

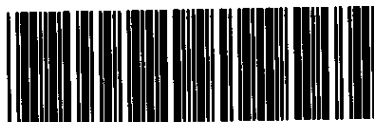
AM10 (Scot)

Notice of administrator's progress report



Companies House

WEDNESDAY



SCT *S8X6LXKR* 22/01/2020 #384
COMPANIES HOUSE

For further information, please
refer to our guidance at
www.gov.uk/companieshouse

1 Company details

Company number **S C 1 2 8 8 6 7**

Company name in full **The New School Butterstone**

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

2 Administrator's name

Full forename(s) **Thomas Campbell**

Surname **MacLennan**

3 Administrator's address

Building name/number **Apex 3**

Street **95 Haymarket Terrace**

Post town **Edinburgh**

County/Region

Postcode **E H 1 2 5 H D**

Country

4 Administrator's name ①

Full forename(s) **Alexander Iain**

Surname **Fraser**

① Other administrator
Use this section to tell us about
another administrator.

5 Administrator's address ②

Building name/number **Johnstone House**

Street **52-54 Rose Street**

Post town **Aberdeen**

County/Region

Postcode **A B 1 0 1 U D**

Country

② Other administrator
Use this section to tell us about
another administrator.

AM10 (Scot)

Notice of administrator's progress report

6 Period of progress report

From date	d	2	m	1	d	0	m	6	d	2	m	0	d	1	m	9
To date	d	2	m	0	d	1	m	2	d	2	m	0	d	1	m	9

7 Progress report

☒ I attach a copy of the progress report

8 Sign and date

Administrator's
signature

Signature

X  X

Signature date

d	1	m	7	d	0	m	1	d	2	m	0	d	2	m	0
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AM10 (Scot)

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

Company name

Address

Post town

County/Region

Postcode

Country

DX

Telephone



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,
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 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

The New School Butterstone (In Administration)

The Administrator's Progress Report for the period 21/06/2019 to 20/12/19

17 January 2020

Contents and abbreviations

FRP

Section	Content
1.	Progress of the Administration in the period
2.	Estimated Outcome for the creditors
3.	Administrators' remuneration, disbursements and pre-appointment costs
Appendix	Content
A.	Statutory information regarding the Company and the appointment of the Administrators
B.	Form AM10 (Scot) - formal notice of the progress report
C.	A schedule of work
D.	Details of the Administrators' time costs and disbursements for the Period and cumulatively
E.	Receipts and payments account for the period and cumulatively

The following abbreviations may be used in this report:

FRP	FRP Advisory LLP
The Company	The New School Butterstone (In Administration)
The Administrators	Thomas Campbell MacLennan and Alexander Iain Fraser of FRP Advisory LLP
The Period	The reporting period 21/6/19 to 20/12/19
CVL	Creditors' Voluntary Liquidation
SIP	Statement of Insolvency Practice
QFCH	Qualifying floating charge holder
HMRC	HM Revenue & Customs

1. Progress of the Administration

FRP

Work undertaken during the period

I attach at **Appendix C** a schedule of work undertaken during the period together with a summary of work still to be completed.

A considerable amount of time continues to be spent dealing with information requests from several external parties and these requests have and continue to be administered as appropriate and in conjunction with our legal advisors.

This work will continue following the announcement of the Scottish Government Inquiry into the school's closure.

A number of former employees have been pursuing claims against the company and significant amounts of time has been spent dealing with these claims.

All assets of the company have been realised.

Attached at **Appendix E** is a receipts and payments account detailing both transactions for the period of this report and also cumulatively since my appointment as Administrator.

Investigations

Part of my duties include 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 have 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 have regarding the way in which the Company's business has been conducted.

Further details of the conduct of my investigations are set out in the schedule of work attached.

My enquiries have now been finalised.

Extension to the initial period of appointment

The initial 12 month period of the administration was extended by a further 12 months and the automatic end is now 21 December 2020.

Anticipated exit strategy

It is currently envisaged that a dividend will be payable to the unsecured creditors and therefore the anticipated exit will be conversion to Creditors' Voluntary Liquidation with the joint administrators being appointed as the joint liquidators.

2. Estimated Outcome for the creditors

FRP

Outcome for the secured creditors

There are no secured creditors.

Outcome for the preferential creditors

No preferential claims are envisaged.

Outcome for the unsecured creditors

Based on current estimates a partial dividend will be paid to the unsecured creditors.

Until the Scottish Government's inquiry into the closure of the school has concluded and the costs of dealing with this matter have been finalised, it is not possible to provide an accurate estimate of the level of dividend. It is however, likely to be a low pence in the £.

Prescribed Part

There will be no prescribed part.

3. Administrators' remuneration, disbursements and pre-appointment costs

FRP

Administrators' remuneration

The approved proposals set out that the Administrators' remuneration should be calculated on a time cost basis basis.

A breakdown of our time costs incurred during the period of this report is attached at **Appendix D**. Matters dealt with during the assignment are dealt with by different members of staff depending on the level of complexity and the experience required. Time is charged to the case in maximum units of six minutes. Charge-out rates are based on individual expertise, qualification and grade. The costs of the firm's support staff are not directly charged to the estate unless dealing with directly identifiable case specific matters.

Charge out rates are reviewed at least annually. Details of FRP's charge out rates are included at **Appendix D**.

The time costs incurred during the period of the report amount to £20,891.00 plus VAT. None of this amount has been drawn and creditors approval if being sought.

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. Details of disbursements incurred during the period of this report are set out in **Appendix D**.

Disbursements incurred during the period of the report amount to £1,188.96 plus VAT. None of this amount has been drawn and creditors approval if being sought.

Creditors have a right to request further information from the Administrators and further have a right to challenge the Administrators' remuneration as fixed by the creditors, under the Insolvency Rules. Further details of these rights can be found in

The New School Butterstone (In Administration)

The Administrator's Progress Report for the period 21/6/19 to 20/12/19

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. There is a time limit of 8 weeks from the end of the accounting period covered by this report for a Court application that the remuneration or expenses are excessive.

Administrators' pre-appointment costs

As set out in the approved proposals and my previous progress report, pre-appointment costs of £18,115 plus VAT and expenses of £307 plus VAT were approved by creditors and have been drawn as an expense of the administration.

Appendix A

Statutory Information

FRP

THE NEW SCHOOL BUTTERSTONE (IN ADMINISTRATION)

COMPANY INFORMATION:

Other trading names: None

Company number: SC128867

Registered office: c/o FRP Advisory LLP, Apex 3, 95 Haymarket Terrace, Edinburgh, EH12 5HD

Previous registered office: 1 Rutland Court, Edinburgh, EH3 8EY

Business address: The New School, Butterstone, Dunkeld, Perthshire, PH8 0HJ

ADMINISTRATION DETAILS:

Administrator(s): Thomas Campbell MacLennan & Alexander Iain Fraser

Address of FRP Advisory LLP

Administrator(s): Apex 3, 95 Haymarket Terrace, Edinburgh, EH12 5HD

Date of appointment of Administrator(s): 21/12/2018

Court in which administration proceedings were brought: Court of Session

Court reference number: n/a

Appointor details: Name Address

Previous office holders, if any: None

Extensions to the initial period of appointment: 12 month extension to 21 December 2020

Date of approval of Administrators' proposals: 26/2/19

Appendix B

Form AM10 (Scot) - formal notice of the progress report

FRP

AM10 (Scot)

Notice of administrator's progress report



Companies House

For further information, please
refer to our guidance at
www.gov.uk/companieshouse

1 Company details

Company number	S	C	1	2	8	8	6	7
Company name in full	The New School Butterstone							

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

2 Administrator's name

Full forename(s)	Thomas Campbell
Surname	MacLennan

3 Administrator's address

Building name/number	Apex 3
Street	95 Haymarket Terrace
Post town	Edinburgh
County/Region	
Postcode	E H 1 2 5 H D
Country	

4 Administrator's name

Full forename(s)	Alexander Iain
Surname	Fraser

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

5 Administrator's address

Building name/number	Johnstone House
Street	52-54 Rose Street
Post town	Aberdeen
County/Region	
Postcode	A B 1 0 1 U D
Country	

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

AM10 (Scot)

Notice of administrator's progress report

6 Period of progress report

From date	2	1	8	2	6	1	8
To date	2	8	9	2	6	1	8

7 Progress report

☒ I attach a copy of the progress report

8 Sign and date

Administrator's
signature

Signature

X

Signature date

1 2 8 9 2 6 1 8

Appendix C

Schedule of work

FRP

FRP

The New School Butterstone (IN ADMINISTRATION)

Schedule of Work

The table below sets out a detailed summary of the work undertaken by the office holder(s) during the reporting period together with an outline of work still to complete.

Note	Category		
1	ADMINISTRATION AND PLANNING Work undertaken during the reporting period Staff of different levels were involved in the above activities depending upon the experience required	ADMINISTRATION AND PLANNING Future work to be undertaken	
	General Matters ▪ Attending to requests for information. ▪ Liaising with solicitors in respect of information requests ▪ Indexing of company records ▪ Removal of company records from former premises	Dealing with general matters as they arise.	
	Case Management Requirements ▪ Maintaining bank accounts; ▪ Reviewing available information to determine appropriate strategy; ▪ Progress reviews of the case.		
2	ASSET REALISATION Work undertaken during the reporting period	ASSET REALISATION Future work to be undertaken	
	All assets of the company have been realised.	All assets of the company have been realised.	

FRP

The New School Butterstone (IN ADMINISTRATION)

Schedule of Work

3	CREDITORS Work undertaken during the reporting period	CREDITORS Future work to be undertaken	
	The time spent includes the following matters ▪ Recording and maintaining the list of creditors; ▪ Dealing with employee related matters; ▪ Recording creditor claims ▪ Dealing with creditor queries; ▪ Reviewing and evaluating creditor claims; Dealing with utilities.	Future correspondence and creditor queries	
4	INVESTIGATIONS Work undertaken during the reporting period	INVESTIGATIONS Future work to be undertaken	
	• Review of IT systems and restoration of these for Scottish Governments Inquiry. • Correspondence with Scottish Government / Governors	Dealing with information requests in respect of the inquiry.	
5	STATUTORY COMPLIANCE AND REPORTING Work undertaken during the reporting period	STATUTORY COMPLIANCE AND REPORTING Future work to be undertaken • Future progress reports • Extension of administration if required	

FRP

The New School Butterstone (IN ADMINISTRATION)

Schedule of Work

	• Call meeting of creditors by correspondence • Review of responses • Submission of progress report to the Registrar of Companies • Submission of progress report to the Accountant in Bankruptcy • Submission of progress report to the Court • Extension of administration All other statutory requirements were attended to.	• Conversion to CVL if appropriate	

Appendix D

Details of the Administrators' time costs and disbursements for the period and cumulatively

FRP

FRP

The New School Butterstone (In Administration)
Time charged for the period 21 June 2019 to 20 December 2019

	Appointments Taken, Partners	Managers / Directors	Other Professional	Junior Professional & Support	Total Hours	Total Cost £	Average Hry Rate £
Administration and Planning	1.50	25.20	0.30	4.05	31.05	7,558.50	243.37
Asset Realisation	0.50				0.50	172.50	345.00
Creditors	1.00	26.60			27.60	7,043.50	255.20
Investigation	0.50	3.60	0.20		4.30	1,084.50	252.21
Statutory Compliance	2.00	16.80			18.80	5,034.00	267.77
Total Hours	5.50	72.20	0.50	4.05	82.25	20,891.00	253.99

FRP Charge out rates	From	1st May 2016
Grade		
Appointment taker/Partner		370-450
Managers/Directors		280-370
Other Professional		165-230
Junior Professional & Support		80-110

Disbursements for the period
21 June 2019 to 20 December 2019

Category 1	Value £
Postage	218.24
Travel	114.55
Storage	856.17
Grand Total	1,188.96

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

FRP

The New School Butterstone (In Administration)

Time charged for the period 21 June 2019 to 20 December 2019

	Total Hours	Total Cost £	Average Hrly Rate £
Administration and Planning	31.05	7,556.50	243.37
Asset Realisation	0.50	172.50	345.00
Creditors	27.60	7,043.50	255.20
Investigation	4.30	1,084.50	252.21
Statutory Compliance	18.80	5,034.00	267.77
Grand Total	82.25	20,891.00	253.99

Time charged from the start of the case to 20 December 2019

	Total Hours	Total Cost £	Average Hrly Rate £
Administration and Planning	132.35	32,398.00	244.79
Asset Realisation	19.85	5,576.25	280.92
Creditors	143.00	35,527.00	248.44
Investigation	39.10	8,837.50	226.02
Statutory Compliance	39.80	10,460.00	262.81
Grand Total	374.10	92,798.75	248.06

Disbursements for the period

21 June 2019 to 20 December 2019

Category 1	Value £
Postage	218.24
Travel	114.55
Storage	856.17
Grand Total	1,188.96

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

FRP Charge out rates

Grade	From	1st May 2016
Appointment taker/Partner		370-450
Managers/Directors		280-370
Other Professional		165-230
Junior Professional & Support		80-110

Appendix E

Receipts and payments account for the period and cumulatively

FRP

**The New School Butterstone
(In Administration)
Joint Administrators' Summary of Receipts & Payments**

Statement of Affairs £	From 21/06/2019 To 20/12/2019 £	From 21/12/2018 To 20/12/2019 £
ASSET REALISATIONS		
Furniture & Equipment	NIL	20,000.00
Landlord hypothec	NIL	(20,000.00)
Book Debts	NIL	15,008.00
Insurance Refund	NIL	6,983.25
Cash at Bank	NIL	425,427.79
Bank Interest Gross	1,126.58	1,788.20
	<u>1,126.58</u>	<u>449,207.24</u>
COST OF REALISATIONS		
Preparation of S. of A.	NIL	1,000.00
Office Holders Fees	26,342.75	85,195.25
Office Holders Expenses	1,016.99	1,937.79
Agents/Valuers Fees (1)	NIL	3,750.00
Legal Fees (1)	1,760.00	15,070.50
Other professional	NIL	1,431.70
VAT Irrecoverable	5,823.95	22,252.93
Heat and Light	NIL	1,342.39
Re-Direction of Mail	NIL	303.00
Statutory Advertising	NIL	69.93
Other Property Expenses	NIL	7,926.21
Insurance	NIL	9,459.27
Bank Charges - Floating	(8.60)	5.00
	<u>(34,935.09)</u>	<u>(149,743.97)</u>
	(33,808.51)	299,463.27
REPRESENTED BY		
IB Current Floating		299,463.27
		<u>299,463.27</u>

Note:



Thomas Campbell MacLennan
Joint Administrator

**The New School Butterstone
(In Administration)
Joint Administrators' Summary of Receipts & Payments**

Statement of Affairs £	From 21/06/2019 To 20/12/2019 £	From 21/12/2018 To 20/12/2019 £
ASSET REALISATIONS		
Furniture & Equipment	NIL	20,000.00
Landlord hypothec	NIL	(20,000.00)
Book Debts	NIL	15,008.00
Insurance Refund	NIL	6,983.25
Cash at Bank	NIL	425,427.79
Bank Interest Gross	1,126.58	1,788.20
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Re-Direction of Mail	NIL	303.00
Statutory Advertising	NIL	69.93
Other Property Expenses	NIL	7,926.21
Insurance	NIL	9,459.27
Bank Charges - Floating	(8.60)	5.00
	(34,935.09)	(149,743.97)
	(33,808.51)	299,463.27
REPRESENTED BY		
IB Current Floating		299,463.27
		299,463.27

Note:


Thomas Campbell MacLennan
Joint Administrator