



WEDNESDAY



\*ACDF27CA\*

A22

04/10/2023

#22

COMPANIES HOUSE

ease  
house

### 1 Company details

Company number 06942267  
Company name in full Regal Holiday Homes Limited

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

### 2 Administrator's name

Full forename(s) Sandra Lillian  
Surname Mundy

### 3 Administrator's address

Building name/number The White Building  
Street 1-4 Cumberland Place  
Post town Southampton  
County/Region  
Postcode SO15 2NP  
Country

### 4 Administrator's name ①

Full forename(s) Thomas Charles  
Surname Russell

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

### 5 Administrator's address ②

Building name/number The White Building  
Street 1-4 Cumberland Place  
Post town Southampton  
County/Region  
Postcode SO15 2NP  
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	1	m	0	m	2	y	2	y	0	y	2	y	3
To date	d	1	d	0	m	0	m	8	y	2	y	0	y	2	y	3

### 7 Progress report

☒ I attach a copy of the progress report

### 8 Sign and date

Administrator's  
signature

Signature

X



X

Signature date

d	0	d	8	m	0	m	9	y	2	y	0	y	2	y	3
---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---



# 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 **Sam Kelly**

Company name **James Cowper Kreston**

Address **The White Building**

**1-4 Cumberland Place**

Post town **Southampton**

County/Region

Postcode **S O 1 5 2 N P**

Country

DX

Telephone **023 8022 1222**



### 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](http://www.gov.uk/companieshouse) or email [enquiries@companieshouse.gov.uk](mailto: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](http://www.gov.uk/companieshouse)

**Regal Holiday Homes Limited**  
**(In Administration)**  
**Joint Administrators' Trading Account**

Statement of Affairs £	From 11/02/2023 To 10/08/2023 £	From 11/08/2020 To 10/08/2023 £
POST APPOINTMENT SALES		
HMRC - Job Retention Grant	NIL	146,541.72
Advanced Funding from RBS	NIL	37,000.00
Pre appointment - Funding from RBS	NIL	8,613.00
	NIL	192,154.72
PURCHASES		
Purchases	NIL	9,771.25
	NIL	(9,771.25)
OTHER DIRECT COSTS		
Direct Labour	NIL	937.46
	NIL	(937.46)
TRADING EXPENDITURE		
August 2020 Payroll	NIL	131,974.49
Rents	NIL	4,520.56
PAYE and NI	NIL	4,192.22
Employer NI	NIL	2,166.60
Joint Administrators' Fees	NIL	15,000.00
Haven Power	NIL	2,883.23
IT Services	NIL	1,888.09
Scottish Power	NIL	427.70
	NIL	(163,052.89)
<b>TRADING SURPLUS/(DEFICIT)</b>	<b>NIL</b>	<b>18,393.12</b>



**Regal Holiday Homes Limited**  
**(In Administration)**  
**Joint Administrators' Summary of Receipts & Payments**

Statement of Affairs £		From 11/02/2023 To 10/08/2023 £	From 11/08/2020 To 10/08/2023 £
	<b>SECURED ASSETS</b>		
36,000.00	Plant & Machinery	NIL	77,428.69
	Intellectual Property	NIL	25,000.00
906,000.00	Book Debts	NIL	NIL
	Caravans - Uncompleted	NIL	70,700.00
		NIL	173,128.69
	<b>COSTS OF REALISATION</b>		
	Office Holders Fees	NIL	19,000.00
	Legal Fees - Post Appointment	NIL	8,513.00
	Agents Fees - Proudley Associates	NIL	15,883.07
	Agents Disbursements	NIL	21,526.02
	IT Services	NIL	892.50
	Finance Provider - Deutsche Bank	NIL	2,819.61
	Marsh - Insurance	NIL	3,296.00
		NIL	(71,930.20)
	<b>SECURED CREDITORS</b>		
(950,000.00)	Chargeholder	NIL	77,407.55
		NIL	(77,407.55)
	<b>ASSET REALISATIONS</b>		
	Book Debts	NIL	40,331.30
25,000.00	Cash at Bank	NIL	8,583.00
2,000.00	Furniture & Equipment	NIL	9,510.00
	Pension refund	1,614.87	3,422.10
	Proceeds from assignment of claim	NIL	17,350.00
8,500.00	Stock	NIL	33,810.00
	Supplier Refunds	NIL	78.79
	Trading Surplus/(Deficit)	NIL	18,393.12
		1,614.87	131,478.31
	<b>COST OF REALISATIONS</b>		
	Agents Disbursements	NIL	5,951.85
	Agents Fees - Proudley Associates	NIL	4,479.84
	Book Debt Collection - JP Associates	NIL	4,033.13
	Employee NI	NIL	12,166.34
	Employer NI	NIL	9,956.00
	ERA Solutions	NIL	4,790.00
	Insurance of Assets	NIL	2,386.16
	Irrecoverable VAT	NIL	7.17
	IT Equipment	NIL	35.82
	Joint Administrators' Disbursements	NIL	427.89
	Joint Administrators' Fees	NIL	25,000.00
	Legal fees - Post-appointment	NIL	12,824.00
	Legal Fees - Pre-appointment	NIL	3,000.00
	PAYE	NIL	12,630.94
	Pre-Administration Fees	NIL	20,500.00
	Specific Bond	NIL	130.00
	Stationery & Postage	24.00	216.00
	Statutory Advertising	NIL	88.00
	Student Loan	NIL	21.00
		(24.00)	(118,644.14)
<b>27,500.00</b>		<b>1,590.87</b>	<b>36,625.11</b>
	<b>REPRESENTED BY</b>		

**Regal Holiday Homes Limited**  
**(In Administration)**  
**Joint Administrators' Summary of Receipts & Payments**

Statement of Affairs £	From 11/02/2023 To 10/08/2023 £	From 11/08/2020 To 10/08/2023 £
REPRESENTED BY CONTINUED		
Non-Interest Bearing Current Account		36,463.83
Vat Receivable		161.28
		<u>36,625.11</u>



**Regal Holiday Homes Limited  
In Administration**

Progress Report  
Pursuant to Part 18 of the Insolvency (England and Wales) Rules 2016



## Summary Information

<b>Court</b>	High Court of Justice Court No. 3072 of 2020
<b>The Company</b>	Regal Holiday Homes Limited
<b>Registered Number</b>	06942267
<b>Registered Address</b>	c/o James Cowper Kreston The White Building 1-4 Cumberland Place Southampton SO15 2NP
<b>Trading Address (head office)</b>	Sandford Farm Sandford Lane Wareham Dorset BH20 4DY
<b>Activity of the Company</b>	Manufacture of holiday homes
<b>Date of the Administration</b>	11 August 2020
<b>Appointer Details</b>	The directors of the Company
<b>Purpose of Administration Order</b>	To realise property in order to make a distribution to one or more of the secured or preferential creditors
<b>Administrator Details</b>	Thomas Russell (IP No. 15994) and Sandra Mundy (IP No. 9441) James Cowper Kreston The White Building 1-4 Cumberland Place Southampton SO15 2NP
<b>Changes to Office Holders</b>	N/A
<b>Date of Approval of Proposals</b>	Proposals were deemed to have been accepted on 14 October 2020.
<b>Extensions to Administration period</b>	The period of the administration was initially extended by one year with the consent of the creditors. The administration period of the Company and the joint administrators' term of office has been further extended by order of the court to 12 February 2024.
<b>End of Administration period</b>	12 February 2024

**Functions of the Joint Administrators**

In accordance with Paragraph 100 (2) Schedule B1 Insolvency Act 1986 there are no functions, which must be exercised by both administrators acting jointly. All the administrators' functions may be exercised by either administrator acting alone, or by both administrators acting jointly.

**Dividend Prospect**

We anticipate there will be funds available to make a distribution to preferential creditors in the region of 15-20p in the £.

## **Introduction**

This report has been prepared to provide creditors with an update on the progress of the administration of the Company for the period from 11 February 2023 to 10 August 2023.

The following appendices accompany this report.

Appendix A	Joint Administrators' Receipts and Payments account
Appendix B	Joint Administrators' Statement of Remuneration and Expenses

## **Proposals to Achieve the Objective of the Administration**

Further to our proposals dated 2 October 2020 and subsequent progress reports, we have achieved the following in the period:

### **Book debt collection**

As previously reported, book debts are subject to an invoice financing agreement with RBS IF and they engaged JP Associates to assist with the collection of those debts. RBS IF have fully recovered under their fixed charge. There is one remaining debtor owing £7,500, however this debt has been deemed irrecoverable due to the cash flow problems of the debtor and that any costs to pursue the debt more vigorously would likely diminish the return beyond any meaningful return to creditors.

There was a balance of book debt collection that was lodged with RBS IF after they had received payment in full under their finance agreement. RBS IF requested an indemnity from the joint administrators before releasing the funds which, following discussions, was agreed and we have received a further approximately £20,000 from RBS IF.

### **Company's acquisition of its own shares**

As previously reported it is apparent that there was an acquisition of the Company's own shares in August 2019 for a total sum of £60,000. We conducted further investigation into this acquisition and made enquires of and sought documentation from relevant parties including the Company's solicitors, accountants, and others which we identified provided services to the Company and its directors. We undertook a review of the Company's records including bank statements, accounting records and documents relating to the transaction.

Given the size of the claim, the funds available in the case and potential litigation risks we decided that it was in creditors' best interests to assign the claim for value to litigation funders, albeit that this would have an impact on the potential recovery for the estate. As the litigation funder took on the full risk of pursuing the action, the agreement that we struck entitled them to a percentage of any net recoveries after costs with the balance being made available to the estate. Following the assignment there was no litigation or other risks to the estate of pursuing an action. We received an initial £1,000 of consideration from the litigation funders for the assignment.

Following correspondence with the litigation funder the directors made an initial offer which was rejected. A revised offer for settlement at £40,000 was agreed. The estate received total realisations of £17,350 (including the initial assignment consideration).

### **Pension Refund**

In the period we were contacted by a former employee regarding an overpayment of pension contributions on their behalf which NOW Pension (NOW) were seeking to refund. This was received by us in the period and we refunded the employee for the amounts incorrectly deducted from his salary. We have retained £1,807 in respect of employer contributions.



### **Further extension of the administration**

The period of the administration was initially extended by one year with the consent of the creditors which is the maximum time creditors can extend an administration. The administration period of the Company and the joint administrators' term of office has been further extended by order of the court to 12 February 2024. We considered it necessary to extend the administration by court order to allow sufficient time for the investigation and claim referred to above to conclude and a number of other smaller matters such as book debt collection referred to above.

### **Creditors**

#### **Preferential Creditors**

Preferential liabilities are in respect of outstanding holiday pay to employees and the pension contributions as detailed below. In our previous report, we considered that there would be a shortfall to the secured lender under their fixed charge and therefore there would be no surplus available to pay a dividend to preferential creditors. This was due to book debt recoveries being less than originally anticipated. However, due to the improved position in respect of book debt recoveries and the settlement of the claim as noted above, we anticipate that there will be sufficient surplus to pay a dividend to preferential creditors. The dividend is expected to be in the region of 15-20p in the pound. We have requested a final proof of debt claim from the Redundancy Payment Service to facilitate this dividend and we declare same upon receipt.

Since our previous report the Redundancy Payment Service (RPS) made payment to the pension provider for c£43,000 and we are expecting to receive a preferential claim in respect of this payment. In our last report we informed creditors that we were notified by the Company's pension provider, NOW Pensions, that there was a modest refund due to the Company of overpaid pension contributions which were made prior to the administration. This does not reflect the position as we understood it and entered into dialogue with them to determine if the sum related to an overpayment of additional voluntary contributions by employees or some other potential error. It was confirmed to us in the period by NOW Pensions that they had made a reporting issue and that no further sums were due to be refunded to the Company.

#### **Secured Creditors**

The Company had granted two fixed and floating charges as follows:

<b>Charge holder</b>	<b>Date of creation of the charge</b>	<b>Date of registration of the charge</b>
RBS Invoice Finance Limited	22 July 2011	26 July 2011
Distribution Finance Capital Limited	21 August 2018	22 August 2018

RBS IF have fully recovered under their security. Distribution Finance Capital Limited have indicated that they have a claim which will be caught under their floating charge. We do not expect there to be sufficient funds to allow a dividend to be paid under the floating charge.

#### **Prescribed Part**

The provisions of Section 176A do apply as the Company granted floating charges on 21 August 2018 and 22 July 2011 although RBS IF have no claim in respect of their floating charge dated 22 July 2011 but there is no prospect of any distribution under the floating charge and therefore no prescribed part dividend will be made.

#### **Prospective dividends**

A dividend of £77,407 has been declared and paid to RBS IF as a secured creditor in respect of plant and machinery, IPR and uncompleted caravans over which they held a fixed charge. RBS IF have no claim in respect of their floating charge.

We anticipate that a surplus will be available to pay a dividend to preferential creditors. The dividend is expected to be in the region of 15-20p in the pound. As stated above, we are awaiting preferential claims from the RPS. We anticipate that this will be paid in the next 3-6 months.

### **Administrators' Remuneration**

As previously reported, pursuant to Rule 18.18(4)(b) of the Insolvency (England & Wales) Rules 2016 ('the Rules') the secured and preferential creditors approved the basis of our fees as follows:

- a. The joint administrators be authorised to draw their pre appointment cost as a set amount of £20,500 plus VAT in relation to fees and £3,000 plus VAT for legal costs.
- b. The basis of the joint administrators' remuneration being set as a set amount totalling £59,000 plus VAT as follows:
  - i. £25,000 plus VAT in respect of floating charge realisations.
  - ii. £15,000 plus VAT in respect of trading supervision;
  - iii. £14,000 plus VAT in respect of fixed assets realisation not pertaining to trading.
  - iv. £5,000 plus VAT in respect of intellectual property realisations.
- c. The joint administrators be authorised to draw a category 2 disbursements as incurred.

On 9 November 2022 we sought the decision of the preferential creditors and the consent of the secured creditors to approve an increase of £10,000 to the set amount already agreed at £59,000 to reflect the additional work that was necessarily and properly undertaken and facilitated the recovery of monies to the estate in respect of the action taken against the directors, which otherwise would not have been achieved. The decision of creditors was passed on 14 December 2022. DF Capital consented to this fee on 3 May 2023. As RBS IF have recovered in full and no longer have a financial interest in the Company, their charge has been satisfied and therefore it is not necessary to receive their consent.

We have drawn the pre-appointment fee of £20,500 and fees of £59,000 in respect of parts (b)(i)-(iv) noted above in prior periods. The £10,000 increase to fees was drawn after the date of this report. We have not incurred any disbursements during the period.

### **What remains to be done**

Pay a final dividend to preferential creditors before proceeding to end the administration.

### **Statutory Rights**

Rule 18.9 of the Insolvency Rules 2016 entitles 5% in value of the unsecured creditors or any unsecured creditor with the permission of the court to make a written request to the administrators for further information about remuneration or expenses. In response to such a request the administrators must respond within 14 days:-

- a) Providing all of the information requested;
- b) Providing some of the information requested; or
- c) Declining to provide the information requested.

The administrators may provide only some of the information or decline the request if:

- a) The time or cost of preparing the information would be excessive;
- b) Disclosure of the information would be prejudicial to the conduct of the case;
- c) Disclosure might reasonably be expected to lead to violence against any person; or
- d) The administrators are subject to an obligation of confidentiality in relation to the information.

If the administrators do not provide all of the information or decline to provide any of the information they must inform the person or persons making the request of their reasons for so doing. A creditor, who need



not be the same creditor(s) who requested the information may then apply to Court within 21 days of the following.

- a) The administrators giving reasons for not providing all of the information requested; or
  - b) The expiry of the 14 days in which the administrators must respond.
- The court may then make such order as it thinks just.

Rule 18.34 provides that an unsecured creditor with the concurrence of at least 10% of the total value of the unsecured creditors of the Company (or any unsecured creditor with the permission of the court) may apply to the court on the grounds that administrators' remuneration or expenses are excessive or the basis fixed for the remuneration is inappropriate. Such application must be made no later than eight weeks after receipt by the applicant member(s) of this progress report. Further details about creditors' rights can be found in statement of insolvency practice 9 which can be found at the following web address. The relevant version is the effective from 1 April 2021 version.

<https://www.icaew.com/-/media/corporate/files/technical/insolvency/regulations-and-standards/sips/england/sip-9-payments-to-insolvency-office-holders-and-their-associates-from-an-estate-e-and-w.ashx>

<http://www.creditorinsolvencyguide.co.uk>

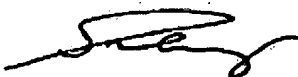
A hard copy of this report is available upon request.

### **Privacy Policy**

The office holders and James Cowper Kreston respect your right to privacy. As a requirement of the insolvency procedure we may, in the course of our work, control or process personal data. Our privacy policy can be found at our website: <https://www.jamescowperkreston.co.uk/privacy-policy/> and this details how we collect, use, share, protect, and retain personal information, what happens if we transfer information overseas, and your rights in relation to GDPR and the Data Protection Act 2018. If you wish to receive a hard copy of this privacy policy please let us know.

### **Further assistance**

Should any creditor have any queries regarding this report, please do not hesitate to contact my assistant, Sam Kelly, or me.



**Sandra Mundy**  
**Joint Administrator**

Licensed to act as an insolvency practitioner in the UK by the ICAEW

**8 September 2023**

## Appendix A

### Joint Administrators' Receipts and Payments Account From 11 February 2023 to 10 August 2023

RECEIPTS	Estimated position As At 02/10/2020 £	From 11/02/2023 To 10/08/2023 £	Cumulative Total From 11/08/2020 To 10/08/2023 £
<b>ASSETS SUBJECT TO FIXED CHARGE</b>			
Plant & Machinery	36,000.00	-	77,428.69
Intellectual Property		-	25,000.00
Caravans - Uncompleted		-	70,700.00
Trading Surplus/(Deficit)			18,393.12
		-	<b>191,521.81</b>
<b>COST OF REALISATION</b>			
Joint Administrators' Fees		-	19,000.00
Agents Fees - Proudley Associates		-	15,883.07
Agents Disbursements		-	21,526.02
IT Services		-	892.50
Finance Provider - Deutsche Bank		-	2,819.61
Legal Fees - Post Appointment		-	8,513.00
Marsh - Insurance		-	3,296.00
		-	<b>71,930.20</b>
<b>ASSETS SUBJECT TO FLOATING CHARGE</b>			
Cash at Bank	25,000.00	-	8,583.00
Furniture & Equipment	2,000.00	-	9,510.00
Stock	8,500.00	-	33,810.00
Supplier Refunds		-	78.79
Book Debts		-	40,331.30
Initial consideration - Manolete Partner		-	1,000.00
Proceeds from appointment of claims		-	16,350.00
Pension Refund		1,614.87	3,422.10
		<b>1,614.87</b>	<b>113,085.19</b>
<b>PAYMENTS</b>			
Chargeholder		-	77,407.55
PAYE		-	12,630.94
Employee NI		-	12,166.34
Employer NI		-	9,956.00
Student Loan		-	21.00
Pre-Administration Fees		-	20,500.00
Joint Administrators' Fees		-	25,000.00
Joint Administrators' Disbursements		-	427.89
Agents Fees - Proudley Associates		-	4,479.84
Agents Disbursements		-	5,951.85
Legal Fees - Pre-appointment		-	3,000.00
Legal fees - Post-appointment		-	12,824.00
ERA Solutions		-	4,790.00
Book Debt Collection - JP Associates		-	4,033.13
Stationery & Postage		24.00	216.00
Specific Bond		-	130.00
IT Equipment		-	35.82
Statutory Advertising		-	88.00
Insurance of Assets		-	2,386.16
Irrecoverable VAT		-	7.17
		<b>24.00</b>	<b>196,051.69</b>
<b>Net Receipts/(Payments)</b>		<b>1,590.87</b>	<b>36,625.11</b>
<b>MADE UP AS FOLLOWS</b>			
Non-Interest Bearing Current Account		-	36,463.83
VAT Receivable / (Payable)		-	161.28
		-	<b>36,625.11</b>

### Trading Account – in relation to fixed charge realisations

	Cumulative Total
	From 11/02/2023    From 11/08/2020
	To 10/08/2023        To 10/08/2023
<b>POST APPOINTMENT FUNDING</b>	
HMRC - Job Retention Grant	-            146,541.72
Advanced Funding from RBS	-            37,000.00
Pre appointment - Funding from RBS	-            8,613.00
	<u>-            192,154.72</u>
<b>PURCHASES</b>	
Purchases	<u>13,082.18</u>
	<u>-            13,082.18</u>
<b>OTHER DIRECT COSTS</b>	
Direct Labour	-            937.46
	<u>-            937.46</u>
<b>OTHER TRADING EXPENDITURE</b>	
August 2020 Payroll	-            131,974.49
Rents	-            4,520.56
PAYE and NI	-            4,192.22
Employer NI	-            2,166.60
Joint Administrators' Fees	-            15,000.00
IT Services	-            1,888.09
	<u>-            159,741.96</u>
<b>TRADING SURPLUS/(DEFICIT)</b>	<u><u>-            18,393.12</u></u>

Appendix B

**Joint Administrators' Statement of Remuneration and Expenses  
From 11 February 2023 to 10 August 2023**

Account	Incurred In Period £	Accrued In Period £	Total In Period £
Joint Administrators' Fess	-	10,000.00	10,000.00
Stationery & Postage	24.00	-	24.00
	<u>24.00</u>	<u>10,000.00</u>	<u>10,024.00</u>