

TO ALL KNOWN CREDITORS

22 March 2021

Ref: R/CAL/SH/RK/HOF/PF16.4

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**HF Stores Realisations Limited (formerly House of Fraser (Stores) Limited) (in Administration) ('the Company')**  
**Court of Session, Number P794/18**  
**Registered office address: c/o Ernst & Young LLP, Atria One, 144 Morrison Street, Edinburgh, EH3 8EX**

Dear Sirs

I write, in accordance with Rule 3.93 of the Insolvency (Scotland) (Company Voluntary Arrangements and Administration Rules 2018, to provide creditors with a report on the progress of the administration. This report covers the period from 10 August 2020 to 9 February 2021 ("the Period") and should be read in conjunction with our previous reports dated 17 September 2020, 19 March 2020, 20 September 2019 and 6 March 2019. Statutory information about the Company, the administration and the office holders is given at Appendix 1.

The Company, registered number SC021928, entered administration on 10 August 2018 ('the Date of Appointment') and A M Hudson, R H Kelly, C P Dempster and I were appointed to act as Joint Administrators ('Joint Administrators'). The appointment was made by The Court of Session under the provisions of paragraph 12 of Schedule B1 to the Insolvency Act 1986. Under the terms of the appointment, any act required or authorised to be done by the Joint Administrators can be done by any one of them.

**Summary of progress since last report**

**Debtors**

The Company's debtor ledger totalled £16,664,411.97 at the Date of Appointment.

The ledger comprises 533 debtor accounts and a number had a creditors ledger balance, which offset the debtor balance due. The net debtor balance after creditor balances are taken into consideration is £12,120,871.31. Of this total, £7,940,681.66 was due in respect of credit card debts from the merchant acquirers and £4,180,189.65 was due from trade and other debtors.

Total collections from trade and other debtors in the Period totalled £68,648.11, with recoveries up to 9 February 2021 totalling £2,162,932.80.

It is apparent that a large number of the trade and other debtors are either disputed or doubtful debts with no prospect of an economic recovery. This includes £449,899.00 from Down Town Avenue General Trading LLC, an international franchise based in Saudi Arabia. We have attempted to contact them through various means without success and intend to cease collection activities on this and the other trade debtor accounts where we do not consider there will be a net recovery for creditors. We are continuing to pursue recovery of £504,484.16 from one debtor as we consider the amount to be due and that the debtor is financially able to pay. As the debtor is disputing liability it may require litigation to recover this amount.

During the Period, the Company received cash receipts relating to book debts and other debtors totalling £68,648.11 as follows:

- £4,006.14 from court collections.
- £32,888.57 from debtors.
- £9,503.93 from sundry receipts.
- £22,249.47 from a refund.

The current position in respect of trade and other debtors is summarised in the table below:

	£
Trade and other debtors at appointment	4,180,189.65
Provision for bad and doubtful debtors	(1,512,772.69)
Collections to date	<u>(2,162,932.80)</u>
Balance outstanding at Period end	<u>504,484.16</u>

The credit card merchant service providers continue to retain their outstanding balances until all claims being made by customers under chargeback agreements have been finalised. Chargeback agreements are made between banks, consumers and merchants in accordance with Section 75 of the Consumer Credit Act 1974.

Other than the debt due from Barclaycard Merchant Services ("BMS"), all debts due to the Company from Merchant acquirers have now been settled. The final amount due from BMS was recently agreed and the net debt due of £25,678.62 was collected after the period end.

The final position in respect of credit card debtors is summarised in the table below:

	£
Credit card debtors at appointment	7,940,681.66
Cut off error	(4,852,403.53)
Chargebacks and Costs Due	(2,527,640.67)
Collections to date	<u>(534,958.84)</u>
Balance outstanding at Period end	<u>25,678.62</u>

Of the collections to date, the sum of USD 132,474.68 was paid by PayPal into the dollar account during the Period, with other collections forming part of the cash in transit number within the GBP receipts and payments account.

### Contractual apportionments due from the Purchaser

As part of the sale, the Purchaser agreed to reimburse for amounts incurred by the Company pre-appointment, but where the benefit of the service related to after the Date of Appointment. These include rent, service charges and insurance in respect of the leasehold properties, where following detailed analysis the sum of £2,324,560.58 has been paid.

In addition, following detailed discussions the Joint Administrators have agreed settlement of amounts relating to IT prepayments (£614,247.54) and medical insurance prepayments (£157,410.34) with the Purchaser. These were previously recorded within "Transfer from Euro Account" and are now reported as "SDI apportionments", alongside a Coinage receipt for £6,600 in respect of the Belfast store.

### Rates refunds

Montagu Evans LLP has been instructed on a success fee basis to appeal the rateable values across a number of properties within the portfolio. These appeals are ongoing and as they still represent a potentially material recovery for creditors are likely to continue until the end of the Administration.

The Joint Administrators have also pursued local councils direct to seek repayment of business rates prepaid at the Date of Appointment.

In the Period, the sum of £213,002.63 has been recovered for the benefit of creditors. Further refunds of £520,848.71 were received after the period end, which takes total recoveries from this source to £2.38m.

### Dundrum store

The Company, via the Joint Administrators continued to operate the Dundrum store until Competition Authority approval was received. The effective completion date which the store transferred to the Purchaser was 22 October 2018. A TSA was entered into with the Purchaser to cover the support and stock needed during this trading period.

The Joint Administrators finalised the relevant trading account with the Purchaser, to enable them to account for the sums payable / receivable under the TSA. The position is summarised below:

	Euro	GBP
Trading account receipts	6,743,406.34	
Trading account payments	<u>(4,436,135.00)</u>	
Net trading account	2,307,271.34	
Retention for future VAT recoveries	<u>(21,481.84)</u>	
Balance transferred to Euro account	2,285,789.50	1,933,710.86
TSA payment to Sports Direct pre deductions	(2,285,789.50)	
Apportionments payable by Sports Direct		(778,257.88)
Fee paid by Sports Direct to EY under the TSA		(500,000.00)
Coinage payable to HSBC		(24,500.00)
VAT on apportionments and EY fees		<u>(222,849.51)</u>
		468,103.47
Receipts due to Sports Direct paid to administrators		369,272.37
Paid to Sports Direct per previous progress report		<u>(837,375.84)</u>
Balance remaining	<u>-</u>	<u>-</u>

The time costs in dealing with Dundrum are included within the Joint Administrators' total time costs and set out in detail at Appendix 3. A contribution towards these costs was paid by Sports Direct and will not impact the creditors of the Company.

### **Intercompany debtors**

We have previously submitted a claim in the liquidation of House of Fraser (Funding) Plc for £205,279,147.36 and a claim in the liquidation of House of Fraser (Storecard) Limited for £35,710.00. Both of these companies are in liquidation and have no realisable assets and accordingly we do not believe that there will be recoveries from these intercompany debts.

A claim against Jam B Realisations Limited (formerly James Beattie Limited) has been submitted for £32,726,532.45 and a claim in respect of House of Fraser (Finance) Ireland Limited was submitted for £171,121.76.

House of Fraser (Finance) Ireland Limited ("HOF Ireland") was placed into members voluntary liquidation on 13 September 2019 and following enquiries by the liquidator, it became apparent that the Company had received, in error, sums from credit card debtors due to HOF Ireland. These had previously been included within the "Cash in Transit" numbers in the GBP receipts and payments account. These have been reclassified in the latest receipts and payments account to "Dividends from other group companies" and represent a payment in full of the intercompany claim.

Jam B Realisations Limited was placed into liquidation on 28 August 2020 and a dividend to unsecured creditors is expected to take place before the end of the current accounting period.

### **Remaining assets**

The Joint Administrators will continue to pursue a number of recoveries for the benefit of creditors, including:

- Recoveries from the debtor collection process that is ongoing.
- Debts due from other members of the House of Fraser group of companies as the liquidation processes progress.
- A small number of funds identified as being held in a pre-appointment bank account with Bank of Ireland that are due to be transferred over to the Company's bank account shortly.
- Further rates refunds.
- Additional bank interest from funds held on deposit pending distribution to the preferential creditors, the secured creditors and the unsecured creditors by virtue of the prescribed part.

### **Leasehold properties**

At the Date of Appointment, the Company operated from sixty-four locations, all of which were occupied via leases, some of which were under subleases granted by other group companies. These sixty-four locations included fifty-nine trading stores, three office buildings and two warehousing facilities. As part of the sale, a licence to occupy all of the Company's premises (other than the HOF store in Dundrum) was granted to SDI (Propco 35) Limited ("the Property Purchaser").

The licence to occupy has been variously extended and the last expired on 31 March 2020, however, we understand that the Property Purchaser continues to occupy two sites. In respect of the remainder of the sixty-four locations, fifty have been either surrendered or being treated as at an end to allow for the Purchaser to enter into new agreements with the landlord; two have been assigned to the Purchaser and ten have been vacated with the keys returned to the landlord (a number of which were later formally surrendered).

In addition to the sites noted above, the Company was also party to a small number of other ancillary property leases which the Company now has no further interest in.

### **Retention of title claims**

The Joint Administrators have continued to support the Purchaser in dealing with the remaining retentions of title claims.

### **Creditors**

The Joint Administrators continue to receive claims from unsecured creditors of the Company.

The Joint Administrators and their staff are verifying the received unsecured claims in readiness for a distribution via the prescribed part, more details of which are set out later in this report.

### **VAT**

The Joint Administrators have submitted all VAT returns for the periods from 10 August 2018 to 30 November 2020 (inclusive). The VAT return for the period 1 June 2020 – 31 August 2020 resulted in a VAT refund of £23,969.47 due to the Company, which triggered a VAT check by HM Revenue & Customs (“HMRC”). This VAT check was concluded and the VAT refund released.

The VAT return for the period 1 September 2020 to 30 November 2020 also triggered a VAT check by HMRC. Queries in relation to the VAT return are ongoing and the refund has not yet been received.

### **Corporation tax**

We have instructed EY tax specialists to prepare the corporation tax returns for the Company.

Corporation tax returns for the periods up to 10 August 2019 have been submitted. Tax returns for subsequent post-Administration periods will be required. The next tax return due for the Company is for the period from 11 August 2019 to 10 August 2020.

Tax work is ongoing, and all Corporation tax and other tax related time costs are included within the Joint Administrators’ total time costs, set out in detail at Appendix 3.

### **Bank interest received / charges paid**

Cash balances are held on deposit where positive interest rates are provided by the clearing banks, and fixed bank interest of £2,025.59 and floating bank interest of £15,231.23 have been received in the Period. Bank charges paid in the Period totalled £4,273.86.

## **Investigations**

As previously reported the Joint Administrators have undertaken an investigation into the Company's affairs following their appointment pursuant to Statement of Insolvency Practice Number 2 (Investigations by Office Holders) and the Company Directors Disqualification Act 1986.

We have submitted our confidential return on the conduct of all persons who have been directors, shadow or de-facto directors of the Company during the three years prior to our appointments, to the Insolvency Service.

No further work was undertaken in relation to this matter during the Period.

## **Receipts and payments account**

A summary of our receipts and payments for the Period is attached at Appendix 2. It does not reflect estimated future realisations or costs. Certain of the entries for the Period represent reallocations to provide a better understanding of the transactions with regard to the Dundrum store.

## **Joint administrators' remuneration**

The statutory provisions relating to remuneration are set out in Rules 3.95 to 3.101 of the Insolvency (Scotland) (Company Voluntary Arrangements and Administration) Rules 2018.

In certain circumstances, creditors are entitled to request further information about our remuneration or outlays, or to apply to court if they consider the costs to be excessive (Rule 3.100, Insolvency (Scotland) (Company Voluntary Arrangements and Administration) Rules 2018. Further information is given in 'A Creditors' Guide to Administrators' Fees', a copy of which may be accessed from the web site of the Institute of Chartered Accountants of Scotland at <https://www.icas.com/technical-resources/creditor-guides-to-office-holder-remuneration> or is available in hard copy upon written request to the Joint Administrators.

Our remuneration was fixed on a time-cost basis by a resolution of the secured creditor and the preferential creditors on 29 March 2019.

The Joint Administrators have incurred time costs of £217,063.50 in the Period and a total of £7,443,435 of time costs to date. In respect of post appointment matters, the Administrators have drawn £2m to date. The entries set out in the receipts and payments account during the Period represent a reallocation to other categories to provide a greater understanding of payments made.

Appendix 3 of this report provides an analysis of the time spent. The work completed includes the following:

- Pursuing outstanding rates refunds.
- Pursuing and reaching agreement with Sports Direct on monies that are due to the Company.
- Reconciling and pursuing outstanding book debts, including balances held by merchant acquirers.
- Statutory reporting including progress reports to creditors.
- Correspondence with creditors.

- VAT returns.
- Corporation Tax returns.
- Maintaining the bank account and recording receipts; making payments; bank reconciliations.

The Joint Administrators have incurred disbursements of £558.35 in the Period and a total of £44,444.20 of disbursements to date, against which £34,944.97 plus VAT has been paid to date. An analysis of Category 2 disbursements (i.e. charges made by the office holders' firm that include elements of shared or overhead costs) are set out in Appendix 4 of this report.

### Joint administrators' outlays

During the Period, we have incurred outlays totalling £558.35 plus VAT for printing and posting costs and website hosting fees for communicating with the creditors of the Company. There is analysis of outlays incurred to date at Appendix 4 of this report.

### Pre-administration costs

As per the report dated 20 September 2019, we received approval from the creditors and settled payment of pre-administration costs totalling £728,841.39 plus VAT for fees, together with expenses of £15,147.82 plus VAT.

### Secured creditors

On entering administration, the House of Fraser Group's secured funding could be analysed into three categories:

- Super senior secured working capital facility ("Super senior facilities").
- Senior secured revolving credit facility, senior overdraft and senior secured term loan lenders ("Senior facilities").
- Holders of senior secured floating rate notes, due 2020 ("Bondholders").

The table below summarises the facilities provided:

	<b>£m</b>
Super senior facilities	10.0
Senior facilities	225.0
Bondholders	<u>165.0</u>
	<b>400.0</b>

Other than the Super senior facility, which has priority ranking, the Senior facilities and Bondholders indebtedness ranks pari passu with each other.

The Joint Administrators made a first floating charge distribution to secured creditors of £60m on 12 October 2018 followed by a second floating charge distribution of £18.5m on 17 December 2018 and a third distribution of £5m on 29 August 2019. A first distribution to secured creditors under the fixed charge of £1.5m took place on 17 December 2018. No sums have been distributed in the Period.

Please note that the confirmed indebtedness arising from these facilities at the Date of Appointment of the Joint Administrators, in particular the usage of the senior revolving credit facility and any post appointment interest and charges, is still subject to final confirmation.

### **Preferential creditors**

All of the employees of the Company were transferred to the Sports Direct Group as a result of the sale of business. However, certain former employees have preferential claims in respect of arrears of wages, holiday pay and employee pension deductions.

To date we have paid, in full, preferential claims totalling £77,003.58 with a further £123.64 settled on behalf of Jam B Realisations Limited. This will be recovered in due course. We do not expect to receive any further preferential claims.

### **Non-preferential creditors**

The Joint Administrators continue to receive claims from unsecured non-preferential creditors of the Company.

Based on the Company's Statement of Affairs filed with the Registrar of Companies it was estimated that non-preferential claims against the Company are c.£313.4m. However, claims received to date are c.£411.4m. The amount is likely to change as non-preferential claims are received and agreed.

### **The Prescribed Part**

The Prescribed Part is a proportion of floating charge assets set aside for unsecured creditors pursuant to section 176A of the Act. The Prescribed Part applies to floating charges created on or after 15 September 2003.

The Joint Administrators currently estimate, to the best of their knowledge and belief, that:

- The value of the net property is c.£80 million.
- The value of the Prescribed Part is £0.6m, being the maximum amount available to be set aside, before the costs of dealing with the Prescribed Part.

If there are unsecured creditors who wish to submit a claim form but have yet to do so, I would request that they return Form 4.7 (Scot) (enclosed at Appendix 7), together with all back up documentation in support of their claim. Thereafter the Joint Administrators will proceed to adjudicate on creditor claims for a distribution from the Prescribed Part.

### **Distributions to creditors**

No distributions have taken place to date.

### **Estimated outcome statement**

We intend to make a distribution to unsecured creditors and to provide an indication to creditors of the likely future recoveries, we have prepared an estimated outcome statement, which is attached at Appendix 5. This indicates that our current estimate would see a further recovery of c.£10.45m for the secured creditors and £600,000 for unsecured creditors, the latter representing a dividend of c.0.15 pence in the pound based on claims received to date.

Please note that the estimated outcome statement is subject to revision as further claims are agreed and future amounts are received and paid out.

The estimated outcome statement does not represent a formal scheme of division in respect of the accounting period covered by this report and on the grounds of prudence does not allow for any recovery from the debtor still being pursued.

### **Remaining work**

We will continue to undertake work as set out in the Joint Administrators' Statement of Proposals, which will include:

- Continuing to pursue asset realisations, including book and other debts, and rates refunds.
- Conclude residual leasehold property matters, including nine leases across four sites.
- Adjudicate unsecured claims and make a subsequent distribution, both under the prescribed part and to the secured creditors.
- Complying with our statutory reporting obligations.

### **The end of the administration**

It is proposed that if, at the end of the administration, the Company has no property which might permit a distribution to its creditors, the Joint Administrators will send a notice to that effect to the Registrar of Companies. On registration of the notice, the Joint Administrators' appointment in respect of the Company will come to an end. In accordance with the provision of paragraph 84(6) of Schedule B1 to the Act, the Company will be deemed to be dissolved three months after the registration of the notice.

### **Other matters**

If there are any matters concerning the Company's affairs which you consider may require investigation, please forward the details to me in writing as soon as possible.

### **Next report**

We will report to you again at the conclusion of the administration or in six months' time, whichever is the sooner.

Yours faithfully  
For the Company



C A Lewis  
Joint Administrator

Enc: Appendix 1 – Statutory information about the Company, the administration and the office holders  
Appendix 2 - Joint Administrators' Receipts and Payments Account  
Appendix 3 - Summary of the Joint Administrators' time costs and category 2 disbursements  
Appendix 4 - Breakdown of outlays incurred in this Period and to date  
Appendix 5 – Estimated outcome statement  
Appendix 6 – Form 4.7 (Scot) – Statement of Claim Form

The affairs, business and property of the Company are being managed by the Joint Administrators, A M Hudson, R H Kelly, C P Dempster and C A Lewis, who act as agents of the Company only and without personal liability.

A M Hudson is licensed in the United Kingdom to act as an insolvency practitioner by the Insolvency Practitioners Association. R H Kelly and C P Dempster are licensed in the United Kingdom to act as insolvency practitioners by the Institute of Chartered Accountants of Scotland. C A Lewis is licensed in the United Kingdom to act as an insolvency practitioner by the Institute of Chartered Accountants in England and Wales.

The Joint Administrators may act as data controllers of personal data as defined by the UK General Data Protection Regulation (as incorporated in the Data Protection Act 2018), depending upon the specific processing activities undertaken. Ernst & Young LLP and/or the Company may act as a data processor on the instructions of the Joint administrators. Personal data will be kept secure and processed only for matters relating to the Joint Administrators appointment. The Office Holder Data Privacy Notice can be found at [www.ey.com/uk/officeholderprivacy](http://www.ey.com/uk/officeholderprivacy)

## Appendix 1

### Information about the proceedings, the company and the office holders, as required by Rule 3.94 of the Insolvency (Scotland) (Company Voluntary Arrangements and Administration) Rules 2018

Name of court:	Court of Session, Parliament House, Parliament Square, Edinburgh, EH1 1RQ
Court reference:	P794/18
Registered name of the company:	HF Stores Realisations Limited
Registered office address of the company:	c/o Ernst & Young LLP, Atria One, 144 Morrison Street, Edinburgh, Scotland, EH3 8EX
Registered number:	SC010677
Country of incorporation (for a company incorporated outside the United Kingdom):	N/A
Details of any changes of administrator:	None
Date of Appointment of Joint Administrators:	10 August 2018

#### Details of the Joint Administrators

Name	Office Holder Number
Alan Michael Hudson Ernst & Young LLP, 1 More London Place, London, SE1 2AF	9200
Craig Anthony Lewis Ernst & Young LLP, 1 More London Place, London, SE1 2AF	9356
Robert Hunter Kelly Ernst & Young LLP, 1 Bridgewater Place, Water Lane, Leeds, West Yorkshire, LS11 5QR	8582
Colin Peter Dempster Ernst & Young LLP, Atria One, 144 Morrison Street, Edinburgh, EH3 8EX	8908

Telephone number:	+44 (0)207 951 1856
Name of alternative person to contact with enquiries about the case:	Sophie Hyde

## Appendix 2

### HF Stores Realisations Limited (formerly House of Fraser Limited) (in Administration) (‘the Company’)

### Joint Administrators’ Summary of Receipts and Payments from 10 August 2020 to 9 February 2021

HF Stores Realisations Ltd (Formerly House of Fraser (Stores) Ltd) (In Administration) JOINT ADMINISTRATORS’ RECEIPTS AND PAYMENTS ACCOUNT (GBP) From 10/08/2020 to 09/02/2021							
Statement of affairs	10/08/2018 09/02/2019	10/02/2019 09/08/2019	10/08/2019 09/02/2020	10/02/2020 09/08/2020	10/08/2020 09/02/2021	Realised to Date	Note
GBP	GBP	GBP	GBP	GBP	GBP	GBP	
£	£	£	£	£	£	£	£
<b>RECEIPTS</b>							
<b>Fixed Charge Realisations</b>							
Business Intellectual Property	1,500,000.00	-	-	-	-	1,500,000.00	
Other Fixed Charge Realisations	6.75	-	-	-	-	6.75	
Bank Interest	3,191.20	1,974.72	2,013.46	1,997.58	2,025.59	11,202.55	
	<b>1,503,197.95</b>	<b>1,974.72</b>	<b>2,013.46</b>	<b>1,997.58</b>	<b>2,025.59</b>	<b>1,511,209.30</b>	
<b>Floating Charge Realisations</b>							
Stock	68,453,097.30	84,479,052.31	-	-	-	84,479,052.31	
Transfer from Euro Account	-	-	-	1,993,710.86	(1,993,710.86)	-	
Equipment - Floating	2,889,137.74	-	-	-	-	2,889,137.74	
Information Technology - Floating	481,522.96	-	-	-	-	481,522.96	
Vehicles - Floating	1.00	-	-	-	-	1.00	
Duty Referral Deposit	1,347,399.54	-	-	-	-	1,347,399.54	
Cash at Bank	58,765.13	-	-	-	-	58,765.13	
Cash in Transit	2,224,419.52	53,313.10	-	-	(171,121.76)	2,106,610.86	
Rent and Rates Refund	841,896.39	94,995.63	564,014.12	146,925.36	213,002.63	1,860,834.13	
Book Debts and Other Debtors	16,375,730.70	1,358,788.05	62,900.47	615,845.83	56,750.34	2,162,932.80	
Prepayments	5,171,172.00	2,433,354.42	-	-	(108,793.84)	2,324,560.58	
Property Licence Fees	-	10,315,062.09	5,439,304.25	3,539,533.49	286,637.53	7,600,616.29	27,181,153.65
Funds due to Sports Direct	-	8,648,332.14	-	-	-	(80,254.44)	8,568,077.70
Tax Refund	-	-	37,494.59	-	-	-	37,494.59
Unallocated Receipts	-	-	4,001.77	-	-	-	4,001.77
Global Limited Retainer	-	-	16,134.91	-	-	-	16,134.91
Dividends from other group companies	-	-	-	-	-	171,121.76	171,121.76
SDI apportionments	-	-	-	-	-	778,257.88	778,257.88
Bank Interest - Floating	-	124,675.18	45,487.72	28,386.42	21,677.03	15,231.23	235,457.58
	<b>90,000,000.00</b>	<b>115,202,406.47</b>	<b>5,753,632.44</b>	<b>4,747,779.86</b>	<b>2,505,701.12</b>	<b>6,492,997.00</b>	<b>134,702,516.89</b>
<b>PAYMENTS</b>							
Pre-appointment Administrators Fees	-	-	-	-	743,989.21	743,989.21	
Post appointment Administrators Fees	-	-	2,778,934.18	-	65,509.33	(844,443.51)	2,000,000.00
Post appointment Administrators Expenses	-	-	-	-	34,944.97	34,944.97	
Pre-appointment Legal Fees	-	-	579,246.40	-	-	(45,097.70)	534,148.70
Post appointment Legal Fees	-	449,076.05	90,857.04	156,122.70	34,930.12	(28,077.54)	702,908.37
Storage Costs	-	-	18,752.08	2,390.67	824.25	14,861.95	36,828.95
Prepayment Rent	-	-	29,334.67	-	-	(29,334.67)	-
Funds due to Sports Direct	-	-	80,254.44	-	-	(80,254.44)	-
Dundrum - Contribution to EY Costs	-	-	-	-	600,000.00	(600,000.00)	-
Third party receipts paid to Sports Direct	-	8,198,805.33	-	-	-	369,272.37	8,568,077.70
TSA Payment to Sports Direct	-	-	-	-	837,375.84	(837,375.84)	-
Landlord Payments	-	7,852,098.23	7,383,857.69	3,870,465.42	603,238.84	6,702,150.35	26,411,810.53
Agents - Business Rates	-	20,638.72	-	-	-	66,338.45	86,977.17
Sundry Expenses	-	300.00	-	-	-	-	300.00
Bank Charges	-	1,350.62	2,979.31	209.10	46.00	4,273.86	8,858.89
Preferential Creditors	-	70,770.44	6,356.78	-	-	-	77,127.22
HSBC Secured Agents - Fixed Charge	-	1,500,000.00	-	-	-	-	1,500,000.00
HSBC Secured Agents - Floating Charge	-	78,500,000.00	-	5,000,000.00	-	-	83,500,000.00
	<b>96,593,039.39</b>	<b>10,970,572.59</b>	<b>9,029,187.89</b>	<b>2,141,924.38</b>	<b>5,471,247.46</b>	<b>124,205,971.71</b>	
Net Receipts/(Payments)	<b>20,112,565.03</b>	<b>(5,214,965.43)</b>	<b>(4,279,394.57)</b>	<b>365,774.32</b>	<b>1,023,775.13</b>	<b>12,007,754.48</b>	
<b>MADE UP AS FOLLOWS</b>							
Cash at Bank	21,046,800.70	(7,841,309.55)	(4,308,796.85)	282,140.31	2,149,872.24	11,328,706.85	
VAT Control Account	(934,235.67)	2,626,344.12	29,402.28	83,634.01	(1,126,097.11)	679,047.63	
	<b>20,112,565.03</b>	<b>(5,214,965.43)</b>	<b>(4,279,394.57)</b>	<b>365,774.32</b>	<b>1,023,775.13</b>	<b>12,007,754.48</b>	
Note:							
Interest Bearing						11,328,706.85	
Non Interest Bearing							
						<b>11,328,706.85</b>	



## Appendix 2 (cont'd)

<b>HF Stores Realisations Ltd (Formerly House of Fraser (Stores) Ltd)</b>						
<b>(In Administration)</b>						
<b>JOINT ADMINISTRATORS' RECEIPTS AND PAYMENTS EURO TRADING ACCOUNT</b>						
	<b>From 10/08/2018 To 09/02/2019</b>	<b>From 10/02/2019 To 09/08/2019</b>	<b>From 10/08/2019 To 09/02/2020</b>	<b>From 10/02/2020 To 09/08/2020</b>	<b>From 10/08/2020 To 09/02/2021</b>	<b>Cumulative Total EUR</b>
	<b>EUR</b>	<b>EUR</b>	<b>EUR</b>	<b>EUR</b>	<b>EUR</b>	
<b>RECEIPTS</b>						
Dundrum - Cash Sales	1,594,251.36	(231,120.75)	-	-	-	1,363,130.61
Dundrum - Credit Card Sales	5,379,052.61	(953,571.03)	-	682,674.96	-	5,108,156.54
Dundrum - Cafe Zest Sales	184,757.96	(32,752.95)	-	-	-	152,005.01
Dundrum - Pre Appointment Income	120,114.18	-	-	-	-	120,114.18
	<b>7,278,176.11</b>	<b>(1,217,444.73)</b>	<b>-</b>	<b>682,674.96</b>	<b>-</b>	<b>6,743,406.34</b>
<b>PAYMENTS</b>						
Dundrum - Concession Payments	3,196,474.90	(81,146.53)	-	-	-	3,115,328.37
Dundrum - Misc Direct Purchases	9,618.28	-	-	-	-	9,618.28
Dundrum - Rent	206,215.58	-	-	(179,686.55)	-	26,529.03
Dundrum - Service Charges	98,707.62	-	-	(65,508.46)	-	33,199.16
Dundrum - Employee Expenses	579,586.86	-	-	-	-	579,586.86
Dundrum - PAYE	32,242.07	-	-	-	-	32,242.07
Dundrum - RPSI	55,421.69	-	-	-	-	55,421.69
Dundrum - Pension Cont (employee & e	3,299.36	-	-	-	-	3,299.36
Dundrum - Third Party Payroll Costs	1,470.00	-	-	-	-	1,470.00
Dundrum - Gas	-	4,754.91	-	-	-	4,754.91
Dundrum - Electricity	51,216.37	-	-	-	-	51,216.37
Dundrum - Telephone	3,124.02	-	-	-	-	3,124.02
Dundrum - Rates	140,231.12	-	-	(128,544.60)	-	11,686.52
Dundrum - Hire of Equipment	393.34	82.47	-	-	-	475.81
Dundrum - Merchant Fees & Charges	47,452.04	(5.38)	-	-	-	47,446.66
Dundrum - Bank Charges	6,399.88	487.77	8.32	-	-	6,895.97
Dundrum - Float/Coin Drops	40,900.00	51,500.00	-	-	-	92,400.00
Dundrum - Consumables	8,737.50	-	-	-	-	8,737.50
Dundrum - Miscellaneous Trading Expens	9,074.73	-	-	-	-	9,074.73
Dundrum - Maintenance	83,101.79	769.60	-	-	-	83,871.39
Dundrum - Misc Professional Fees Tradin	197,636.09	3,609.00	-	-	-	201,245.09
Dundrum - Sub Contractor/Agency Staff	-	7,821.05	-	-	-	7,821.05
VAT Payment	488,342.58	-	-	(444,894.35)	-	43,448.23
RBS Bank Charges - Floating	7.94	-	-	-	-	7.94
HSBC Bank Charges - Floating	33.99	-	-	-	-	33.99
Trade Creditors	-	-	-	-	-	-
Legal Fees	-	7,200.00	-	-	-	7,200.00
	<b>5,259,687.75</b>	<b>(4,927.11)</b>	<b>8.32</b>	<b>(818,633.96)</b>	<b>-</b>	<b>4,436,135.00</b>
<b>Net Receipts/(Payments)</b>	<b>2,018,488.36</b>	<b>(1,212,517.62)</b>	<b>(8.32)</b>	<b>1,501,308.92</b>	<b>-</b>	<b>2,307,271.34</b>
<b>MADE UP AS FOLLOWS</b>						
Cash at Bank (transferred to Euro account)	1,505,992.24	801,287.42	(8.32)	-	-	2,307,271.34
Dundrum - Debtor Account	856,921.54	(836,925.67)	-	(19,995.87)	-	-
Dundrum - Creditor Account	(1,076,410.44)	-	-	1,076,410.44	-	-
VAT Control Account	731,985.02	(1,176,879.37)	-	444,894.35	-	-
	<b>2,018,488.36</b>	<b>(1,212,517.62)</b>	<b>(8.32)</b>	<b>1,501,308.92</b>	<b>-</b>	<b>2,307,271.34</b>

### Notes:

1. Receipts and payments are stated net of VAT.
2. The balance on the Trading Account, once any costs associated with the TSA are settled, have now been returned to the Purchaser in accordance the terms of the sale of business.
3. Within the GBP receipts and payments account is one receipt totalling £4,001.77 noted as "Unallocated Receipts". There is also a receipt totalling Euro 12.53 noted as "unallocated Receipts" within the Dundrum Trading Account. The Joint Administrators are currently investigating the nature of these receipts, and once completed, they will either be re-categorised or repaid.
4. No allowance has been made for future receipts or payments.

## Appendix 3

### HF Stores Realisations Limited (formerly House of Fraser Limited) (in Administration) (‘the Company’)

#### Joint Administrators’ Time-Costs from 10 August 2020 to 9 February 2021

	Staff Grade						Total Hours	Time Cost (£)	Average Hourly Rate (£)
	Partner	Director	Senior Manager	Manager	Executive	Analyst			
Accounting and Administration	-	3.6	23.4	14.8	99.9	13.0	154.7	38,667.70	249.95
Bank & Statutory Reporting	7.0	28.0	-	-	-	35.2	70.2	23,624.60	336.53
Creditors (Mandatory)	-	18.4	-	42.0	-	290.3	350.7	57,153.70	162.97
Debtors	-	2.9	-	9.6	6.7	-	19.2	5,601.60	291.75
Employee Matters	7.0	5.2	-	0.4	-	-	12.6	6,754.60	536.08
Job Acceptance & Strategy (M)	-	1.0	-	-	-	-	1.0	547.00	547.00
Legal Issues	-	2.0	-	-	-	-	2.0	1,094.00	547.00
Members	-	-	-	0.8	-	-	0.8	216.80	271.00
Other Assets (Mandatory)	-	2.5	1.0	4.0	-	-	7.5	2,794.50	372.60
Other Matters	-	-	-	-	-	0.8	0.8	98.40	123.00
Property	-	13.3	15.5	24.7	55.8	2.7	112.0	34,096.70	304.43
Retention of Title	-	1.0	-	-	-	-	1.0	547.00	547.00
Statutory Duties	3.0	4.5	-	3.4	18.3	4.0	33.2	10,357.30	311.97
VAT & Taxation	1.0	10.8	12.8	9.0	63.8	6.4	103.8	34,942.60	336.63
ire: Completion & TSA Rec	0.5	0.5	-	-	-	-	1.0	567.00	567.00
<b>Total Hours</b>	<b>18.5</b>	<b>93.7</b>	<b>52.7</b>	<b>108.7</b>	<b>244.5</b>	<b>352.4</b>	<b>870.5</b>		
<b>Time Costs (£)</b>	<b>10,859.50</b>	<b>53,886.10</b>	<b>20,667.60</b>	<b>29,484.70</b>	<b>59,275.50</b>	<b>42,890.10</b>		<b>217,063.50</b>	
<b>Note:</b>									
<b>Time Costs for UK Matters</b>	10,566.00	53,612.60	20,667.60	29,484.70	59,275.50	42,890.10		216,496.50	
<b>Time Costs for Dundrum Matters</b>	293.50	273.50	-	-	-	-		567.00	
	<b>10,859.50</b>	<b>53,886.10</b>	<b>20,667.60</b>	<b>29,484.70</b>	<b>59,275.50</b>	<b>42,890.10</b>		<b>217,063.50</b>	
<b>Average Hourly Rate (£)</b>	587.00	575.09	392.17	271.25	242.44	121.71		249.35	

## Appendix 3 (cont'd)

### Joint Administrators' Time-Costs from 10 August 2018 to 9 February 2021

	Staff Grade						Total Hours	Time Cost	Average Hourly Rate
	Partner	Director	Senior Manager	Manager	Executive	Analyst			
								(£)	(£)
Accounting and Administration	1.0	105.4	225.6	191.9	971.9	751.9	2,247.7	773,401.89	344.09
Bank & Statutory Reporting	115.5	193.5	87.8	262.5	263.6	254.6	1,177.5	659,511.10	560.09
Creditors (Mandatory)	43.5	150.8	36.3	707.2	1,409.9	4,184.0	6,531.7	1,969,227.06	301.49
Debtors	1.0	41.4	9.1	126.3	244.7	130.0	552.5	237,311.00	429.52
Employee Matters	7.0	142.0	9.6	174.8	163.1	69.8	566.3	251,878.10	444.78
Immediate Tasks	2.0	16.9	13.5	2.0	4.0	9.0	47.4	25,748.45	543.22
Investigation/CDDA (Mandatory)	25.5	80.2	294.2	95.5	270.4	328.0	1,093.8	621,771.00	568.45
Job Acceptance & Strategy (M)	-	9.3	5.0	0.5	-	-	14.8	13,090.50	884.49
Legal Issues	5.5	41.5	4.6	6.0	1.1	1.0	59.7	53,931.50	903.38
Members	-	-	-	8.9	8.0	-	16.9	8,255.80	488.51
Other Assets (Mandatory)	1.0	34.3	9.6	16.3	3.0	-	64.2	50,808.50	791.41
Other Matters	28.5	31.9	21.8	5.0	102.0	14.5	203.7	111,482.40	547.29
Property	20.5	113.2	114.5	500.6	440.8	185.2	1,374.8	662,385.70	481.81
Public Relations issues	-	6.9	2.8	0.2	3.0	-	12.9	9,511.50	737.33
Retention of Title	2.5	71.0	14.5	12.7	-	131.0	231.7	117,584.32	507.49
Statutory Duties	20.0	34.0	137.3	82.8	184.6	94.9	553.6	272,311.30	491.89
Trading (Mandatory)	-	0.4	-	2.0	-	132.5	134.9	25,051.00	185.70
VAT & Taxation	6.9	121.1	127.2	133.6	357.6	163.7	910.1	575,492.41	632.34
Day One	8.0	61.1	93.4	66.0	190.6	71.5	490.6	225,787.40	460.23
Concession Operators	9.0	7.0	5.9	37.1	58.5	-	117.5	53,003.00	451.09
Decision Analytics	3.0	-	-	-	-	-	3.0	2,340.00	780.00
Stock and Fixed Assets	-	11.0	-	2.8	-	6.1	19.9	15,329.00	770.30
Ire: Negotiating the TSA	20.0	135.1	17.0	-	-	-	172.1	103,462.98	601.18
Ire: Completion & TSA Rec	1.0	147.2	65.1	23.5	16.0	-	252.8	154,560.12	611.39
Ire: Elavon	-	42.1	12.5	-	-	-	54.6	30,298.42	554.92
Ire: Employees (including comm	-	66.0	24.3	27.5	31.5	8.8	158.1	66,580.42	421.13
Ire: Landlord (property)	6.5	42.0	9.8	-	1.5	-	59.8	37,954.25	634.69
Ire: Public relations (inc CCP	-	3.3	2.0	-	-	-	5.3	2,919.78	550.90
Ire: VAT & tax matters	3.0	36.4	22.4	26.5	59.4	4.5	152.2	68,729.94	451.58
Ire: Suppliers (including ROT)	-	9.9	18.2	-	28.5	33.1	89.7	24,166.87	269.42
Ire: Cash flow and trading admi	-	35.4	158.3	25.9	181.6	24.6	425.8	146,378.45	343.77
Ireland: Concessions	-	33.6	45.5	-	124.5	9.5	213.1	63,740.28	299.11
Ire: Statutory and other filing	-	3.9	0.8	3.3	17.0	11.0	36.0	9,430.79	261.97
<b>Total Hours</b>	<b>330.9</b>	<b>1,827.8</b>	<b>1,588.6</b>	<b>2,541.4</b>	<b>5,136.8</b>	<b>6,619.2</b>	<b>18,044.7</b>		
								<b>7,443,435.23</b>	
<b>Note:</b>									
<b>Time Costs for UK Matters</b>								6,735,212.93	
<b>Time Costs for Dundrum Matters</b>								708,222.30	
								<b>7,443,435.23</b>	

## Appendix 3 (cont'd)

### Time charging policy

The Administrators have engaged managers and other staff to work on the Administration. The work required is delegated to the most appropriate level of staff taking account of the nature of the work and the individual's experience. Additional assistance is provided by accounting and treasury executives dealing with the company's bank accounts and statutory compliance diaries. Work carried out by all staff is subject to the overall supervision of the Administrators.

All time spent by staff working directly on case-related matters is charged to a time code established for the case. Time is recorded in units of six minutes. Each member of staff has a specific hourly rate, which is subject to change over time. The average hourly rate for each category of staff over the period is shown below, as are the current hourly rates used.

Grade description	Restructuring hourly rates (£/hour)			Tax / VAT hourly rates (£/hour)		
	03/11/18 to 30/06/19	01/07/19 to 09/02/20	01/07/20 to 09/02/21	03/11/18 to 30/06/19	01/07/19 to 09/02/20	01/07/20 to 09/02/21
Partner	1,140	1,195	1,255	1,570	1,650	N/A
Executive Director	1,090	1,145	1,200	1,570	1,650	1,355-1,650
Director	930	975	1,025	1,295	1,360	1,360
Assistant Director	775	815	855	1,145	1,200 – 1,335	1,200
Senior Executive	590	620	650	945	990	990
Executive	435	455	480	695	615 - 730	N/A
Assistant Executive	395	415	435	N/A	N/A	N/A
Analyst	280-395	295-415	310-435	220-430	230 – 450	235-375
Business Trainee	240	250	265	N/A	N/A	N/A

## Appendix 3 (cont'd)

### Payments to other professionals

The Administrators have engaged the following professionals to provide assistance:

<b>Name of firm</b>	<b>Nature of services</b>	<b>How contracted to be paid</b>
Clifford Chance	Legal Assistance	Upon completion of work
Montagu Evans	Professional Services - Securing rates refunds for the Company	Paid on a percentage basis, with a "no win no fee"
Pinsent Masons	Legal Assistance	Upon completion of work

Legal fees have been reviewed in line with work performed.

Montagu Evans fees have been reviewed in line with rates refunds secured.

## Appendix 4

### HF Stores Realisations Limited (formerly House of Fraser Limited) (in Administration) (‘the Company’)

#### Summary of joint administrators’ outlays incurred

Type of Outlay	Paid as at 09/02/2020	Paid in Period 10/08/2020 to 09/02/2021	Outstanding	Total (£)
<b>Category 1 disbursements (see Note 1)</b>	£33,479.12	£0.00	£8,902.18	£42,381.30
Accommodation	£4,091.02	£0.00	£0.00	£4,091.02
Airfare	£2,172.60	£0.00	£0.00	£2,172.60
Subsistence	£1,441.74	£0.00	£29.18	£1,470.92
Phone Expense	£2.50	£0.00	£0.00	£2.50
Car Allowance	£426.40	£0.00	£0.00	£426.40
Printing	£10,454.63	£0.00	£552.18	£11,006.81
Stationery	£354.68	£0.00	£119.70	£474.38
Travel costs	£9,640.18	£0.00	£42.85	£9,682.11
Technology	£0.00	£0.00	£4,993.35	£4,993.35
Specific Penalty Bond	£1,280.00	£0.00	£0.00	£1,280.00
Postage	£3,615.37	£0.00	£3,723.27	£7,338.64
<b>Category 2 disbursements (note 1) (mileage)</b>	£1,465.85	£0.00	£38.70	£1,504.55
Mileage	£1,465.85	£0.00	£38.70	£1,504.55
<b>Totals</b>	<b>£34,944.97</b>	<b>£0.00</b>	<b>£9,499.23</b>	<b>£44,444.20</b>

#### Notes:

- SIP 9 defines disbursements as a type of expense which is met by, and reimbursed to, an office holder in connection with an insolvency appointment. Disbursements fall into two categories: Category 1 and Category 2.
  - Category 1 disbursements are payments to independent third parties where there is specific expenditure directly referable to the appointment
  - Category 2 disbursements are expenses which are directly referable to the appointment but not a payment to an independent third party. They may include shared and allocated costs.

It is our policy, in accordance with SIP 9, to disclose Category 1 and Category 2 disbursements but only to seek approval for Category 2 disbursements before they are drawn.

## Appendix 5

### HF Stores Realisations Limited (formerly House of Fraser Limited) (in Administration) (‘the Company’)

#### Joint Administrators’ Estimated Outcome Statement

HF Stores Realisations Ltd (Formerly House of Fraser (Stores) Ltd)		
Joint Administrators’ Estimated Outcome Statement		
As at 9 February 2021		
Funds on hand as at 9 February 2021		
GBP account balances	11,328,706.85	
Sterling equivalent of Euro account balances	32,187.54	
Sterling equivalent of USD account balances	<u>161,902.51</u>	11,522,796.89
Add: future anticipated realisations:		
Dividend from the liquidation of Jam B Realisations Limited	447,487.53	
Dividend from the prescribed part of HFL Realisations Limited	26,632.32	
Recovery of preferential claims paid on behalf of Jam B Realisations Ltd	123.64	
Rates refunds received after period end	520,848.71	
Barclaycard merchant acquirers repayment	25,678.62	
Bank of Ireland account repayment	13,011.37	
Refund of unallocated receipts	(4,012.76)	
VAT refund	<u>413,179.99</u>	1,442,949.42
Less: provision for further costs of the administration:		
Joint Administrators’ Fees	(1,000,000.00)	
Joint Administrators’ Disbursements	(10,000.00)	
Legal fees	(108,000.00)	
Insurance	(100,000.00)	
Rating agents fees	(33,160.19)	
Repayment of property licence fees	(353,927.31)	
Statutory costs	(10,000.00)	
Bank charges	(500.00)	
Contingency	<u>(300,000.00)</u>	(1,915,587.50)
Available to creditors		<u>11,050,158.81</u>
Future Distributions:		
Fixed Charge Holder		11,179.30
Floating Charge Holder		10,438,979.51
Unsecured Creditors by virtue of the prescribed part		600,000.00
		<u>11,050,158.81</u>
Creditors claims received:		
Preferential creditors		N/A (already paid in full)
Unsecured non-preferential creditors		411,473,795
The sum of £600,000 represents an estimated final dividend of c0.15 pence in the £ on claims received totalling £411,473,795 expected to rank for dividend purposes.		

**The Insolvency Act 1986 and the Insolvency (Scotland) (Company Voluntary Arrangements and Administration) Rules 2018**

**Administration Notice of Claim for Voting Purposes**

Convocatoria para la presentación de créditos. Plazos aplicables.  
 Výzva k přihlášení pohledávky. Závazné lhůty  
 Opfordring til anmeldelse af fordringer. Vær opmærksom på fristerne  
 Aufforderung zur Anmeldung einer Forderung. Etwaige Fristen beachten!  
 Nõude esitamise kutse. Järgitavad tähtajad  
 Προσκληση για αναγγελία απαιτήσεως. Προσοχή στις προθεσμίες  
 Invitation to lodge a claim. Time limits to be observed  
 Invitation à produire une créance. Délais à respecter  
 Invito all'insinuazione di un credito. Termine da osservare  
 Uzaicinājums iesniegt prasījumu. Terminī, kas jāievēro  
 Kviētimas pateikti reikalavimą. Privalomieji terminai  
 Felhívás követelés bejelentésére. Betartandó határidők  
 Stedina għal preżentazzjoni ta' talba. Limiti taż-żmien li għandhom jiġu osservati  
 Oproep tot indiening van schuldvorderingen. In acht te nemen termijnen  
 Wezwanie do zgłoszenia wierzytelności. Przestrzegać terminów  
 Aviso de reclamação de créditos. Prazos legais a observar  
 Výzva na prihlásenie pohľadávky. Je potrebné dodržať stanovené termíny  
 Poziv k prijavi terjatve. Roki, ki jih je treba upoštevati!  
 Kehotus saatavan ilmoittamiseen. Noudatettavat määräajat  
 Anmodan att anmäla fordran. Tidsfrister att iaktta

**HF Stores Realisations Limited (formerly House of Fraser (Stores) Limited) (in Administration) ('the Company')**

Date of Administration: 10 August 2018

PLEASE NOTE: Once completed, this form will be used by the Joint Administrators ONLY for the purposes of voting in a creditors' decision procedure or a requisitioned meeting of creditors. The form will not constitute admission of the claim to rank for dividend in this or any subsequent procedure. For further information see Rules 5.26 to 15.32 of the Insolvency (Scotland) (Company Voluntary Arrangements and Administration) Rules 2018.

Name of creditor

Address

Amount claimed, after deductions for payments made post-administration or adjustments for set off (see notes overleaf)

Is the claim preferential or secured?

If secured, value of security

If you have made a retention of title claim against the company please attach details (see over)

Signature on behalf of creditor

Date


## **Notes to Administration Notice of Claim for Voting Purposes:**

1. Please attach a detailed statement of your account as at the date on which the company entered administration.
2. If you have claimed retention of title please provide details, including the value of any payments made, or goods returned, to you in respect of your claim.
3. If your claim is preferential (e.g. for wages, holiday pay or certain pension arrears) or secured please give details and attach supporting documentation.
4. VAT bad debt relief may usually be claimed six months after the date of supply.

## **Extracts from the Insolvency (Scotland) (Company Voluntary Arrangements and Administration) Rules 2018:**

### **5.28 Calculation of voting rights**

- (1) Votes are calculated according to the amount of each creditor's claim -
  - (a) in an administration, as at the date on which the company entered administration, less -
    - (i) any payments that have been made to the creditor after that date in respect of the claim, and
    - (ii) any adjustment by way of set-off which has been made in accordance with that principle or would have been made if that principle were applied on the date on which the votes are counted; ...
  - (2) A creditor may vote in respect of a debt of an unliquidated or unascertained amount if the convenor or chair decides to put upon it an estimated minimum value for the purpose of entitlement to vote and admits the claim for that purpose.
  - (4) Where a debt is wholly secured its value for voting purposes is nil.
  - (5) Where a debt is partly secured its value for voting purposes is the value of the unsecured part.
  - (6) However, the value of the debt for voting purposes is its full value without deduction of the value of the security in the following cases -
    - (a) where the administrator has made a statement under paragraph 52(1)(b) of Schedule B1 and the administrator has been requested to seek a decision under paragraph 52(2); ...
- (7) No vote may be cast in respect of a claim more than once on any resolution put to the meeting; and for this purpose (where relevant), the claim of a creditor and of any member State liquidator in relation to the same debt are a single claim.
- (8) A vote cast in a decision procedure which is not a meeting may not be changed.
- (9) Paragraph (7) does not prevent a creditor or member State liquidator from -
  - (a) voting in respect of less than the full value of an entitlement to vote; or
  - (b) casting a vote one way in respect of part of the value of an entitlement and another way in respect of some or all of the balance of that value.

### **5.29 Calculation of voting rights: hire-purchase agreements**

- (1) In an administration, a creditor under a hire-purchase agreement is entitled to vote in respect of the amount of the debt due and payable by the company on the date on which the company entered administration.
- (2) In calculating the amount of any debt for the purpose of paragraph (1), no account is to be taken of any amount attributable to the exercise of any right under the relevant agreement so far as the right has become exercisable solely by virtue of -
  - (a) the making of an administration application;
  - (b) a notice of intention to appoint an administrator or any matter arising as a consequence of the notice; or
  - (c) the company entering administration.