

AM10

Notice of administrator's progress report



Companies House

SATURDAY



A07 *A6XKCAOB* 13/01/2018 #458
COMPANIES HOUSE

1 Company details

Company number 0 8 0 8 5 4 1 2

Company name in full B60 LTD

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

2 Administrator's name

Full forename(s) David Gerard

Surname Kirk

3 Administrator's address

Building name/number 5 Barnfield Crescent

Street Exeter

Post town EX1 1RF

County/Region

Postcode

Country

4 Administrator's name ①

Full forename(s)

Surname

① **Other administrator**
Use this section to tell us about
another administrator.

5 Administrator's address ②

Building name/number

Street

Post town

County/Region

Postcode

Country

② **Other administrator**
Use this section to tell us about
another administrator.

AM10

Notice of administrator's progress report

6 Period of progress report

From date	^d 1	^d 2	^m 0	^m 6	^y 2	^y 0	^y 1	^y 7
To date	^d 1	^d 1	^m 1	^m 2	^y 2	^y 0	^y 1	^y 7

7 Progress report

☒ I attach a copy of the progress report

8 Sign and date

Administrator's
signature

Signature

X



X

Signature date	^d 1	^d 0	^m 0	^m 1	^y 2	^y 0	^y 1	^y 8
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Notice of administrator's progress report



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	Marie Drysdale
Company name	Kirks
Address	5 Barnfield Crescent Exeter
Post town	EX1 1RF
County/Region	
Postcode	
Country	
DX	
Telephone	01392 474303



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.



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

High Court, Chancery Division, Bristol Registry

No. CR2017 of 4107

**B60 LTD
(In Administration)**

The Administrators' Progress Report to 11 December 2017

David Gerard Kirk

Kirks

5 Barnfield Crescent, Exeter, EX1 1QT

01392 474303

mail@kirks.co.uk

This report has been prepared for the sole purpose of updating the creditors for information purposes. The report is private and confidential and may not be relied upon, referred to, reproduced or quoted from, in whole or in part, by creditors for any purpose other than updating them for information purposes, or by any other person for any purpose whatsoever.

David Gerard Kirk was appointed Administrator of B60 LTD on 12 June 2017. The affairs, business and property of the Company are managed by the Administrator. The Administrator acts as agent of the Company and contract without personal liability.

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1. EXECUTIVE SUMMARY

This report describes the progress since the commencement of the Administration ("the Review Period").

A summary of key information in this report is detailed below.

Asset realisations

Asset	Administrator's estimate to realise	Realisations to date	Anticipated future realisations	Total anticipated realisations
Goodwill	48,000	9,167	38,833	48,000
Fixtures & Fittings	2,000	Nil	2,000	2,000
Cash at bank	5,000	5,000	Nil	5,000
Total	55,000	14,167	40,833	55,000

Expenses

Expense	Estimated per Proposal's	Expense incurred to date	Anticipated further expense to closure	Total anticipated expense
Administrator's fees	30,112.50	34,957.00	10,000.00	44,957.00
Solicitors' fees	4,000.00	2,165.50	3,000.00	5,165.50
Agents' fees	3,000.00	2,000.00	Nil	2,000.00
All other expenses	980.00	114.60	400.00	544.60

Dividend prospects

Creditor class	Distribution / dividend paid to date	Anticipated distribution / dividend, based upon the above
Secured creditor	Nil	Uncertain
Preferential creditors	Nil	Nil
Unsecured creditors	Nil	Nil

1.1 Summary of key issues outstanding

The sale considerations remain outstanding and overdue.

2 THE PROGRESS OF THE ADMINISTRATION

As previously reported, a sale of the assets of the company were agreed to B60 (Holdings) Ltd ("Holdings") as a "pre-packaged sale". The terms of the sale were that Holdings would pay for the acquired assets by instalments over 12 months.

To date, only the payment on completion of £4,166.74 and one monthly instalment of £4,166.66 have been received and Ashford's LLP solicitors were therefore instructed to pursue the remaining balance under the debenture and personal guarantees taken against Holdings and its Director's at the point of sale.

As can be seen by the Summary of expenses on the previous page, this has meant that a significant amount of Administrator's fees have been incurred during the period and therefore the total anticipated fees have increased to £54,957 from the original estimate of £30,112.

I have recently met with the directors of Holdings and am awaiting their proposals for repayment of the outstanding sums due.

2.1 The Administrator's receipts and payments account

Attached at Appendix II is a receipts and payments account for the Review Period.

The rest of this report describes the key developments in the Administration over the Review Period. For a detailed list of work undertaken by the Administrator as a whole, see Appendix V.

In this section, I have summarised the main asset realisations during the Review Period and an estimation of the those assets yet to be realised, together with details of the associated costs incurred but as yet remaining unpaid.

2.2 Administration (including statutory reporting)

The Administrator has met a considerable number of statutory and regulatory obligations. Whilst many of these tasks have not had a direct benefit in enhancing realisations for the insolvent estate, they have assisted in the efficient and compliant progressing of the administration, which has ensured that the Administrator and his staff have carried out their work to high professional standards.

During the Review Period, primarily these tasks have included:

- Informing all relevant persons of the commencement of the Administration, including filing statutory documents at Companies House and meeting statutory advertising requirements;
 - Issuing the Administrator's Proposals, seeking relevant creditors' approvals and issuing notice of the outcome;
 - Consulting with and instructing staff and independent advisers as regards practical, technical and legal aspects of the case to ensure efficient progress;
 - Maintaining case files, which must include records to show and explain the administration and any decisions made by the Administrator that materially affect the administration;
 - Monitoring and maintaining an adequate statutory bond;
 - Conducting periodic case reviews to ensure that the administration is progressing efficiently, effectively and in line with the statutory requirements;
-

- Maintaining and updating the estate cash book and bank accounts, including regular bank reconciliations and processing receipts and payments; and

2.3 Realisation of assets

As previously reported there are significant arrears of instalments due from Holdings.2.4
Costs incurred but remaining unpaid

The following table summarises the costs incurred during the Review Period, but which as yet remain unpaid:

Cost Description	Amount (£)
Legal fees	2,165.50
TOTAL	£2,165.50

During the Review Period, the Administrator has also incurred time costs and direct expenses, not all of which have yet been discharged. Further details of these costs are set out in section 5 below.

3 CREDITORS: CLAIMS AND DISTRIBUTIONS

3.1 Secured creditors

The Company granted a debenture including a fixed and floating charge to Natwest Bank Plc on 27th August 2015, who were owed £71,213 on appointment. Prior to the Review Period, the Administrator's legal advisors, Ashford's LLP, have confirmed the validity of the charge.

No distribution has been made to the secured creditor.

3.2 Preferential creditors

All of the staff employed by B60 Ltd were transferred to Holdings under TUPE regulations. Accordingly there are no preferential claims.

3.3 Unsecured creditors

Unsecured claims were estimated at £348,375 in the Estimated Statement of Affairs. It is not anticipated that a dividend will be paid to unsecured creditors.

4. INVESTIGATIONS

4.1 Investigations

As part of the Administrator's statutory duties, an investigation into the conduct of the Company Directors was completed. In this regard, a confidential report was submitted to the Insolvency Service on 11th September 2017.

5. THE ADMINISTRATOR'S FEES AND EXPENSES

5.1 Pre-Administration Costs

Included within the Joint Administrators' Proposals was a Statement of Pre-Administration Costs.

The following Pre-Administration Costs have not yet been approved and thus remain unpaid:

Party instructed	Amount (£)
Kirks	10,480
Ashford's LLP	3,932
TOTAL UNAPPROVED	£14,412

I have requested the approval of Natwest Bank Plc as the secured creditor but have not yet had a response.

The Administrator's Fees

The basis of the Administrator's fees has not yet been fixed. However, the Administrator has attempted during the Review Period to have this fixed by Natwest Bank Plc.

A breakdown of the time costs incurred during the Review Period is provided at Appendix III and further information regarding the charge-out rates of the Administrator and his staff is provided at Appendix IV.

"A Creditors' Guide to Administrators' Remuneration" is available for download at www.kirks.co.uk.

Should you require a paper copy, please send your request in writing to the Administrator at the address on the front of this report and this will be provided to you at no cost.

5.2 Comparison of estimates

The Administrator's time costs incurred to date are compared with the original fees estimate as follows:

Work category	Original fees estimate			Actual time costs incurred to date		
	Number of hours	Blended hourly rate £ per hour	Total fees £	Number of hours	Average hourly rate £ per hour	Total time costs £
Administration (including statutory reporting)	36.7	263.01	9,652.50	35.7	279.97	9,995.00
Realisation of assets	15.5	299.84	4,647.50	13.7	346.75	4,750.50
Creditors (claims and distribution)	32.5	276.54	8,987.50	45.5	273.66	12,451.50
Investigations	9	263.61	2,372.50	3.8	224.61	853.50
Case specific matters	15	296.83	4,452.50	22.2	311.10	6,906.50

The expenses incurred to date are compared with the original expenses estimate as follows:

Expenses	Original expenses estimate £	Actual expenses incurred to date £
Legal costs	4,000.00	2,165.50
Agents' and valuers' costs	3,000.00	2,000.00
Advertising	500.00	84.60
Bonding	480.00	60.00
TOTAL	7,980.00	4,310.10

Having regard for the costs that are likely to be incurred in bringing this Administration to a close, the Administrator considers that:

- the original fees estimate has been exceeded; and
- the original expenses estimate is unlikely to be exceeded.

The main reason why the fees estimate has been exceeded is the extra time taken to pursue the instalments and also dealing with creditor queries concerning the transfer of the company's assets. However, given the limited realisations in this case to date, the Administrator does not propose to draw fees in excess of the fees estimate at present. The Administrators will review the position as regards fees when the prospects of realising the remaining assets become clearer.

5.3 Creditors' right to request information

Any secured creditor, or unsecured creditor with the support of at least 5% in value of the unsecured creditors or with permission of the Court, may request in writing the Administrator to provide additional information regarding fees or expenses to that already supplied within this report. Such requests must be made within 21 days of receipt of this report.

5.4 Creditors' right to challenge fees and/or expenses

Any secured creditor, or unsecured creditor with the support of at least 10% in value of the unsecured creditors or with permission of the Court, may apply to the Court for one or more orders, reducing the amount or the basis of fees which the Administrator is entitled to charge or otherwise challenging some or all of the expenses incurred.

Such applications must be made within 8 weeks of receipt by the applicant(s) of the progress report detailing the fees and/or expenses being complained of.

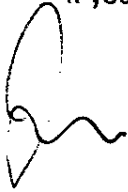
Please note that such challenges may not disturb fees or expenses (whether or not discharged from the estate) disclosed in prior progress reports.

CONCLUSION

The Administration will continue in order to finalise the following outstanding matters:

The realisation of the sale consideration and any associated recovery action.

If you require any further information please contact Marie Drysdale on marie@kirks.co.uk.

A handwritten signature in black ink, appearing to be 'David Kirk', written in a cursive style.

David Kirk
Administrator

David Gerard Kirk was appointed Administrator of B60 LTD on 12 June 2017. The affairs, business and property of the Company are managed by the Administrator. The Administrator acts as agent of the Company and contract without personal liability.

B60 LTD
(IN ADMINISTRATION)

STATUTORY INFORMATION

Company Name	B60 LTD
Previous Names	n/a
Proceedings	In Administration
Court	High Court, Chancery Division, Bristol Registry
Court Reference	CR2017 of 4107
Date of Appointment	12 June 2017
Administrator	David Gerard Kirk Kirks 5 Barnfield Crescent, Exeter, EX1 1QT
Registered office address	c/o Kirks 5 Barnfield Crescent, Exeter, EX1 1QT
Company Number	08085412
Appointment by	The Company

DEFINITIONS

The Act	Insolvency Act 1986
The Rules	Insolvency Rules 1986 or Insolvency (England & Wales) Rules 2016 (whichever applied at the time of the event)
The Administrator	David Gerard Kirk of Kirks
The Company	B60 LTD (in Administration)
The Court	High Court, Chancery Division, Bristol Registry
SIP	Statement of Insolvency Practice
Review Period	Period covered by the report from 12 th June 2017 to 11 th December 2017

B60 LTD
(In Administration)

**Administrator's Summary of Receipts and Payments
To 11 December 2017**

RECEIPTS	Statement of Affairs (£)	Total (£)
Goodwill	47,000.00	9,166.72
Fixtures, Fittings & IT Equipment	2,000.00	0.00
Intellectual property, company name etc.	1,000.00	0.00
Cash at Bank		5,000.00
		<hr/>
		14,166.72
		<hr/>
PAYMENTS		
NatWest Bank Plc	(71,213.00)	0.00
Specific Bond		60.00
Agents/Valuers Fees		2,000.00
Statutory Advertising		84.60
Trade & Expense Creditors	(103,421.00)	0.00
HM Revenue & Customs	(254,954.00)	0.00
Ordinary Shareholders	(100.00)	0.00
		<hr/>
		2,144.60
		<hr/>
Net Receipts/ (Payments)		12,022.12
		<hr/>

MADE UP AS FOLLOWS

Bank 1 Current	11,605.20
VAT Receivable / (Payable)	416.92
	<hr/>
	12,022.12
	<hr/>

Time Entry - Detailed SIP9 Time & Cost Summary

B60211 - B60 LTD
From: 12/06/2017 To: 11/12/2017
Project Code: POST
Including Sub-Analysis Codes

Classification of Work Function	Partner	Manager	Other Senior Professionals	Assistants & Support Staff	Senior Manager	Total Hours	Time Cost (£)	Average Hourly Rate (£)
A1 : Admin & Planning								
N/A : N/A	3.60	4.00	0.00	1.80	0.20	9.60	2,544.00	265.00
A10 : Bonding								
N/A : N/A	0.00	0.40	0.00	0.00	0.00	0.40	90.00	225.00
A2 : Case setup								
N/A : N/A	1.00	5.70	0.00	0.10	0.50	7.30	1,800.50	246.64
A3 : Appointment Notification								
N/A : N/A	0.20	0.00	0.00	0.00	0.00	0.20	70.00	350.00
A4 : Maintenance of Records								
N/A : N/A	0.00	0.30	0.00	0.30	0.00	0.60	121.50	202.50
A6 : Reviews								
N/A : N/A	1.40	0.00	0.00	0.00	4.00	5.40	1,720.00	318.52
A8 : Cashiering								
N/A : N/A	0.00	0.50	0.00	0.90	0.00	1.40	274.50	196.07
A9 : Correspondence with debtor/director								
N/A : N/A	7.70	2.70	0.00	0.40	0.00	10.80	3,374.50	312.45
Admin & Planning	13.90	13.60	0.00	3.50	4.70	35.70	9,995.00	279.97
S1 : Meetings & Travel								
N/A : N/A	5.30	1.50	0.00	0.00	0.00	6.80	2,192.50	322.43
S4 : Travel								
N/A : N/A	5.50	4.50	0.00	0.00	0.00	10.00	2,937.50	293.75
S5 : Legal advice								
N/A : N/A	4.30	1.10	0.00	0.00	0.00	5.40	1,776.50	328.98
Case Specific Matters	15.10	7.10	0.00	0.00	0.00	22.20	6,906.50	311.10
C1 : Statutory Reporting to Creditors								
N/A : N/A	7.80	12.80	0.00	1.60	6.40	28.60	7,818.00	273.36
C2 : Correspondence								
N/A : N/A	2.20	7.20	0.00	1.10	0.00	10.50	2,588.00	246.48
C3 : Preferential Creditors								
N/A : N/A	1.00	0.10	0.00	0.00	0.20	1.30	432.50	332.69
C4 : Unsecured Creditors								
N/A : N/A	3.70	1.20	0.00	0.10	0.10	5.10	1,613.00	316.27
Creditors	14.70	21.30	0.00	2.80	6.70	45.50	12,451.50	273.66
I1 : SIP2 Review - the investigation								
N/A : N/A	0.00	2.80	0.00	0.20	0.00	3.00	666.00	222.00
I2 : Conduct report								
N/A : N/A	0.00	0.70	0.00	0.00	0.10	0.80	187.50	234.38
Investigations	0.00	3.50	0.00	0.20	0.10	3.80	853.50	224.61
R1 : Ident / Securing & Insuring								
N/A : N/A	1.50	0.00	0.00	0.00	0.00	1.50	525.00	350.00

Time Entry - Detailed SIP9 Time & Cost Summary

B60211 - B60 LTD
 From: 12/06/2017 To: 11/12/2017
 Project Code: POST
 Including Sub-Analysis Codes

Classification of Work Function	Partner	Manager	Other Senior Professionals	Assistants & Support Staff	Senior Manager	Total Hours	Time Cost (£)	Average Hourly Rate (£)
R3 : Debt Collection								
N/A : N/A	3.00	0.00	0.00	0.00	0.00	3.00	1,050.00	350.00
R4 : Property/business & asset sales								
N/A : N/A	8.70	0.50	0.00	0.00	0.00	9.20	3,175.50	345.16
Realisation of Assets	13.20	0.50	0.00	0.00	0.00	13.70	4,750.50	346.75
Total Hours	56.90	46.00	0.00	6.50	11.50	120.90	34,957.00	289.14
Total Fees Claimed							0.00	

Fees and Disbursements

A schedule of Kirks charge out rates effective from the 1st September 2017 is as follows:-

Time incurred by	Rate per hour
Director - Insolvency Practitioner	£380
Senior Manager – Insolvency Practitioner	£300
Insolvency Case Manager	£225
Senior Administrator	£180
Administrator	£140
Support staff	£110

The charge out rates are subject to periodic reviews and change. Time is charged in units of 6 minutes. Details of previous charge rates are available upon request.

Disbursements

There are two types of disbursements; direct disbursements (known as category one) and indirect disbursements (known as category two).

Category one disbursements do not require approval by creditors. Typically, these include external supplies of incidental services specifically identifiable to the case, such as postage, advertising, invoiced travel and external printing, room hire, insolvency bond and document storage. Also chargeable will be any properly reimbursed expenses incurred by personnel in connection with the case.

Category two disbursements do require creditor approval and include elements of shared or allocated costs. This firm does not charge these types of disbursements to the case.

A Creditors Guide to Fees

This can be obtained free of charge from our website www.kirks.co.uk/guides or by requesting a copy in writing from us.

Details of Work Undertaken

General Description	Includes
Administration (including statutory requirements)	
Statutory/advertising	Filing of documents to meet statutory requirements Advertising in accordance with statutory requirements
Document maintenance/file review/checklist	Filing of documents Periodic file reviews Periodic reviews of the application of ethical, anti-money laundering and anti-bribery safeguards Maintenance of statutory and case progression task lists/diaries Updating checklists
Bank account administration	Preparing correspondence opening and closing accounts Requesting bank statements Bank account reconciliations Maintenance of the estate cash book Banking remittances and issuing cheques/BACS payments
Planning / review	Discussions regarding strategies to be pursued Meetings with team members and independent advisers to consider practical, technical and legal aspects of the case
Books and records / storage	Dealing with records in storage
Creditor reports	Disclosure following pre-pack sale of assets SIP 16 & 13 Preparing proposal, fee authority report to secured creditors
Creditors' decisions	Preparation of decision notices, proxies/voting forms Collate and examine proofs and proxies/votes to establish decisions Consider objections received and requests for physical meeting or other decision procedure Responding to queries and questions following decisions Issuing notice of result of decision process
Investigations	
SIP 2 Review	Collection, and making an inventory, of company books and records Correspondence to request information on the company's dealings, making further enquiries of third parties Reviewing questionnaires submitted by creditors and directors Reconstruction of financial affairs of the company Reviewing company's books and records Preparation of deficiency statement
Statutory reporting on conduct of director(s)	Preparing statutory investigation reports Liaising with the Insolvency Service Submission of report to the Insolvency Service
Realisation of Assets	
Sale of Business as a Going Concern	Instructing and liaising with agents Liaising with potential purchasers Agreeing licences to trade/occupy Assessment and review of offers received Negotiating with intended purchaser Liaising with secured creditors and seeking releases Exchanges with solicitors to agree sale and purchase agreement Pursuing deferred sale consideration
Insurance	Identification of potential issues requiring attention of insurance specialists Correspondence with insurer regarding initial and ongoing insurance requirements Reviewing insurance policies Correspondence with previous brokers
Creditors (claims and distribution)	
Creditor	Receive and follow up creditor enquiries via telephone

Details of Work Undertaken

General Description	Includes
communication	Review and prepare correspondence to creditors and their representatives via facsimile, email and post Corresponding with the PPF and the Pensions Regulator
Dealing with proofs of debt (POD)	Receipting and filing POD when not related to a dividend
Processing proofs of debt	Preparation of correspondence to potential creditors inviting submission of POD Receipt of POD Seeking solicitors' advice on the validity of secured creditors' claims and other complex claims