs (such as room hire, document storage or communication facilities) they must be approved as if they were remuneration. Such disbursements must be directly incurred on the case and subject to a reasonable method of calculation and allocation. A charge for disbursements calculated as a percentage of the amount charged for remuneration is not allowed.

Payments to outside parties in which the office holder or his firm or any associate has an interest should be disclosed to the body approving remuneration and should be treated in the same way as payments to himself. They therefore require specific approval as remuneration prior to being paid.

## 6 What If a Creditor is Dissatisfied?

If the administrator's remuneration has been fixed by the creditors' committee or by the creditors, by virtue of Rule 2.39A of the Insolvency (Scotland) Rules 1986, any creditor or creditors of the company representing in value at least 25 per cent of the creditors may apply to the court not later than eight weeks after the end of an accounting period for an order that the administrator's remuneration be reduced, on the grounds that it is, in all the circumstances excessive.



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?**

If the administrator considers that the remuneration fixed by the creditors' committee or by resolution of 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**

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

September 2013



## BDO LLP REMUNERATION AND DISBURSEMENTS POLICY

In accordance with best practice I provide below details of policies of BDO LLP in respect of fees and expenses for work in relation to the above insolvency.

The current charge out rates per hour of staff within my firm who may be involved in working on the insolvency follows: This in no way implies that staff at all such grades will work on the case.

Charge Out Rates by Staff Grade - Scotland	From 1/7/2019
	£
Partner	509
Principal	393
Senior Manager/Director	328-352
Manager	225 -301
Assistant Manager	203
Senior Cashier/Cashier	92-192
Senior Administrator	191
Administrator	111-172
Support staff/Secretary	72

The rates charged by BDO LLP are reviewed each year and are adjusted to take account of inflation and the firm's overheads.

Time spent on casework is recorded directly to the relevant case using a computerised time recording system and the nature of the work undertaken is recorded at that time. Units of time can be as small as 3 minutes. BDO LLP records work in respect of insolvency work under the following categories:-

- Pre Appointment
- Steps upon Appointment
- Planning and Strategy
- General Administration
- Asset Realisation/Management
- Trading Related Matters
- Employee Matters
- Creditor Claims
- Reporting
- Distribution and Closure
- Other Issues

Under each of the above categories the work is recorded in greater detail in sub categories. Please note that the 11 categories provide greater detail than the six categories recommended



by the Recognised Professional Bodies who are responsible for licensing and monitoring insolvency practitioners.





Where an officeholder's remuneration is approved on a time cost basis the time invoiced to the case will be subject to VAT at the prevailing rate.

Where remuneration has been approved on a time costs basis a periodic report will be provided to any committee appointed by the creditors or in the absence of a committee to the creditors. The report will provide a breakdown of the remuneration drawn and will enable the recipients to see the average rates of such costs.

#### **1. Other Costs**

Where expenses are incurred in respect of the insolvent estate they will be recharged. Such expenses can be divided into 2 categories.

##### **a) Category 1 Disbursements**

*This heading covers expenses where BDO LLP has met a specific cost in respect of the insolvent estate where payment has been made to a third party. Such expenses may include items such as advertising, travel (by public transport), couriers, searches at company house, land registry searches, fees in respect of swearing legal documents, external printing costs etc. In each case the recharge will be reimbursement of a specific expense incurred.*

Where applicable, disbursements will be subject to VAT at the prevailing rate.

##### **b) Category 2 Disbursements**

We propose to recover from the estate the cost of travel where staff use either their own vehicles or company cars in travelling connected with the insolvency. In these cases a charge of 45p per mile is raised which is in line with the HM Revenue & Customs Approved Mileage Rates (median - less than 10,000 miles per annum) which is the amount the firm pays to staff. Where costs are incurred in respect of mileage, approval will be sought in accordance with the Insolvency (Scotland) Rules to recover this disbursement.

Where applicable, all disbursements will be subject to VAT at the prevailing rate.

**CREDITOR'S QUESTIONNAIRE****PPG REALISATIONS LIMITED (PREVIOUSLY KNOWN AS PARSONS PEEBLES GENERATION LIMITED)**

1. Name of Creditor (Your Name)
2. How long have you been supplying the Company?
3.
  - a) On what date did you last supply goods to the Company?
  - b) What is the age of the oldest debt?
4. What were the agreed credit terms with the Company?
5. On what date did the Company first exceed the agreed credit terms?
6. Did you at any time refuse to continue supplying the Company on credit, or seek to recover goods not paid for?
7. Were any payments from the Company not honoured?
8. What, if any, action did you take to obtain payment, e.g. issuing a writ?
9. What was the Company's reaction to any action you have indicated you took under question 7?