

AM23

Notice of move from administration to dissolution



Companies House

For further information, please
refer to our guidance at
www.gov.uk/companieshouse

1 Company details

Company number 0 5 6 9 9 1 1 0

Company name in full Kasterlee UK Limited

→ Filling in this form

Please complete in typescript or in
bold black capitals.

2 Court details

Court name High Court of Justice, Business & Property Courts,
Insolvency & Companies List

Court number C R - 2 0 2 0 - 0 0 2 7 5 5

3 Administrator's name

Full forename(s) James Robert

Surname Bennett

4 Administrator's address

Building name/number 15 Canada Square

Street Canary Wharf

Post town London

County/Region

Postcode E 1 4 5 G L

Country

AM23

Notice of move from administration to dissolution

5		Administrator's name ①	
Full forename(s)	Stephen John		① Other administrator Use this section to tell us about another administrator.
Surname	Absolom		
6		Administrator's address ②	
Building name/number	15 Canada Square		② Other administrator Use this section to tell us about another administrator.
Street	Canary Wharf		
Post town	London		
County/Region			
Postcode	E 1 4 5 G L		
Country			
7		Final progress report	
		<input checked="" type="checkbox"/> I have attached a copy of the final progress report	
8		Sign and date	
Administrator's signature	Signature 		
Signature date	d 1 4 m 0 6 y 2 0 y 2 1		

**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 **Kerry O'Sullivan**

Company name **Interpath Advisory**

Address **15 Canada Square**

Canary Wharf

Post town **London**

County/Region

Postcode **E 1 4 5 G L**

Country

DX

Telephone **Tel +44 (0) 203 989 2800**

**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

Joint
Administrators'
final progress
report for the
period 16
December 2020
to 10 June 2021

Kasterlee UK Limited - in
Administration

14 June 2021

Deemed delivered: 14 June 2021

Notice to creditors

Please note that KPMG LLP sold its Restructuring practice in the UK to Interpath Ltd ('Interpath Advisory') on 4 May 2021. This will not have an impact on your day to day dealings or the administration of the Company and your case contacts remain the same. Please note that the contact details for your primary case contacts may have changed, please check the insolvency portal at www.ia-insolv.com/case+INTERPATH+CK605E3126.html for our latest contact details.

This progress report provides a final update on the administration of the Company.

We have included (Appendix 2) an account of all amounts received, and payments made since our previous progress report.

We have also explained the exit route from the administration and the outcome for each class of creditors.

You will find other important information in the document such as the costs we have incurred.

A glossary of the abbreviations used throughout this document is attached (Appendix 6).

Finally, we have provided answers to frequently asked questions and a glossary of insolvency terms on the following website, www.ia-insolv.com/case+INTERPATH+CK605E3126.html. We hope this is helpful to you.

Please also note that an important legal notice about this report is attached (Appendix 7).

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1 Executive summary

This final progress report covers the period from 16 December 2020 to 10 June 2021.

After surrendering the lease on the property, our strategy was to maximise asset realisations and pay a dividend to the preferential creditors. The last remaining book debt was received in the period bringing total realisations to £142,757 (Section 2 - Progress to date).

We are not aware of any secured claims against the Company (Section 3 – Outcome for creditors).

A dividend of 16.5p in the £ was paid to preferential creditors in the period (Section 3 – Outcome for creditors).

There were insufficient funds available to enable a distribution to the unsecured creditors (Section 3 – Outcome for creditors).

We have filed a copy of this final progress report with the Registrar of Companies together with the requisite notice. The administration will cease to have effect when the Registrar of Companies registers these documents. The Company will be dissolved three months after that date.

Please note: you should read this progress report in conjunction with our previous progress report(s) and proposals issued to the Company's creditors. www.ia-insolv.com/case+INTERPATH+CK605E3126.html. Unless stated otherwise, all amounts in this progress report and appendices are stated net of VAT.



James Bennett
Joint Administrator

2 Progress to date

This section provides a final update on the strategy for the administration and on the progress made. It follows the information provided in our previous progress report.

2.1 Strategy and progress to date

Strategy

As advised in our proposals, it was not feasible to trade the hotel in administration or to obtain value from the leasehold property. Therefore our strategy has focused on maximising other asset realisations, agreeing preferential claims and paying a dividend to the preferential creditors.

A number of the Company's former employees are pursuing a claim via the South London Employment Tribunal. These claims are yet to be determined. However, as any award made will rank as an unsecured claim against the Company, and there are no further assets to distribute, we have determined that the administration can be concluded. In the event that the employment tribunal makes an award, this will be provided to the Redundancy Payments Service.

2.2 Asset realisations

Realisations during the period are set out in the attached receipts and payments account (Appendix 2).

Summaries of the most significant realisations during the period are provided below.

Debtors

The last remaining book debt of £4,875 was collected in the period.

Investigations

We reviewed the affairs of the Company to find out if there were any actions which could be taken against third parties to increase recoveries for creditors. No such actions were identified.

We have complied with the relevant statutory requirements by submitting the online director conduct assessment to the Department for Business, Energy and Industrial Strategy. The contents of our submission are confidential.

2.3 Costs

Payments made in this period are set out in the attached receipts and payments account (Appendix 2).

The most significant payment made during the period is provided below.

Administrators' pre-administration fees

We have settled our pre-administration fees of £20,000, as approved by the creditors.

2.4 Schedule of expenses

We have detailed the costs incurred during the period in the schedule of expenses attached (Appendix 3).

Administrators' fees

We have incurred time costs of £47,817 during the period, however no further fees will be drawn.

3 Outcome for creditors

3.1 Secured creditors

We are not aware of any secured claims against the company.

3.2 Preferential creditors

The preferential claims have been agreed at £54,714.

A first and final dividend to preferential creditors of 16.5p in the £ was declared on 1 June 2021 and paid during the period.

3.3 Unsecured creditors

There were insufficient funds to pay a dividend to the unsecured creditors.

4 Joint Administrators' remuneration and expenses

Time costs

From 16 December 2020 to 10 June 2021, we have incurred time costs of £47,817. These represent 128 hours at an average rate of £373 per hour.

Remuneration

During the period, we have drawn remuneration of £83,500.

Administrators' expenses

During the period, we have incurred expenses of £28. None of these have been paid.

Additional information

We have attached (Appendix 4) an analysis of the time spent, the charge-out rates for each grade of staff and the expenses paid directly by Interpath for the period from 16 December 2020 to 10 June 2021. We have also attached our charging and expenses policy.

5 Conclusion of the administration

We have filed a copy of this final progress report with the Registrar of Companies together with the requisite notice.

The administration will cease to have effect when the Registrar of Companies registers these documents. The Company will be dissolved three months after that date.

We will be discharged from liability in respect of any action of ours as Joint Administrators on filing the final progress report with the Registrar of Companies.

Appendix 1 Statutory information

Company information

Company name	Kasterlee UK Limited
Date of incorporation	6 February 2006
Company registration number	05699110
Present registered office	15 Canada Square, Canary Wharf, London, E14 5GL

Administration information

Administration appointment	The administration appointment granted in High Court of Justice, Business & Property Courts, Insolvency & Companies List, 2755 of 2020
Appointor	Directors
Date of appointment	16 June 2020
Joint Administrators' details	James Bennett and Steve Absolom
Functions	The functions of the Joint Administrators have been exercised by them individually or together in accordance with Paragraph 100(2).
Current administration expiry date	15 June 2021

Appendix 2

Joint Administrators' receipts and payments account

Kasterlee UK Limited - in Administration			
Abstract of receipts & payments			
Statement of affairs (£)		From 16/12/2020 To 10/06/2021 (£)	From 16/06/2020 To 10/06/2021 (£)
ASSET REALISATIONS			
45,632.00	Plant & machinery	NIL	20,000.00
7,232.00	Stock	NIL	1,250.00
81,830.00	Book debts	4,874.50	19,482.14
102,025.00	Cash at bank and in hand	NIL	102,025.13
		4,874.50	142,757.27
COST OF REALISATIONS			
	Administrators' pre-administration fees	(20,000.00)	(20,000.00)
	Administrators' fees	(83,500.00)	(83,500.00)
	Irrecoverable VAT	NIL	(2,332.84)
	Agents'/Valuers' fees	NIL	(16,591.70)
	Books and records destruction	NIL	(6,941.70)
	Legal fees	NIL	(750.00)
	Consultancy fees	NIL	(603.72)
	Statutory advertising	NIL	(79.00)
	Other property expenses - security	NIL	(2,387.36)
	Insurance of assets	NIL	(478.24)
	Wages & salaries	NIL	(66.89)
		(103,500.00)	(133,731.45)
PREFERENTIAL CREDITORS			
	Subrogated EP(C)A claim	(5,222.32)	(5,222.32)
(16,000.00)	Employees' wage arrears	NIL	NIL
	Employees' holiday pay	(3,803.50)	(3,803.50)
		(9,025.82)	(9,025.82)
UNSECURED CREDITORS			
(2,848,806.00)	Trade & expense	NIL	NIL
(164,000.00)	Employees	NIL	NIL
(66,012.00)	Corp tax etc/nonpref PAYE	NIL	NIL
		NIL	NIL
(2,858,099.00)		(107,651.32)	NIL

Kasterlee UK Limited - in Administration**Abstract of receipts & payments**

	From 16/12/2020 To 10/06/2021 (£)	From 16/06/2020 To 10/06/2021 (£)
Statement of affairs (£)		

REPRESENTED BY

Floating ch. VAT rec'able	23,467.11
Floating ch. VAT payable	(4,000.00)
Floating ch. VAT control	(19,467.11)
	<hr/>
	NIL
	<hr/>

Appendix 3 Schedule of expenses

Cost of realisations

Administrators' fees	0.00	47,816.95	47,816.95
TOTAL	0.00	47,816.95	47,816.95

Requests for further information and right to challenge our remuneration and expenses

Creditors' requests for further information

If you would like to request more information about our remuneration and expenses disclosed in this progress report, you must do so in writing within 21 days of receiving this progress report.

Requests from unsecured creditors must be made with the concurrence of at least 5% in value of unsecured creditors (including, the unsecured creditor making the request) or with the permission of the Court.

Creditors' right to challenge our remuneration and expenses

If you wish to challenge the basis of our remuneration, the remuneration charged, or the expenses incurred during the period covered by this progress report, you must do so by making an application to Court within eight weeks of receiving this progress report.

Applications by unsecured creditors must be made with concurrence of at least 10% in value of unsecured creditors (including the unsecured creditor making the challenge) or with the permission of the Court.

The full text of the relevant rules can be provided on request by writing to Kerry O'Sullivan on 15 Canada Square, Canary Wharf, London, E14 5GL.

Appendix 4 Joint Administrators' charging and expenses policy

Joint Administrators' charging policy

The time charged to the administration is by reference to the time properly given by us and our staff in attending to matters arising in the administration. This includes work undertaken in respect of in-house Interpath Advisory tax, VAT and employee specialists.

Our policy is to delegate tasks in the administration to appropriate members of staff considering their level of experience and requisite specialist knowledge, supervised accordingly, so as to maximise the cost effectiveness of the work performed. Matters of particular complexity or significance requiring more exceptional responsibility are dealt with by senior staff or us.

A copy of "A Creditors' Guide to Joint Administrators' Fees" from Statement of Insolvency Practice 9 ('SIP 9') produced by the Association of Business Recovery Professionals is available at:

<https://www.r3.org.uk/technical-library/england-wales/technical-guidance/fees/more/29113/page/1/guide-to-administrators-fees/>

If you are unable to access this guide and would like a copy, please contact Kerry O'Sullivan on 0203 989 2789.

Hourly rates

Set out below are the relevant charge-out rates per hour worked for the grades of our staff actually or likely to be involved on this administration. Time is charged by reference to actual work carried out on the administration; using a minimum time unit of six minutes.

All staff who have worked on the administration, including cashiers and secretarial staff, have charged time directly to the administration and are included in the analysis of time spent. The cost of staff employed in central administration functions is not charged directly to the administration but is reflected in the general level of charge-out rates.

Table of charge-out rates

Partner	690
Director	620
Senior Manager	560
Manager	467
Senior Administrator	325
Administrator	236
Support	147

Policy for the recovery of expenses

We have recovered neither Category 1 nor Category 2 expenses from the estate.

For the avoidance of doubt, such expenses are defined within SIP 9 as follows:

Expenses: These are any payments which are neither an office holder's remuneration nor a distribution to a creditor or a member. Expenses also includes disbursements which are payments first met by the office holder, and then reimbursed to the office holder from the estate.

Category 1 expenses: These are payments to persons providing the service to which the expense relates who are not an associate of the office holder. These may include, for example, advertising, room hire, storage, postage, telephone charges, travel expenses, and equivalent costs reimbursed to the officeholder or his or her staff.

Category 2 expenses: These are payments to associates or which have an element of shared costs. They may include shared or allocated costs that can be allocated to the appointment on a proper and reasonable basis, for example, business mileage.

Category 2 expenses charged by Interpath Advisory include mileage. This is calculated as follows:

Mileage claims fall into three categories:

Use of privately-owned vehicle or car cash alternative – 45p per mile.

Use of company car – 60p per mile.

Use of partner's car – 60p per mile.

For all of the above car types, when carrying Interpath passengers an additional 5p per mile per passenger will also be charged where appropriate.

We have incurred the following expenses (excluding VAT) during the period 16 December 2020 to 10 June 2021.

External printing	25.70	NIL	25.70
Postage	2.05	NIL	2.05
Total	27.75	NIL	27.75

We have the authority to pay Category 1 expenses without the need for any prior approval from the creditors of the Company.

Category 2 expenses have been approved in the same manner as our remuneration.

Narrative of work carried out for the period 16 December 2020 to 10 June 2021

The key areas of work have been:

Statutory and compliance	preparing statutory receipts and payments accounts; arranging bonding and complying with statutory requirements; dealing with all closure related formalities; ensuring compliance with all statutory obligations within the relevant timescales.
Strategy documents, Checklist and reviews	formulating, monitoring and reviewing the administration strategy; briefing of our staff on the administration strategy and matters in relation to various work-streams; reviewing and authorising junior staff correspondence and other work; dealing with queries arising during the appointment; reviewing matters affecting the outcome of the administration; allocating and managing staff/case resourcing and budgeting exercises and reviews; complying with internal filing and information recording practices, including documenting strategy decisions.
Cashiering	preparing and processing vouchers for the payment of post-appointment invoices; creating remittances and sending payments to settle post-appointment invoices; reconciling post-appointment bank accounts to internal systems; ensuring compliance with appropriate risk management procedures in respect of receipts and payments.
Tax	analysing VAT related transactions; reviewing the Company's duty position to ensure compliance with duty requirements; dealing with post appointment tax compliance.
General	reviewing time costs data and producing analysis of time incurred which is compliant with Statement of Insolvency Practice 9; drawing remuneration in accordance with the basis which has been approved by the creditors.
Asset realisations	collating information from the Company's records regarding the assets; reviewing outstanding debtors and management of debt collection strategy.
Employees	dealing with queries from employees regarding various matters relating to the administration and their employment; dealing with statutory employment related matters, including statutory notices to employees and making statutory submissions to the relevant government departments; communicating and corresponding with HM Revenue and Customs; dealing with issues arising from employee redundancies, including statutory notifications and liaising with the Redundancy Payments Office; managing claims from employees.
Creditors and claims	creating and updating the list of unsecured creditors; responding to enquiries from creditors regarding the administration and submission of their claims; reviewing completed forms submitted by creditors, recording claim amounts and maintaining claim records; agreeing preferential claims; arranging distributions to the preferential creditors; drafting our progress reports.

Time costs

General (Cashiering)	4.15	1,373.15	330.88
Reconciliations (& IPS accounting reviews)	1.05	413.95	394.24
Fees and WIP	8.50	3,717.70	437.38

SIP 9 –Time costs analysis (16/12/2020 to 10/06/2021)

	Hours	Time Cost (£)	Average Hourly Rate (£)
Statutory and compliance			
Checklist & reviews	4.90	1,990.10	406.14
Closure and related formalities	3.30	1,437.50	435.61
Statutory receipts and payments accounts	0.10	32.50	325.00
Strategy documents	4.60	2,129.70	462.98
Tax			
Post appointment corporation tax	5.35	1,987.95	371.58
Post appointment VAT	11.10	3,934.10	354.42
Creditors			
Creditors and claims			
Agreement of preferential claims	17.00	7,768.60	456.98
General correspondence	11.10	3,621.70	326.28
Payment of dividends	2.90	1,911.80	659.24
Statutory reports	25.20	8,942.60	354.87
Employees			
Correspondence	27.25	7,974.70	292.65
Realisation of assets			
Asset Realisation			
Debtors	1.70	580.90	341.71
Total in period	128.20	47,816.95	372.99
Brought forward time (appointment date to SIP 9 period start date)	568.90	194,831.40	
SIP 9 period time (SIP 9 period start date to SIP 9 period end date)	128.20	47,816.95	
Carry forward time (appointment date to SIP 9 period end date)	697.10	242,648.35	

All staff who have worked on this assignment, including cashiers and secretarial staff, have charged time directly to the assignment and are included in the analysis of time spent. The cost of staff employed in central administration functions is not charged directly to the assignment but is reflected in the general level of charge out rates.

All time shown in the above analysis is charged in units of six minutes.

Appendix 5 Summary of Joint Administrators' proposals

Due to the Company's immediate liquidity crisis and inability to secure a deal with the landlord, rescuing the Company in accordance with Paragraph 3(1)(a) is not achievable.

Therefore, our primary objective is to achieve a better result for the Company's creditors as a whole than would be likely if the Company were wound up, in accordance with Paragraph 3(1)(b).

In addition to the specific itemised proposals below, this document in its entirety constitutes our proposals.

We propose the following:

General matters

to continue to do everything that is reasonable, and to use all our powers appropriately, in order to maximise realisations from the assets of the Company in accordance with the objective as set out above;

to investigate and, if appropriate, to pursue any claims the Company may have;

to seek an extension to the administration period if we consider it necessary.

Distributions

to make distributions to the unsecured creditors if funds become available, and to apply to the Court for authority to do so, where applicable.

Ending the administration

We might use any or a combination of the following exit route strategies in order to bring the administration to an end:

place the Company into creditors' voluntary liquidation. In these circumstances we propose that we, James Bennett and Steve Absolom, be appointed as Joint Liquidators of the Company without any further recourse to creditors. If appointed Joint Liquidators, any action required or authorised under any enactment to be taken by us may be taken by us individually or together. The creditors may nominate different persons as the proposed Joint Liquidators, provided the nomination is received before these proposals are approved;

petition the Court for a winding-up order placing the Company into compulsory liquidation and to consider, if deemed appropriate, appointing us, James Bennett and Steve Absolom, as Joint Liquidators of the Company without further recourse to creditors. Any action required or authorised under any enactment to be taken by us as Joint Liquidators may be taken by us individually or together;

file notice of move from administration to dissolution with the Registrar of Companies if we consider that liquidation is not appropriate because (1) no dividend will become available to creditors, and (2) there are no other outstanding matters that require to be dealt with in liquidation. The Company will be dissolved three months after the registering of the notice with the Registrar of Companies.

Alternatively, we may allow the administration to end automatically.

Joint Administrators' remuneration and pre-administration costs

We propose that:

our remuneration will be drawn on the basis of time properly given by us and the various grades of our staff in accordance with the fees estimate provided in Appendix 3 and the charge-out rates included in Appendix 5;

disbursements for services provided by KPMG (defined as Category 2 disbursements in Statement of Insolvency Practice 9) will be charged in accordance with KPMG's policy as set out in Appendix 5;

unpaid pre-administration costs be an expense of the administration.

Discharge from liability

We propose that we shall be discharged from liability in respect of any action of ours as Joint Administrators upon the filing of our final receipts and payments account with the Registrar of Companies.

Appendix 6 **Glossary**

Company	Kasterlee UK Limited - in Administration
Joint Administrators/we/our/us	James Bennett and Steve Absolom
Interpath/Interpath Advisory	Interpath Ltd
KPMG	KPMG LLP

Any references in this progress report to sections, paragraphs and rules are to Sections, Paragraphs and Rules in the Insolvency Act 1986, Schedule B1 of the Insolvency Act 1986 and the Insolvency Rules (England and Wales) 2016 respectively.

Appendix 7 Notice: About this report

This report has been prepared by James Bennett and Steve Absolom the Joint Administrators of Kasterlee UK Limited – in Administration (the ‘Company’) solely to comply with their statutory duty to report to creditors under the Insolvency Rules (England and Wales) 2016 on the progress of the administration, and for no other purpose. It is not suitable to be relied upon by any other person, or for any other purpose, or in any other context.

This report has not been prepared in contemplation of it being used, and is not suitable to be used, to inform any investment decision in relation to the debt of or any financial interest in the Company.

Any estimated outcomes for creditors included in this report are illustrative only and cannot be relied upon as guidance as to the actual outcomes for creditors.

Any person that chooses to rely on this report for any purpose or in any context other than under the Insolvency Rules (England and Wales) 2016 does so at its own risk. To the fullest extent permitted by law, the Joint Administrators do not assume any responsibility and will not accept any liability in respect of this report to any such person.

James Robert Bennett and Stephen John Absolom are authorised to act as insolvency practitioners by the Institute of Chartered Accountants in England & Wales.

We are bound by the Insolvency Code of Ethics.

The Officeholders are Data Controllers of personal data as defined by the Data Protection Act 2018. Personal data will be kept secure and processed only for matters relating to the appointment. For further information, please see our Privacy policy at – www.interpathadvisory.com/privacy-insolvency.

The Joint Administrators act as agents for the Company and contract without personal liability. The appointments of the Joint Administrators are personal to them and, to the fullest extent permitted by law, Interpath Ltd does not assume any responsibility and will not accept any liability to any person in respect of this report or the conduct of the administration.

www.interpathadvisory.com

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