

AM22

Notice of move from administration to creditors' voluntary liquidation



Companies House

WEDNESDAY



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15/05/2019

#213

COMPANIES HOUSE

1 Company details

Company number 0 0 2 3 0 7 7 3

Company name in full The Towcester Racecourse Company Limited

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

2 Court details

Court name High Court of Justice, Business and Property Courts in Bristol

Court case number 2 0 9 2 0 1 8

3 Administrator's name

Full forename(s) Mark Jeremy

Surname Orton

4 Administrator's address

Building name/number One Snowhill

Street Snow Hill Queensway

Post town Birmingham

County/Region

Postcode B 4 6 G H

Country


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Notice of move from administration to creditors' voluntary liquidation

5	Administrator's name ¹	
Full forename(s)	William James	
Surname	Wright	
		¹ Other administrator Use this section to tell us about another administrator.
6	Administrator's address ²	
Building name/number	One Snowhill	
Street	Snow Hill Queensway	
Post town	Birmingham	
County/Region		
Postcode	B 4 6 G H	
Country		
		² Other administrator Use this section to tell us about another administrator.
7	Appointor/applicant's name	
	Give the name of the person who made the appointment or the administration application.	
Full forename(s)	Allan	
Surname	Booth	
8	Proposed liquidator's name	
Full forename(s)	Mark Jeremy	
Surname	Orton	
Insolvency practitioner number	8 8 4 6	
9	Proposed liquidator's address	
Building name/number	One Snowhill	
Street	Snow Hill Queensway	
Post town	Birmingham	
County/Region		
Postcode	B 4 6 G H	
Country		

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Notice of move from administration to creditors' voluntary liquidation

10	Proposed liquidator's name¹	
Full forename(s)	William James	
Surname	Wright	
Insolvency practitioner number	9 7 2 0 [] [] [] []	
		Other liquidator Use this section to tell us about another liquidator.
11	Proposed liquidator's address²	
Building name/number	One Snowhill	
Street	Snow Hill Queensway	
Post town	Birmingham	
County/Region		
Postcode	B 4 [] 6 G H [] []	
Country		
		Other liquidator Use this section to tell us about another liquidator.
12	Period of progress report	
From date	<div> <div>d</div> <div>2</div> <div>d</div> <div>1</div> <div>m</div> <div>0</div> <div>m</div> <div>2</div> <div>y</div> <div>2</div> <div>y</div> <div>0</div> <div>y</div> <div>1</div> <div>y</div> <div>9</div> </div>	
To date	<div> <div>d</div> <div>0</div> <div>d</div> <div>8</div> <div>m</div> <div>0</div> <div>m</div> <div>5</div> <div>y</div> <div>2</div> <div>y</div> <div>0</div> <div>y</div> <div>1</div> <div>y</div> <div>9</div> </div>	
13	Final progress report	
<input checked="" type="checkbox"/> I have attached a copy of the final progress report.		
14	Sign and date	
Administrator's signature	<div> <div>Signature</div> <div>X</div> <div></div> <div>X</div> </div>	
Signature date	<div> <div>d</div> <div>0</div> <div>d</div> <div>9</div> <div>m</div> <div>0</div> <div>m</div> <div>5</div> <div>y</div> <div>2</div> <div>y</div> <div>0</div> <div>y</div> <div>1</div> <div>y</div> <div>9</div> </div>	

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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 **Jess Henrick**

Company name **KPMG LLP**

Address **One Snowhill**

Snow Hill Queensway

Post town **Birmingham**

County/Region

Postcode **B 4 6 G H**

Country

DX

Telephone **Tel +44 (0) 121 232 3000**



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 and dated 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



Joint Administrators' final progress report for the period 21 February 2019 to 8 May 2019

The Towcester Racecourse
Company Limited - in
Administration

9 May 2019

Notice to creditors

This progress report provides a final update on the administration of the Company.

We have included (Appendix 2) an account of all amounts received and payments made since our previous progress report.

We have also explained the exit route from the administration and the outcome for each class of creditors.

You will find other important information in the document such as the costs we have incurred.

A glossary of the abbreviations used throughout this document is attached (Appendix 6).

Finally, we have provided answers to frequently asked questions and a glossary of insolvency terms on the following website, <http://www.insolvency-kpmg.co.uk/case+KPMG+TI817F0038.html>. We hope this is helpful to you.

Please also note that an important legal notice about this report is attached (Appendix 7).

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1 Executive summary

- This final progress report covers the period from 21 February 2019 to 8 May 2019.
- The Company had faced financial difficulty for several years. Despite attempts to improve the business's financial performance the Company continued to incur losses and suffer from cash flow pressures. In August 2018 the Company had limited cash reserves and no further funding options were available to the Company. As a result Mark Orton and Will Wright were appointed as Joint Administrators' on 21 August 2018.
- As previously confirmed, a sale for certain assets of the Company completed on 9 November 2018 to Fermor Land LLP. Total consideration received was £2.5 million.
- During the period realisations include the Company's wet stock of which realisations were £17,013. In addition to this £3,046 has been realised in bank interest. (Section 2 - Progress to date).
- The secured creditor has now been repaid in full. (Section 3 – Outcome for creditors).
- Based on current estimates preferential creditor claims are anticipated to be in the region of £97,400. We anticipate that this class of creditor should receive a dividend of 100p in the £. The timing of the distribution is dependent upon the agreement of claims in the liquidation. (Section 3 – Outcome for creditors).
- We anticipate a distribution to be available to the unsecured creditors. The claims agreement process will shortly commence once the Company moves into liquidation. (Section 3 – Outcome for creditors).
- We have filed a copy of this final progress report with the Registrar of Companies, together with the requisite notices to place the Company into Creditors' Voluntary Liquidation. We will cease to act as Joint Administrators on the date these documents are registered by the Registrar of Companies.
- Please note: you should read this progress report in conjunction with our previous progress report(s) and proposals issued to the Company's creditors.
<http://www.insolvency-kpmg.co.uk/case+KPMG+TI817F0038.html>. Unless stated otherwise, all amounts in this progress report and appendices are stated net of VAT.



Mark Orton
Joint Administrator

2 Progress to date

This section provides a final update on the strategy for the administration and on the progress made. It follows the information provided in our previous progress report.

2.1 Strategy and progress to date

Strategy

There has been no update to our strategy outlined in our previous reports. Please refer to the Joint Administrators Proposals and the first Progress Report for details of this.

2.2 Asset realisations

Realisations during the period are set out in the attached receipts and payments account (Appendix 2).

Summaries of the most significant realisations during the period are provided below.

Wet stock

A total of £17,013 has been realised in respect of the Company's wet stock which was present at the Company premises on the day of our appointment. Our agents, John Pye, were instructed to realise the value of this wet stock via auction.

Bank interest

During the period £3,046 has been realised in respect of interest earned on the funds held in the administration bank account.

Investigations

We reviewed the affairs of the Company to find out if there were any actions which could be taken against third parties to increase recoveries for creditors.

2.3 Costs

Payments made in this period are set out in the attached receipts and payments account (Appendix 2).

Summaries of the most significant payments made during the period are provided below.

Licence holder fees

As previously confirmed the administrators transferred the Company's alcohol licence to a licenced holder, whilst a sale of these assets were explored. A total of £618 was paid to Licensed Solutions within the period. This licence was surrendered on the sale of the Company's wet stock.

Pre-administration security costs

GMS Security Services Limited were paid a total of £2,033 for their security services in the short period prior to the administration of the Company. Approval was obtained for these costs by the general body of creditors on 1 November 2018.

Agents' fees

During the period £6,372 has been paid to John Pye for their fees associated with the realisation of the Company's wet stock. John Pye's fee arrangement for the disposal of these assets were 15% vendor's commission and valuation, uplift and administration fees of £3,820.

Legal fees

Our legal advisors, Foot Anstey were paid a total of £22,550 in legal fees for advice surrounding the sale of business, including preparation of the sale documents. This also includes in these costs are £15,000 which relates to the application to Court for the review of our validity of appointment as referred to in our previous report.

In addition to this, £14,031 has been paid to Squire Patton Boggs for their legal advice regarding the validity of the security held by the Secured Creditor and the administration appointment.

Insurance

During the period £14,034 has been paid to our insurers for the insurance of the Company assets prior to their sale.

Joint Administrators' fees, disbursements and pre-administration costs

During the period the administrators' have drawn £521,263 in respect of their remuneration. In addition to this £6,940 has been drawn for the administrators' disbursements and £23,529 in respect of the pre-administration fees, of which approval was sought following the release of our proposals. For further detail regarding the administrators' remuneration please see Section 4.

2.4 Schedule of expenses

We have detailed the costs incurred during the administration period, whether paid or unpaid, in the schedule of expenses attached (Appendix 3).

Summaries of the most significant expenses which have been incurred in the administration period but have not yet been paid are provided below. These will be paid during the liquidation.

Telephone and internet

We estimate costs of approximately £3,000 will be paid during the liquidation for telephone and internet costs.

Water

£1,000 has been estimated for the water costs incurred during the administration, these costs will be paid during the liquidation.

Legal fees

As stated above, Shoosmiths fees associated with assisting with the book debtor collections are to date £4,047 which will be paid during the liquidation.

2.5 Administration surplus

We have detailed below a breakdown of the funds which form part of the administration

Administration Surplus	Funds (£)
Floating charge current account	1,423,664.13
VAT repayment due from HMRC	123,197.14
VAT receivable from administration to be reclaimed in liquidation	2,923.67
	1,549,784.94

As detailed above in Section 2.4, there are utility costs outstanding from the administration which will be paid from the above surplus, in the liquidation.

3 Outcome for creditors

3.1 Secured creditors

Table Systems were owed approximated £0.6m at the date of our appointment in respect of this loan. Interest on the loan had accrued up to the date of the appointment also, this totalled £4,664.

During the period, Table Systems has been repaid in full.

3.2 Preferential creditors

We estimate the amount of preferential claims to be £97,400.

Based on current estimates, we anticipate that preferential creditors should receive a dividend of 100p in the £ during the liquidation. The timing of this distribution is expected within the first six months of the liquidation.

3.3 Unsecured creditors

Based on current estimates, we anticipate that unsecured creditors should receive a dividend during the liquidation. We currently estimate the dividend range will be between 20p – 50p.

The above dividend estimate is based on the statement of affairs value of the unsecured claims and may differ once final claims have been received and agreed and the adjudication process has completed.

4 Joint Administrators' remuneration and disbursements

4.1 Joint Administrators' remuneration and disbursements

Time costs

From 21 February 2019 to 8 May 2019, we have incurred time costs of £39,638. These represent 128 hours at an average rate of £309 per hour.

Remuneration

During the period, we have drawn remuneration of £521,263 in line with our fee estimate provided in our proposals which was approved by the general body of creditors on 1 November 2018.

Disbursements

During the period, we have not incurred any disbursements. However £6,940 has been drawn during the period for disbursements incurred during the period. The amount is reflected in the receipts and payments account at Appendix 2.

Additional information

We have attached (Appendix 4) an analysis of the time spent, the charge-out rates for each grade of staff and the expenses paid directly by KPMG for the period from 21 February 2019 to 8 May 2019. We have also attached our charging and disbursements policy.

5 Conclusion of the administration

We have filed a copy of this final progress report with the Registrar of Companies, together with the requisite notices to place the Company into Creditors' Voluntary Liquidation.

We will cease to act as Joint Administrators when these documents are registered by the Registrar of Companies and on the same date will be discharged of liability in respect of any action of ours as Joint Administrators.

The outstanding matters to be dealt with in the liquidation will include but not be limited to:

- Continuing to pursue the remaining books debts;
- Dealing with tax and other statutory matters;
- Settlement of outstanding liabilities;
- Agree creditor claims and paying dividends to the preferential and unsecured creditors;

Initial funds of £1,423,664 held in the administration account will be passed to the Joint Liquidators upon their appointment.

In addition to this, based on the receipts and payments since appointment, we expect a VAT repayment from HMRC of £123,197 and further VAT to be reclaimed in the liquidation of £2,923. Subsequently we expect that the total administration surplus will be approximately £1,549,784.

Costs associated with the administration that have not been paid to date will be paid during the liquidation. We currently estimate these to be in the region of £8,127.

Appendix 1 Statutory information

Company information

Company name	The Towcester Racecourse Company Limited
Date of incorporation	25 May 1928
Company registration number	00230773
Present registered office	One Snowhill, Snow Hill Queensway, Birmingham, B4 6GH

Administration information

Administration appointment	The administration appointment granted in High Court of Justice, Business and Property Courts in Bristol, 209 of 2018
Appointor	Directors
Date of appointment	21 August 2018
Joint Administrators' details	Mark Orton and Will Wright
Functions	The functions of the Joint Administrators have been exercised by them individually or together in accordance with Paragraph 100(2).
Current administration expiry date	20 August 2019
Values of the Net Property and Prescribed Part	Net Property was £1.0m. Prescribed Part was £0.2m.
Prescribed Part distribution	To be declared and paid in the liquidation

Appendix 2 Joint Administrators' receipts and payments account

The Towcester Racecourse Company Limited - in Administration

Abstract of receipts & payments

Statement of affairs (£)		From 21/02/2019 To 03/05/2019 (£)	From 21/08/2018 To 03/05/2019 (£)
FIXED CHARGE ASSETS			
1,500,000.00	Buildings and Greyhound track	NIL	1,250,000.00
	Goodwill	NIL	1.00
	Racing Fixtures - Loan	NIL	64,050.00
2,000,000.00	Racing fixtures	NIL	1,000,000.00
		NIL	2,314,051.00
FIXED CHARGE CREDITORS			
(608,000.00)	Table Systems Limited	(604,664.38)	(604,664.38)
		(604,664.38)	(604,664.38)
HP/LEASING			
6,000.00	Plant and equipment	NIL	NIL
(6,000.00)	HP/Leasing creditor	NIL	NIL
		NIL	NIL
ASSET REALISATIONS			
281,000.00	Plant & machinery, Fixtures & fittings	NIL	249,997.00
50,000.00	Stock	17,013.00	17,013.00
	Capital goods scheme	NIL	32,760.00
431,000.00	Book debts	NIL	206,008.33
9,000.00	Connected party loans	NIL	9,045.55
55,000.00	Cash at bank/on site	NIL	54,356.35
	Rent of centre course	NIL	449.36
	Insurance refund	NIL	13,148.45
		17,013.00	582,778.04
OTHER REALISATIONS			
	Bank interest, gross	3,045.95	3,948.92
	Sundry refunds	NIL	296.00
	Pre appointment insurance claim refund	NIL	5,508.51
	Seller's books and records	NIL	1.00
	Contribution to costs	NIL	5,000.00
	Intellectual property rights	NIL	1.00
		3,045.95	14,755.43
COST OF REALISATIONS			
	Health and Safety	NIL	(270.00)

The Towcester Racecourse Company Limited - in Administration

Abstract of receipts & payments

Statement of affairs (£)	From 21/02/2019 To 03/05/2019 (£)	From 21/08/2018 To 03/05/2019 (£)
Bank charges	NIL	(2,129.39)
License holder fees	(618.36)	(2,684.36)
Pre-administration security costs	(2,033.20)	(2,033.20)
IT Services	NIL	(1,880.00)
Administrators' fees	(521,263.30)	(521,263.30)
Administrators' expenses	(6,939.80)	(6,939.80)
Security	NIL	(28,938.49)
Agents'/Valuers' fees	(6,371.95)	(37,359.95)
Agents'/Valuers' disbursements	NIL	(247.32)
Legal fees and disbursements	(36,581.42)	(81,418.60)
Pre-administration legal fees	NIL	(3,461.00)
Pre-administration administrators fees	(23,528.75)	(23,528.75)
Heat & light	NIL	(7,941.48)
Re-direction of mail	NIL	(204.00)
Statutory advertising	NIL	(71.00)
Rates	NIL	(3,348.86)
Other property expenses	NIL	(480.90)
Insurance of assets	(14,033.73)	(14,033.73)
Wages & salaries	NIL	(14,279.83)
PAYE & NIC	NIL	(3,935.19)
Payroll services	NIL	(686.00)
	(611,370.51)	(757,135.15)
PREFERENTIAL CREDITORS		
(97,000.00) Employees' wage arrears	NIL	NIL
	NIL	NIL
UNSECURED CREDITORS		
(1,196,000.00) Trade & expense	NIL	NIL
(166,000.00) Employees	NIL	NIL
(272,000.00) Non-preferential VAT & tax	NIL	NIL
(105,000.00) Consumer deposits	NIL	NIL
	NIL	NIL
1,882,000.00	(1,183,444.94)	1,562,315.94
REPRESENTED BY		
Floating ch. VAT rec'able		143,723.41

The Towcester Racecourse Company Limited - in Administration**Abstract of receipts & payments**

Statement of affairs (£)	From 21/02/2019	From 21/08/2018
	To 03/05/2019 (£)	To 03/05/2019 (£)
Floating charge current		1,423,664.13
Fixed charge VAT payable		(462,810.20)
Floating ch. VAT payable		(53,492.27)
Floating ch. VAT control		498,699.87
		1,549,784.94

Appendix 3 Schedule of expenses

Schedule of Expenses for the administration period

Expenses	Revised Estimates (£)	Paid during administration to date (£)	Expected Future costs (£)	Total (£)
Health and Safety	270.00	270.00	0.00	270.00
Bank charges	2,500.00	2,129.39	30.00	2,500.00
License holder fees	2,066.00	2,684.36	0.00	2,684.36
IT Services	2,000.00	1,880.00	0.00	1,880.00
Administrators' fees	521,263.00	521,263.30	0.00	521,263.30
Administrators' expenses	0.00	6,939.80	0.00	6,939.80
Security and pre-admin security	31,000.00	30,971.69	0.00	30,971.69
Security – cash in transit services	0.00	0.00	50.00	50.00
Agents'/Valuers' fees and disbursements	40,000.00	37,607.27	0.00	37,607.27
Legal fees, disbursements and pre-admin legal fees	75,000.00	72,348.60	4,047.88	76,396.48
Pre-administration administrators fees	23,529.00	23,528.75	0.00	23,528.75
Heat & light (utilities)	7,941.48	7,941.48	0.00	7,941.48
Telephone and internet (utilities)	4,709.66	0.00	3,000.00	3000.00
Water (utilities)	1,000.00	0.00	1,000.00	1,000.00
Re-direction of mail	204.00	204.00	0.00	204.00
Statutory advertising	71.00	71.00	0.00	71.00
Rates (utilities)	3,348.86	3,348.86	0.00	3,348.86
Other property expenses (sundry)	2,000.00	480.90	0.00	0.00
Insurance of assets	15,000.00	14,033.73	0.00	14,033.73
Wages & salaries	14,500.00	14,279.83	0.00	14,279.83
PAYE & NIC	4,000.00	3,935.19	0.00	3,935.19
Payroll services	1,000.00	686.00	0.00	686.00
TOTAL	751,403.00	744,604.15	8,127.88	752,591.74

Please note that this schedule of expenses shows all payments made to date during the administration period, not the period of this report.

Requests for further information and right to challenge our remuneration and expenses

Creditors' requests for further information

If you would like to request more information about our remuneration and expenses disclosed in this progress report, you must do so in writing within 21 days of receiving this progress report.

Requests from unsecured creditors must be made with the concurrence of at least 5% in value of unsecured creditors (including, the unsecured creditor making the request) or with the permission of the Court.

Creditors' right to challenge our remuneration and expenses

If you wish to challenge the basis of our remuneration, the remuneration charged, or the expenses incurred during the period covered by this progress report, you must do so by making an application to Court within eight weeks of receiving this progress report.

Applications by unsecured creditors must be made with concurrence of at least 10% in value of unsecured creditors (including the unsecured creditor making the challenge) or with the permission of the Court.

The full text of the relevant rules can be provided on request by writing to Jess Henrick on One Snowhill, Snow Hill Queensway, Birmingham, B4 6GH.

Appendix 4 Joint Administrators' charging and disbursements policy

Joint Administrators' charging policy

The time charged to the administration is by reference to the time properly given by us and our staff in attending to matters arising in the administration. This includes work undertaken in respect of tax, VAT, employee, pensions and health and safety advice from KPMG in-house specialists.

Our policy is to delegate tasks in the administration to appropriate members of staff considering their level of experience and requisite specialist knowledge, supervised accordingly, so as to maximise the cost effectiveness of the work performed. Matters of particular complexity or significance requiring more exceptional responsibility are dealt with by senior staff or us.

A copy of "A Creditors' Guide to Joint Administrators' Fees" from Statement of Insolvency Practice 9 ('SIP 9') produced by the Association of Business Recovery Professionals is available at:

<https://www.r3.org.uk/what-we-do/publications/professional/fees/administrators-fees>

If you are unable to access this guide and would like a copy, please contact Jess Henrick on 020 73114896.

Hourly rates

Set out below are the relevant charge-out rates per hour worked for the grades of our staff actually or likely to be involved on this administration. Time is charged by reference to actual work carried out on the administration; using a minimum time unit of six minutes.

All staff who have worked on the administration, including cashiers and secretarial staff, have charged time directly to the administration and are included in the analysis of time spent. The cost of staff employed in central administration functions is not charged directly to the administration but is reflected in the general level of charge-out rates.

Table of charge-out rates

Charge-out rates (£) for: Restructuring	
Grade	From 01 Jan 2019 £/hr
Partner	655
Director	590
Senior Manager	535
Manager	445
Senior Administrator	310
Administrator	225
Support	140

Policy for the recovery of disbursements

We have recovered both Category 1 and Category 2 disbursements from the estate.

For the avoidance of doubt, such expenses are defined within SIP 9 as follows:

Category 1 disbursements: These are costs where there is specific expenditure directly referable to both the appointment in question and a payment to an independent third party. These may include, for example, advertising, room hire, storage, postage, telephone charges, travel expenses, and equivalent costs reimbursed to the officeholder or his or her staff.

Category 2 disbursements: These are costs that are directly referable to the appointment in question but not to a payment to an independent third party. They may include shared or allocated costs that can be allocated to the appointment on a proper and reasonable basis, for example, business mileage.

Category 2 disbursements charged by KPMG Restructuring include mileage. This is calculated as follows:

Mileage claims fall into three categories:

- Use of privately-owned vehicle or car cash alternative – 45p per mile.
- Use of company car – 60p per mile.
- Use of partner's car – 60p per mile.

For all of the above car types, when carrying KPMG passengers an additional 5p per mile per passenger will also be charged where appropriate.

We have not incurred any disbursements during the period 21 February 2019 to 8 May 2019. Please refer to our previous progress report for details on the disbursements incurred in the previous period.

We have the authority to pay Category 1 disbursements without the need for any prior approval from the creditors of the Company.

Category 2 disbursements have been approved in the same manner as our remuneration.

Narrative of work carried out for the period 21 February 2019 to 8 May 2019

The key areas of work have been:

Statutory and compliance	<ul style="list-style-type: none">■ preparing statutory receipts and payments accounts;■ dealing with all closure related formalities;■ ensuring compliance with all statutory obligations within the relevant timescales.
Strategy documents, Checklist and reviews	<ul style="list-style-type: none">■ regular case management and reviewing of progress;■ reviewing and authorising junior staff correspondence and other work;■ reviewing matters affecting the outcome of the administration;■ complying with internal filing and information recording practices, including updating strategy decisions.
Reports to debenture holders	<ul style="list-style-type: none">■ providing written and oral updates to representatives of Table Systems regarding the progress of the administration and case strategy.
Cashiering	<ul style="list-style-type: none">■ preparing and processing vouchers for the payment of post-appointment invoices;■ creating remittances and sending payments to settle post-appointment invoices;■ reconciling post-appointment bank accounts to internal systems;■ ensuring compliance with appropriate risk management procedures in respect of receipts

	and payments.
Tax	<ul style="list-style-type: none"> ■ working on tax returns relating to the periods affected by the administration; ■ analysing VAT related transactions; ■ dealing with post appointment tax compliance.
Shareholders	<ul style="list-style-type: none"> ■ providing copies of statutory reports to the shareholders.
General	<ul style="list-style-type: none"> ■ reviewing time costs data and producing analysis of time incurred which is compliant with Statement of Insolvency Practice 9; ■ drawing remuneration in accordance with the basis which has been approved by the general body of creditors;
Asset realisations	<ul style="list-style-type: none"> ■ liaising with agents regarding the sale of assets; ■ reviewing outstanding debtors and management of debt collection strategy;
Open cover insurance	<ul style="list-style-type: none"> ■ liaising with the post-appointment insurance brokers to provide information, assess risks and ensure appropriate cover in place; ■ assessing the level of insurance premiums.
Creditors and claims	<ul style="list-style-type: none"> ■ drafting and circulating our first progress report; ■ updating the list of unsecured creditors; ■ responding to enquiries from creditors regarding the administration and submission of their claims; ■ reviewing completed forms submitted by creditors, recording claim amounts and maintaining claim records; ■ arranging distributions to the secured creditors; ■ drafting our final progress report.

Time costs

SIP 9 –Time costs analysis (21/02/2019 to 08/05/2019)

	Hours	Time Cost (£)	Average Hourly Rate (£)
Administration & planning			
Cashiering			
General (Cashiering)	4.50	1,395.00	310.00
Reconciliations (& IPS accounting reviews)	0.20	28.00	140.00
Statutory and compliance			
Checklist & reviews	6.00	1,815.00	302.50
Closure and related formalities	4.10	1,274.50	310.85
Strategy documents	1.00	655.00	655.00
Tax			
Post appointment corporation tax	21.80	5,738.00	263.21
Post appointment VAT	8.15	2,141.75	262.79
Creditors			
Creditors and claims			
General correspondence	16.70	5,453.25	326.54
Secured creditors	4.00	2,140.00	535.00
Statutory reports	35.40	10,873.00	307.15
Employees			
Correspondence	1.70	527.00	310.00
Pensions reviews	7.75	1,831.75	236.35
Investigation			

SIP 9 –Time costs analysis (21/02/2019 to 08/05/2019)

	Hours	Time Cost (£)	Average Hourly Rate (£)
Directors			
Correspondence with directors	1.50	647.50	431.67
Realisation of assets			
Asset Realisation			
Debtors	3.55	1,201.75	338.52
Insurance	0.70	201.50	287.86
Leasehold property	6.25	2,181.25	349.00
Other assets	0.50	112.50	225.00
Plant and machinery	0.75	168.75	225.00
Sale of business	2.25	971.25	431.67
Stock and WIP	0.75	168.75	225.00
Trading code used when engagement didn't trade			
Trading			
Purchases and trading costs	0.50	112.50	225.00
Total in period	128.05	39,638.00	309.55
Brought forward time (appointment date to SIP 9 period start date)	1,756.97	624,650.05	
SIP 9 period time (SIP 9 period start date to SIP 9 period end date)	128.05	39,638.00	
Carry forward time (appointment date to SIP 9 period end date)	1,885.02	664,288.05	

Appendix 5 Summary of Joint Administrators' proposals

Rescuing the Company in accordance with Paragraph 3(1)(a) is not achievable.

Therefore our primary objective is to achieve a better result for the Company's creditors as a whole than would be likely if the Company were wound up, in accordance with Paragraph 3(1)(b).

In addition to the specific itemised proposals below, this document in its entirety constitutes our proposals.

We propose the following:

General matters

- to continue to do everything that is reasonable, and to use all our powers appropriately, in order to maximise realisations from the assets of the Company in accordance with the objective as set out above;
- to investigate and, if appropriate, to pursue any claims the Company may have;
- to seek an extension to the administration period if we consider it necessary.

Distributions

- to make distributions to the secured and preferential creditors where funds allow;
- to make distributions to the unsecured creditors if funds become available, and to apply to the Court for authority to do so, where applicable.

Ending the administration

We might use any or a combination of the following exit route strategies in order to bring the administration to an end:

- apply to Court for the administration order to cease to have effect from a specified time and for control of the Company to be returned to the Directors;
- formulate a proposal for either a company voluntary arrangement (CVA) or a scheme of arrangement and put it to meetings of the Company's creditors, shareholders or the Court for approval as appropriate;
- place the Company into creditors' voluntary liquidation. In these circumstances we propose that we, Mark Orton and Will Wright, be appointed as Joint Liquidators of the Company without any further recourse to creditors. If appointed Joint Liquidators, any action required or authorised under any enactment to be taken by us may be taken by us individually or together. The creditors may nominate different persons as the proposed Joint Liquidators, provided the nomination is received before these proposals are approved;
- petition the Court for a winding-up order placing the Company into compulsory liquidation and to consider, if deemed appropriate, appointing us, Mark Orton and Will Wright, as Joint Liquidators of the Company without further recourse to creditors. Any action required or authorised under any enactment to be taken by us as Joint Liquidators may be taken by us individually or together;
- file notice of move from administration to dissolution with the Registrar of Companies if we consider that liquidation is not appropriate because (1) no dividend will become available

to creditors, and (2) there are no other outstanding matters that require to be dealt with in liquidation. The Company will be dissolved three months after the registering of the notice with the Registrar of Companies.

Alternatively, we may allow the administration to end automatically.

Joint Administrators' remuneration and pre-administration costs

We propose that:

- our remuneration will be drawn on the basis of time properly given by us and the various grades of our staff in accordance with the fees estimate provided in Appendix 3 and the charge-out rates included in Appendix 5.;
- disbursements for services provided by KPMG (defined as Category 2 disbursements in Statement of Insolvency Practice 9) will be charged in accordance with KPMG's policy as set out in Appendix 5;
- unpaid pre-administration costs be an expense of the administration.

Discharge from liability

We propose that we shall be discharged from liability in respect of any action of ours as Joint Administrators upon the filing of our final receipts and payments account with the Registrar of Companies.

Appendix 6 Glossary

Company	The Towcester Racecourse Company Limited – in Administration
Joint Administrators/we/our/us	Mark Orton and Will Wright
KPMG	KPMG LLP
Secured creditor/Table Systems	Table Systems Limited
John Pye	John Pye & Sons Limited
Foot Anstey	Foot Anstey LLP
Squire Patton Boggs	Squire Patton Boggs (UK) LLP

Any references in this progress report to sections, paragraphs and rules are to Sections, Paragraphs and Rules in the Insolvency Act 1986, Schedule B1 of the Insolvency Act 1986 and the Insolvency Rules (England and Wales) 2016 respectively.

Appendix 7 Notice: About this report

This report has been prepared by Mark Orton and Will Wright the Joint Administrators of The Towcester Racecourse Company Limited – in Administration (the 'Company') solely to comply with their statutory duty to report to creditors under the Insolvency Rules (England and Wales) 2016 on the progress of the administration, and for no other purpose. It is not suitable to be relied upon by any other person, or for any other purpose, or in any other context.

This report has not been prepared in contemplation of it being used, and is not suitable to be used, to inform any investment decision in relation to the debt of or any financial interest in the Company.

Any estimated outcomes for creditors included in this report are illustrative only and cannot be relied upon as guidance as to the actual outcomes for creditors.

Any person that chooses to rely on this report for any purpose or in any context other than under the Insolvency Rules (England and Wales) 2016 does so at its own risk. To the fullest extent permitted by law, the Joint Administrators do not assume any responsibility and will not accept any liability in respect of this report to any such person.

Mark Jeremy Orton and William James Wright are authorised to act as insolvency practitioners by the Institute of Chartered Accountants in England & Wales.

We are bound by the Insolvency Code of Ethics.

The Officeholders are Data Controllers of personal data as defined by the Data Protection Act 2018. Personal data will be kept secure and processed only for matters relating to the appointment. For further information, please see our Privacy policy at – home.kpmg.com/uk/en/home/misc/privacy-policy-insolvency-court-appointments.html.

The Joint Administrators act as agents for the Company and contract without personal liability. The appointments of the Joint Administrators are personal to them and, to the fullest extent permitted by law, KPMG LLP does not assume any responsibility and will not accept any liability to any person in respect of this report or the conduct of the administration.

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