

AM10

Notice of administrator's progress report



Companies House

THURSDAY



A71RVBG1
A22 15/03/2018 #183
COMPANIES HOUSE

1 Company details

Company number 0 8 4 3 4 0 0 4

Company name in full Axholme Car Co Limited

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

2 Administrator's name

Full forename(s) John William

Surname Butler

3 Administrator's address

Building name/number The Chapel

Street Bridge Street

Post town Driffield

County/Region

Postcode Y O 2 5 6 D A

Country UK

4 Administrator's name ①

Full forename(s) Andrew James

Surname Nichols

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

5 Administrator's address ②

Building name/number The Chapel

Street Bridge Street

Post town Driffield

County/Region

Postcode Y O 2 5 6 D A

Country UK

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 5	m 0	m 8	y 2	y 0	y 1	y 7
To date	d 1	d 4	m 0	m 2	y 2	y 0	y 1	y 8

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 2	m 0	m 3	y 2	y 0	y 1	y 8
----------------	-----	-----	-----	-----	-----	-----	-----	-----

AM10

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

Company name

Address

Post town

County/Region

Postcode

Country

DX

Telephone



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

**AXHOLME CAR CO LIMITED – IN
ADMINISTRATION
("the Company")**

Progress Report

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.

J W Butler and A J Nichols were appointed Joint Administrators of the Company on 15 August 2017. The affairs, business and property of the Company are managed by the Joint Administrators. The Joint Administrators act as agents of the Company and contract without personal liability.

Axholme Car Co Limited – in administration ("the Company")

Joint Administrators' progress report

Statutory information

Company number: 08434004
Name of company: Axholme Car Co Limited
Previous name(s) of company (if any): none
Trading name / style under which: As above and Used Car 123

- Company carried on business and
- Any debt owed to a creditor was incurred

Type of Insolvency: Administration
Address of Registered office: The Chapel, Bridge Street, Driffield, YO25 6DA
Principal trading address: Axholme House, Sandtoft Road, Belton, DN9 1PN
Administrator(s) name(s), address(es) and contact number: John William Butler and Andrew James Nichols of Redman Nichols Butler, The Chapel, Bridge Street, Driffield, YO25 6DA Tel: 01377 257788
Office holder number(s): 9591 & 8367
Date of appointment: 15 August 2017
Appointed by who: The directors
Is there a committee? No
Court & Court Ref: In The High Court District Registry No. 707 of 2017
Functions: The Joint Administrators act jointly and severally, so that all functions may be exercised by either Administrator
Have the Administrators' proposals been approved? Yes (by deemed consent on 23 October 2017)
Have any extensions of the administration been sought? No
Reporting period: 15 August 2017 to 14 February 2018

Administration (including statutory reporting)

The work undertaken which is classified as Administration for the period of this report is summarised below;

Case Management

- case set-up, record-keeping, completion of checklists, periodic case reviews
- devising an appropriate strategy for dealing with the case and giving instructions to staff to undertake the work on the case
- reviewing and updating strategy
- dealing with all routine correspondence and emails relating to the case
- undertaking periodic reviews of the progression of the case

Statutory and Compliance

- case bonding and periodical review of case bonding
- Companies House filings and returns
- advertising of notices

- preparation and delivery of periodic reports to creditors and other stakeholders
- convening and holding general meetings of creditors
- completion and submission of post appointment corporation tax returns
- completion and submission of post appointment VAT returns
- reporting to creditors

Cashiering

- arrange banking facilities
- monthly account reconciliations
- general cashiering
- preparation and maintenance of cashbook and receipts and payments account

This work does not produce any direct financial benefit for creditors but is required by statute and best practice guidelines.

Asset realisations

The work undertaken, which is classified as Asset realisations, for the period of this report is summarized below;

Asset	Estimated statement of affairs (£)	Actual realisations to date (£)	Comments
Cash in hands of accountants	25,619	25,619	This was monies held in the Redman Nichols Butler client account being funds transferred from the company prior to administration.
Cash at bank	uncertain	0	The position regarding the bank account and those of connected companies is yet to be resolved.
Fixtures, fittings and stock	11,740	11,740	Gilbert Baitson LLP, auctioneers and valuers, sold the assets by auction.
Book debts	uncertain	0	Our work in this regard is ongoing. It is understood that monies may be held by the car auction operator.
Connected company loans			Onetwo Ltd has ceased to trade; it has no assets and therefore a return from this source is not anticipated.
Onetwo Ltd	21,786	0	
Sandtoft Car Company Ltd	74,833	0	Sandtoft Car Co Ltd is in liquidation, any return to its' creditors is dependent upon the sale of its trading premises which is on the market for sale.
Directors loan account	8,050	0	Our work in this regard is ongoing.
Bank interest	n/a	26	Administration funds are held in an interest bearing account.

This work may produce financial benefit for creditors and is required by statute and best practice guidelines.

Statement of Insolvency Practice 13 – Acquisition of assets of insolvent companies by directors

Statement of Insolvency Practice 13 provides that I am required to disclose to creditors and members at the first available opportunity after my appointment any transactions with connected parties made after my appointment. In this matter I am not aware of any such transactions.

Investigations

Statement of Insolvency Practice 2 – Investigations by office holders

As part of our duties as Joint Administrators, we are obliged to review shortly after appointment all the information available to us and conduct an initial assessment of whether there are any matters which may lead to

any recoveries for the benefit of creditors. This would typically include any potential claims which may be brought against parties either connected to or who have past dealings with the Company.

I am carrying out the administrator's duty to investigate the affairs of the company to that extent necessary to comply with best practice as provided by the provisions of Statement of Insolvency Practice 2 entitled "investigations by office holders in administrations and insolvent liquidations and the submission of conduct reports by office holders". This review is ongoing.

Company Directors Disqualification Act 1986

I have complied with my duties under the provisions of the Company Directors Disqualification Act 1986. However, I am not able to disclose to creditors the content of my report.

Work completed within this category also includes;

- obtaining and reviewing of the books and records
- invite and review concerns / matters raised by the creditors regarding the director(s) conduct.
- reviewing the books and records to identify any transactions or actions the office holder may take against a third party in order to recover funds for the benefit of creditors
- the general investigation required towards the submission of returns pursuant to the Company Directors Disqualification Act 1986
- submission of returns pursuant to the Company Directors Disqualification Act 1986
- carrying out initial investigations with a view to identifying any potential asset recoveries by seeking and obtaining such information from the company's accountants, solicitors, bank or other third party

This work does not produce any direct financial benefit for creditors but is required by statute and best practice guidelines.

Trading

The company ceased to trade prior to the start of the administration.

Creditors (claims and distributions)

The work undertaken which is classified as Creditors for the period of this report is summarised below

- dealing with correspondence / emails / telephone calls with creditors relating to their claims
- maintaining up to date creditor information
- liaising with the Company's secured creditors
- liaising with the former employees (18) (and The Redundancy Payments Office) regarding their claims and processing of the same.

This work may produce financial benefit for creditors but is required by statute and best practice guidelines.

Costs and expenses of the administration

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 (£)
Redman time costs	Nichols	Butler's	4,982.51
Redman disbursements	Nichols	Butler's	50.00
Solicitors costs			878.00

Remuneration of office holders

A creditors' guide to Insolvency Practitioner's fees is available at www.insolvency-practitioners.org.uk or www.r3.org.uk. A copy of the creditors' guide to Redman Nichols Butler fees and expenses is attached to this report which details my firm's current charge out rates.

Basis of amount of remuneration, who agreed that basis and when

The basis of the Joint Administrators' fees has not yet been fixed.

My firm's time costs in administering this case

My firm's time costs to date in dealing with the proper administration of this administration total £21,698 and for the period of this report total £21,496. An estimated analysis by reference to the types of work carried out on this administration is attached to this report.

The narrative above provides a brief description of the type of work involved in each category.

Fee estimate

No fee estimate has been produced at this stage.

Funds drawn to date on account of remuneration

I have not drawn any funds in respect of my firm's remuneration.

Redman Nichols Butler expenses

Attached to this report is a breakdown of the expenses incurred on behalf of the administration estate. To date, I have not recovered any funds in this regard.

Professionals engaged to assist the administrator to carry out his duties

The following professionals have been engaged to assist me in carrying out my duties in this case: -

Firm	Estimated costs (£)	Costs incurred to date (£)	Costs paid to date (£)	Basis of those fees	Brief description of work carried out & reasons for costs exceeding estimate	Basis of review of reasonableness of fees
Gilbert Baitson LLP	4,275	4,275	4,275	Commission and expense recovery	Valuation and sale of fixtures, fitting and vehicle stock, including resolution and return of third party assets	verified
Jones Cooper Accountants	5,000	Not known	0	Time costs	Accountancy information	n/a
LCF Law	1,500	Not known	0	Time costs	Legal advice as required	n/a

Outcome for creditors

I have attached an Estimated Outcome Statement. Any return to creditors is dependent upon the ongoing assets realisations, in particular any return as a creditor in the liquidation of Sandtoft Car Co Ltd (see above).

The prescribed part

Section 176A of the Insolvency Act 1986 (the prescribed part) does not apply in this case as although there is a floating charge created after 15 September 2003 the secured creditor is not owed any monies.

Dividend prospects for preferential unsecured creditors

Preferential claims relating to unpaid holiday pay and wage arrears were estimated at £15,083 at the start of the proceedings. It is uncertain whether there will be sufficient realisations to pay a dividend to preferential creditors.

Dividend prospects for non-preferential unsecured creditors

Unsecured claims were estimated at £400,478 in the estimated Statement of Affairs. It is uncertain whether there will be sufficient realisations to pay a dividend to preferential creditors.

Company position following the administration

In the event that a distribution is to be made to non preferential unsecured creditors the company will proceed into creditors voluntary liquidation.

Summary of outstanding issues

The following outstanding matters are preventing the case from being closed:

- Realisation of remaining assets
- Agreement and payment of the costs and expenses of the administration, including those of Redman Nichols Butler

Conclusion

This concludes my report on the conduct of this administration. Should any creditor require any further information please contact me.

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



J W Butler
Joint Administrator
12 March 2018

Redman Nichols Butler**TIME & CHARGEOUT SUMMARIES**

Axholme Car Co Ltd

HOURS							
Classification Of work Function	Partner	Manager	Other Senior Professional	Assistants & Support Staff	Total Hours	Time Cost £	Average Hourly Rate £
Administration & Planning	14.27	37.50	0.42	18.78	70.97	16,128.30	227.27
Investigations	0.00	5.83	0.00	0.00	5.83	1,481.66	254.00
Realisation of Assets	1.82	2.75	0.00	0.00	4.57	1,252.65	274.28
Creditors	0.00	1.42	8.67	5.33	15.42	2,835.82	183.95
Trading	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Total Fees Claimed £	4,905.43	12,065.06	2,052.82	2,675.12		21,698.43	
Total Hours	16.08	47.50	9.08	24.12	96.78		
Average Rate	305.00	254.00	226.00	110.92			

CATEGORY 1 + 2 DISBURSEMENTS

Type & Purpose			Amount £
30/08/2017	Category 2 - Printing & Photocopying	Notice of appointment	44.40
30/08/2017	Category 2 - Postage	Notice of appointment	23.40
24/08/2017	Category 2 - Archive Boxes	Archive boxes	155.00
11/09/2017	Category 1 - Legal	Swear fee 15/8/17	5.00
13/09/2017	Category 1 - Advertising	Appointment of Administrator	68.50
14/09/2017	Category 1 - Bordereau	Bordereau	189.60
			485.90

Redman Nichols Butler**TIME & CHARGEOUT SUMMARIES**

Axholme Car Co Ltd

From 15 Aug 2017 to 14 Feb 2018

HOURS							
Classification Of work Function	Partner	Manager	Other Senior Professional	Assistants & Support Staff	Total Hours	Time Cost £	Average Hourly Rate £
Administration & Planning	14.27	37.50	0.42	18.15	70.33	16,023.17	227.82
Investigations	0.00	5.83	0.00	0.00	5.83	1,481.66	254.00
Realisation of Assets	1.82	2.75	0.00	0.00	4.57	1,252.65	274.28
Creditors	0.00	1.42	8.67	4.33	14.42	2,738.82	189.98
Trading	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Total Fees Claimed £	4,905.43	12,065.06	2,052.82	2,472.99		21,496.30	
Total Hours	16.08	47.50	9.08	22.48	95.15		
Average Rate	305.00	254.00	226.00	109.99			

CATEGORY 1 + 2 DISBURSEMENTS

Type & Purpose			Amount £
30/08/2017	Category 2 - Printing & Photocopying	Notice of appointment	44.40
30/08/2017	Category 2 - Postage	Notice of appointment	23.40
24/08/2017	Category 2 - Archive Boxes	Archive boxes	155.00
11/09/2017	Category 1 - Legal	Swear fee 15/8/17	5.00
13/09/2017	Category 1 - Advertising	Appointment of Administrator	68.50
14/09/2017	Category 1 - Bordereau	Bordereau	189.60
			485.90

Axholme Car Co Limited - In Administration
Estimated Outcome Statement
Receipts and payments account for the period 15 August 2017 to 14 February 2018
Date of appointment - 15 August 2017

	Receipts and payments				
Assets:	Estimated				
	Statement of	15/8/2017 to	14/2/2017 to	Future	Total
	Affairs	14/2/2018	date	£	£
	£	£			
Specifically pledged					
Vehicle stock	0	0	0	0	0
Total specifically pledged assets		0		0	0
Not specifically pledged					
Cash in hands of accountants	25,619	25,619	0	0	25,619
Cash at bank	Uncertain	0	0	Uncertain	Uncertain
Fixtures and fittings and stock	11,740	11,740	0	0	11,740
Book debts	Uncertain	0	0	Uncertain	Uncertain
Connected company loan - Onetwo Limited	21,786	0	0	0	0
Connected company loan - Sandtoft Car Company Limited	74,833	0	0	Uncertain	Uncertain
Director's loan Account - BG Lees	8,050	0	0	Uncertain	Uncertain
Bank Interest		28	0	Uncertain	28
VAT - payable		200	0		200
Total not specifically pledged assets		37,587		0	37,587
Balance available for creditors		37,587		0	37,587
Estimated costs of Administration and other expenses					
Accountants fees - Jones Cooper		0		(5,000)	(5,000)
Legal fees - LCF Law		0		(1,500)	(1,500)
Agents fees - Gilbert Bailson		(4,275)		0	(4,275)
Corporation tax		0		0	0
Pre administration costs and expenses - Redman Nichols Butler		0		(5,033)	(5,033)
Pre administration costs and expenses - LCF		0		(875)	(875)
Office holder's remuneration		0		(25,000)	(25,000)
Office holder's expenses		0		(1,000)	(1,000)
Insurance		0		(1,000)	(1,000)
VAT					0
		(4,275)		(39,408)	(43,683)
Balance available for preferential creditors		33,312		(39,408)	(6,096)
Preferential Creditors		0		(15,083)	(15,083)
Balance available for floating charge holder		33,312		(54,490)	(21,178)
Less prescribed part		0		0	0
Balance available for floating charge holder		33,312		(54,490)	(21,178)
Floating charge holder					
Barclays Bank plc	0	0		0	0
Balance available for unsecured creditors		33,312		(54,490)	(21,178)
Unsecured creditors					
Add back prescribed part		0		0	0
Trade & other unsecured creditors		0		(376,925)	(376,925)
Employees				(23,299)	(23,299)
Consumer creditors				(254)	(254)
		0		(400,478)	(400,478)

A creditor's guide to the fees and disbursements charged by Redman Nichols Butler

Insolvency Practitioner's Fees

Where it has been agreed by a resolution of creditors or the creditors' committee that the office holders' remuneration will be calculated by reference to the time properly given by the office holder and his staff in attending to matters arising in the administration of the insolvency estate, at the following hourly charge out rates:-

Grade	Rate (£) to 30 April 2014	Rate (£) from 1 May 2014
Partner	280	305
Senior Manager	250	278
Manager	230	254
Assistant Manager	205	226
Administrator	155	166
Support staff	90	97

These rates are our current hourly charge out rates and are exclusive of value added tax. Our charge-out rates are reviewed periodically and creditors will be advised of any alteration thereto. Time is recorded in one minute units.

Disbursements of Redman Nichols Butler

From time to time, we will incur disbursements on behalf of insolvent estates. The reimbursement of these disbursements will be a charge against the insolvent estate to which they relate. These disbursements can be split into two categories, Category 1 and Category 2.

Category 1 disbursements are disbursements which are directly referable to the insolvent estate and relate to a payment to an independent third party. We seek to recover these types of disbursement. Approval is not required to recover these disbursements and these include insolvency bonds, advertising, company searches and post redirection orders.

Category 2 disbursements are directly referable to the insolvent estate in question but the payment is not to an independent third party. They may include shared or allocated costs that can be allocated to the insolvent estate on a proper and reasonable basis, for example, business mileage. These disbursements are recoverable in full from the estate, subject to the basis of the disbursement charge being approved by creditors in advance.

Category 2 disbursements are recharged at the following rates:

Mileage	45 pence per mile
Printing & Photocopying	10 pence per sheet
Postage	Prevailing rates
Archive boxes	£5 per box

The charges above are subject to annual increments and creditors will be advised of these in future circulars.

From time to time we instruct a firm of agents, Ulllyotts, to act for the insolvent estate. Ulllyotts are an associated business. Where Ulllyotts are instructed, their fees will either be charged by reference to time costs properly incurred, calculated in one minute units at an hourly rate of between £150 ~ £225, plus their disbursements, or on a percentage basis. These costs are typical of agents in this geographical area.

A guidance note and further information in relation to office holders' fees is available at www.R3.org.uk or www.insolvency-practitioners.org.uk/regulation-and-guidance/guides-to-fees.