In accordance with Rule 18.6 of the Insolvency (England & Wales) Rules 2016.

AM10

Notice of administrator's progress report



THURSDAY



A33 07/09/2017 COMPANIES HOUSE

#72

<u>1 </u>	Company details	
Company number	0 6 6 6 2 7 7 5	→ Filling in this form Please complete in typescript or in
Company name in full	Southern Wood Energy Limited	bold black capitals.
2	Administrator's name	
Full forename(s)	Alexander	
Surname	Kinninmonth	
3	Administrator's address	,
Building name/number	13	
Street	Tollgate Chandlers Ford	
Post town	Eastleigh	
County/Region		
Postcode	S O 5 3 T Y	
Country		
4	Administrator's name •	
Full forename(s)	David	Other administrator Use this section to tell us about
Surname	Smithson	another administrator.
5	Administrator's address o	.
Building name/number	ingimera obart	Other administrator
Street	Tollgate Chandlers Ford 	Use this section to tell us about another administrator.
Post town	Eastleigh	
County/Region		
Postcode	S O 5 3 T Y	
Country		

AM10 Notice of administrator's progress report

6	Period of progress report	
From date		
To date	$\begin{bmatrix} d & 0 & 0 & 0 \end{bmatrix} \begin{bmatrix} d & 0 & 0 & 0 \end{bmatrix} \begin{bmatrix} d & 0 & 0 & 0 & 0 \\ 0 & 0 & 0 & 0 & 0 & 0$	
7	Progress report	
	☑ I attach a copy of the progress report	
8	Sign and date	
Administrator's signature	Signature X	
Signature date	$\begin{bmatrix} d & 0 & 6 \end{bmatrix} \begin{bmatrix} m & 0 & m & 9 \end{bmatrix} \begin{bmatrix} y & 2 & y & 0 \end{bmatrix} \begin{bmatrix} y & 1 & y & 7 \end{bmatrix}$	

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	Alexander Kinninmonth				
Company name	RSM Restructuring Advisory LLP				
Address	Highfield Court Tollgate Chandlers Ford				
Post town	Eastleigh				
County/Region					
Postcode	S O 5 3 T Y				
Country					
DX					
Telephone	02380 646 464				

✓ 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 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.

7 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

In the matter of
Southern Wood Energy Limited In Administration
('the Company')
in the High Court of Justice, Chancery Division, Companies Court no 0909 of 2017
Joint Administrators' progress report
06 September 2017
Alexander Kinninmonth and David Smithson
Joint Administrators
RSM Restructuring Advisory LLP
Highfield Court Tollgate
Chandlers Ford Eastleigh SO53 3TY

Sections

- 1. Purpose of report
- 2. Progress of the administration in the previous six months
- 3. Matters preventing closure
- 4. Extension of the administration
- 5. Creditors' claims and dividend prospects
- 6. Receipts and payments summary
- 7. Costs and Joint Administrators' remuneration
- 8. Notice of postal vote
- 9. Creditors' right to information and ability to challenge remuneration and expenses

Appendices

- A. Statutory, dividend and other information
- B. Summary of receipts and payments
- C. Current charging, expenses and disbursements policy statement
- D. Current charge out and disbursement rates
- E. Category 2 disbursements table
- F. Statement of expenses incurred
- G. Time cost analysis

1 Purpose of report

This report has been prepared in accordance with insolvency legislation to provide creditors with information relating to the progress of the administration in the period from 7 February 2017 to 6 August 2017. This report should be read in conjunction with any previous reports that have been issued, copies of which are available on request.

This report has been prepared solely to comply with the statutory requirements of the relevant legislation. It has not been prepared for use in respect of any other purpose, or to inform any investment decision in relation to any debt or financial interest in the Company. Any estimated outcomes for creditors are illustrative and may be subject to significant change.

Neither the Administrators nor RSM Restructuring Advisory LLP accept any liability whatsoever arising as a result of any decision or action taken or refrained from as a result of information contained in this report.

2 Progress of the administration in the previous six months

The costs incurred to date and those expected to be incurred in dealing with the matters below are set out in detail at Section 6.

2.1 Realisation of assets

Sale of business

A pre-packaged sale of the business and assets took place on 8 February 2017. Further details in respect of this sale can be found in our previous reports.

The sale took place for a total consideration of £80,000. This was paid in full on 22 February 2017.

Book debts

The Company had outstanding book debts totalling £97,385 at the date of appointment. Although the directors have advised that the debts are all recoverable, for the purposes of the Estimated Financial Position, a general bad debt provision of 25% has been applied to this balance to give an estimated to realise value of £73,039.

The Company's former director, Laura Banyard was instructed to assist the Joint Administrators with the collection of the book debts at a commission rate of 15% of realisations.

Collections of these book debts has been completed with £94,035 realised in respect of the amounts owed. The further balance of £3,350 was deemed irrecoverable.

2.2 Investigations

In accordance with our statutory obligations, we have filed the appropriate documentation with the Department for Business, Energy and Industrial Strategy in relation to the conduct of the directors.

I can advise you that, following my initial assessment, no further investigations were deemed necessary.

2.3 Administration and planning

The Joint Administrators have ensured that all statutory requirements have been adhered to and all other duties in relation to the management of the case have been completed. This includes, but is not limited to, the following activities:

- · Statutory duties associated with the appointment including the filing of relevant notices;
- · Notification of the appointment to creditors, members, employees and other interested parties;
- Reviewing available information to determine appropriate strategy;
- · Setting up and maintaining bank accounts;
- · Setting up case files:
- · Periodic progress review of the case.

3 Matters preventing closure

3.1 Assets remaining to be realised

There are no assets remaining to be realised.

3.2 Other outstanding matters

The outstanding matters in the administration are:

- · Agreement of creditor claims;
- · Distributions to the floating charge creditor and unsecured creditors via the prescribed part;
- Obtaining tax clearance from HMRC.

4 Creditors' claims and dividend prospects

Dividend prospects and projected returns to creditors, where known, are detailed in Appendix A, including any amount under the prescribed part. Please note that these are indicative only and should not be used as the sole or principal basis for any bad debt provision or other purposes. They may be subject to revision and additional costs.

The agreement of creditors' claims by the Joint Administrators (or any subsequently appointed Supervisor or Liquidator) is a separate matter and will be dealt with as appropriate in due course, initially by reference to the proofs of debt lodged in the proceedings by creditors themselves.

5 Receipts and payments summary

We attach as Appendix B a summary of our receipts and payments for the period from 7 February 2017 to 6 August 2017.

VAT basis

Receipts and payments are shown net of VAT, with any amount due to or from HM Revenue and Customs shown separately.

6 Costs and Joint Administrators' remuneration

The firm's charging, expenses and disbursements policy was provided with the Joint Administrators' proposals. A further copy is attached.

6.1 Pre-administration costs

The Joint Administrators' proposals dated 10 February 2017 detailed un-paid pre-administration costs totalling £71,770.10. The sums below have been approved.

Pre - administration costs charged / incurred					
To whom paid	Amount approved £	Date approved	Date paid		
RSM Restructuring Advisory LLP	46,520.10	14 March 2017	4 April 2017		
RM Legal Solicitors LLP	16,500.00	14 March 2017	5 May 2017		
Trethowans LLP	2,500.00	14 March 2017	8 April 2017		
Frettens LLP	1,500.00	14 March 2017	5 May 2017		
Proudley Associates	4,750.00	14 March 2017	4 April 2017		

6.2 Joint Administrators' remuneration and disbursements

The Joint Administrators' remuneration was approved by the secured creditors as set out below.

On the basis of time costs limited to the sum of £55,770 (plus VAT) in accordance with the fee estimated attached to the Joint Administrators' proposals.

Sums drawn in respect of remuneration in the period covered by this report are shown in the attached receipts and payments account.

6.3 Remuneration and expenses (including disbursements) incurred in the period from 7 February 2017 to 6 August 2017

In accordance with insolvency legislation I am required to report remuneration 'charged'. This reflects the time charged to the case. In accordance with the fees estimate I cannot draw more than £55,770 without obtaining the further approval of the creditors.

If there are insufficient realisations to allow the Joint Administrators' approved remuneration to be paid in full, any balance will be written off. Details of any write off will be set out in the final report.

Details of the amount of remuneration drawn in the period are detailed in the section below headed 'Total remuneration incurred and paid to date since appointment'.

Category 2 disbursements

Approval was also given by the secured creditors to the drawing of disbursements, including category 2 disbursements, at the rates prevailing at the time the costs were incurred. Details of disbursements incurred in this period, and whether they have been paid, are attached.

Expenses and Category 1 disbursements

Details of the expenses (which include category 1 and category 2 disbursements) of £19,359.55 that are likely to be incurred during the course of the administration were provided with the Joint Administrators' proposals.

A statement of the expenses incurred during the period compared to the original estimate is attached. This includes all expenses incurred by the Joint Administrators in the period of the report irrespective of whether they have been paid or not and may include estimated amounts where actual invoices have not been received. The amounts paid in the period are also included, and are shown in the receipts and payments abstract at Appendix B together with cumulative figures where this is the second, or subsequent, progress report.

As at the date of this report the quantum of the expenses (including disbursements) incurred and anticipated to be incurred is in line with the estimate provided to with the Joint Administrators' proposals. It is not anticipated that they will exceed this estimate.

6.4 Other professional costs

Laura Banyard, one of the Company's former directors, has been retained as a debt collector. We have agreed her costs at 15% of all book debts collected. Their fees to date of £13,284.23 have been paid.

Other professional costs that have been incurred are shown on the attached schedule. The receipts and payments abstract at Appendix B sets out which of these costs have been paid. All such costs are subject to review before being paid and any payments made in the period are disclosed in the receipts and payments account at Appendix B, together with cumulative figures where appropriate, where this is the second, or subsequent, report.

6.5 Total remuneration incurred and paid to date since appointment

Time cost basis

Time costs of £28,946 have been incurred in the current period. Of this, a total of £19,000 (plus VAT) has been paid and £9,946 remains outstanding. A summary of time costs is attached, and the sums paid are reflected in the attached receipts and payments account.

Fees drawn to date are within the estimated amount of £55,770 approved by the creditors. On present information, and on the assumption that the matters remaining to be dealt with in the administration do not turn out to be more onerous than anticipated, and that no new issues come to light, it is not anticipated that this estimate will be exceeded. Should the position change, and those assumptions prove to be invalid, an increase in fees may need to be sought with the approval of the creditors.

7 Creditors' right to information and ability to challenge remuneration and expenses

In accordance with the provisions of the relevant legislation creditors have a right to request further information about remuneration or expenses (other than pre-administration costs) and to challenge such remuneration or expenses.

A request for further information must be made in writing within 21 days of receipt of this report.

Any secured creditor, or any unsecured creditor with either the concurrence of at least 10% in value of the unsecured creditors (including that creditor) or the permission of the court, may apply to court that the remuneration charged, the basis fixed or expenses incurred by the Administrator are in all the circumstances excessive.

Any such challenge must be made no later than eight weeks after receipt of the report which first discloses the charging of remuneration or incurring of the expenses in question.

A Guide to Administrators Fees, which provides information for creditors in relation to the remuneration of an Administrator, can be accessed at http://rsm.insolvencypoint.com under 'general information for creditors'. A hard copy can be requested from my office by telephone, email or in writing.

Should you have any further queries please do not hesitate to contact me.

Alexander Kinninmonth
RSM Restructuring Advisory LLP

Joint Administrator

RSM Restructuring Advisory LLP Highfield Court Tollgate Chandlers Ford Eastleigh SO53 3TY

Alexander Kinninmonth is licensed to act as an Insolvency Practitioner in the UK by the Institute of Chartered Accountants in England and Wales

David Smithson is licensed to act as an Insolvency Practitioner in the UK by the Institute of Chartered Accountants in England and Wales Insolvency Practitioners are bound by the Insolvency Code of Ethics when carrying out all professional work relating to an insolvency appointment

The affairs, business and property of the Company are being managed by the Joint Administrators who act as agents of the Company and without personal liability

Appendix A

Statutory, dividend and other information

Company name:	Southern Wood Energy Limited			
Joint Administrators:	Alexander Kinninmonth and David Smithson			
Date of appointment:	7 February 2017			
Functions:	The Joint Administrators' appointment specified that they would have power to act jointly and severally. The Joint Administrators' have exercised, and will continue to exercise, all of their functions jointly and severally as stated in the notice of appointment.			
Previous company names:				
Company registered number:	06662775			
Date of incorporation:	02/09/2017			
Trading name:	Not applicable			
Trading address	24 Cornwall Road, Dorchester, Dorse	et, DT1 1RX		
Principal activity:	MANUFACTURE OF BIOMASS FUE	LS		
Registered office:	RSM RESTRUCTURING ADVISORY LLP HIGHFIELD COURT TOLLGATE CHANDLERS FORD EASTLEIGH SO53 3TY			
Appointor:	Daniel Upton (Director) of 37 Commercial Road, Poole, Dorset, BH14 0HU			
Details of any extension:	None			
Proposed exit route:	Dissolution			
Correspondence address &	Marcus Tout			
contact details of case manager	RSM Restructuring Advisory LLP, Hig Ford, Eastleigh SO53 3TY	ghfield Court, Tollgate, Chandlers		
Name, address & contact	Primary Office Holder Joint Office Holder:			
details of Joint Administrators	Alexander Kinninmonth	David Smithson		
	RSM Restructuring Advisory LLP	RSM Restructuring Advisory LLP		
	Highfield Court Tollgate Chandlers Ford Eastleigh SO53 3TY	Highfield Court Tollgate Chandlers Ford Eastleigh SO53 3TY		
	02380 646 408	02380 646464		
	IP Number: 9019	IP Number: 9317		

Dividend prospects	Owed	Paid to date	Estimated future prospects
Secured creditor (1)	£225,000	£27,599	Nil
Secured creditor (2)	Nil	n/a	n/a
Secured creditor (3)	£1,850,000	£1	2.5p in £
Secured creditor (4)	Nil	n/a	n/a
Preferential creditors	Nil	n/a	n/a
Unsecured creditors	£3,005,480	NIL	1p in £
Estimated net property	£169,785		
Estimated prescribed part available for unsecured creditors	£36,957		
Whether and why the Administrators intend to apply to court under S176(A)(5) IA86	N/A		

Appendix B

Receipts and payments abstract

SECURED CREDITORS Fixed Charge Claims (27,600.00)			07/02/2017 t	o 06/08/2017	Total to 0	6/08/2017
27,599.00	SOA Value £		£	£	£	
1.00 Leasehold Land and Property 1.00 27,600.0		SECURED ASSETS				
SECURED CREDITORS	27,599.00	Goodwill	27,599.00		27,599.00	
SECURED CREDITORS 127,600.00 (27,600.00) (27,600.0	1.00	Leasehold Land and Property	1.00		1.00	
(2,075,000.00) Fixed Charge Claims (27,600.00) (27,600.00) (27,600.00) (27,600.00) (27,600.00) (27,600.00) (27,600.00) (27,600.00) (27,600.00) (27,600.00) (27,600.00) (27,600.00) (27,600.00) (27,600.00) (27,600.00) (27,600.00) (27,600.00) (27,600.00) (28,000.00) (28,000.00) (28,000.00) (28,000.00) (29,000				27,600.00		27,600.00
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ASSET REALISATIONS	(2,075,000.00)	Fixed Charge Claims	(27,600.00)	_	(27,600.00)	
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0.00 Cash at Bank 24,819.14 24,819.14 73,039.00 Debtors (Pre-Appointment) 94,034.79 94,034.79 94,034.79 96,000.00 Equity in Financed Motor Vehicles 6,500.00 6,500.00 51,000.00 Equity in Financed Plant and 51,000.00 1,200.00 1,200.00 0.00 Insurance Refund 601.81 601.81 1,200.00 0.00 Gffice Furniture and Equipment 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.		ASSET REALISATIONS				
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S1,000.00 Equity in Financed Plant and S1,000.00 S1,000.00 C1,000.00	73,039.00	Debtors (Pre-Appointment)	94,034.79		94,034.79	
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0.00	51,000.00	Equity in Financed Plant and	51,000.00		51,000.00	
1,200.00 Office Furniture and Equipment 0.00 38.33 38.	0.00	Furniture and Equipment	1,200.00		1,200.00	
13,700.00	0.00	Insurance Refund	601.81		601.81	
13,700.00	1,200.00	Office Furniture and Equipment	0.00		0.00	
COST OF REALISATIONS 0.00 Agents / Valuers Fees (4,750.00) (4,750.00) 0.00 Appointee Disbursements (6.39) (6.39) 0.00 Appointee Fees (19,000.00) (19,000.00) 0.00 Debt Collection Fees (13,284.23) (13,284.23) 0.00 Insurance (1,247.40) (1,247.40) 0.00 Legal Fees (20,131.49) (20,131.49) 0.00 Other Property Expenses (5,328.88) (5,328.88) 0.00 Pre Appointment Disbursements (187.60) (187.60) 0.00 Pre Appointment Disbursements (187.60) (187.60) 0.00 Specific Bond (85.00) (85.00) 0.00 Statutory Advertising (82.00) (82.00) 0.00 Statutory Advertising (82.00) (82.00) 0.00 Statutory Advertising (82.00) (82.00) 0.00 UNSECURED CREDITORS (225,000.00) Associated Creditors 0.00 0.00 (100,000.00) Banks/Institutions 0.00 0.00 (1,934,048.80) Deficiency In Security 0.00 0.00 (34,392.00) HM Revenue and Customs 0.00 0.00 (160,483.75) Trade and Expense Creditors 0.00 0.00 (150.00) Ordinary 0.00 0.00 (6,403,435.55) REPRESENTED BY Lloyds 92,059.79 VAT Receivable (Payable) 13,253.85		Tax Refund	38.33		38.33	
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COST OF REALISATIONS 0.00 Agents / Valuers Fees (4,750.00) (4,750.00) 0.00 Appointee Disbursements (6.39) (6.39) 0.00 Appointee Fees (19,000.00) (19,000.00) 0.00 Debt Collection Fees (13,284.23) (13,284.23) 0.00 Insurance (1,247.40) (1,247.40) 0.00 Legal Fees (20,131.49) (20,131.49) 0.00 Other Property Expenses (5,328.88) (5,328.88) 0.00 Pre Appointment Disbursements (187.60) (187.60) 0.00 Pre Appointment Disbursements (187.60) (187.60) 0.00 Specific Bond (85.00) (85.00) 0.00 Statutory Advertising (82.00) (85.00) 0.00 Statutory Advertising (82.00) (86,581.69) C(2,047,400.00) Floating Charge Claims 0.00 0.00 0.00 UNSECURED CREDITORS (225,000.00) Associated Creditors 0.00 0.00 (1,934,048.80) Deficiency In Security 0.00 0.00 (1,934,048.80) Deficiency In Security 0.00 0.00 (1,934,048.375) Trade and Expense Creditors 0.00 0.00 (160,483.75) Trade and Expense Creditors 0.00 0.00 (160,483.75) Trade and Expense Creditors 0.00 0.00 (1,034,048.35) Trade and Expense Creditors 0.00 0.00 (1,034,048.35) Trade and Expense Creditors 0.00 0.00 (1,034,048.375) Trade and Exp	,	·		191,895.33	· ·	191,895.33
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Appendix C

RSM Restructuring Advisory LLP

Charging, expenses and disbursements policy statement

Charging policy

- Partners, directors, managers, administrators, cashiers, secretarial and support staff are allocated an hourly charge out rate which is reviewed from time to time.
- Work undertaken by cashiers, secretarial and support staff will be or has been charged for separately
 and such work will not or has not also been charged for as part of the hourly rates charged by partners,
 directors, managers and administrators.
- Time spent by partners and all staff in relation to the insolvency estate is charged to the estate.
- Time is recorded in 6-minute units at the rates prevailing at the time the work is done.
- The current charge rates for RSM Restructuring Advisory LLP Southampton are attached.
- Time billed is subject to Value Added Tax at the applicable rate, where appropriate.
- It is the office holder's policy to ensure that work undertaken is carried out by the appropriate grade of staff required for each task, having regard to its complexity and the skill and experience actually required to perform it.
- RSM Restructuring Advisory LLP's charge out rates are reviewed periodically.

Expenses and disbursements policy

- Only expenses and disbursements properly incurred in relation to an insolvency estate are re-charged to the insolvency estate.
- Expenses and disbursements which comprise external supplies of incidental services specifically
 identifiable to the insolvency estate require disclosure to the relevant approving party, but do not require
 approval of the relevant approving party prior to being drawn from the insolvency estate. These are
 known as 'category 1' disbursements.
- Expenses and disbursements which are not capable of precise identification and calculation (for example any which include an element of shared or allocated costs) or payments to outside parties that the firm or any associate has an interest, require the approval of the relevant approving party prior to be being drawn from the insolvency estate. These are known as 'category 2' disbursements.
- A resolution to consider approving category 2 disbursements at the rates prevailing at the time the cost is incurred to RSM Restructuring Advisory LLP Southampton will be proposed to the relevant approving party in accordance with the legislative requirements.
- General office overheads are not re-charged to the insolvency estate as a disbursement.
- Any payments to outside parties in which the office holder or his firm or any associate has an interest will only be made with the approval of the relevant approving party.
- Expenses and disbursements re-charged to or incurred directly by an insolvency estate are subject to VAT at the applicable rate, where appropriate.

Appendix D

RSM Restructuring Advisory LLP

Joint Administrators' current charge out and disbursement rates

Hourly charge out rates			
	Current rates		
	£		
Partner	435 to 620		
Directors / Associate Directors	335 to 460		
Assistant Managers	250		
Administrators	165 to 210		
Support staff	135		

Category 2 disbursement rates				
Internal room hire	£100 per hour			
Subsistence	£25 per night (from 3 rd September 2013) £23 per night (up to 2 nd September 2013)			
Travel (car)	38p per mile (up to and including 31 March 2010) 40p per mile (from 1 April 2010) 42.5p per mile (from 1 April 2011)			
'Tracker' searches	£10 per case			

Appendix E

Table of Joint Administrators' category 2 disbursements incurred to date

Amounts paid or payable to the Office Holder's firm or to any party in which the office holder or his firm or any associate has an interest

Recipient, type and purpose	£				
	Original estimate	Incurred to date	Paid to date	Unpaid to date	
Mileage	0.00	6.39	6.39	0.00	
Total	0.00	6.39	6.39	0.00	

Appendix F

Statement of expenses incurred by the Joint Administrators in the period from 7 February 2017 to 6 August 2017

		£			
	Original estimate	Incurred to date	Expected future	Expected total	
Bond	85.00	85.00	0.00	85.00	
Statutory advertising	158.80	82.00	82.00	164.00	
Website fee	8.00	0.00	0.00	0.00	
Agents' fees	1,500.00	0.00	0.00	0.00	
Legal fees	3,000.00	0.00	0.00	0.00	
Debt collection fees	14,607.75	13,284.23	0.00	13,284.23	
Total	19,359.55	13,451.23	82.00	13,533.23	

Appendix G

Joint Administrators' time cost analysis for the period from 7 February 2017 to 6 August 2017

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