

Liquidator's Progress Report

S.192

Pursuant to Sections 92A and 104A and 192
of the Insolvency Act 1986

To the Registrar of Companies

Company Number

06363192

Name of Company

Railsavers (Europe) Limited

I / We

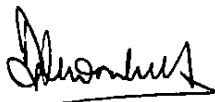
David Thornhill, 7th Floor, Ship Canal House, 98 King Street, Manchester, M2 4WU

Benny Woolrych

the liquidator(s) of the company attach a copy of my/our Progress Report
under section 192 of the Insolvency Act 1986

The Progress Report covers the period from 13/11/2015 to 12/11/2016

Signed



Date

03/01/17

FRP Advisory LLP
7th Floor
Ship Canal House
98 King Street
Manchester
M2 4WU

Ref R0952MAN/DT/BW/NSH/SHG/BC/TE/KL

TUESDAY



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A5YBR243

17/01/2017

COMPANIES HOUSE

#55

Railsavers (Europe) Limited - In Liquidation ("the Company")

The Liquidators' Progress Report for the period 13 November 2015 to 12 November 2016

6 January 2017

Contents and abbreviations



Section	Content	The following abbreviations may be used in this report:	
1.	<i>Progress of the liquidation</i>	FRP	FRP Advisory LLP
2.	<i>Estimated outcome for the creditors</i>	The Company	Railsavers (Europe) Limited - In Liquidation
3.	<i>Liquidators' remuneration, disbursements and expenses</i>	The Liquidators	David Thornhill and Ben Woolrych of FRP
		The Period	The reporting period 13/11/15 to 12/11/16
Appendix	Content	CVL	Creditors' Voluntary Liquidation
A.	<i>Statutory information about the Company and the liquidation</i>	SIP	Statement of Insolvency Practice
B.	<i>Liquidators' Receipts & Payments Account for the Period</i>	QFCH	Qualifying floating charge holder
C.	<i>A schedule of work</i>	HMRC	HM Revenue & Customs
D	<i>Details of the Liquidators' time costs and disbursements for the Period</i>		
E.	<i>Statement of expenses incurred in the Period</i>		

1. Progress of the liquidation

Work undertaken during the Period and work yet to be completed

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

Cash at Bank

As previously advised, the sum of £119,965.96 was received from the former Administrators.

Potential Antecedent Transactions

As previously communicated, it was considered that several transactions may be challengeable as antecedent transactions. These transactions required further investigation. I have been in correspondence with the former director however I require further information/documentation in respect of the said transactions. Realisations from this source remain uncertain at present and a further update will be provided in my next report to creditors.

Company VAT refund

Creditors may recall that the Company's former accountants were reviewing the VAT position prior to the Company entering into Administration. The former accountants have since advised that the VAT position was relatively up to date and the final return was for less than 1 month. The anticipated refund was therefore minimal and the cost of preparing the return was in excess of the refund. No realisations will therefore be achieved from this source.

Administration VAT refund

The sum of £7,126.32 has been received in respect of VAT recoverable during the Administration period.

Unsecured Creditors

Creditors will note from my time costs report at **Appendix D** that the majority of my time incurred during the Period was in respect of unsecured creditors. A

Raisers (Europe) Limited - In Liquidation (previously in Administration)
The Liquidators' Progress Report

significant amount of time has been spent on dealing with a very high number of creditor queries, adjudication on creditor claims and requesting further information where appropriate ahead of declaring the 1st interim dividend.

Receipts and payments account

Attached at **Appendix B** is a receipts and payments account detailing transactions for the Period.

Investigations

Part of my duties include carrying out proportionate investigations into what assets the Company has, including any potential claims that could be brought by the Company or by me in my capacity as Liquidator against any party which could result in a benefit to the estate. I have reviewed the Company's books and records and accounting information, requested further information from the directors, and invited creditors to provide information on any concerns they have concerning the way in which the Company's business has been conducted.

I can confirm that my review is currently ongoing and further detail will be provided in my next report to creditors.

2. Estimated outcome for the creditors

The estimated outcome for creditors was included in correspondence previously circulated by me.

Secured creditors

There are no secured creditors in this matter.

Preferential creditors

Preferential creditor claims of £1,916 37 have been received and were paid in full on 4 August 2016.

Unsecured creditors

I have received claims totalling £347,789 from unsecured creditors who have proved their debts in these proceedings

Claims received have either been agreed or provided for (if further evidence is required) and a 1st interim dividend of 20 pence in the pound was declared to unsecured creditors on 2 August 2016.

A second and final dividend will follow in due course and is estimated to be approximately 3 pence in the pound, however is subject to change depending on future creditor claims not yet received and future realisations into the liquidation estate.

As previously communicated, I cannot give a timeframe for the final dividend as this will be declared once I am in a position to close the case, being when all creditor claims have been adjudicated on and all investigations have been finalised.

3. Liquidators' remuneration, disbursements and expenses

Liquidators' remuneration

As advised in previous correspondence, creditors passed a resolution that the Liquidators' remuneration should be calculated on a time cost and fixed fee basis. Please refer to the below table for a breakdown of my agreed fee resolutions.

Value previously agreed with creditors	Fees Drawn	Activity
Fixed fee	£5,000	For dealing with internal administrative/planning matters and all statutory/compliance requirements
Time cost	Capped at £20,050	£20,050 For dealing with creditor queries/claims and investigations

The above figures are net of VAT

Time cost basis

A breakdown of my firm's time costs incurred during the Period is attached at **Appendix D**.

The time costs incurred to date exceeds the sum provided in the fees estimate previously circulated to creditors.

A significant amount of time has been spent on dealing with creditor queries, adjudicating on creditor claims and declaring the 1st interim to dividend to creditors.

The Liquidator is unable to draw fees based on time costs exceeding the total amount set out in the fees estimate previously provided without further approval of the creditors. Approval will be sought under separate cover if required.

Liquidators' disbursements

The Liquidators' disbursements are a recharge of actual costs incurred by the Liquidator in dealing with this matter. Mileage payments made for expenses relating to the use of private vehicles for business travel, which is directly attributable to the insolvency estate, are paid by FRP Advisory at the HMRC approved mileage rate prevailing at the time the mileage was incurred. Details of disbursements incurred during the Period are set out in **Appendix D**.

Expenses of the liquidation

An estimate of the Liquidators' expenses was set out in the information previously circulated to creditors. I attach at **Appendix E** a statement of expenses that have been incurred during the Period. It is currently expected that the expenses incurred or anticipated to be incurred are not likely to exceed the details provided prior to the determination of the basis of the Liquidators' remuneration.

Creditors have a right to request further information from the Liquidator and further have a right to challenge the Liquidators' remuneration and other expenses, which are first disclosed in this report, under the Insolvency Rules. (For ease of reference these are the expenses incurred in the Period as set out in **Appendix E** only). Further details of these rights can be found in the Creditors' Guide to Fees which you can access using the following link:

<http://creditors.frpadvisory.com/feesguide.htm>

and select the one for liquidation. Alternatively a hard copy of the relevant guide will be sent to you on request. Please note there is a time limit for requesting information being 21 days following the receipt of this progress report. There is a time limit of 8 weeks following the receipt of this report for a Court application that the remuneration or expenses are excessive.

Appendix A

Statutory information about the Company and the liquidation



RAILSAVERS (EUROPE) LIMITED - IN LIQUIDATION

COMPANY INFORMATION:

Other trading names:	None
Date of incorporation:	06/09/1997
Company number	06363192
Registered office:	c/o FRP Advisory LLP 7th Floor Ship Canal House 98 King Street Manchester M2 4WU
Previous registered office:	c/o Abbey Taylor Ltd Blades Enterprise Centre (Regis) John Street Sheffield South Yorkshire S2 4SW
Business address:	Office 15 335 Red Bank Road Blackpool FY2 0HJ

LIQUIDATION DETAILS:

Liquidators:	David Thornhill & Ben Woolrych
Address of Liquidators:	FRP Advisory LLP 7th Floor Ship Canal House 98 King Street Manchester M2 4WU
Date of appointment of Liquidators:	13/11/2015
Registered office:	7th Floor Ship Canal House 98 King Street Manchester M2 4WU
Appointment details:	The Company was previously in Administration and at the creditors' meeting held pursuant to Paragraph 51 of the Insolvency Act 1986, Worldpay (UK) Limited (company creditor) resolved that Ben Woolrych and David Thornhill of FRP Advisory LLP be appointed as Liquidators.

Appendix B

Liquidators' Receipts & Payments Account for the Period



**Railsavers (Europe) Limited
(In Liquidation)
Joint Liquidators' Summary of Receipts & Payments
To 12/11/2016**

S of A £		£	£
ASSET REALISATIONS			
VAT Refund	7,126.32		
Cash at Bank	119,965.96		
Bank Interest Gross	78.57		127,170.85
COST OF REALISATIONS			
Joint Liquidators' fixed fee	5,000.00		
Joint Liquidators' time costs	20,050.00		
Joint Liquidators' Disbursements	331.65		
Storage / Courier costs	28.00		
Statutory Advertising	169.20		
Bank Charges - Floating	12.50		
PREFERENTIAL CREDITORS			
Preferential Creditors	1,916.37		(1,916.37)
UNSECURED CREDITORS			
Unsecured Creditors	67,107.82		
Income Tax on u/s employee claims	539.54		
REPRESENTED BY			
Vat Recoverable Floating	2,562.45		
Bank 2 Current A/c	34,913.94		
Provision for 1st dividend (20p/£)	(5,460.62)		
	32,015.77		
			32,015.77
			119,965.96

Appendix C

A Schedule of Work



Railsavers (Europe) Limited – In Liquidation

Schedule of Work

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

Note	Category		Fee Basis Agreed
1	ADMINISTRATION AND PLANNING Work undertaken during the reporting period	ADMINISTRATION AND PLANNING Future work to be undertaken	Fixed Fee
	Setting up and administering bank accounts.	Continuing to administer the bank accounts.	
	Regularly reviewing the case as required by the regulatory bodies to ensure all statutory matters are adhered to and the case is progressing.	Continuing to review the case.	
	Corresponding with accountants/bankers/insurers/solicitors and other advisors to request further information to assist in general enquiries		
2	CREDITORS Work undertaken during the reporting period	CREDITORS Future work to be undertaken	Time Cost
	Assisting employees with their claims and liaising with the Redundancy Payments Office.	Continuing to respond to creditor queries as and when received.	
	Establishing the position with regards leasehold properties and liaising with landlords.	Write to creditors yet to prove ahead of 2 nd and final dividend.	
	Liaising with HMRC to establish their claim.	Declare a 2 nd and final dividend when considered appropriate.	
	Advertising for claims, requesting submission of claims from all known creditors and either adjudicating on those claims or making appropriate provisions for them if further information is required.		
	It was necessary to obtain further information and evidence from the majority of creditors. Given there are approx. 600 creditors, a significant		

Railsavers (Europe) Limited – In Liquidation

Schedule of Work

	amount of time was incurred undertaking this task. It was also necessary to cross reference creditor claims with customer's insurers and bankers to ensure duplicate claims were not being made. A first interim dividend of 20p/£ was declared on 4 August 2016.		
3	INVESTIGATIONS Work undertaken during the reporting period Conducting initial enquiries into the conduct of the Company and associated parties. Following conclusion of these investigations reporting findings as required to the Department of Business Innovation and Skills. Following initial investigations, considering if potential action could be taken to swell the assets available in the estate. The investigations into the Company and associated parties remain ongoing.	INVESTIGATIONS Future work to be undertaken Finalising investigations and taking action if appropriate to make additional recoveries into the Liquidation estate It will be necessary to weigh up the merits of proceeding and the most appropriate course of action. It may also be appropriate to consult with creditors.	Time Cost
4	STATUTORY COMPLIANCE AND REPORTING Work undertaken during the reporting period Dealing with all appointment formalities including notification to relevant parties, filings with the Court; the Registrar of Companies; and statutory advertising. Arranging for an insolvency bond to protect the assets available for preferential and unsecured creditors. Dealing with tax and VAT matters arising following appointment. Statutory reporting to all relevant parties and filing of those reports in accordance with the legislation.	STATUTORY COMPLIANCE AND REPORTING Future work to be undertaken Submitting tax and VAT returns. Reporting to members/creditors as required by legislation to update them on the progress of the matter during the reporting period and filing statutory reports as required. Dealing with any queries arising following circulation of statutory reports. Bringing the conduct of the insolvency process to a close when all matters are complete in accordance with the relevant requirements.	Fixed Fee

Railsavers (Europe) Limited – In Liquidation

Schedule of Work

	<p>Convening meetings of members/creditors as required by legislation.</p> <p>Obtaining approval to the basis of the Insolvency Practitioners fees</p> <p>Establishing the existence of any pension schemes and staging dates for auto-enrolment and taking appropriate action to notify all relevant parties.</p> <p>Reporting to members/creditors as required by legislation to update them on the progress of the matter during the reporting period and filing statutory reports as required. Dealing with any queries arising following circulation of statutory reports.</p>		
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Appendix D

Details of the Liquidators' time costs and disbursements for the Period



Railsavers (Europe) Limited - In Liquidation Time Cost resolution only
 Time charged for the period 13 November 2015 to 12 November 2016

	Appointment Takers /				Junior Professional & Support	Total Hours	Total Cost	
	Partners	Managers / Directors	Other Professional				£	Average Hourly Rate £
Creditors	2 50	2 55	2 35	133 00	3 05	141 10	34,000 25	240 97
Unsecured Creditors	2 50	2 35		128 90	2 35	136 10	33,029 25	242 68
Employees				2 45	0 70	3 15	527 00	167 30
Preferential Creditors				1 30		1 30	325 00	250 00
Pensions		0 05				0 05	15 75	315 00
Landlord			0 35			0 35	56 00	160 00
TAX/VAT - Pre-appointment		0 15				0 15	47 25	315 00
Investigation	3 50	0 30		19 50		23 30	5,324 00	228 50
Investigatory Work	3 50	0 20		11 45		15 15	3,437 50	226 90
CDDA Enquiries		0 10		8 05		8 15	1,886 50	231 47
Total Hours	6 00	2 85		152 50	3 05	164 40	39,324 25	239 20
Total Cost £	2,732 50	897 75		36,333 50	360 50			
Average Hourly Rate £	455 42	315 00		231 70	118 20			

Disbursements for the period
13 November 2015 to 12 November 2016

Category 1	Value £
Land registry searches	27 00
Postage	337 59
Bonding	225 00
Category 2	
Car/Mileage recharge	79 65
Grand Total	669 24

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

FRP ADVISORY LLP ("FRP")

HOURLY CHARGE OUT RATES WITH EFFECT FROM 1 MAY 2015

Charge out rates	£/hour
Appointment taker/Partner	370-400
Managers/Directors	270-370
Other Professional	160-225
Junior Professional/Support	70-105

Time costs are maintained on computerised records of all time spend on the administration of each case. Matters dealt with during the assignment are dealt with by different members of staff depending on the level of complexity and experience required. Time is charged to the case in maximum of six minute units. Charge-out rates are based on individual expertise, qualification and grade. The costs of the firm's support staff are not directly charged to the estate unless dealing with directly identifiable case specific matters. Charge out rates are reviewed at least annually, details of FRP charge out rates applicable to this assignment are set out above.

Further information can be found in the 'Creditors' Guide to Fees' which you can access using the following link <http://www.frpadvisor.com/fees-guide.html>. Alternatively, a hard copy of the relevant guide will be sent to you on request.

On occasions it may be necessary to change the rates applicable to the work undertaken and if this occurs during the period of the assignment this will be notified to creditors as part of the normal reporting procedures.

DISBURSEMENT POLICY

Disbursements are expenses met by and reimbursed to an office holder in connection with an insolvency appointment.

There are two types of disbursements; direct disbursements (known as Category 1) and indirect disbursements (known as Category 2).

Category 1 disbursements:

These are payments to independent third parties where there is specific expenditure directly referable to the appointment in question, these include but are not limited to such items as case advertising, storage, bonding, searches, insurance.

Category 1 disbursements can be drawn without prior approval.

Category 2 disbursements

These are expenses that are directly referable to the appointment in question but not to a payment to an independent third party. With the exception of mileage FRP do not charge category 2 disbursements.

Mileage payments made for expenses relating to the use of private vehicles for business travel, which is directly attributable to the insolvency estate, are paid by FRP at the HMRC approved mileage rate prevailing at the time the mileage was incurred, at the time of this report this is 45p per mile.

Category 2 disbursements require prior approval in the same manner as an office holder's remuneration.

FRP ADVISORY LLP ("FRP")

HOURLY CHARGE OUT RATES WITH EFFECT FROM 1 MAY 2016

Grade	£/hour
Appointment taker/Partner	495
Managers/Directors	340-465
Other Professional	200-295
Junior Professional/Support	125-175

Time costs are maintained on computerised records of all time spend on the administration of each case. Matters dealt with during the assignment are dealt with by different members of staff depending on the level of complexity and experience required. Time is charged to the case in maximum of six minute units. Charge-out rates are based on individual expertise, qualification and grade. The costs of the firm's support staff are not directly charged to the estate unless dealing with directly identifiable case specific matters. Charge out rates are reviewed at least annually, details of FRP charge out rates applicable to this assignment are set out above.

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Appendix E

Statement of expenses incurred in the Period

Railsavers (Europe) Limited - In Liquidation Statement of expenses for the period ended 12 November 2016	
Expenses	Period to 12 November 2016 £
Office Holders' remuneration (Time costs)	39,324
Office Holders' remuneration (Fixed Fee)	5,000
Office Holders' disbursements	866
Bank Charges	13
Total	45,203
Notes Of which £20,050 has been billed as agreed with creditors	