

The Insolvency Act 1986

**Statement of administrator's proposals****R2.25**

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

Name of Company  
Penman Kirkcaldy Limited

Company number  
SC292817

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

We  
Kenneth Robert Craig  
Tenon Recovery  
160 Dundee Street  
Edinburgh EH11 1DQ

Thomas Campbell MacLennan  
Tenon Recovery  
160 Dundee Street  
Edinburgh EH11 1DQ

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

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

(b) Insert date

(b) 28 May 2009

Signed

Joint / Administrator(s)

Dated

**Contact Details:**

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

Kenneth Robert Craig  
Tenon Recovery  
160 Dundee Street  
Edinburgh EH11 1DQ

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

DX Number

0131 221 8820  
DX Exchange

SATURDAY



SCT 06/06/2009 666  
COMPANIES HOUSE

When you have completed and signed this form, please send it to the Registrar of Companies at:-

**Companies House, 37 Castle Terrace, Edinburgh EH1 2EB  
DX 235 Edinburgh / LP4 Edinburgh-2**

**PENMAN KIRKCALDY LTD**  
**IN ADMINISTRATION**

Statement of the Joint Administrators  
proposals pursuant to Paragraph 49 of Schedule B1  
of the Insolvency Act 1986

28 May 2009

*Tenon Recovery*  
*Edinburgh*

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**1. Introduction**

Thomas Campbell MacLennan and Kenneth Robert Craig of Tenon Recovery, 160 Dundee Street, Edinburgh, EH11 1DQ were appointed Joint Administrators on 2 April 2009 following an application by the floating chargeholder lodged in the Court of Session.

**2. Purpose of the Administration**

The purpose of the Administration is, pursuant to paragraph 3(1) of Schedule B1 of the Insolvency Act 1986 (Objective (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).

**3. Joint Administrators Proposals**

As required by paragraph 49 of Schedule B1 of the Insolvency Act 1986, the following proposals to creditors for achieving the objective of the administration are made by the Joint Administrators :-

- The administrators will continue to manage the business, affairs and property of the Company in such a manner as they consider appropriate with a view to completing the objective of realising the property to make a better distribution to the creditors.
- The administrators will investigate and if appropriate pursue any claim that the Company may have under the Companies Act 1985 or the Insolvency Act 1986.
- The administrators will do all other things and generally exercise their powers as administrators to achieve the purpose of the administration.
- The administrators anticipate that there may be funds available to pay a dividend to creditors, therefore at the conclusion of the administration the Joint Administrators will be discharged and the company subsequently placed into Creditors Voluntary Liquidation, with T C MacLennan and K R Craig appointed as Joint Liquidators.

**4. Background to the Appointment**

The company was incorporated in November 2005 with a view to purchasing land for residential development. The company purchased and developed a site successfully which was completed during 2007. A further site was acquired during 2007 which had outline planning permission. The director sought to increase the volume of housing however there were significant delays in securing further planning permission.

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Over half of the site has now been built with 6 houses currently remaining unsold. Due to the planning delays and a weakening property market resulted in funding shortages. As a result the floating charge holder took the decision to appoint an Administrator therefore we were appointed Joint Administrators of the company on 2 April 2009.

**5. Post Administration Matters**

Following our appointment the development site was valued and is currently being marketed with a view to setting an early closing date for offers.

It is estimated that subject to the costs of administering the administration that there is the prospect of a partial dividend to secured creditors lenders only. An updated estimated statement of affairs will be presented at the meeting of creditors and will be circulated to creditors thereafter.

**6. Prescribed part**

The Administrators are required to state the amount of funds estimated to be available to unsecured creditors in respect of the 'prescribed part' set aside in accordance with section 176A of the Insolvency Act 1986. This provision only applies where a company has granted a floating charge to a creditor on or after 15 September 2003. In view of the fact that there will only be a secured creditor recovery there is no prospect of any dividend to ordinary creditors.

**7. Meeting of creditors and proposed exit route from administration**

In terms of paragraph 51 of Schedule B1 of the Insolvency Act 1986 no meeting of creditors will be held. However, we will make you aware that if a meeting is requested by a creditor or creditors of the Company whose debts amount to at least 10% of the total debts of the Company (a request must be made on Form 2.21B within 12 days from the date on which the Administrators Proposals are sent out). If we receive such a request in this time frame then we will be obliged to hold a meeting within 28 days of the request being received by the Administrator.

T C MacLennan  
Joint Administrator  
28 May 2009

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**Appendix 1**

**Statutory Information**

The following information has been obtained from documentation filed with the Registrar of Companies and from the company books and records.

**Date of Incorporation** 7 November 2005

**Company Number** SC292817

**Registered Office** 51 Kirk Wynd  
Kirkcaldy  
Fife  
KY1 1EN

**Trading Address** Hendrie Road  
East Wemyss  
Fife

<b>Directors</b>	<b>Appointed</b>	<b>Resigned</b>
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Deborah A Muir	7/11/2005	-
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**Secretary**

William MacGregor	7/11/2005	-
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<b>Share Capital</b>	<b>Authorised</b>	<b>Issued</b>
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Ordinary £1 Shares	1,000	1,000
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**Shareholders**

Deborah A Muir	200
Alexander A Penman	<u>800</u>
	<u>1000</u>

**Appendix 2**

**Financial information**

	<b>Final 31/03/08 £'s</b>	<b>Final 31/03/07 £'s</b>
<b>Profit &amp; Loss account</b>		
Turnover	3,680,830	4,560,080
Cost of sales	<u>(3,869,755)</u>	<u>(2,717,341)</u>
Gross Profit/(Loss)	(188,925)	1,842,739
Administrative expenses	<u>(586,945)</u>	<u>(406,023)</u>
(Loss)/profit for the period	(777,838)	1,430,078
Tax	<u>235,927</u>	<u>(427,019)</u>
Loss after tax	(551,016)	1,003,059
Dividends	—	<u>(1,000,000)</u>
Retained (Loss)/Profit	<u>(551,016)</u>	<u>3,059</u>

**Balance Sheet**

<b>Fixed Assets</b>		
Tangible assets	27,480	37,143
Investments	<u>100,000</u>	<u>100,000</u>
	127,480	137,143
<b>Current Assets</b>		
Stocks	4,140,336	1,914,172
Debtors	80,271	29,947
Cash	<u>200</u>	<u>—</u>
	4,220,807	1,944,119
<b>Creditors</b>	(4,895,244)	(2,077,203)
Total Assets less liabilities	<u>(546,957)</u>	<u>4,059</u>
<b>Capital and Reserves</b>		
Called up share capital	1,000	1,000
Profit and loss account	<u>(547,957)</u>	<u>3,059</u>
	<u>(546,957)</u>	<u>4,059</u>

No management accounts have been prepared for the 12 month period to 2 April 2009.

Appendix 3

**ESTIMATED STATEMENT OF AFFAIRS  
AT 2 APRIL 2009**

**Prepared by T C MacLennan and K R Craig**

	<b>Note</b>	<b>Book Value £'s</b>	<b>Estimated to Realise £'s</b>
<b>Assets</b>			
Land	<b>1</b>		700,000
Completed Properties			<u>1,000,000</u>
			1,700,000
Less : Secured debt HBOS plc			<u>(2,663,000)</u>
Shortfall to secured creditor			<u>(963,000)</u>
Available for Ordinary Creditors			Nil
<b>Liabilities</b>			
Ordinary Creditors			
Per attached list	<b>2</b>	(17,664)	
-Provision		<u>(50,000)</u>	
			(67,664)
<b>Estimated Deficiency to creditors</b>			<u>(1,030,664)</u>

**Notes**

1. The sale of the completed houses and development site is ongoing, accordingly the realisations may be higher or lower than stated. It is however estimated that subject to the costs of administering the administration and subsequent liquidation, that there is the prospect of a partial dividend to secured creditors only. An updated estimated statement of affairs will be presented at the meeting of creditors and will be circulated to creditors thereafter.
2. The figures contained in this statement reflect information obtained to date from company records and creditor representations.
3. The Statement of Affairs does not take account of the expenses of realisation and administration.

**Penman Kirkcaldy Limited**  
**Creditors with Statement of Affairs Figures**

		<b>S of A 1</b>	<b>S of A 2</b>	<b>S of A Total</b>
		<b>£</b>	<b>£</b>	<b>£</b>
CC03	Jim Campbell 14 Southerton Gardens Kirkcaldy	0.01	0.00	0.01
CD08	Duncan & Pryde Thistle House Cartmore Industrial Estate Lochgelly	2,939.81	0.00	2,939.81
CF02	Fife Council Fife House North Street Glenrothes Fife, KY7 5LT	45.68	0.00	45.68
CM09	Milne Craig Abercorn House 79 Renfrew Road Paisley PA3 4DA	5,375.00	0.00	5,375.00
CN00	NHBC Suite 4 5 New Mart Place Edinburgh EH14 1RW	5,221.65	0.00	5,221.65
CR00	Raeburn Drilling Whistleberry Road Hamilton	3,066.17	0.00	3,066.17
CS04	Sage Ltd North Park Newcastle Upon Tyne NE13 9AA	121.99	0.00	121.99
CS0F	Strachan & Livingston Ltd 108 Holyrood Road Edinburgh EH8 8AS	113.85	0.00	113.85
CS0I	Scottish Water	779.92	0.00	779.92

Signature \_\_\_\_\_ Date \_\_\_\_\_

**Penman Kirkcaldy Limited**  
**Creditors with Statement of Affairs Figures**

	<b>S of A 1</b>	<b>S of A 2</b>	<b>S of A Total</b>
	<b>£</b>	<b>£</b>	<b>£</b>
9 Entries Totaling	17,664.08	0.00	17,664.08

Signature \_\_\_\_\_ Date \_\_\_\_\_