

Section 67(1)

The Insolvency Act 1986
 Notice of Receiver's Report
 Pursuant to Section 67(1)
 of the Insolvency Act 1986

S67(1)

To: the Registrar of Companies
~~the Accountant in Bankruptcy~~

~~Clydesdale Bank plc~~

For Official Use

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| | | |
|--|--|--|

Company Number

SC152063

Insert full name of
 company

Name of Company

Crummock Holdings Limited

Insert full name and
 address of receiver(s)

4/We Matthew Purdon Henderson
 7-11 Melville Street
 Edinburgh
 EH3 7PE

Donald Iain McNaught
 227 West George Street
 Glasgow
 G2 2ND

receiver(s) of the company attach a copy of our report to creditors. A summary of the statement of affairs of the company was not included as inclusion of amounts expected to be realisable in respect of assets of the company would prejudice the receiver in carrying out his functions.

Signed



Dated

12 SEP 2018

M P Henderson

Presenter's name,
 address and reference
 (if any)

CRUM002
 Crummock Holdings Limited
 Matthew Purdon Henderson
 Johnston Carmichael LLP
 7-11 Melville Street
 Edinburgh
 EH3 7PE

For Official Use

Receiver's Section

Post Room

FRIDAY



SCT

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14/09/2018

#52

COMPANIES HOUSE



Crummock Holdings Limited (In Receivership)

Report prepared for the Secured Creditor, Registrar of Companies and Ordinary Creditors

This report has been prepared for the sole use of the creditors of Crummock Holdings Limited pursuant to s67 of the Insolvency Act 1986 (as amended) and we cannot accept liability to any third party for matters referred to in it. The information contained in this report relating to the Company's affairs prior to the date of appointment has been principally obtained from the Company's records. We have not independently verified this information. The Joint Receivers act as agents of the Company without any personal liability. The report is private and confidential and may not be relied upon, referred to, reproduced or quoted from, in whole or in part, by creditors for any purpose other than informing them, or by any other person for any purpose whatsoever.

Crummock Holdings Limited (In Receivership)

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Crummock Holdings Limited (In Receivership)



Section 1: Introduction

- 1.1 Matthew Purdon Henderson and Donald Iain McNaught, Johnston Carmichael, 7-11 Melville Street, Edinburgh, EH3 7PE were appointed Joint Receivers of Crummock Holdings Limited ("the Company") on 1 June 2018 under the powers conferred in a Bond and Floating Charge granted to The Clydesdale Bank plc ("the Bank") The Bond and Floating Charge by which we were appointed was created on 29 March 1995.
- 1.2 As required by Section 67 of The Insolvency Act 1986 we now present a report to the creditors covering the following:
- Events leading up to our appointment.
 - The disposal or proposed disposal of any property of the Company.
 - The amounts due to the holder of the floating charge.
 - The amounts likely to be available for other creditors.
- 1.3 A notice was published in the the Metro newspaper giving notice of the section 67 creditors meeting to be held on 30 August 2018 at 11.30 a.m at the offices of Johnston Carmichael, 7-11 Melville Street, Edinburgh, EH3 7PE.
- 1.4 Matthew Purdon Henderson and Donald Iain McNaught are bound by the Insolvency Code of Ethics and prior to providing their Consent to Act as Joint Receivers they considered what if any conflicts there might be that might preclude them from complying with the fundamental principles and safeguards applied by the Insolvency Code of Ethics.

Section 2: Statutory and General Information

| | |
|--|--|
| Registered Number: | SC152063 |
| Date of incorporation: | 22 July 1994 |
| Registered office: | 7-11 Melville Street Edinburgh EH3 7PE |
| Former registered office: and trading address | Butterfield Estate Bonnyrigg Midlothian EH19 3JQ |
| Directors: | Derek Hogg Anthony Nield John Laurenson |
| Company secretary: | Anthony Nield |
| Issued share capital: | 4004 ordinary £1 shares |
| Shareholders: | John Laurenson-2000 shares Derek Hogg-2000 shares Noreen Laurenson-1 share Eva Jeffrey-1 share Karen McElroy-1 share Mary Nield-1 share |

Crummock Holdings Limited (In Receivership)

Bankers: Clydesdale Bank plc

Securities granted:

| | Created | Registered |
|--|------------------|-------------------|
| Floating charge in favour of Clydesdale Bank plc | 29 March 1995 | 13 April 1995 |
| Standard security in favour of Clydesdale Bank plc over land at Butterfield Industrial Estate, Bonnyrigg | 5 August 1995 | 15 August 1995 |

Crummock Holdings Limited (In Receivership)



Section 3: Financial Information

- 3.1 Only consolidated group accounts have been filed on Companies House. No meaningful information relating to this Company can be obtained from these accounts and therefore they have not been reproduced in this report.

Section 4: History and Trading

- 4.1 The Company was incorporated in 1994 as the sole shareholder for the trading company Crummock (Scotland) Limited ("the Subsidiary"). It did not trade.

- 4.2 Aside from the investment in the Subsidiary the Company's sole assets are the premises occupied by the Subsidiary at Butterfield Estate, Bonnyrigg and a further piece of land at Deanfoot, West Linton which is jointly owned by the Subsidiary.

- 4.3 In May 2018 the Subsidiary started to experience financial difficulties and the directors made the decision to request that the Bank appoint Joint Receivers. As the Company has cross guarantees over Bank liabilities due by the Subsidiary it was also placed into Receivership. The Bank have a standard security over the property at Butterfield.

- 4.4 The Joint Receivers were appointed on 1 June 2018.

Section 5: Actions taken since Appointment.

- 5.1 The Company had never traded. The Joint Receivers wrote to the directors requiring them to complete and return Form 5 (Scot) – Statement of Affairs

- 5.2 The main matters addressed by the Joint Receivers since their appointment have been as follows:

- Completion of relevant statutory tasks and submissions.
- Meetings with the Company directors at the premises to review the Company's accounting records.
- Review of all documentation received including creditor claims.
- Instructing GMG Asset Management Limited to undertake an inventory and valuation of the Company's furniture, equipment, machinery, motor vehicles and stock and then to sell same. Some items of have been sold to date and the remainder will be placed into an auction on 11 September 2018.
- Instructing Shepherd, Chartered Surveyors to undertake a valuation of the Company's property and initial discussions on marketing proposals.
- Instructing Orbis to secure the Company's property and making arrangements for the clearance of the property to comply with insurance requirements.
- Obtaining open cover insurance.

- Investigating the Company's pension scheme and notifying the appropriate bodies of the Receivership.
- Notification to creditors of the Joint Receivers' appointments and convening the section 67 meeting of creditors.

Section 6: Amounts Due to Floating Charge Holders and Preferential Creditors

- 6.1 No preferential creditors have been identified.
- 6.2 At the date of the Receivership the amount due to the Bank was £907,177 under the cross guarantees.
- 6.3 Total ordinary claims are currently estimated to be £112,048.

Section 7: Dividend Prospects for Creditors


- 7.1 The Company directors have submitted the completed statutory Form 5 (Scot) - Statement of Affairs as at 1 June 2018.
- 7.2 In light of the ongoing discussions over the sale of the Company's assets, the Joint Receivers have determined that the disclosure of the estimated value of the Company's property would seriously prejudice the commercial interests of the Company. Accordingly, this information is not disclosed as part of the report and a summary statement of affairs has not been prepared as the exclusion of the commercially sensitive information relating to the value of the assets of the Company would result in this statement providing no further meaningful information.
- 7.3 Based on current estimates it appears likely that the floating charge creditors will be paid in full with a dividend becoming available to ordinary creditors. The dividend to ordinary creditors however is entirely dependent on the disposal of the property and land asset and realisations in the connected companies.
- 7.4 Payment of any dividend to ordinary creditors would be dealt with by a Liquidator.

Crummock Holdings Limited (In Receivership)

Section 8: Company Directors Disqualification Act 1986

8.1 The Joint Receivers are obliged to investigate the reason for the Company's failure and to submit a report on the conduct of any director to the Insolvency Service pursuant to the Company Directors Disqualification Act 1986.

8.2 The Joint Receivers' report to the Insolvency Service, which covers any individual who has been a director or de facto or shadow director of the Company in the three-year period prior to the date of receivership, requires to be submitted within three months of the date of the receivership on 1 June 2018. As a result, any creditor who has any information which they think may be relevant should forward appropriate details to the Joint Receivers as soon as possible.

Signed: 

M P Henderson

Joint Receiver

Johnston Carmichael LLP

7-11 Melville Street

Edinburgh

EH3 7PE

Matthew Purdon Henderson and Donald Iain McNaught have been appointed as Joint Receivers of Crummock Holdings Limited. They are licensed in the United Kingdom to act as Insolvency practitioners by the Institute of Chartered Accountants of Scotland. The Joint Receivers are a Data Controllers of personal data as defined by GDPR. Johnston Carmichael LLP will act as Data Processor on his instructions. Personal data will be kept secure and processed only for matters relating to the receivership. The Joint Receivers are bound by the Insolvency Code of Ethics when carrying out all work in relation to their appointment.