

The Insolvency Act 1986

**Administrator's progress report****R2.38**

Pursuant to Rule 2.38 of the Insolvency (Scotland) Rules 1986

Name of Company

MacArthur Holdings Limited

Company number

SC379454

(a) Insert full  
name(s) and  
address(es) of  
administrator(s)I/We (a)  
Brian Milne  
French Duncan Business Recovery  
133 Finnieston Street  
Glasgow  
G3 8HB

administrator(s) of the above company attach a progress report for the period

from

to

(b) Insert date(s)

(b) 29 February 2016

(b) 28 August 2016

Signed

Administrator

Dated

7 October 2016.

**Contact Details:**

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

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

Brian Milne  
French Duncan Business Recovery  
133 Finnieston Street  
Glasgow  
G3 8HB

DX Number

0141 221 2984  
DX Exchange

SATURDAY



SCT

\*S5H5RVKT\*

08/10/2016

#140

COMPANIES HOUSE

When you have completed and signed this form, please send it to the Registrar of Companies at:-  
**Companies House, 4<sup>th</sup> Floor, Edinburgh Quay 2, 139 Fountainbridge, Edinburgh, EH3 9FF**  
**DXED235 Edinburgh 1 / LP- 4 Edinburgh 2**

**DCW LIMITED (IN ADMINISTRATION)**

**6 MONTHLY PROGRESS REPORT BY THE  
ADMINISTRATOR (APPOINTED ON 23 FEBRUARY  
2016)**

**(Pursuant to Rule 2.38(1) of the Insolvency  
(Scotland) Rules 1986)**

Brian Milne  
Joint Administrator  
French Duncan LLP  
133 Finnieston Street  
Glasgow  
G3 8HB

**Disclaimer Notice**

- This Progress Report has been prepared by the Administrator of DCW Limited, solely to comply with the statutory duty under Rule 2.38 (1) of the Insolvency (Scotland) Rules 1986 to report to creditors on the progress of the Administration, and for no other purpose. It is not suitable to be relied upon by any other person, or for any other purpose, or in any other context.
- This progress report has not been prepared in contemplation of it being used, and is not suitable to be used, to inform any investment decision in relation to the debt of or any financial interest in the company listed above.
- Any estimated outcome for creditors included in this Progress Report are illustrative only and cannot be relied upon as guidance as to the actual outcome for creditors. Any person that chooses to rely on this Progress Report for any purpose or in any context other than under Rule 2.38 (1) of the Insolvency (Scotland) Rules 1986 does so at their own risk. To the fullest extent permitted by law the Administrator does not assume any responsibility and will not accept any liability in respect of this Progress Report.
- The Administrator acts as agent for DCW Limited and contracts without personal liability. The appointments of the Administrator is personal and, to the fullest extent permitted by Law, French Duncan LLP does not assume any responsibility and will not accept any liability to any person in respect of this Progress Report or the conduct of the administration.

**MACARTHUR HOLDINGS LIMITED (IN ADMINISTRATION)  
ADMINISTRATOR'S PROGRESS REPORT**

<b><u>Page No</u></b>	<b><u>Contents</u></b>
<b>2</b>	<b>Introduction</b>
<b>2</b>	<b>Progress of the Administration</b>
<b>2</b>	<b>Sale of Business</b>
<b>2-3</b>	<b>Assets</b>
<b>3-4</b>	<b>Creditors</b>
<b>4</b>	<b>Administrator's Remuneration</b>
<b>4</b>	<b>Receipts and Payments Account</b>
<b>6</b>	<b>Closure</b>

**APPENDICES**

- I      Analysis of Time Costs**
- II     Receipts & Payments Account**

**MACARTHUR HOLDINGS LIMITED (IN ADMINISTRATION)  
ADMINISTRATOR'S PROGRESS REPORT**

**STATUTORY INFORMATION REGARDING APPOINTMENT**

Company Name	MacArthur Holdings Limited
Registered Address	10 Balephuill Scarinish Isle of Tiree PA77 6UE
Trading Address	10 Balephuill Scarinish Isle of Tiree PA77 6UE
Registered Number	SC379454
Administrator(s)	Brian Milne 133 Finnieston Street Glasgow G3 8HB
Date of appointment of Administrator(s)	29 February 2016
Court	Oban Sheriff Court Sheriff Clerk's Office LP-4 OBAN
Court Reference	L1
Person appointing the Administrator	Creditors

**MACARTHUR HOLDINGS LIMITED (IN ADMINISTRATION)  
ADMINISTRATOR'S PROGRESS REPORT**

**1. Introduction**

Following my appointment on 29 February 2016 I have conducted the administration in terms of Schedule B1 of the Insolvency Act and the original proposal submitted to all known creditors.

**2. Progress of the Administration**

The Administrator has attended to the various statutory duties imposed on him by the Insolvency Act 1986, as amended by *inter alia* the Enterprise Act 2002, including reporting on the conduct of the company's directors prior to his appointment.

**3. Sale of Business**

A going concern sale of the business was considered but was not possible as the company had ceased to trade some time before the administration appointment. It had no ongoing contracts (other than those contracts for which it was seeking payment under retention payments) and thus no working capital available, it had also reduced its employees significantly.

**4. Assets**

**4.2 Motor Vehicles**

The company did not own any motor vehicles.

**4.3 Book Debts**

**4.3.1** At commencement of the administration a number of potential debtors were identified. The book debts were in relation to retentions on a number of contracts which had been completed prior to the company's insolvency. The company had been at an advanced stage in respect of the adjudication against one particular debtor, however the adjudication decision was issued after the company's insolvency. The company was not successful. The adjudication process does not preclude litigation to pursue the matter and the administrator will rely on his advisors in this matter.

**4.3.2** Following the appointment, Acasta Consulting Limited were appointed as the Administrator's agents and continue to pursue the outstanding amounts. No funds have been realised to date.

**5. Creditors**

**5.1 Employees**

**5.1.1** At the date of appointment there was one employee. Claims have been submitted to the Redundancy Payments Office ("RPO") in terms of Holiday Pay, Pay in Lieu of Notice, Loss of Wages and Redundancy Pay.

**MACARTHUR HOLDINGS LIMITED (IN ADMINISTRATION)  
ADMINISTRATOR'S PROGRESS REPORT**

**5.1.2** At this time I await formal confirmation as to the extent of any claim to be submitted by the RPO in the administration which will be regarded as preferential.

**5.2 Secured/Floating Charge Creditors**

**5.2.1** There is a floating charge in favour of West Coast Aggregates Limited.

**5.3 Preferential Creditors**

**5.3.1** As detailed above, I await formal confirmation as to the extent of any preferential claim.

**5.3.2** Based upon the current information there will not be sufficient funds with which to make a dividend payment to preferential creditors.

**5.4 Unsecured Creditors**

**5.4.1** The estimated claims of non-preferential creditors are summarised as follows:-

	£
Trade Creditors	276,315
HM Revenue & Customs:	70,654
Department of Trade & Industry	tbc
Employees' Claims	tbc

**5.4.2** Based upon the current information there will be insufficient funds with which to make a dividend payment to ordinary creditors. Department of Trade and Industry and Employees' claims are intimated at a nominal sum pending verification.

**6. Shareholders**

**6.1** There is no prospect of a return to shareholders. The shareholders should advise their tax advisors accordingly.

**7. Administrator's Remuneration**

In accordance with Statement of Insolvency Practice 9 (Scotland) ("SIP9") we have enclosed details of our time costs in this matter, from the date of appointment to 28 August 2016. You will note that time costs to 28 August 2016 amount to £9,915.50, which represents 56.20 hours at an average hourly rate of £176.43.

To date, no fees have been requested or drawn.

These amounts are derived by reference to French Duncan LLP's normal rates in respect of time properly expended by the Joint Administrators and their staff in attending to matters arising in the Administration. Where appropriate, certain staff members have dealt with a specific area of the Administration due to their specialist skills in the area. Scale rates increase from time to time over the period of the Administration of each insolvency case.

**MACARTHUR HOLDINGS LIMITED (IN ADMINISTRATION)**  
**ADMINISTRATOR'S PROGRESS REPORT**

Total disbursements incurred from the date of appointment to 28 August 2016, which have been charged where possible, are £640.09 and are detailed as follows:-

	Category 1 Disbursements £	Category 2 Disbursements £
Bordereau	57.60	
Registers of Scotland	15.00	
Statutory Advertising	84.00	
Legal Fees	425.00	
Photocopying		5.30
Postage		53.19
	<u>581.60</u>	<u>58.49</u>

It is my intention to take remuneration in terms of the Statement of Insolvency Practice 9 (Scotland) ("SIP9") and my original proposal. I have enclosed my Time and Cost summary for the period 29 February 2016 to 28 August 2016. Given there are currently no realisations from assets, no remuneration can currently be drawn. Should this position change, I shall inform creditors accordingly.

**8. Receipts & Payments**

I have enclosed a copy of my Receipts & Payments Account covering the period from 29 February 2016 to 28 August 2016.



Brian Milne

Administrator

Partners and staff of French Duncan LLP acting as Administrators contract without personal liability.

Brian Milne is licensed in the UK to act as an Insolvency Practitioner by the Institute of Chartered Accountants of Scotland

06 October 2016

**MacArthur Holdings Limited**  
(In Administration)

**ADMINISTRATOR'S RECEIPTS AND PAYMENTS ACCOUNT**

	Statement of affairs £	From 29/02/2016 To 28/08/2016 £	From 29/02/2016 To 28/08/2016 £
<b>RECEIPTS</b>			
Book Debts	25,000.00	0.00	0.00
Insurance Refund		2,378.00	2,378.00
Bank Interest Gross		0.42	0.42
		<u>2,378.42</u>	<u>2,378.42</u>
<b>PAYMENTS</b>			
O.R. Disbursements		15.00	15.00
Bordereau		57.60	57.60
Legal Fees (1)		425.00	425.00
Sundry Expenses		5.00	5.00
Statutory Advertising		79.00	79.00
Employee Arrears/Hol Pay	(2,000.00)	0.00	0.00
Floating Charge Creditor	(76,800.00)	0.00	0.00
Trade & Expense Creditors	(85,440.00)	0.00	0.00
Redundancy Payments Office	(5,000.00)	0.00	0.00
H M Revenue & Customs	(70,654.00)	0.00	0.00
Ordinary Shareholders	(200.00)	0.00	0.00
		<u>581.60</u>	<u>581.60</u>
Net Receipts/(Payments)		<u>1,796.82</u>	<u>1,796.82</u>
<b>MADE UP AS FOLLOWS</b>			
Fixed Current A/c		1,696.02	1,696.02
VAT Receivable / (Payable)		100.80	100.80
		<u>1,796.82</u>	<u>1,796.82</u>

Note:

\_\_\_\_\_  
Brian Milne  
Administrator



Macarthur Holdings Limited (in Administration)  
SIP9 for the period from 28 February 2016 to 28 August 2016

HOURS									
Classification of work function	Partner	Director	Manager	Other Junior professionals	Administrative, clerical & support staff	Total Hours	Time Cost (£)	Average hourly rate (£)	
Administration and Planning									
Administration	0.00	16.20	0.65	2.00	0.00	18.85	3,304.00	175.28	
Cashiering	0.00	0.00	0.10	6.00	0.00	6.10	547.25	89.71	
Correspondence	0.00	0.00	0.50	0.80	0.00	1.10	124.75	113.41	
Meeting	3.50	0.00	0.00	0.00	0.00	3.50	1,102.50	315.00	
Statutory	0.00	7.05	0.40	2.50	0.00	9.95	1,556.25	155.80	
Tax	0.00	0.00	0.00	1.00	0.00	1.00	85.00	85.00	
Strategy	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
Telephone	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
Creditors									
Circulars	0.00	0.00	0.00	0.80	0.00	0.80	50.00	62.50	
Claims	0.00	1.20	0.00	1.50	0.00	2.70	322.50	119.81	
Correspondence	0.00	1.25	0.00	0.00	0.00	1.25	313.75	251.00	
Employees	0.00	3.85	0.00	0.00	0.00	3.85	758.75	197.08	
Telephone	0.00	0.75	0.00	0.00	0.00	0.75	138.75	185.00	
Investigations									
Accounting Records	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
Correspondence	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
Trading									
Customers	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
Realisations (Secured)									
Heritable Assets	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
Book Debts	4.70	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
Realisations (Unsecured)									
Book Debts	0.00	0.75	0.00	0.80	0.00	1.55	1,617.00	980.00	
Other Assets	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
Total Hours	8.20	31.05	1.65	15.30	0.00	56.20	9,915.50	176.43	
Hourly Chargeable Rates									
	(min £)		max (£)						
Partner	300	-	330					0	
Director	220	-	240					5.30	
Manager	150	-	200					53.19	
Other Senior Professionals	85	-	140						
Assistants & Support Staff	60	-	90						
TOTAL							58.49		
Disbursements									
Travel								0	
Photocopying								5.30	
Postage								53.19	
TOTAL							58.49		