The Insolvency Act 1986

# 2.35B

# Notice of move from administration to dissolution

Name of Company

Paxton Restoration Limited

Company number

04713191

S11 9PS

High Court of Justice, Chancery Division, Manchester District Registry

(full name of court)

Court case number 2706 of 2014

(a) Insert full name(s)and address(es) of administrator(s) I/We (a) Kelly Burton The Manor House 260 Ecclesall Road South Sheffield

Lisa Jane Hogg The Manor House 260 Ecclesall Road South Sheffield S11 9PS

(b) Insert name and address of registered office of company

having been appointed administrator(s) of (b) Paxton Restoration Limited Wilson Field The Manor House 260 Ecclesall Road South Sheffield

(c) Insert date of appointment

on (c) 13 June 2014

by (d) High Court of Justice, Chancery Division, Manchester District Registry

(d) Insert name of appointor

hereby give notice that the provisions of paragraph 84(1) of Schedule B1 to the Insolvency Act 1986 apply

I/We attach a copy of the final progress report

Signed

Joint / Administrator(s

Dated

# **Contact Details:**

You do not have to give any contact information in the box opposite but if you do, it will help Companies House to contact you if there is a query on the

The contact information that you give will be visible to searchers of the public record

Companies House receipt date barcode

Wilson Field Limited The Manor House 260 Ecclesall Road South Sheffield S11 9PS

**DX Number** 

01142356780

DX Exchange

Companies House, Crown Way, Cardiff CF14 3UZ DX 33050 Cardiff



28/11/2015 COMPANIES HOUSE

# In the matter of Paxton Restoration Limited ("the Company")

# And

In the matter of The Insolvency Act 1986 as amended by The Enterprise Act 2002

# Joint Administrators' final progress report to members and creditors

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# 1 Introduction

This report details any material changes from the last report and covers the period 30 May 2015 to 25 November 2015. Attached at Appendix A is a R&P for the same period together with a cumulative report since my appointment.

This report should be read in conjunction with the Joint Administrators' proposals for achieving the purpose of the Administration ("the Proposals") which were circularised to all known creditors on 10 July 2014, together with the Joint Administrators' first progress report dated 9 January 2015 and second progress report dated 29 May 2015

This report is prepared on an exception basis detailing only material changes from the last report

# 2. Company and Joint Administrators' Details

Company name Paxton Restoration Limited

Registered address c/o Wilson Field Limited, The Manor House, 260 Ecclesall

Road South, Sheffield, S11 9PS

Other trading names of the Company None

140

Company number 04713191

Name of Court High Court of Justice, Chancery Division, Manchester

District Registry

Court reference number 2706 of 2014

Name of Joint Administrators Kelly Burton and Lisa Jane Hoggof Wilson Field Limited,

The Manor House, 260 Ecclesall Road South, Sheffield,

S11 9PS

Date of Joint Administrators' appointment 13 June 2014

Persons making appointment/application The director of the Company pursuant to Paragraph 22 of

Schedule B1 to the Insolvency Act 1986

Change in Office Holder There has been no change in Office Holder during the

Administration term

Acts of the Joint Administrators The Joint Administrators act as officers of the Court and

as agents of the Company without personal liability. Any act required or authorised under any enactment to done by an Administrator may be done by any one or more persons holding the office of Administrator from time to

time

Term of office The Joint Administrators term of office was extended for a

further 12 months until 12 June 2016

# 3. The Proposals

As previously advised, the Joint Administrators must perform their functions with the purpose of achieving one of the following objectives

- rescuing the Company as a going concern,
- 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

In this instance, the first objective of rescuing the Company as a going concern will not be achieved due to the extent of the Company's insolvency

The Joint Administrators considered the second objective of Administration, that is achieving a better result for the Company's creditors as a whole than would be likely if the Company were would up (without first being in Administration), could be achieved on the basis that in addition to the consideration for the sale of the Company's business and assets, the Joint Administrators were expecting £3,485 to be realised from the Company's book debt ledger. Subsequently the paucity of records, together with difficulties in collecting the outstanding ledger, lead to realisations reaching the estimated levels. As a result, realisations of the Company's assets are considerably lower than initial estimates meaning that the second objective of Administration could not be achieved, as there are insufficient realisations to enable a distribution to unsecured creditors of the Company.

Notwithstanding the above, the third objective of Administration which is realising property in order to make a distribution to one or more secured or preferential creditors has been achieved. This is on the basis that Hitachi Capital (UK) Plc t/c Hitachi Capital Invoice Finance ("Hitachi") applied a termination fee following the Joint Administrators' appointment and collected debts subject to their invoice finance agreement with the Company in order to discharge this fee. As a result, Hitachi has received a distribution under its fixed charge via the collection of book debts subject to their invoice finance facility with the Company, thus satisfying the third objective of Administration.

# 4. Progress during the Period

Attached at Appendix A to this report is a R&P for Period and a cumulative account which provides details since my appointment

During the Period, bank interest of 68p has accrued on funds held. There have been no further realisations during the Period.

# 5. Assets that remain to be realised

I would confirm that all assets have now been realised and the cumulative R&P at Appendix A reflects the final position on both realisations achieved and payments discharged during the course of the Administration

# 6. Investigations

In accordance with the Company Directors Disqualification Act 1986 I have submitted a report on the conduct of the directorsof the Company to the Department for Business Innovation & Skills (BIS) As this is a confidential report, I am not able to disclose the contents due to the confidentially imposed by the BIS

Shortly after appointment, I made an initial assessment of whether there could be any matters that might lead to recoveries for the estate and what further investigations may be appropriate. This assessment took into account information provided by creditors as a response to my request to complete an investigation questionnaire.

As previously reported, my investigations highlighted various transactions to the director and potential preference payments which required further investigation. On review of the records in hand, it appears that there is insufficient information to clarify these transactions. I requested clarification of these payments from

the director, who has advised that he was obtaining the relevant information from his accountant. Despite numerous requests to the director, no response has been received in light of the above.

The Joint Administrators subsequently conducted a financial circumstances review to see if the director had sufficient means to warrant the Joint Administrators pursuing these matters further. However on review of the means of the director to meet any claim against him, it was concluded that there would be no financial benefit to the Company's creditors to pursue these matters further. Therefore the Joint Administrators decided that it would not be cost effective or beneficial to pursue this matter any further.

I confirm that my statutory investigations into the Company's affairs have now concluded

# 7. Creditors and Distributions

# **Secured Creditors**

IGF Invoice Finance Limited ("IGF") registered a fixed and floating charge debenture on 21 July 2009 IGF have confirmed to the Joint Administrators on 27 July 2014 that their indebtedness has been paid in full and have taken steps to remove their charge

Hitachi registered a fixed and floating charge debenture on 28 April 2012 to secure its lending to the Company via an invoice finance facility. Hitachi have been repaid in full under its fixed charge via collection of debts subject to the facility.

## Preferential Claims

There have been no preferential claims received to date and none are expected as the Company had no employees and operated with sub-contractors

## Prescribed part

Within in Insolvency Act 1986 there are provisions for a fund, called the Prescribed Part, to be set aside for distribution to the unsecured creditors. The fund is calculated on the net realisations of the assets subject to a floating charge contained in a debenture created on or after 15 September 2003 and the implementation of the Enterprise Act 2002. In this instance, the qualifying floating charges are dated 21 July 2009 and 28 April 2012 respectively, therefore these provisions will apply

However, as the floating charge holders, IGF and Hitachi have been repaid in full under its fixed charge, there are no realisations subject to a floating charge and therefore the Prescribed Part provisions will not apply

### **Unsecured Claims**

The statement of affairs estimated that unsecured creditors would amount to £62,619

Six unsecured creditor claims have been received to date totalling £64,544, leaving six creditors who have not lodged a claim in the Administration

Claims have been formally agreed, however, there are insufficient funds to enable a distribution to unsecured creditors in any event

# 8. Joint Administrators' Remuneration & Disbursements

### Pre-Administration costs

On 7 August 2014, creditors approved the Joint Administrators pre-administration costs of £27,374. Funds of £5,467 have been drawn in accordance with this resolution.

## Post-Administration costs

In accordance with Rule 2 106, the creditors have agreed to the Joint Administrators' remuneration being based on time properly given by the Joint Administrators and their staff in attending to matters arising in the Administration

The Joint Administrators' time costs for the Period are £7,323. This comprises 24 hours at an average charge out rate of £302 per hour. Attached as Appendix B is a time analysis which provides details of the activity costs, incurred by staff grade, during the Period, in respect of the costs fixed by reference to time properly spent by me and my staff in managing the Administration. Also attached as Appendix B is a cumulative time analysis for the period from 13 June 2014 to 25 November 2015 which provides details of my time costs since appointment.

Please note that this firm records its time in minimum units of 6 minutes

Due to insufficient realisations, I have not drawn any fees on account of post-appointment remuneration

A copy of 'A guide to Administrator's fees' is available at the following website link, http://www.icaew.com/en/technical/insolvency/creditors-guides however a hard copy is available on request

A schedule of our charge out rates was issued to creditors at the time the basis of the Joint Administrators' remuneration was approved. Attached at Appendix C are details of this firm's charge out rates which have been applied with effect from 1 November 2014.

Also attached at Appendix C is additional information in relation to our policy on staffing, the use of sub-contractors and disbursements

During the Period, no further Category 2 disbursements have been drawn

# 9. Joint Administrators' expenses

During the Period, the following expenses have been incurred. The attached R&P details any payments made within the Period and the table below shows cumulative amounts incurred/paid to date.

Supplier/Service provider	Nature of expense incurred	Amount incurred to date £	Paid to date	Amount outstanding £
Freeth Solicitors	Legal costs relating to placing the Company into Administration	297	297	Nil
Total		297	297	Nil

# 10. Creditors' Rights

Within 21 days of the receipt of this report, a secured creditor, or an unsecured creditor (with the concurrence of at least 5% in value of the unsecured creditors) may request in writing that the Joint Administrators provide further information about their remuneration or expenses which have been itemised in this progress report

Any secured creditor, or an unsecured creditor (with the concurrence of at least 10% in value of the unsecured creditors) may within 8 weeks of receipt of this progress report make an application to Court on the grounds that, in all the circumstances, the basis fixed for the Joint Administrators" remuneration is inappropriate and/or the remuneration charged or the expenses incurred by the Joint Administrators, as set out in this progress report, are excessive

# 11. Conclusion

In accordance with the Proposals sent to creditors on 10 July 2014, the Company will be struck off from the Companies Register under the dissolution rule provided under paragraph 84 of Schedule B1 of the Insolvency Act 1986

The Joint Administrators will be discharged from liability under Paragraph 98(3) of Schedule B1 to the Insolvency Act 1986 immediately upon their appointment as Joint Administrator ceasing to have effect

Yours faithfully

以 Burton

point Administrator

Acting as agent of the company without personal liability

Enc

Kelly Burton and Lisa Jane Hogg of Wilson Field Ltd were appointed Joint Administrators to Paxton Restoration Limited on 13 June 2014 The affairs, business and property of the Company are being managed by the Joint Administrators without personal liability

# Paxton Restoration Limited (In Administration) Joint Administrators' Abstract of Receipts & Payments

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Kelly Burton
Joint Administrator

# Paxton Restoration Limited - In Administration Appendix B

Time analysis in accordance with SIP 9

Version 15-01-14

# Time Entry - Detailed SIP9 Time & Cost Summary

PAXT01A - Paxton Restoration Limited From 30/05/2015 To 25/11/2015 Project Code POST

Classification of Work Function	Directors & IP's	Manager & Seruor Administrator	Administrators	Assistants & Support Staff	Total Hours	Time Cost (£)	Average Hourly Rate (£)
ADCA Cashiefing	9						(7) 2000
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Admin and Planning	09 0	4 20	6.30	150	12.60	3,853 60	305 83
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KEN'B Property business and Asset Sales	000	000	080	88	080	1,080 00 240 00	9000
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						An area!	8

# Time Entry - Detailed SIP9 Time & Cost Summary

PAXT01A - Paxton Restoration Limited From 13/06/2014 To 25/11/2015 Project Code POST

Classification of Work Function	Directors & IP's	Manager & Senor Administrator	Administrators	Assistants & Support Staff	Total Hours	Time Cost (£)	Average Hourty Rate (5)
ADAP Appointment	5-						(m) com
ADCA Cashiering	3 2	900	80	800		00 009	400 00
ADCR Case Reviews	8 5	2	230	680	130	2 753 50	243 67
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Total Hours	7 30	086	114 30	16.20	147 60	38,388 50	260 08

# ${\bf Paxton} \ {\bf Restoration} \ {\bf Limited-In} \ {\bf Administration}$

# Appendix D

Additional information in relation to Administrators fees pursuant to SIP 9 including Wilson Field Limited charge out rates and disbursements policy

# Appendix D

Additional information in relation to Administrators fees pursuant to SIP 9 including Wilson Field Limited charge out rates and disbursements policy

Detailed below is Wilson Field Limited's policy in relation to

- Staff allocation and the use of subcontractors
- Professional advisors
- Disbursements

## 1 1 Staff allocation and the use of subcontractors

Our general approach to resourcing our assignments is to allocate staff with the skills and experience to meet the specific requirements of the case

The constitution of the case team will usually consist of an IP/Director, Assistant Manager, Senior Administrator and/or Administrator and Secretarial and/or Support staff. The exact constitution of the case team will depend on the anticipated size and complexity of the assignment and additional staff may be allocated to meet the demands of the case.

We are not proposing to utilise the services of any sub-contractors in this case

## 12 Professional advisors

On this assignment we have used the professional advisors listed below. We have also indicated alongside, the basis of our fee arrangement with them, which is subject to review on a regular basis.

Service (s)	Provider	Basis of fee arrangement
Legal costs relating to the formalities of placing the Company into Administration	Freeth Cartwright	Time Cost Basis
Valuation and sale of assets	Winterhill Largo	Time Cost Basis

Our choice was based on our perception of their experience and ability to perform this type of work, the complexity and nature of the assignment and the basis of our fee arrangement with them

### 13 Disbursements

## **Disbursements**

Category 1 disbursements do not require approval by creditors. The type of disbursements that may be charged as a Category 1 disbursement to a case generally comprise of external supplies of incidental services specifically identifiable to the case, such as postage, case advertising, invoiced travel and external printing, room hire and document storage. Also chargeable will be any properly reimbursed expenses incurred by personnel in connection with the case

Category 2 disbursements do require approval from creditors These are costs which are directly referable to the appointment in question but are not payments which are made to an independent third party and may include shared or allocated costs that can be allocated to the appointment on a proper and reasonable basis such as internal room hire, document storage or business mileage

Details of Category 2 disbursements incurred on this case are listed within the main body of the report

# Charge-out rates

A schedule of Wilson Field Limited' charge-out rates are detailed on the next page

# WILSON FIELD LIMITED CHARGE OUT RATES AND DISBURSEMENT POLICY

In accordance with Statement of Insolvency Practice 9 ("SIP 9") covering fees and disbursements, we are required to disclose to you our policy for recovering non-specific disbursements, and the charge out rates for the various grades of staff who may be involved in this case

## Remuneration

The office holder(s) will seek approval from creditors to draw remuneration on a time cost basis, in accordance with the rates detailed below

	Hourly charge out rate (£)	
Grade	01/02/2014 to 31/10/2014	01/11/2014 onwards
Director/Insolvency Practitioner	350-500	500
Manager	260-400	400
Assistant Manager	N/A	395
Team Leader	N/A	390
Senior Administrator	240	330
Administrator (1-5 years experience)	120-240	230-300
Secretarial & Support	100-130	130

All time is recorded in 6 minute units

# **Category 1 Disbursements**

In accordance with SIP 9, these do not require the approval of creditors and are costs where there is specific expenditure directly referable both to the appointment in question and a payment to an independent third party These may include advertising, room hire, insurance, travel expenses etc

## Category 2 Disbursements

In accordance with SIP 9, these require the prior approval of creditors

Category 2 disbursements are charged in accordance with the liquidator's prevailing recovery policy at the time the disbursement is incurred. The rates applicable from 1 November 2014 are detailed below

Disbursement	Charge	
Search fees	£10 per document	On appointment
Document Upload Centre charge	£150	On appointment
Room Hire where meeting held at Wilson Field office	£100	On appointment (where appropriate)
Mileage	45p per mile	On appointment (where appropriate)
Postage, stationery, photocopying etc	£10 per member and creditor per year	On appointment and annually
Insolvency software fee	£150 per year	On appointment and annually
Storage of books and records	£80 per box per year	Once records are logged and then annually

In common with all professional firms, our charge out and disbursements rates increase from time to time. We reserve the right to change the rates without prior notice to you. Any change will be reported in the next statutory report to creditors.