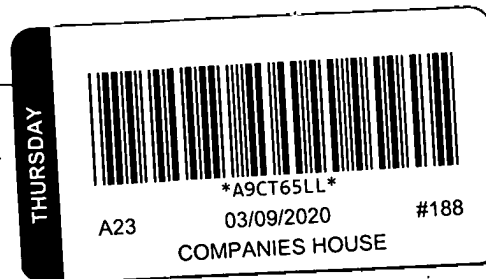


# AM22

## Notice of move from administration to creditors' voluntary liquidation



Companies House



1

### Company details

Company number	0	5	6	6	6	1	0	6
Company name in full	Bawtry Carbon International Limited							

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

2

### Court details

Court name	High Court of Justice, Business and Property Court									
Court case number	0	0	6	1	9	7	2	0	1	9

3

### Administrator's name

Full forename(s)	Sarah									
Surname	O'Toole									

4

### Administrator's address

Building name/number	4 Hardman Square									
Street	Spinningfields									
Post town	Manchester									
County/Region										
Postcode	M	3		3	E	B				
Country										

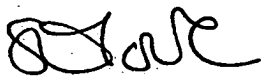
AM22

Notice of move from administration to creditors' voluntary liquidation

<b>5</b>	<b>Administrator's name ①</b>	
Full forename(s)	Jason	<b>① Other administrator</b> Use this section to tell us about another administrator.
Surname	Bell	
<b>6</b>	<b>Administrator's address ②</b>	
Building name/number	4 Hardman Square	<b>② Other administrator</b> Use this section to tell us about another administrator.
Street	Spinningfields	
Post town	Manchester	
County/Region		
Postcode	M 3    3 E B	
Country		
<b>7</b>	<b>Appointor/applicant's name</b>	
	Give the name of the person who made the appointment or the administration application.	
Full forename(s)		
Surname	Directors	
<b>8</b>	<b>Proposed liquidator's name</b>	
Full forename(s)	Sarah	
Surname	O'Toole	
Insolvency practitioner number	1 4 5 5 4	
<b>9</b>	<b>Proposed liquidator's address</b>	
Building name/number	4 Hardman Square	
Street	Spinningfields	
Post town	Manchester	
County/Region		
Postcode	M 3    3 E B	
Country		

AM22

Notice of move from administration to creditors' voluntary liquidation

<b>10</b>		<b>Proposed liquidator's name<sup>①</sup></b>	
Full forename(s)	Jason		
Surname	Bell		
Insolvency practitioner number	1	7	9 1 2
		<b>① Other liquidator</b> Use this section to tell us about another liquidator.	
<b>11</b>		<b>Proposed liquidator's address<sup>②</sup></b>	
Building name/number	4 Hardman Square		
Street	Spinningfields		
Post town	Manchester		
County/Region			
Postcode	M	3	3 E B
Country			
		<b>② Other liquidator</b> Use this section to tell us about another liquidator.	
<b>12</b>		<b>Period of progress report</b>	
From date	d 1 7	m 0 3	y 2 0 2 0
To date	d 0 1	m 0 9	y 2 0 2 0
<b>13</b>		<b>Final progress report</b>	
		<input checked="" type="checkbox"/> I have attached a copy of the final progress report.	
<b>14</b>		<b>Sign and date</b>	
Administrator's signature	Signature X  X		
Signature date	d 0 3	m 0 9	y 2 0 2 0

# AM22

Notice of move from administration to creditors' voluntary liquidation



## 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 **Laura A Walshe**

Company name **Grant Thornton UK LLP**

Address **4 Hardman Square  
Spinningfields**

Post town **Manchester**

County/Region

Postcode **M 3 3 E B**

Country

DX

Telephone **0161 953 6900**



## 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](http://www.gov.uk/companieshouse) or email [enquiries@companieshouse.gov.uk](mailto: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](http://www.gov.uk/companieshouse)



# **Bawtry Carbon International Limited - in administration (the Company)**

**UK Recovery**  
Grant Thornton UK LLP  
4 Hardman Square  
Spinningfields  
Manchester  
M3 3EB

## **Joint administrators' final progress report**

**Prepared by:** Sarah O'Toole, Joint Administrator

**Contact details:** Should you wish to discuss any matters in  
this report, please do not hesitate to  
contact Laura A Walshe on  
0161 214 6304


# Definitions

The following definitions are used either within the body of this report, the appendices to it, or both.

<b>Barclays</b>	Barclays Bank Plc
<b>BCIL</b>	Bawtry Carbon International Limited
<b>BIL</b>	Bawtry Investments Limited
<b>Close</b>	Close Invoice Finance Limited
<b>the Companies</b>	BCIL and BIL
<b>CVL</b>	Creditors' Voluntary Liquidation
<b>Haydock</b>	Haydock Finance Limited
<b>HMRC</b>	HM Revenue and Customs
<b>Nicholl</b>	Nicholl Food Packaging Limited
<b>the Purchaser</b>	Bawtry Carbon Limited
<b>TUPE</b>	Transfer of Undertakings (Protection of Employment) Regulations 2006
<b>VAT</b>	Value Added Tax

# 1 Executive summary

- This final progress report for the Company's administration covers the entirety of the administration.
- Our proposals were approved on 18 November 2019 by way of decision procedure by the creditors.
- The key work done in the period since the previous progress report to 16 March 2020 has been to realise the remaining assets of the company. Further details of the work carried out in the Period is provided at Section 3.
- The administration will end by converting to a CVL, as there will be sufficient funds to make a distribution to unsecured non-preferential creditors.
- The return to the unsecured creditors is estimated at 18p in the £. However, please note that this is subject to change and will be dependent upon the level of claims agreed. The distribution will be paid in the liquidation of the Company (Section 4 - Creditors).



Sarah O'Toole  
Joint Administrator

1 September 2020

## 2 An overview of the Administration

### 2.1 Implementation of the proposals

The Statement of Proposals was approved by the creditors by way of a decision procedure on 18 November 2019.

The duty of the Joint Administrators is to act in the best interests of the creditors as a whole in order to achieve the purpose of the Administration, which was to achieve one of the three objectives set out in the Insolvency legislation:

- Rescuing the company as a going concern; or
- Achieving a better result for the company's creditors as a whole than would be likely if the company were wound up (without first being in Administration); or
- Realising property in order to make a distribution to one or more secured or preferential creditors.

As previously reported, it was not possible to achieve a rescue of the company as a going concern. As such the Joint Administrators have pursued the objective of achieving a better result for the Companies' creditors as a whole than would be likely if the Companies were wound up.

### 2.2 Extension of the administration

The appointment of administrators ordinarily ceases to have effect at the end of the period of one year from the date of appointment.

In certain circumstances it is necessary to extend the administrators' term in office in order to achieve the objective of the administration.

No such extension to the administration was necessary in this case.

## 3 Progress to conclusion

### 3.1 Strategy and progress from last report

As above, our strategy was to pursue the objective of achieving a better result for the companies' creditors as a whole than would be likely if the companies were wound up.

This objective was achieved by the Joint Administrators continuing to trade the business in administration in order to protect the debtor book and to pursue a going concern sale of the business and assets of BCIL and BIL (which completed on 12 October 2019). The sale consideration provided a better outcome for the companies' creditors that would likely have been achieved if the companies' were wound up, and their respective assets sold on a piecemeal basis. The Joint Administrators have also realised other assets of the companies, not included in the sale of business.

### 3.2 Trading

The Joint Administrators traded the BCIL business for approximately four weeks. We have previously provided details of the trading period within our statement of proposals, dated 1 November 2019, and this information is not repeated here.

Trading the business was necessary in order to preserve the value in the business and to provide continuity to enable work in progress to be converted into finished goods, and to maximise debtor realisations. This was essential in order to pursue and achieve a sale of the business.

The Joint Administrator's trading position was finalised during a previous review period. This included the collection of all trading receipts and payment of trading liabilities such as supplier payments, rates and utilities.

The net trading outcome in respect of the trading period is a trading loss of £35,807, including the sum of £164,008 received from Close in respect of funding for pre appointment net wages. The contribution to costs was included within the redemption figure owing to Close on completion of the sale.

### 3.3 Sale of the business and assets

The details of the sale of the business and assets of BCIL were previously reported in our statement of proposals. Total consideration of £2.5 million was received, including the property apportionment in respect of BIL.

Following the sale, the Joint Administrators dealt with certain post completion matters to support the Purchaser and ensure a smooth transition. This included dealing with matters relating to the transfer of BCIL's regulatory licences and employee benefit schemes.

### 3.4 Realisation of assets

#### Rent

A total of £1,563 has been received in respect of annual rent relating for the use of an access road on the Companies' premises.

#### Petty Cash

We have received £1,487 from the Purchaser in respect of US Dollars held at BCIL premises, which represents petty cash.

**Rates Refund**

We previously received £59,147 from Doncaster Metropolitan Council in respect of business rates refund and subsequently instructed CAPA to undertake an audit in respect of business rates. This audit confirmed that there were further refunds available to the Company and an additional sum of £40,313 due to the Company which has been received during the Period.

**Bank Interest**

Bank interest received in the Period totals £641.34. The total amount received in respect of accrued bank interest is £2,390.

**Bond Refund**

We have received £50,006 from Barclays in respect of an amount held relating to a pre appointment HMRC bond which had expired.

**Miscellaneous Refunds**

We have received £3,141 in respect of refunds relating to unexpired prepayments relating to vehicle warranties and tax, and a refund of advance payments relating to licences with the Environment Agency.

### 3.5 Assets Remaining to be realised

**Directors' Loan Account**

According to BCIL's books and records, as at August 2019, there is an outstanding directors' loan account of £2.9 million due from the current and former directors of the Company.

Given that the directors are not resident in the UK, the Joint Administrators are continuing to investigate and assess the options to pursue the repayment of these balances. This has included liaising with one director's Trustee in Bankruptcy, in Australia, to assess the prospect of a dividend.

**Intercompany debts**

According to BCIL's books and records, as at August 2019, the company was owed £8.2 million from intercompany debtors.

As previously £6.8 million relates to BIL and £0.6 million relates to Nicholl. Both entities are insolvent, and the remaining balances relate to other overseas entities.

No recovery is anticipated in relation to BIL as the company will shortly be dissolved. However, the Joint Administrators continue to monitor the prospect of recovery in relation to Nicholl, and the other overseas entities.

**Litigation**

Prior to our appointment the Company had entered into a class action, relating to an EU directive. The action is ongoing and in principle the next step is likely to be judgment of the Court. The likely cost of pursuing this action will be c£3K, but if the action is successful it could generate recoveries in excess of £100,000.

# 4 Creditors

## 4.1 Secured creditors

Close was granted a fixed and floating charge debenture over the BCIL's assets on 14 April 2016, registered at Companies House on 21 April 2016. Close provided an invoice discounting facility and held first ranking fixed charge in respect of the plant and machinery.

As at the date of completion on the sale of business, the balance due under the terms of this debenture was £339,829. Close has been repaid in full.

Barclays was granted a first ranking fixed charge over the property and a floating charge over BCIL's assets on 18 June 2015, registered on Companies House on 26 June 2015. Barclays provided an overdraft and credit card facilities to BCIL.

As at the date of completion of the sale of the business, the balance due to Barclays was £306,746. Barclays has been repaid in full.

## 4.2 Preferential creditors

Preferential creditor claims consist of employee claims for wages and holiday pay, up to certain statutory limits. A significant element of these claims will be subrogated to the Secretary of State, following payment of claims by the Redundancy Payments Service.

There were 81 employees at the date of the appointment and all except one have been transferred with the sale of the business under the TUPE regulations. As a result, we do not consider there to be any preferential claims.

## 4.3 Prescribed part – unsecured creditors

In accordance with section 176A of the Insolvency Act 1986, a prescribed part is to be set aside from the floating charge assets and made available to the unsecured creditors of the Company. The prescribed part calculation is applied to the net property available and is calculated at 50% of the first £10,000 of net property and 20% of all further amounts, up to a maximum prescribed part of £600,000.

As the secured creditors have been repaid in full, the prescribed part provisions will not apply and there are surplus funds available to pay non-preferential unsecured creditors of BCIL, without the requirement of a prescribed part distribution.

## 4.4 Non-preferential unsecured creditors

As noted above, we anticipate that there will be a dividend payable to the unsecured creditors at a rate of approximately 18p in the £. However, the exact quantum will be dependent upon the total value of claims agreed, and final balance of funds available for distribution.

Payment of the dividend will be made in liquidation. A claim form is available online for completion and submission through the Grant Thornton portal. Unique passwords have been issued to each creditor and will remain the same.

# 5 Investigations into the affairs of the company

## 5.1 Investigations

We undertook an investigation into the Company's affairs to establish whether there were any potential asset recoveries, or conduct matters that required further investigation, taking into account the creditors' interest, potential recoveries, the funds likely to be available to fund an investigation and the costs involved.

As previously stated, there is an outstanding directors' loan account of £2.9 million due from the current and former directors of the Company and we continue to take action to assess what action can be taken to recover these funds for the benefit of the insolvent estate.

Based on the outcome of our investigations into the affairs of the Company to date, there were no other matters identified that need to be reported to the creditors.

# 6 Fees and costs

## 6.1 Overview

Our remuneration is being charged on a time cost basis as agreed by the creditors.

We have incurred time costs and expenses in the period amounting to £42,520 and £0, bringing the cumulative totals at period end to £425,745 and £4,624 compared to our original fees estimate totalling £500,368.

Of the cumulative incurred totals, £350,000 remuneration and £4,624 expenses have been paid.

Further details about fees and expenses are provided in Appendix B to this report.

# 7 Outcome of the administration

## 7.1 Exit from administration

As there are sufficient funds to enable a distribution to the unsecured creditors, the Company will move from administration to CVL. The Joint Administrators will send this report with formal notice of move to CVL to the Registrar of Companies and the administration will end upon the notice being filed. The CVL will commence with effect from the same date.

## 7.2 Matters still to be dealt with in CVL

The following matters are still to be dealt with in the liquidation:-

- Continued compliance with statutory obligations
- Continued monitoring and recovery of assets yet to be realised
- Agreement of unsecured creditor claims
- Payment of a dividend to unsecured creditors

## 7.3 Discharge from liability

The Joint Administrators are yet to receive their discharge from liability in accordance with paragraph 98 of schedule B1 to the Insolvency Act 1986. This is therefore being sought from the creditors by way of deemed consent, a qualifying decision procedure, notice of which is attached at Appendix E.

## 7.4 Creditors' Committee

The Rules require that whenever a decision is sought, the creditors must be invited to decide whether a committee is to:-

- assist the office holders in discharging the office holders' functions; and
- act in relation to the office holders in such manner as may from time to time be agreed.

Information concerning creditors' committees can be found in Liquidation / Creditors' Committees and Commissioners: A Guide for Creditors published by the Association of Business Recovery Professionals. This can be read at or downloaded from <https://www.r3.org.uk/technical-library/englandwales/technical-guidance/creditorguides/more/29111/page/1/liquidation-creditors-committees-andcommissioners/>.

## 7.5 Data Protection

Any personal information held by the Companies will continue to be processed for the purposes of the administrations of the Companies and in accordance with the requirements of data protection. Our privacy notice on our website ([www.granththornton.co.uk/en/privacy](http://www.granththornton.co.uk/en/privacy)) contains further details as to how we may use, process and store personal data.

## 7.6 Covid-19

This report has been produced during the Covid-19 restrictions. We have taken every reasonable step to ensure that the information is accurate, but if anything is incorrect or incomplete, we will provide an explanation and corrected information during the reports issued in the liquidation.

# A Abstract of the administrators' receipts and payments

Bawtry Carbon International Limited - in administration  
Summary of receipts and payments

from 17 September 2019 to 1 September 2020

Statement of Affairs	From 17-Sep-19 to 16-Mar-20	From 17-Mar-20 to 01-Sep-20	Total
£	£	£	£
<b>Receipts</b>			
Sales	348,429.09	0.00	348,429.09
Freehold Land & Property	1,250,000.00	0.00	1,250,000.00
Plant & Machinery	300,000.00	0.00	300,000.00
Book Debts	800,000.00	0.00	800,000.00
Contribution to costs	164,008.01	0.00	164,008.01
Stock	99,994.00	0.00	99,994.00
Rent	1,563.47	0.00	1,563.47
Intellectual Property	1.00	0.00	1.00
Cash at Bank	2,811.52	0.00	2,811.52
Petty Cash	1,487.00	0.00	1,487.00
Rates refund	59,147.33	40,313.45	99,460.78
Bank/ISA InterestGross	1,748.91	641.34	2,390.25
Bond refund	50,005.69	0.00	50,005.69
Misc refund	3,141.24	0.00	3,141.24
Environmental Permits	1.00	0.00	1.00
Business Rights	1.00	0.00	1.00
Goodwill	1.00	0.00	1.00
Business Name	1.00	0.00	1.00
VAT on Sales	6,158.00	0.00	6,158.00
	<b>3,088,499.26</b>	<b>40,954.79</b>	<b>3,129,454.05</b>
<b>Payments</b>			
Consignment stock	1,231.41	0.00	1,231.41
Rates	12,806.56	0.00	12,806.56
Heat & Light	135,525.15	0.00	135,525.15
Telephone	3,507.35	0.00	3,507.35
Carriage	2,786.03	0.00	2,786.03
Agency staff	292.60	0.00	292.60
Hire of Equipment	5,875.78	0.00	5,875.78
Repairs & Maintenance	600.00	0.00	600.00
Property Expenses	1,760.00	0.00	1,760.00
PAYE/NI	74,747.96	0.00	74,747.96
Net Wages	246,147.83	0.00	246,147.83
Other Payroll Deductions	58,451.04	0.00	58,451.04
Legal Fees	33,323.85	(1,333.00)	31,990.85
Agents/Valuers Fees	24,262.90	(704.00)	23,558.90
Barclays Bank plc	306,746.42	0.00	306,746.42
Close Invoice Finance Limited	339,828.71	0.00	339,828.71
Administrators Fees	200,000.00	150,000.00	350,000.00
Administrators Expenses	4,623.54	0.00	4,623.54
Post completion debtors	400,749.45	0.00	400,749.45
Legal Fees (1)	86,182.90	0.00	86,182.90
Professional Fees	0.00	9,070.53	9,070.53
Stationery & Postage	0.00	369.80	369.80
Insurance of Assets	4,727.59	0.00	4,727.59
Bank Charges	15.38	0.96	16.34
VAT on Purchases	87,460.77	34,843.26	122,304.03
Fixed Charge VAT on Purchases	11,517.35	0.00	11,517.35
	<b>2,043,170.57</b>	<b>192,247.55</b>	<b>2,235,418.12</b>
<b>Net Receipts/(Payments)</b>	<b>1,045,328.69</b>	<b>(151,292.76)</b>	<b>894,035.93</b>
<b>Made up as follows</b>			
Floating Current Account IB	1,045,328.69	(151,292.76)	894,035.93
	<b>1,045,328.69</b>	<b>(151,292.76)</b>	<b>894,035.93</b>

## Payments, remuneration and expenses to the joint administrators or their associates

### Statement of Insolvency Practice 9 disclosure

This appendix has been prepared in accordance with the requirements of the Insolvency Act 1986, the Insolvency (England and Wales) Rules 2016 (the Rules) and Statement of Insolvency Practice 9 (SIP9). In summary, it covers:

- pre-appointment costs
- fee basis
- work done by the joint administrators and their team during the period
- disbursements and expenses
- sub-contracted out work
- payments to associates
- relationships requiring disclosure
- information for creditors (rights, fees, committees)

### Pre-appointment costs

Pre-administration costs are fees charged and expenses incurred by administrators or other qualified insolvency practitioners, before the company entered administration but with a view to it doing so. To the extent they remain unpaid when the company enters administration and payment is sought, approval is required from the appropriate body of creditors as to whether they should be paid from the estate.

Since the date of the joint administrators' last report, Grant Thornton UK LLP has chosen not to seek payment of their pre-administration costs (as disclosed in the joint administrators' statement of proposals) from the estate.

### Post-appointment costs

#### Fee basis of the joint administrators

On 18 November 2019 the creditors resolved that remuneration be fixed according to the time properly spent by the administrators and their staff on the administration with a fee estimate of £500,368.

During the period from 17 March 2020 to date (the Period) time costs were incurred totalling £42,520 represented by 114 hrs at an average of 374 £/hr (as shown in the 'Work done' section below). This brings cumulative time costs at the Period end to £425,745 of which £350,000 has been paid. A description of the work done in the Period is provided in the respective section below.

Under r18.30 of the Rules, we are not permitted to draw remuneration in excess of the total amount set out in the fees estimate, of £500,368, without approval. At present we do not expect to seek approval to draw remuneration in excess of our fees estimate, however we reserve our right to do so in the future.

## Work done by the joint administrators and their team during the Period

We are required to detail costs of actual work done in the Period, including any expenses incurred in connection with it, as against any fees estimate provided. Our fees estimate was included within our statement of proposals to creditors dated 1 November 2019. We are also required to provide narrative explanation of the work done. The following tables (narrative followed by numerical) set out this information for the joint administrators' fees incurred together with a numerical fees estimate variance analysis. Reasons for any excess of the fees estimate are included in the 'Fee basis' section above. Details of expenses incurred in connection with work done are provided in the 'Disbursements and expenses' section below.

Area of work	Work done	Why the work was necessary	Financial benefit to creditors	Fees incurred		
<b>Assets</b>				9 hrs	£3,290	£/hr 365
<b>Property</b>	<ul style="list-style-type: none"> <li>Reviewing information from CAPA regarding audit of accounts payable and prospective refunds due to the company.</li> </ul>	<ul style="list-style-type: none"> <li>To maximise asset realisations.</li> </ul>	<ul style="list-style-type: none"> <li>This work was necessary to help realise financial value for the benefit of the estate and for a distribution to creditors should sufficient funds become available</li> </ul>			
<b>Debtors</b>	<ul style="list-style-type: none"> <li>Correspondence with customers regarding book debts and continued collection. Final reconciliation of debtor ledger.</li> <li>Review of directors' loan accounts and likely recovery of balance. Review correspondence from relevant directors' and third parties and potential recovery of S455 taxation.</li> </ul>	<ul style="list-style-type: none"> <li>To maximise asset realisations.</li> </ul>	<ul style="list-style-type: none"> <li>This work was necessary to discharge the office holders' duties. As explained under 'Why the work was necessary', although it might not add financial value to the estate it adds value to the insolvency process</li> </ul>			
<b>Other assets</b>	<ul style="list-style-type: none"> <li>Reviewing and monitoring the progress of the class action litigation.</li> <li>Engaging and liaising with solicitors acting on behalf of the class action claimants.</li> </ul>	<ul style="list-style-type: none"> <li>To maximise asset realisations.</li> </ul>	<ul style="list-style-type: none"> <li>This work was necessary to help realise financial value for the benefit of the estate and for a distribution to creditors should sufficient funds become available</li> </ul>			
<b>Investigations</b>				4 hrs	£2,040	£/hr 510
<b>Books &amp; records</b>	<ul style="list-style-type: none"> <li>Ongoing review of the books and records to establish and support any transactions that required further investigation.</li> <li>Preparation of file notes to document the decisions taken in respect of this work.</li> </ul>	<ul style="list-style-type: none"> <li>To comply with the relevant legislation.</li> </ul>	<ul style="list-style-type: none"> <li>This work was necessary to discharge the office holders' duties. As explained under 'Why the work was necessary', although it did not add financial value to the estate it adds value to the insolvency process</li> </ul>			
<b>Creditors</b>				16 hrs	£6,799	£/hr 424
<b>Unsecured</b>	<ul style="list-style-type: none"> <li>General correspondence with unsecured creditors regarding claims and dividend prospects.</li> </ul>	<ul style="list-style-type: none"> <li>To ensure that all creditors are kept up to date with the administration</li> <li>To ensure that all creditor claims are dealt with appropriately.</li> </ul>	<ul style="list-style-type: none"> <li>This work was necessary to discharge the office holders' duties. As explained under 'Why the work was necessary', although it did not add financial value to</li> </ul>			

- Dealing with a personal injury claim in respect of a former employee of the company and liaising with insurers and solicitors acting for the claimant as necessary.

the estate it adds value to the insolvency process

<b>Administration</b>			80 hrs	£30,391	£/hr380
<b>Case management</b>	<ul style="list-style-type: none"> <li>• Conducting routine file reviews to ensure the effective progression of the administration.</li> <li>• Completing various checklists in accordance with the relevant legislation.</li> <li>• Discussions regarding case progression and the strategy and timescale for conclusion of the administration, and any matters which remain to be dealt with.</li> </ul>	<ul style="list-style-type: none"> <li>• To comply with the relevant legislation.</li> </ul>	<ul style="list-style-type: none"> <li>• This work was completed solely for the purpose of complying with statutory requirements and had no direct financial benefit to the estate</li> </ul>		
<b>Reports, circulars notices &amp; decisions</b>	<ul style="list-style-type: none"> <li>• Preparation, review and circulation of six-monthly progress reports to creditors, to cover progress within the Periods.</li> <li>• Filing of progress reports with the Registrar of Companies, together with necessary forms.</li> </ul>	<ul style="list-style-type: none"> <li>• To comply with the relevant legislation.</li> </ul>	<ul style="list-style-type: none"> <li>• This work was completed solely for the purpose of complying with statutory requirements and had no direct financial benefit to the estate</li> </ul>		
<b>Treasury, billing &amp; funding</b>	<ul style="list-style-type: none"> <li>• Ongoing management and maintenance of the estate bank account.</li> <li>• Conducting regular bank reconciliations and dealing with matters arising as appropriate.</li> </ul>	<ul style="list-style-type: none"> <li>• To comply with the relevant legislation.</li> </ul>	<ul style="list-style-type: none"> <li>• This work was necessary to discharge the office holders' duties. As explained under 'Why the work was necessary', although it did not add financial value to the estate it adds value to the insolvency process</li> </ul>		
<b>Tax</b>	<ul style="list-style-type: none"> <li>• Reviewing the Company's tax position and considering potential refunds for the estate.</li> <li>• Correspondence with HMRC including the submission of statutory returns.</li> </ul>	<ul style="list-style-type: none"> <li>• To comply with the relevant legislation.</li> </ul>	<ul style="list-style-type: none"> <li>• This work was completed solely for the purpose of complying with statutory requirements and had no direct financial benefit to the estate</li> </ul>		
<b>Closure</b>	<ul style="list-style-type: none"> <li>• Reviewing exit strategy from administration and conversion to CVL.</li> <li>• Completing closure checklists and general administration.</li> <li>• Preparation of the Joint Administrator's final progress report and the necessary forms for Companies House.</li> </ul>	<ul style="list-style-type: none"> <li>• To comply with the relevant legislation.</li> </ul>	<ul style="list-style-type: none"> <li>• This work was completed solely for the purpose of complying with statutory requirements and had no direct financial benefit to the estate</li> </ul>		
<b>Total fees incurred in the Period</b>			114 hrs	£42,520	£/hr373

Detailed SIPs time cost analysis for the period and fee estimate variance analysis as at period end period from 17/03/2020 to 05/08/2020

[illegible]

**Notes:**

- Partner includes partners and directors  
Manager includes associate directors and managers  
Executive includes assistant manager and executives  
Adverse variances are presented in brackets  
Total time costs paid to date: £350,000

## Statement of expenses and disbursements incurred in the Period

This table provides details of expenses and disbursements incurred in the Period in connection with the work done by the joint administrators, description of which is provided in the 'Work done' section above.

Category	Incurred in the Period (£)	Cumulatively incurred as at Period end (£)	Of which paid by the estate as at Period end (£)
<b>Category 1 disbursements</b>			
Accommodation	-	736	736
Insolvency bonding	-	500	500
Courier	-	42	42
Parking & tolls	-	49	49
Subsistence	-	122	122
Travel	-	382	382
<b>Category 2 disbursements</b>			
Mileage	-	2,793	2,793
<b>Expenses</b>			
Consignment stock	-	1,231	1,231
Rates	-	12,807	12,807
Heat & Light	-	135,525	135,525
Telephone	-	3,507	3,507
Carriage	-	2,786	2,786
Agency staff	-	293	293
Hire & equipment	-	5,876	5,876
Repairs & maintenance	-	600	600
Property expenses	-	1,760	1,760
PAYE/NI	-	74,748	74,748
Net wages	-	246,148	246,148
Other payroll deductions	-	58,451	58,451
<b>Legal fees:</b>			
Pinigent Masons LLP	-	31,991	31,991
Addleshaw Goddard LLP	-	85,328	85,328
Fieldfisher	-	855	855
Professional Fees	9,071	9,071	9,071

**Agents fees:**

3 Countries Energy Assessments Limited	-	4,000	4,000
Gordon Brothers International LLC	-	6,663	6,663
GVA Grimley Limited	-	12,896	12,896
Post completion debtors	-	400,749	400,749
Stationary & Postage	370	-	370
Insurance of assets	-	4,728	4,728
Bank charges	-	16	16
Total expenses and disbursements	9,441	1,104,653	1,105,023

Disbursements are expenses met by and reimbursed to an office holder in connection with an insolvency appointment and fall into two categories:

**Category 1 disbursements**

These are also known as 'out of pocket expenses' and are payments to independent third parties where there is specific expenditure directly referable to the insolvent estate; they can be drawn without prior approval and consist of the following categories:

- Travel and subsistence – these costs, which exclude mileage, are incurred by staff in attending trading premises or meetings, for example
- Office costs – these are costs such as postage or courier charges which are incurred in managing the case
- Statutory costs – these are costs such as bonding and advertising relating specifically to the case, which are required by statute

They also include expenses which have been paid using a Grant Thornton Loan, the balance of which (if any) can be seen on the joint administrators' receipts and payment account at Appendix A.

**Category 2 disbursements**

These are expenses that are directly referable to the insolvent estate but not a payment to an independent third party. They may include shared or allocated costs that may be incurred by an office holder or their firm, and that can be allocated to the appointment on a proper and reasonable basis. Category 2 disbursements require approval in the same manner as an office holder's remuneration.

To the extent that recovery of category 2 disbursements is sought, this will be for mileage only. Accordingly, the following resolution was made by the creditors on 18 November 2019:

The joint administrators' expenses be approved, including Category 2 expenses at 45p per mile.

Mileage is charged at 45p a mile. VAT is added as appropriate. Details of these costs are also provided in the table above.

### Sub-contracted out work

We confirm that, in the Period, we have not sub-contracted out any work that could otherwise have been carried out by us or our team.

### Payments to associates

Where we have enlisted the services of others we have sought to obtain the best value and service. In the interest of transparency, we disclose below services we have sought from within our firm or from a party with whom (to the best of our knowledge) our firm, or an individual within our firm, has a business or personal relationship:

Service provider	Services enlisted	Cost of service
Grant Thornton UK LLP	<ul style="list-style-type: none"><li>Tax work/advice (narrative is included within the above narrative of work done)</li></ul>	<ul style="list-style-type: none"><li>Costs are included within the above SIP9 time cost analysis</li></ul>

### Relationships requiring disclosure

We confirm that we are not aware of any business or personal relationships with any parties responsible for approving the administrator's fee basis, or who provide services to us as administrator, which may give rise to a potential conflict.

### Information for creditors and members

Information to help creditors and members to understand their rights in insolvency and regarding officeholders' (ie administrators or liquidators) fees, and the roles and functions of committees is available via Grant Thornton's website:

<https://www.granthampton.co.uk/portal>

Alternatively, we will supply this information by post, free of charge, on request.

## C Statutory information

### Company Information

Company name	Bawtry Carbon International Limited
Date of incorporation	4 January 2006
Company registration number	05666106
Former trading address	High Street Austerfield Doncaster DN10 6QT
Present registered office	4 Hardman Square Spinningfields Manchester M3 3EB

### Administration information

Administration appointment	The administration appointment in the High Court of Justice, Business and Property Court, 006197 of 2019
Appointor	a qualifying floating charge holder
Date of appointment	17 September 2019
Joint Administrators' names	Sarah O'Toole Jason Bell
Joint Administrators' address(es)	4 Hardman Square, Spinningfields, Manchester, M3 3EB
Purpose of the administration	Achieving a better result for the company's creditors as a whole than would be likely if the company were wound up
Prescribed Part distribution	The prescribed part is not applicable in this matter as the qualifying floating charge holders have been repaid in full.
Functions	In accordance with paragraph 100(2) of Schedule B1 to the Insolvency Act 1986, the functions of the administrators are to be exercised by any or all of them.
Current administration expiry date	16 September 2020

## D Notice about this report

This report has been prepared by Sarah O'Toole, the joint administrator of Bawtry Carbon International Limited – in administration, solely to comply with the joint administrators' statutory duty to report to creditors under the Insolvency (England and Wales) Rules 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 purposes, 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 persons choosing to rely on this report for any purpose or in any context other than under the Insolvency (England and Wales) Rules 2016 do so at their own risk. To the fullest extent permitted by law, the joint administrators do not assume any liability in respect of this report to any such person.

Please note that we are both authorised by the Insolvency Practitioners Association to act as insolvency practitioners.

The joint administrators are bound by the Insolvency Code of Ethics.

The joint administrators act as agents of the Company and contract without personal liability. The appointment of the joint administrators is personal to them and to the fullest extent permitted by law, Grant Thornton UK 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.

Please note you should read this progress report in conjunction with the joint administrators' previous progress reports and proposals issued to the Company's creditors, which can be found on the Grant Thornton Insolvency Act portal. Unless stated otherwise, all amounts in this progress report and appendices are stated net of VAT. For definitions of abbreviations please refer to the 'Definitions' table at the start of this progress report.

## Appendix E

### Bawtry Carbon (International) Limited - In Administration

#### Notice of deemed consent procedure

Company name	Bawtry Carbon (International) Limited
Company number	05666106
Court name and number	High Court of Justice, Business and Property Court 006197 of 2019
Decision date	18 September 2020

NOTICE IS HEREBY GIVEN that under Paragraph 98 of Schedule B1 of the Insolvency Act 1986, decisions of the creditors are sought as follows:

- 1 No creditors' committee be formed
- 2 That the Joint Administrators be discharged from their liability in accordance with Paragraph 98 of Schedule B1 of the Insolvency Act 1986 with effect from 14 days after the final progress report to creditors is sent

Under section 246ZF of the Insolvency Act 1986 and rule 15.7 of the Insolvency (England and Wales) Rules 2016 if less than the appropriate number of creditors object to the proposed decision in accordance with the procedure set out below, creditors are to be treated as having made the proposed decisions.

The "appropriate number" of creditors is 10% in value of the creditors. If this threshold of objections is met, the deemed consent procedure will terminate without a decision being made and if a decision is sought again on the same matter it will be sought by a qualifying decision procedure.

A creditor may object to any one or more of the resolutions:

- by accessing the Grant Thornton UK LLP Insolvency Act Portal at [grantthornton.co.uk/portal](http://grantthornton.co.uk/portal)  
Login details and unique passwords have been notified to creditors separately.  
(Any creditor that has not received a unique creditor's password should contact Laura A Walshe of Grant Thornton UK LLP by email at [cmu@uk.gt.com](mailto:cmu@uk.gt.com)).
- by email to [cmu@uk.gt.com](mailto:cmu@uk.gt.com)
- in writing delivered to Sarah O'Toole at Grant Thornton UK LLP, 4 Hardman Square, Spinningfields, Manchester, M3 3EB

Objections need to be received no later than 23:59 on the decision date. An objection must be accompanied by a proof of debt, unless a proof of debt has previously been submitted, failing which the objection will be disregarded.

I will aggregate objections and will presume the value of the claims of creditors, who in my view would have been entitled to vote had the decision been sought by a decision procedure, even where those creditors had not already met the criteria for such entitlement to vote.

A creditor whose debt is treated as a small debt in accordance with rule 14.31(1) of the Insolvency (England and Wales) Rules 2016 must deliver a proof of debt if they wish to object, unless a proof of debt has previously been submitted, failing which the objection will be disregarded.

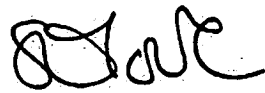
A creditor who has opted out from receiving notices may nevertheless object if a proof of debt is submitted, unless a proof of debt has previously been submitted, failing which the objection will be disregarded.

A decision of the convenor is subject to appeal to the court by any creditor in accordance with rule 15.35 of the Insolvency (England and Wales) Rules 2016. An appeal under this rule may not be made later than 21 days after the decision date.

A physical meeting will be held to replace this deemed consent procedure if requested not later than five business days after the date of delivery of this notice by not less than one of the following:

- 10% in value of the creditors;
- 10% in number of the creditors; or
- 10 creditors.

DATED THIS 1 SEPTEMBER 2020



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Sarah O'Toole

Joint Administrator

# Disclaimer

This Final Progress Report has been prepared by the joint administrators of Bawtry Carbon International Limited, solely to comply with the statutory duty under rule 3.53 of the the Insolvency (England and Wales) Rules 2016 to report to creditors on the joint administrator 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 Final Progress Report has 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 outcome for creditors included in this report is illustrative only and cannot be relied upon as guidance as to the actual outcome for creditors. Any person that chooses to rely on this report for any purpose or in any context other than the aforementioned rule does so at their 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 to this report.