In accordance with Rule 18.6 of the Insolvency (England & Wales) Rules 2016.

AM10
Notice of administrator's progress report

Companies House

WEDNESDAY

A92IRL34
A10 08/04/2020 #145
COMPANIES HOUSE

1 Company details

Company number	0 9 6 2 7 8 1 5
Company name in full	Boultbee Brooks (67-75 Mosley Street) Limited

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

2 Administrator's name

Full forename(s)	Glyn
Surname	Mummery

3 Administrator's address

Building name/number	Jupiter House, Warley Hill Business Park
Street	The Drive
Post town	Brentwood
County/Region	Essex
Postcode	C M 1 3 3 B E
Country	

4 Administrator's name ❶

Full forename(s)	Paul
Surname	Atkinson

❶ **Other administrator**
Use this section to tell us about another administrator.

5 Administrator's address ❷

Building name/number	Jupiter House, Warley Hill Business Park
Street	The Drive
Post town	Brentwood
County/Region	Essex
Postcode	C M 1 3 3 B E
Country	

❷ **Other administrator**
Use this section to tell us about another administrator.

AM10
Notice of administrator's progress report

6 **Period of progress report**

From date	12/02/2020
To date	07/04/2020

7 **Progress report**

☑ I attach a copy of the progress report

8 **Sign and date**

Administrator's signature	Signature X Glyn Mummery X
Signature date	07/04/2020

AM10
Notice of administrator's progress report

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: Elizabeth Heggs
Company name: FRP Advisory Trading Limited
Address: Jupiter House
Warley Hill Business Park
Post town: The Drive
County/Region: Brentwood
Postcode: E s s e x
Country:
DX: cp.brentwood@frpadvisory.com
Telephone: 01277 50 33 33

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 attached the required documents.
- ☐ You have signed 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, Crown Way, Cardiff, Wales, CF14 3UZ.
DX 33050 Cardiff.

Further information

For further information please see the guidance notes on the website at www.gov.uk/companieshouse or email 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

Boultbee Brooks (67-75 Mosley Street) Limited
(In Administration)
Joint Administrators' Summary of Receipts & Payments

Statement of Affairs £		From 12/02/2020 To 07/04/2020 £	From 12/02/2020 To 07/04/2020 £
	SECURED ASSETS		
Uncertain	Freehold Land & Property	NIL	NIL
		NIL	NIL
	SECURED CREDITORS		
(4,019,314.00)	Boultbee Finance Limited	NIL	NIL
(19,227,896.00)	Verity Trustees Limited	NIL	NIL
(2,393,799.00)	Boultbee Properties Limited	NIL	NIL
		NIL	NIL
	ASSET REALISATIONS		
83,203.00	Cash at Bank	NIL	NIL
		NIL	NIL
(25,557,806.00)		**NIL**	**NIL**
	REPRESENTED BY		
			NIL

FRP

BOULTBEE BROOKS (67-75 MOSLEY STREET) LIMITED (IN ADMINISTRATION) ("THE COMPANY")

The Administrators' Final Report for the period 12/02/2020 – 02/04/2020

7 April 2020

Contents and abbreviations

The following abbreviations may be used in this report:

BBRE	Boultbee Brooks Real Estate Limited
BFL	Boultbee Finance Limited
BPL	Boultbee Properties Limited
BDL	Boultbee Developments Limited (formerly Boultbee Properties Limited)
CVL	Creditors' Voluntary Liquidation
FRP	FRP Advisory Trading Limited
HMRC	HM Revenue & Customs
PT	The Pensions Trust
QFCH	Qualifying floating charge holder
SIP	Statement of Insolvency Practice
The Administrators	Glyn Mummery and Paul Atkinson of FRP Advisory Trading Limited
The Company or BB67/75	Boultbee Brooks (67-75 Mosley Street) Limited (In Administration)
The Period	The reporting period 12/02/2020 – 07/04/2020
The Property	67-75 Mosely Street, Manchester M2 3LQ
The Proposals	The Administrators' proposals for achieving the purpose of the administration dated 09/03/2020
The Secured Lenders	(Collectively - Verity Trustees Limited, Boultbee Finance Limited and Boultbee Developments Limited)
VT	Verity Trustees Limited (as Trustees of The Pensions Trust)

1. An overview of the administration

The Background

This report should be read in conjunction with my previous report dated 9 March 2020, which set out full background information behind the Company, the reasons which led it to being placed into Administration and the Administrators' Proposals for conducting the Administration.

It constitutes the Administrators final report in these proceedings and steps are now being taken to exit Administration and hand control of the Company back to its directors.

The Proposals

The Administrators identified that the objective of the Administration, as set out in the Proposals approved by creditors, without modification, on 27 March 2020, was in the first instance, to rescue the Company as a going concern.

The objective was achieved by virtue of completion of a settlement agreement between the former ex-main contractor and the Company, as previously reported. This has effectively enabled the Company to return to a solvent position with the result that, following exit, with necessary funding commitments in place, it will be able to settle all creditors' claims in full, including statutory interest.

Accordingly, steps are being taken for the Company to exit Administration so that control can be handed back to the directors, the development can continue unhindered, with payment of outstanding creditor liabilities being settled by the Company in due course.

Implementation of the Proposals

As advised in the Administrators' proposals, our initial focus was centred upon facilitating negotiations between the Secured Lenders and the former contractor to see if a compromise of the adjudicator's award (and any further claims(s)) could be agreed.

The above negotiations proved successful, with a full and final settlement for a specified sum (embracing all claims both ways) completed on 21 February 2020, resulting in the Company's solvency being restored.

Funding to settle the agreed sum was provided directly by the existing Secured Lenders and not by the Company. The Administrators were party to the Agreement solely for the purpose of obtaining the benefit of the provisions in their favour and did not incur any personal liability.

As previously advised, due to confidentiality restrictions, the Administrators are unable to disclose the terms agreed.

Following completion of the above settlement, negotiations were undertaken with the Secured Lenders, BBRE, BDL and the new main contractor to agree terms whereby the refurbishment works to the Property could continue uninterrupted, with appropriate funding being provided by the Secured Lenders, while steps were taken to accelerate the Company's exit from Administration. These negotiations were successfully concluded, with the following documentation put in place: -

1. An initial Letter of Intent ("LOI"), with the new contractor, whereby it was empowered to continue with the authorised works for a specified term, on agreed terms. OBI Property Limited remained engaged as Contract Administrator, for the purposes of the works. A second LOI has recently been issued.

2. A Licence in favour of BBRE, giving it the power to manage, occupy and continue with the development works for a period of ten weeks, while steps were taken for the Company to exit Administration.

3. An indemnity from BDL, to support BBRE's commitments and obligations under the Licence, including all operating expenses and to ensure that the contractor performs its necessary obligations under the LOI.

4. An indemnity from BDL in respect of the general costs and expenses of the Administration including, inter alia, professional costs/fees, together with an indemnity to underpin the Company's requirement to discharge all outstanding creditor claims, following the exit from Administration.

The Administrators will seek settlement of the outstanding costs and expenses of the Administration, including professional fees, directly from BDL. As previously stated, it is proposed that all outstanding creditor claims will be settled by the Company, after its exit from Administration.

Extension of period of administration

An extension to the period of administration is not required.

Work undertaken during the administration

Attached, at Appendix B, is a Schedule of Work undertaken during the Period covered by this final report.

The Administrators recently circulated their Proposals which provided detailed information on the actions taken to-date. Further details are reproduced along with additional work carried out in the interim period.

- Immediately following the Administration appointment, the Administrators completed a review of the Company's position/the options available to identify the best way for optimising the return to creditors as a whole.
- The following options were available: -
    1. Cease all refurbishment works, undertake marketing and seek offers for the Property in its current incomplete state.
    2. If viable to do so, attempt to raise funding to complete the refurbishment works and pursue a sale while these works were continuing or once completed, to generate increased value.
    3. A potential exit from Administration with control handed back to the directors/shareholders, subject to a settlement being agreed with the former contractor.
- Following consultation with property agents, Cushman & Wakefield, it became evident that there would be significant impairment to any potential realisation, such that the Secured Lenders would most likely suffer a shortfall with no funds available for distribution to any other category of creditor, in the event that works ceased. Therefore option 1. was discounted.
- The Administrators also determined that even in the event of obtaining additional funding to enable the refurbishment works to re-commence, the risks and liabilities associated with continuation of the works in Administration over an extended period could not be justified and therefore, option 2. was also discounted.
- Accordingly, our focus was centred upon facilitating negotiations between the Secured Lenders and the former contractor to see if a compromise of the adjudicator's award as detailed above could be agreed, therefore enabling the Company to exit Administration, in the short term.
- A significant amount of time has been spent ensuring that appropriate and requisite levels of insurance were in place to protect assets and cover risks. As a safeguard, our specialist insurance brokers, Marsh Limited, were instructed to arrange open cover insurance on the date of appointment, while the Company's pre-appointment insurances (pre-paid) were reviewed and negotiations conducted with the pre-appointment insurers for appropriate amendments to be made. This process was successfully completed, resulting in cancellation of the open cover insurance at reduced cost, with the Administrators being able to place full reliance on the pre-appointment insurances.

While, a Receipts and Payments Account detailing transactions for the whole period of the Administration is attached at Appendix D, it should be noted that there have been no receipts or payments.

Investigations

Part of my duties included carrying out proportionate investigations into what assets the Company has, including any potential claims against directors or other parties, and what recoveries could be made. I reviewed the Company's books and records and accounting information, requested further information from the directors, and invited creditors to provide information on any concerns they had concerning the way in which the Company's business had been conducted.

2. Progress of the administration in the Period

Further details of the conduct of my investigations are set out in the Schedule of Work attached. I can confirm that no further investigations or actions were required.

Exiting the administration

The purpose of the Administration has been sufficiently achieved in relation to the Company and it is therefore appropriate for the Administrators to file a notice pursuant to Paragraph 80 of Schedule B1 of the Insolvency Act 1986 to return control of the Company to the directors.

3. Outcome for creditors

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Initial estimated outcome for creditors

The Proposals anticipated that there would be funds to settle all outstanding creditor liabilities in full by the Company in accordance with agreed terms, following exit.

Outcome for secured creditor

The Company has five charges registered at Companies House as follows:

1) Boultbee Properties Limited holds a Legal Mortgage dated 23 December 2015 over the freehold property known as 67-73 (odd) Mosley Street, Manchester M3 3LQ and 75 Mosley Street, Manchester M2 3HR.

2) Boultbee Finance Limited has two Legal Mortgages dated 23 December 2015 and 1 July 2016 over the freehold property known as 67-73 (odd) Mosley Street, Manchester M3 3LQ and 75 Mosley Street, Manchester M2 3HR.

3) Verity Trustees Limited (as Trustee of the Pensions Trust) hold a further two Legal Mortgages dated 23 December 2015 and 1 July 2016 over 67-73 (odd) Mosley Street, Manchester M3 3LQ and 75 Mosley Street, Manchester M2 3HR.

The various mortgages are regulated by framework, inter-creditor and facility agreements between the respective parties. The amounts outstanding at the date of Administration totalled £25,641,009.

Further payments have been advanced since the date of Administration, including settlement monies paid to the former contractor and other amounts paid to the new contractor in respect of unpaid amounts due as at the date of Administration.

The Secured Lenders have continued to fund the ongoing refurbishment works throughout the Administration, pending completion of the exit process pursuant to the terms of the Licence, LOI and indemnities in place. Total funding provided to the new contractor has amounted to approx. £1.553m, which has been settled on a direct basis (not via the Administration). A further application of approx. £465k for the period 16 March 2020 to 30 March 2020 has recently been raised by the contractor which, subject to site inspection and verification of the valuation, is similarly expected to be settled on a direct basis within the next 7/14 days.

Outcome for preferential creditors

There are no preferential creditors in this matter.

Outcome for unsecured creditors

As set out in this report, all creditor claims are to be settled in full by the Company, following it exiting Administration.

Prescribed part

The prescribed part is a carve out of funds available to the holder of a floating charge which is set aside for the unsecured creditors in accordance with section 176A of the Insolvency Act 1986. The prescribed part only applies where the floating charge was created after 15 September 2003 and the net property available to the floating charge holder exceeds £10,000.

A prescribed part is not appropriate because there are no holders of qualifying floating charges in this case.

4. Administrators' pre-appointment costs

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While it was not the Administrators intention to seek to recover their pre-administration costs, pre-appointment costs of £1,647 plus VAT were incurred by Michelmores in relation to work undertaken in relation to the Administration appointment. Payment of these costs is being sought directly from BDL.

5. Administrators' remuneration, disbursements and expenses

Administrators' remuneration

As it was the intention that all costs and expenses of the Administration, including the Administrators fees/other professional costs would be agreed with and settled directly by BDL, prior to the date of exit, or shortly thereafter, it was not considered appropriate to seek a decision from creditors in relation to the Administrators remuneration.

Administrators' disbursements

The Administrators' disbursements are a recharge of actual costs incurred by the Administrators on behalf of the Company. Mileage payments made for expenses relating to the use of private vehicles for business travel, which is directly attributable to the insolvency estate, are paid by FRP at the HMRC approved mileage rate prevailing at the time the mileage was incurred.

As stated earlier, all disbursements are expected to be agreed and settled directly by BDL prior to the date of exit, or shortly thereafter.

The expenses of the administration

We have not provided a Statement of Expenses detailing costs and expenses etc., as all costs and expenses will be agreed with and settled directly by BDL, prior to the date of exit, or shortly thereafter.

Creditors have a right to request further information from the Administrators and further have a right to challenge the Administrators' remuneration and other expenses, which are first disclosed in this report, under the Insolvency Rules.

Details of these rights can be found in the Creditors' Guide to Fees which you can access using the following link https://creditors.frpadvisory.com/info.aspx and select the one for administrations. Alternatively, a hard copy of the relevant guide will be sent to you on request. Please note there is a time limit for requesting information being 21 days following the receipt of this progress report. There is a time limit of eight weeks following the receipt of this report for a Court application that the remuneration or expenses are excessive.

Appendix A

Statutory information regarding the Company and the appointment of the Administrators

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BOULTBEE BROOKS (67-75 MOSLEY STREET) LIMITED (IN ADMINISTRATION)

COMPANY INFORMATION:

Other trading names:	None
Company number:	09627815
Registered office:	Jupiter House, Warley Hill Business Park, The Drive, Brentwood, Essex CM13 3BE
Previous registered office:	Broadway House, 32-35 Broad Street, Hereford HR4 9AR
Business address:	Broadway House, 32-35 Broad Street, Hereford HR4 9AR

ADMINISTRATION DETAILS:

Administrator(s):	Glyn Mummery and Paul Atkinson
Address of Administrator(s):	FRP Advisory Trading Limited, Jupiter House, Warley Hill Business Park, The Drive, Brentwood, Essex CM13 3BE
Date of appointment of Administrator(s):	12/02/2020
Court in which administration proceedings were brought:	High Court of Justice, Business and Property Courts of England and Wales
Court reference number:	CR2020-1064
Appointor details:	Lee Roberts of The Mulberry, 3 Blytheswood, Sheethanger Lane, Felden, Hemel Hempstead, HP3 0QB
Previous office holders, if any:	N/A
Extensions to the initial period of appointment:	N/A

Appendix B

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Schedule of Work

The table below sets out a detailed summary of the work undertaken by the office holder to date and details of the work it is anticipated will be undertaken by the office holder throughout the duration of this assignment. Details of assumptions made in compiling this table are set out below. The fee basis for the different categories or work are set out in this table together with an estimate of the estimated fee for each category of work where this can be estimated.

Where work undertaken results in the realisation of funds there may be a financial benefit to creditors should there be sufficient funds available to make a distribution to one or more class of creditor. In this case, work undertaken will include the scrutiny and agreement of creditor claims.

A proportion of the work undertaken by an Insolvency Practitioner is required by statute, including ensuring the appointment is valid, notifications of the appointment to third parties, regular reporting on the progress, notifying statutory bodies where required in relation to the conduct of the directors, complying with relevant legislation and regulatory matters. This may not have a direct financial benefit to creditors but is substantially there to protect creditors and other stakeholders and ensuring they are kept informed of developments.

GENERAL ASSUMPTIONS IN COMPILING THIS SCHEDULE OF WORK
• The records received are complete and up to-date. • There are no matters to investigate or pursue. • No financial irregularities are identified. • A committee of creditors is not appointed. • Full co-operation of the directors and other relevant parties is received as required by legislation. • There are no health and safety or environmental issues to be dealt with. • The Administration will be closed within 12 months. • There are no wider issues or matters that arise in relation to GDPR.

Appendix B

Schedule of Work

	Category		
1	**ADMINISTRATION AND PLANNING** **Work undertaken to date**		**ADMINISTRATION AND PLANNING** **Future work to be undertaken**
	General matters		**General matters**
	Work which falls within the Administration and Planning category generally would not add financial benefit to the Administration but, is either required by statute or is necessary to ensure general compliance and case progression.		
	• Necessary administrative and strategic work.		• Completed.
	• Regular reviews of the case and the on-going strategy as required under legislation and by the Joint Administrators' Regulatory Professional Bodies ("RPBs") to ensure that all compliance and statutory matters are attended to and that the case is progressed in a timely manner.		• Completed.
	• Ongoing updates on IPS as appropriate.		• Completed.
	• Undertaking periodic file reviews to ensure compliance and to monitor progression of the Administration and outstanding matters to be dealt with and dealing with various other sundry matters.		• Completed.
	• Ongoing file maintenance and correspondence with advisors.		• Completed.
	• Assisting with the preparation of post appointment documentation and completing internal procedures.		• Completed.

	• Setting up case file and inputting information onto bespoke Insolvency Practitioners Systems ("IPS").		• Completed.
	• General case administration such as filing and the maintenance of case files.		• Completed.
	• Corresponding with the Company's accountants and former advisors to the Company requesting third party information to assist in general enquiries.		• Completed.
	• Gathering information and completion of documents as required and provision of additional information and documentation to agents and attending to any other matters as and when they arise.		• Completed.
	Regulatory Requirements		
	• Completion of money laundering risk assessment procedures and Know Your Client checks in accordance with the Money Laundering Regulations.		• Completed.
	• Completion of take on procedures which include consideration of professional and ethical matters and other legislation such as the Bribery Act, Data Protection Act.		• Completed.
	• In addition to the above, to consider if there are any other case specific matters to be aware of prior to or on appointment, for example health and safety, environmental concerns, particular licences or registrations, tax position, social media and profile of the client or its stakeholders.		• Completed.
	Case Management Requirements		
	• Determine and document case strategy.		• Completed.

Schedule of Work

	• Obtaining legal advice on the validity of the security documentation.		• No further action proposed. No distributions contemplated to secured creditors during the course of the Administration.
	• Setting up and administering insolvent estate bank accounts throughout the duration of the case. Ensuring all accounts are regularly reconciled to produce accurate and timely reports to all creditors when required. Processing and recording of all receipts and payments throughout the appointment on IPS and providing internal and external reports as required.		• Closing down the estate accounts.
	• Setting up case specific paper and electronic files to be updated and maintained for the duration of the appointment. Filing all papers and correspondence received and maintaining a diary system to ensure all matters are discharged in accordance with legislation		• Ongoing filing.
	• Compiling a forecast of the work that has been or is anticipated will be undertaken throughout the duration of the case, circulating this to the Secured Lenders/indemnity provider for settlement in due course.		• Ongoing.
	• Regularly reviewing the case as required by the regulatory bodies to ensure all statutory matters are adhered to and the case is progressing. Up-dating and completing check lists on a timely basis.		• Ongoing. Regularly reviewing the case as required by the regulatory bodies to ensure all statutory matters are adhered to and the case is progressing. Ongoing updating of check lists to underpin case progression/compliance.
	• Notifying HMRC of the Administration and more specifically correspondence with the VAT and other departmental offices to ascertain the Company's final tax position.		• Ongoing liaison with HMRC as necessary. However, little or no further work anticipated given proposed early exit from Administration and absence of receipts and payments.

2	ASSET REALISATION Work undertake to date	ASSET REALISATION Future work to be undertaken
	Work undertaken which falls within this category adds financial benefit to the Administration.	
	One of the main purposes of an insolvency process is to realise the insolvency assets and to ensure a fair distribution of the proceeds to the creditors in the correct order of priority as set out by legislation. At the date of Administration, the Company's primary assets comprised: <u>Freehold Land & Property</u> • The Company was the registered owner of a commercial development site at 67-73 (odd) Mosley Street, Manchester M3 3LQ and 75 Mosley Street, Manchester M2 3HR. The development currently has planning permission for high quality office space with new retail and leisure units. The planning application to transform the Property was submitted by associated company, BBRE, who are acting as Development Manager. The 66,165 sq. ft development brings together two separate buildings into one address; 75 Mosley Street. • Following appointment, the Administrators looked at three options for the site, broadly summarised below: a) Cease all refurbishment works, undertake marketing and seek offers for the property in its current incomplete state. b) If viable to do so, attempt to raise funding to complete the refurbishment works and pursue a sale while these works were continuing or once completed, to generate increased	• Completed. See comments opposite. • Completed. See comments opposite.

	value. c) A potential exit from Administration with control handed back to the directors/shareholders, subject to a settlement being agreed with the former contractor.		
	• With regard to option 1) and following consultation with agents, Cushman & Wakefield, it became evident that there would be significant impairment to any potential realisation, such that the Secured Lenders would most likely suffer a shortfall, with no funds available for distribution to any other category of creditor.		• Completed.
	• The Administrators determined that even in the event of obtaining additional funding to enable the refurbishment works to re-commence, the risks and liabilities associated with continuation of the works in Administration over an extended period could not be justified and therefore, option 2) was discounted.		• Completed.
	• Accordingly, the Administrators focussed immediate attention upon facilitating negotiations between the funders and the former contractor to see if a compromise of the adjudicator's award could be agreed which, if successful, would restore the Company's solvency and enable it to exit Administration, with control handed back to its directors and shareholders.		• Completed.
	• The above negotiations ultimately proved successful, with a settlement for a specified sum being completed on 21 February 2020.		• Completed.
	• Funding to settle the agreed sum was provided directly by the existing Secured Lenders and not by the Company. The Administrators were party to the Agreement solely for the purpose of obtaining the benefit of the provisions in their favour and did not		• Completed.

	incur any personal liability.		
	• Under the terms of the settlement agreement, the Administrators are unable to disclose the terms agreed.		• Completed.
	• Discussions were held with the developers/contractor to collate further information and to understand the position from their perspective.		• Completed.
	• Following completion of the above settlement, extensive negotiations were undertaken with both the Secured Lenders, BBRE and the new main contractor to agree arrangements whereby the refurbishment works could continue uninterrupted with appropriate funding being provided by the Secured Lenders, while steps were taken to accelerate the Company's exit from Administration. These negotiations have been successfully concluded, with the following documentation put in place: - i. An initial Letter of Intent ("LOI"), with the new contractor, whereby it was empowered to continue with the authorised works for a specified term, on agreed terms. The appointment of OBI Property Limited to act as Contract Administrator, for the purposes of the works. A second LOI was recently issued. ii. A Licence in favour of BBRE, giving it the power to occupy manage and continue with the development works for a period of ten weeks, while steps were taken for the Company to exit Administration. iii. An indemnity from BDL to support BBRE's commitments and obligations under the Licence, including all operating expenses and to ensure that the contractor performs its		• Completed.

	necessary obligations under the LOI. iv. A general indemnity from BDL in respect of the general costs and expenses of the Administration including, inter alia, professional costs/fees, together with an indemnity to underpin the Company's requirement to discharge all outstanding creditor claims, as at the date of exit from Administration. • Given the incomplete state of the development and potential risks involved, it was deemed prudent to continue with the 24-hour security already installed at the site by the main contractor. Surveillance cameras are also installed for added protection. • Appropriate open cover insurance was put in place, via our specialist insolvency brokers, from the date of our appointment to cover all known risks. In conjunction with our brokers, discussions were held with the Company's existing insurers to determine the most cost-effective way of insuring the Company's assets and underlying risks, either through continuation of policies with the existing insurers, reliance on the insolvency insurances or a combination of the two. <u>Cash at Bank</u> • The Company's records indicated that a credit balance of £83,203 was available on its former business current accounts with Barclays. So as not to disturb those accounts given the imminent exit from Administration, the Administrators did not seek to realise these funds for the benefit of the Administration estate. The monies will be available to the Company following exit.		• The costs of the security since the date of appointment up to the date of exit from Administration will be determined in due course and settlement obtained from BDL. • Following amendments, it has been determined that the Administrators can rely solely upon the Company's pre-appointment insurances. Accordingly, the open cover insurance has been cancelled. • NFA proposed. Access to the account will be returned to the Company shortly.

	<u>VAT Refunds</u> • The Company was due a VAT Refund for January 2020 of £97,683, which was received into the Company's former bank account. Additionally, a large VAT refund is expected to be due for February, together with an estimated CT refund of £13,962. <u>Debtors</u> • At the date of Administration, a number of small book debts were due to the Company. The Administrators have not taken any action in respect to the collection of the book debts and these will be for the Company to pursue, if not already paid, in due course.		• The Company has submitted the February VAT return and this will be refunded by HMRC in due course. The January VAT refund, together with any tax refunds will be available to the Company following exit from Administration. • NFA proposed.
5	**CREDITORS** **Work undertaken to date**		**CREDITORS** **Future work to be undertaken**
	Work which falls within this category generally will not add financial benefit to the Administration but, is either required by statute or necessary to ensure general compliance and fulfilment of the Administrators' duties.		
	<u>Secured Creditors</u> • Liaising and reporting to the secured creditors, VT, BBFL and BBPL as required. • Reviewing the security documentation executed in favour of VT, BFL and BDL. • Discussing various proposals for continuation of the funding for the development, as part of the proposed exit strategy.		• Ongoing. • Completed. No further action proposed. • Completed.

	Preferential Creditors • There were no known employees at the date of Administration and therefore no preferential claims are expected to arise. Unsecured Creditors • Contacting all known creditors and suppliers to advise of the appointment and to provide proof of debt forms to enable claims to be lodged. • Dealing with all queries and correspondence received from creditors on an ongoing basis and recording the same. • Ascertaining if a prescribed part distribution is applicable.		• NFA. • Completed. • To continue to review and respond to creditors' claims and enquiries as they arise in a timely and cost-effective manner. • The Company has responsibility for settling all outstanding creditor claims in full, following exit from Administration. • The PP will not apply as there are no holders of a qualifying floating charge.
4	**INVESTIGATIONS** **Work undertaken to date**		**INVESTIGATIONS** **Future work to be undertaken**
	Some of the work undertaken which falls within this category may add some financial benefit to the Administration, should any assets come to light during the investigation; however, the majority of work within this category will not add financial benefit to the Administration but, is required by statute.		
	An IP has a duty to review the books and records of the Company and other information available to identify the assets that may be available to realise for the benefit of the insolvency estate. Furthermore, there may be other antecedent or voidable transactions that are identified which if pursued could swell the funds available for		

	the insolvency estate. • Requesting the director(s) of the Company both current and those holding office within 3 years of the insolvency to complete a questionnaire to assist in preparing the statutory return to the Department of Business Energy and Industrial Strategy ("DBEIS") in accordance with the Company Directors Disqualification Act. • Undertaking initial investigations to consider if potential action could be taken to swell the assets available in the estate. To weigh up the merits of any such proceedings; to consider the most appropriate course of action and possible further consultation with creditors, as applicable. • Reviewing the Company's books and records/directors' questionnaires/financial accounts/bank statements and conducting a statutory investigation within three months of appointment and submitting a report to the DBEIS and/or the Insolvency Service. Information provided to DBEIS is confidential but can be used to assist DBEIS in identifying conduct that should be investigated further and could result in individuals being disqualified from acting as a director • Consideration of whether any matters have come to light which require notification to the Secretary of State or National Crime Agency.		• Completed. • Completed. • Completed. • Completed.
3	**STATUTORY COMPLIANCE AND REPORTING** **Work undertaken to date**		**STATUTORY COMPLIANCE AND REPORTING** **Future work to be undertaken**
	Some of the work undertaken which falls within this category may add some financial benefit to the Administration, such as the submission of VAT returns, however the majority of work within this category will not add financial benefit to the Administration but, is either required by statute or is necessary to ensure general compliance and case progression.		

	• The Administrators have dealt with all appointment formalities including issuing notification to all known/ relevant parties, filings with the Court, the Registrar of Companies and statutory advertising.		• Completed.
	• An insolvency bond was arranged to protect the assets available for preferential and unsecured creditors.		• Cancel bond following exit.
	• Formulating the Administrators formal proposals for the conduct of the Administration and achieving the statutory purpose, pursuant to P49 of Schedule B1 of the IA86. Circulating those proposals to creditors / members to consider and vote upon and arranging a creditors' decision procedure by correspondence in respect thereof. Completing all statutory filings.		• Completed. The Proposals were approved without modification.
	• Notifying creditors of their right to set up a creditors' committee.		• Completed. No committee was formed.
	• The Administrators have not sought a decision from the Company's creditors as to the quantum and basis of their remuneration, given the intention to exit Administration and hand control of the Company back to its directors and shareholders. Instead, they will look for these to be agreed with and settled directly by BDL, along with other professional costs and the general costs and expenses of the Administration either before the date of exit or shortly thereafter.		• Completed.
	• The directors of the Company were asked to submit a Statement of Affairs under paragraph 47 of Schedule B1 of the IA86. As the Company will be handed back to the directors shortly it is unlikely that the Statement of Affairs will be completed.		• If the Statement of Affairs is received prior to exit, it will be filed with the Registrar of Companies.
	• Dealing with all tax and VAT matters arising following *appointment and submitting returns at prescribed times*		• Completed.

	throughout the process as required.		
	• Notifying creditors on how to locate the firm's privacy notice.		• Completed.
	• The Administrators have not collected the Company's books and records as to do so would serve no useful purpose.		• Completed.
	• The Administrators will file their final report and make the necessary filings at Companies House, in order to bring the Administration to a close and return control back to the Company's directors/shareholders.		• The end of the Administration will be the date when the requisite notice is filed at Companies House.
	• To place legal advertisements as required by statute which may include formal meetings of creditors and notices to submit claims		• Completed.
	• Adherence to all other statutory and compliance matters as they arise throughout the appointment.		• Completed.

Appendix C

Details of the Administrators' disbursements for the Period

Disbursements for the period
12 February 2020 to 07 April 2020

	Value £
Category 1	
Advertising	77.98
Bonding	1,350.00
Grand Total	**1,427.98**

Mileage is charged at the HMRC rate
prevailing at the time the cost was incurred

Appendix D

Receipts and Payments Account for the Period

FRP Advisory

Boultbee Brooks (67-75 Mosley Street) Limited
(In Administration)
Joint Administrators' Summary of Receipts & Payments

Statement of Affairs £		From 12/02/2020 To 07/04/2020 £	From 12/02/2020 To 07/04/2020 £
	SECURED ASSETS		
Uncertain	Freehold Land & Property	NIL	NIL
		NIL	NIL
	SECURED CREDITORS		
(4,019,314.00)	Boultbee Finance Limited	NIL	NIL
(19,227,896.00)	Verity Trustees Limited	NIL	NIL
(2,393,799.00)	Boultbee Properties Limited	NIL	NIL
		NIL	NIL
	ASSET REALISATIONS		
83,203.00	Cash at Bank	NIL	NIL
		NIL	NIL
(25,557,806.00)		***NIL***	***NIL***
	REPRESENTED BY		
			NIL