

AM10

Notice of administrator's progress report



Companies House

SATURDAY



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03/06/2017

#109

COMPANIES HOUSE

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1 Company details

Company number 0 8 0 8 8 2 1 8

Company name in full FTR Moto Limited

→ Filling in this form

Please complete in typescript or in
bold black capitals.

2 Administrator's name

Full forename(s) Kevin

Surname Lucas

3 Administrator's address

Building name/number 32 Stamford Street

Street Altrincham

Post town Cheshire

County/Region

Postcode W A 1 4 1 E Y

Country

4 Administrator's name ①

Full forename(s)

Surname

① Other administrator

Use this section to tell us about
another administrator.

5 Administrator's address ②

Building name/number

Street

Post town

County/Region

Postcode

Country

② Other administrator

Use this section to tell us about
another administrator.

AM10

Notice of administrator's progress report

6 Period of progress report

From date	^d 1	^d 7	^m 1	^m 0	^y 2	^y 0	^y 1	^y 6
To date	^d 1	^d 6	^m 0	^m 4	^y 2	^y 0	^y 1	^y 7

7 Progress report

☒ I attach a copy of the progress report

8 Sign and date

Administrator's
signature

Signature

X



X

Signature date

^d
1

^d
5

^m
0

^m
5

^y
2

^y
0

^y
1

^y
7

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	Kevin Lucas
Company name	Lucas Johnson Limited
Address	32 Stamford Street Altrincham
Post town	Cheshire
County/Region	
Postcode	W A 1 4 1 E Y
Country	
DX	
Telephone	0161 929 8666



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

FTR MOTO LIMITED - IN ADMINISTRATION

Administrator's Progress Report

For the period from 17 October 2016 to 16 April 2017

**FTR MOTO LIMITED - IN ADMINISTRATION
FOR THE PERIOD FROM 17 OCTOBER 2016 TO 16 APRIL 2017**

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Receipts and Payments account

Appendix 1

SIP 9 Time Analysis and Category 2 disbursements

Appendix 2

**Administrator's charge out rates and Category 2 disbursements
charging policy**

Appendix 3

**FTR MOTO LIMITED - IN ADMINISTRATION
FOR THE PERIOD FROM 17 OCTOBER 2016 TO 16 APRIL 2017**

1. STATUTORY INFORMATION

Name of Administrator:	Kevin Lucas of Lucas Johnson Limited, 32 Stamford Street, Altrincham, Cheshire, WA14 1EY
Act of Administrator:	The Administrator acts as an officer of the court and as an agent of the Company without personal liability.
Date of Appointment:	17 October 2016
Appointed by:	Qualifying Floating Chargeholder – Heads of the Valley Development Company Limited
Court Reference Number:	In the High Court of Justice, Chancery Division, Manchester District R 2962 of 2016
Company Name:	FTR Moto Limited
Registered Number:	08088218
Registered Office:	32 Stamford Street, Altrincham, Cheshire, WA14 1EY
Changes in Administrator:	n/a
Details of Extensions:	n/a
EC Regulations:	The EC Regulation on Insolvency Proceedings 2000 applies and these proceedings are main proceedings as defined in Article 3 of the regulation. The centre of main interest of the Company is in England.

FTR MOTO LIMITED - IN ADMINISTRATION
FOR THE PERIOD FROM 17 OCTOBER 2016 TO 16 APRIL 2017

2. INTRODUCTION

- 2.1 Kevin Lucas was appointed Administrator of FTR Moto Limited ("the Company") on 17 October 2016 by Heads of the Valley Development Company Limited, pursuant to Paragraph 14 of Schedule B1 of the Insolvency Act 1986 ("the Act").
- 2.2 This progress report covers the period from 17 October 2016 to 16 April 2017 and is issued pursuant to Rule 18.2 of the Insolvency (England & Wales) Rules 2016 ("the Rules") to provide creditors with an update on the progress of the Administration during the reported period.

3. PROGRESS OF THE ADMINISTRATION

- 3.1 The Administrator's proposals ("the Proposals") were deemed approved by creditors on 20 December 2016.
- 3.2 The Proposals advised that the Administration was being conducted with a view of achieving the third objective of Administration, namely realising property in order to make a distribution to one or more secured or preferential creditors.

Trademark

- 3.3 Charterfields Limited ("the Agents") have been instructed by the Administrator to appraise the value of the Trademark owned by the Company. The Agents advised that the value of this asset is unascertainable as the Company has ceased trading. In light of this, the Administrator has adopted a new marketing strategy. Steps have been taken to establish the provenance and pedigree of the brand with view of ensuring a higher exposure of the brand to the market, as it is believed this would allow higher level of realisation. The Administrator is currently in the process of liaising with an agent specialised in realisation of intellectual property in order to speed up the sale process. A further update will be provided with the next report to creditors.

Book Debts

- 3.4 As previously reported, the books and records of the Company show outstanding payments of £17,017. The Administrator has issued requests for the payment of the outstanding debts, however, to date no response has been received. As previously advised in the Administrator's proposals the debts have been outstanding for a long time and are unlikely to be recovered

Plant and Machinery

- 3.5 The Administrator's proposals detailed that plant and machinery, owned by the Company, is believed to be still at the old trading premises. Agents have been instructed to review the position in this matter. No updates have been received to date but this aspect of the Administration is still being investigated. Requests for information have been sent in regard to these assets with the view of establishing their whereabouts and the Administrator is still awaiting a response.

Future Realisations

- 3.6 It is expected that the Company's trademark will be the main source of asset realisations in this Administration. As outlined above, the Administrator has taken steps to identify potential purchasers and this process is still ongoing.

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FOR THE PERIOD FROM 17 OCTOBER 2016 TO 16 APRIL 2017

4. RECEIPTS AND PAYMENTS ACCOUNT

- 4.1 A receipts and payments account for the period is attached at Appendix 1.

5. PRE-ADMINISTRATION COSTS

- 5.1 Payment of pre administration costs as an expense of the Administration is subject to approval by creditors.
- 5.2 As objective C is being pursued, the approval will need to be obtained from the secured creditor. No steps have been taken to date to seek approval to draw these fees. This matter will be dealt with in due course

6. ADMINISTRATOR'S REMUNERATION AND DISBURSEMENTS

- 6.1 Creditors are required to approve Post Administration remuneration under the Rules. However, as detailed above, as only objective C can be pursued, the approval of such fees may only be fixed by the approval of the secured creditor of the Company.
- 6.2 No steps have been taken to date to obtain approval from the secured creditor to draw these fees. This matter will be dealt with in due course.
- 6.3 The Administrator's time costs to date are £10,840 and are shown in more detail in Appendix 2. This represents 47.20 hours at an average hourly rate of £229.66 and has mainly been spent on administration and planning, investigations and creditors' queries.
- 6.4 As no approval has been sought, no remuneration has been drawn.
- 6.5 Disbursements incurred by the Administrator are split into two categories. Category 1 disbursements are items of specific expenditure that are directly related to the case and are usually referable to an independent external supplier's invoice. All such items are charged to the case as they are incurred. Category 2 disbursements are items of incidental expenditure directly incurred on the case which include an element of shared or allocated cost and which are based on a reasonable method of calculation. These have not been approved yet by creditors and will be dealt with in due course. Details of rates can be seen at Appendix 3. Category 2 disbursements incurred during the reporting period can be seen at Appendix 2.
- 6.6 As no approval has been sought, no disbursements have been drawn.
- 6.7 As required by Statement of Insolvency Practice Number 9, a schedule of the Administrator's charge out rates and disbursement charging policies is shown at Appendix 3.
- 6.8 A copy of 'A Creditors' Guide to Administrators' Fees' which provides guidance on creditors' rights on how to approve and monitor a Administrator's remuneration and on how the remuneration is set is available at <http://www.lucasjohnson.co.uk/downloads/fee-guides/> Alternatively, if you require a hard copy of the Guide, please contact the Administrator's office accordingly.

FTR MOTO LIMITED - IN ADMINISTRATION
FOR THE PERIOD FROM 17 OCTOBER 2016 TO 16 APRIL 2017

7. ADMINISTRATOR'S EXPENSES

- 7.1 Details of the Administrator's expenses paid during the reporting period are shown on the receipts and payments account at Appendix 1. There are also various expenses incurred for which payment has not yet been made. For clarity, all expenses incurred are set out below:

Expense Incurred	Name of provider	Amount incurred (£)	Amount discharged (£)	Balance Outstanding (£)
Statutory Advertising	Courts Advertising	72.00	72.00	0.00
Specific Bonding	Marsh Limited	20.00	20.00	0.00

- 7.2 The costs detailed above have been discharged by Lucas Johnson Limited and will be recharged accordingly when funds permit

8. OTHER MATTERS AND INFORMATION TO ASSIST CREDITORS

Outcome for Secured Creditors

- 8.1 Heads of the Valley Development Company Limited have the benefit of a fixed and floating charge which was created on 28 October 2012 and delivered on 29 October 2012. The amount of £336,751 is outstanding to the secured creditor. As the availability of a dividend is contingent on asset realisations, the likely outcome for secured creditors is currently uncertain. However, if funds are realised from the sale of the Company's trademark, it is likely that a distribution will be made to them under the terms of the security held.

Outcome for Preferential Creditors

- 8.2 There are no preferential creditors in this matter.

Prescribed Part pursuant to Section 176A of the Act

- 8.3 Under Section 176A of the Act an administrator is required to set aside a proportion of the realisations for unsecured creditors where there is a secured creditor who holds a qualifying floating charge created on or after 15 September 2003. This is known as the Prescribed Part.

The prescribed part of a company's net property is calculated as follows:

- 50% of the first £10,000 of net property;
- 20% of net property thereafter;
- to a maximum amount to be made available of £600,000

However, an administrator is not required to set aside the prescribed part if:

- the net property is less than £10,000 and the administrator thinks that the cost of distributing the prescribed part would be disproportionate to the benefit; (Section 176A(3)) or

FTR MOTO LIMITED - IN ADMINISTRATION
FOR THE PERIOD FROM 17 OCTOBER 2016 TO 16 APRIL 2017

- the administrator applies to the court for an order on the grounds that the cost of distributing the prescribed part would be disproportionate to the benefit and the court orders that the provision shall not apply (Section 176A(5)).

8.4 As there is a qualifying floating charge registered at Companies House dated 28 October 2012, the Prescribed Part under Section 176A of the Act is applicable in this case.

8.5 As the actual values of the assets held by the Company are as yet uncertain, the estimated value of the Prescribed Part cannot be calculated at this time, however, it is not likely that any funds will be realised from assets caught by the floating charge as the only asset believed to have some value is the trademark which is a fixed charge asset.

Outcome for Unsecured Creditors

8.6 It was estimated that there were unsecured creditors of £172,684. As at the date of this report, no claims have been received from unsecured creditors.

8.7 At this stage, it is not likely that any funds will be available for distribution to unsecured creditors, however a further update will be provided in the next or final progress report, whichever is sooner.

Investigations and Directors' conduct reporting

8.8 The Administrator has completed his duties under the Company Directors Disqualification Act and submitted a confidential report to the Department of Business, Innovation and Skills.

Exit

8.9 It was anticipated within the Administrator's proposals that the exit route from the Administration will be in accordance with Paragraph 84 of Schedule B1 of the Insolvency Act 1986. Under these provisions, on the registration of a notice sent by the Administrator to the Registrar of Companies, the appointment as administrator will cease to have effect and at the end of a three month period following this, the Company will be automatically dissolved.

8.10 However, if sufficient funds are realised and the Administrator is in a position to make a distribution to unsecured creditors, then as an Administrator does not have a general power to make a distribution to unsecured creditors (other than by permission of the court), it may be necessary for the Company to be placed into Creditors' Voluntary Liquidation.

Creditors' Rights

8.11 In accordance with Rule 18.34 of the Insolvency (England & Wales) Rules 2016, any secured creditor, or any unsecured creditor with either the concurrence of at least 10% in value of the creditors or the permission of the court, may, where it is believed the basis or quantum of remuneration or expenses charged by the Administrator are, in all the circumstances, excessive or inappropriate, apply to the court within the prescribed period for an order adjusting the remuneration or expenses.

8.12 In accordance with Rule 18.9 of the Insolvency (England & Wales) Rules 2016 a secured creditor, or an unsecured creditor with either the concurrence of at least 5% in value of the unsecured creditors or the permission of the court has the right to make a request in writing

FTR MOTO LIMITED - IN ADMINISTRATION
FOR THE PERIOD FROM 17 OCTOBER 2016 TO 16 APRIL 2017

to the Administrator for further information about remuneration or expenses set out in this progress report. If no response is received within 14 days any creditor has the right to apply to court within the subsequent 21 day period for the court to make such order as it thinks just.

Next Report to Creditors

- 8.13 The next report to creditors will be sent within one month of the next six month anniversary or at the conclusion of the Administration, whichever may be sooner.

A handwritten signature in black ink, appearing to be 'KL', with a long horizontal stroke extending to the right.

Kevin Lucas
Administrator

15 May 2017

FTR Moto Limited
(In Administration)
Administrator's Summary of Receipts & Payments
To 16/04/2017

S of A £		£	£
	SECURED ASSETS		
Uncertain	Trademark - FTR Moto	NIL	NIL
	SECURED CREDITORS		
(336,751.00)	Heads of the Valley Development Compan	NIL	NIL
	ASSET REALISATIONS		
Uncertain	Plant & Machinery	NIL	
NIL	Book Debts	NIL	NIL
	UNSECURED CREDITORS		
(6,698.62)	Employees - Redundancy & Notice Pay	NIL	
(24,023.99)	RPO - Redundancy & Notice Pay	NIL	
(5,955.68)	Directors	NIL	
(3,204.00)	Banks/Institutions	NIL	
(70,818.65)	HM Revenue & Customs - PAYE/NIC	NIL	
(26,852.12)	HM Revenue & Customs - VAT	NIL	
(10,644.91)	HM Revenue & Customs - CT	NIL	
(14,194.93)	Landlord	NIL	
(10,291.25)	Other Employees Expenses/Loans	NIL	NIL
	DISTRIBUTIONS		
(1.00)	Ordinary Shareholders	NIL	NIL
(509,436.15)			NIL
	REPRESENTED BY		
			NIL



Kevin Lucas
Administrator

Time Entry - SIP9 Time & Cost Summary

F0015 - FTR Moto Limited
 All Post Appointment Project Codes
 From: 17/10/2016 To: 16/04/2017

Classification of Work Function	Partner	Manager	Other Senior Professionals	Assistants & Support Staff	Total Hours	Time Cost (£)	Average Hourly Rate (£)
Admin & Planning	8.10	2.80	17.00	0.90	29.90	7,472.50	249.92
Case Specific Matters	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Creditors	0.00	0.00	6.90	1.00	7.90	1,480.00	187.34
Investigations	0.00	2.10	4.30	1.50	7.90	1,587.50	200.95
Pre Appointment	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Realisation of Assets	0.00	0.00	1.50	0.00	1.50	300.00	200.00
Trading	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Total Hours	8.10	5.00	28.70	3.40	47.20	10,840.00	229.68
Total Fees Claimed						0.00	
Total Disbursements Claimed						0.00	

Time Entry - SIP9 Time & Cost Summary
Category 2 Disbursements

F0015 - FTR Moto Limited
From: 17/10/2016 To: 16/04/2017

Other amounts paid or payable to the office holders firm or to party in which the office holder or his firm or any associate has an interest.

Transaction Date	Type and Purpose	Amount
12/12/2016	Photocopying and Stationery: Postage and Stationery	110.00
Total		110.00

APPENDIX 3 – ADMINISTRATOR’S CHARGE OUT RATES AND CATEGORY 2 DISBURSEMENTS

Fee Accrual

The Office Holder is the general name for the Insolvency Practitioner dealing with the case affairs.

In accordance with the Insolvency Act 1986, the Office Holder shall charge appropriate fees for dealing with the case affairs.

It is usual practice for the agreement of fees to be sought on the basis of time properly incurred in dealing with the case. However on occasion it is necessary to seek agreement of fees as a fixed percentage of assets realised and/or distributions made, or indeed a defined fixed fee.

The precise basis of how fees are to be incurred will be formally given to creditors prior to agreement being sought.

The legal agreement and basis upon which post appointment fees are agreed is determined by the relevant category of creditors, details of which are explained within the respective independent creditors’ guides to fees.

Unless otherwise advised, fees shall be drawn on account from the case funds as and when realisations allow, subject to agreement.

Estimation of Fees

Where an Office Holder wishes to seek the agreement of fees on a time costs basis, he is required to give creditors full details of not only what he believes such fees to be, but what works shall be done in relation to those fees.

Because it is quite difficult to contemplate what a case will involve before appointment, we have gathered information to work out average time required to complete similar work for this type of appointment.

The fee estimate for time costs has been proposed using average data from this review. This forms the basis of our time costs projection.

This forecast is based upon the firm's policy in relation to the projection of fees for this type of insolvency. Calculations have been made using specific details of the case such as the type of realisations, number of creditors and the anticipated duration of the case prior to closure.

Fees Charged on Fixed Fee Basis

Fixed fees are per matter. For example correspondence with creditors may be charged at a fixed rate of £50 per creditor per annum, similarly employees, directors, shareholders may all be charged on a fixed cost basis per annum. Any costs shown for these fees should not usually change from that guide provided.

Fees on a Percentage Basis

Where it is intended that fees be drawn on a percentage basis, for example the realisation of assets, or the distribution of funds, these fees can only be calculated on the amount of funds to be dealt with. This final fee may therefore be lower than that information provided in our guide or indeed not at all.

Contingent Fees

Contingent fees (where applicable) are those which are only payable on the recovery of a windfall and the later distribution to creditors where a dividend can be paid. All contingent fees, whether for the recovery of a windfall or contingent asset are fixed at 20%.

All future distributions are to be charged at 10%, irrespective of whether the initial forecast shows a distribution to be payable.

Fee Basis

In order to simplify information, the basis for post appointment fee shall simply be referred to as our Fee Policy.

Staff

Each member of staff involved with the case will time charge on an individual basis. The hourly cost of each member of staff shall be calculated in accordance with their experience and resultant grade within the practice.

In view of the complexity of the work involved, it is not practice policy to use sub contractors, however we reserve the right to do so should the case require. Details of any sub contractor used and the reasons why shall be provided within the respective statutory report SIP 9 detail.

VAT

Services provided by Insolvency practitioners are subject to VAT, except when acting as Nominee or Supervisor of an estate.

Our fees will be subject to VAT at the appropriate rate.

Where the case is not registered for VAT, VAT shall be shown as an irrecoverable expense of the estate.

Disbursements

Every case dealt with will incur expenses in addition to fees.

Expenses will cover a number of areas, such as advertising, insolvency practitioner insurance and legal fees.

Where the Office Holder or his firm pays these out of their own funds (e.g. the firm's office account) these will be classed as Disbursements. The Office Holder is required to explain the amount and nature of such disbursements whenever a formal abstract of accounts is produced.

Regulations require that we separate category 1 and 2 disbursements for your information. An explanation of which is as follows:

Category 1 Disbursements:

Category 1 disbursements are expenses directly attributable to the case, where exact costs can be ascertained and recharged without profit. These can, but are not limited to, include insolvency bonds, advertising, company searches, post redirection orders, postage, external room hire, external storage as well as public transport and accommodation costs incurred by staff whilst attending to the administration of the estate.

Category 2 Disbursements

Category 2 disbursements are additional overheads that relate to the estate but are either not directly attributable to it, or the exact cost is not ascertainable and therefore cannot be precisely recharged. These expenses include, inter alia, stationery, photocopying and storage costs.

Any authorised category 2 disbursements which have been charged shall be shown in the statutory abstract of accounts

The following are a current schedule of category 2 disbursements which may (*) be charged by Lucas Johnson

- Mileage shall be recharged at 50pence per mile
- Destruction of boxes shall be recovered as a category 1 expense; and
- Storage of books and records at £30 per box per annum
- Fixed charge for the issue of each circular at £10 per relevant party per annum.
- Internal meeting room (where required) charged at £50 per hour or part thereof.

(*) Lucas Johnson does not ordinarily recover all category 2 disbursements, but reserves the right to do so, where such disbursements are substantial and appropriate sanction has been obtained.

The following items of expenditure will normally be treated as general office overheads by the Office Holder and will not be charged to the case:

- Telephone and facsimile
- Printing and photocopying
- Stationery
- Email addresses or telephone numbers set up and used exclusively for the case
- Destruction of boxes

Disclosure of Use of Connected Parties

Please note that where it is necessary to use the services of an external agent who is associated to the Office Holder's business by way of common directors and/or shareholders, it is advised by law, that this shown as a category 2 disbursement. Kindly note that no additional profit element will be charged in regard to these services, if applicable. At the effective date of this policy, the Office Holder had no connection with any external agent.

Charge Out Rates

A table of current hourly charge out rates are provided below:

Charges for usual cases	(£)
Partner/Director/Consultant	350
Manager/Senior Manager	250-275
Assistant Manager	225
Administrator/Senior Administrator	150-200
Cashier^(#)	100
Junior and Support Staff	100

(#) Please note that time charged by our cashiers relates only to accounting matters relevant to the case.

The basis upon which the Office Holder determines the appropriate charge out rate on the complexity of the case is detailed in the respective independent creditors' guides to fees, available to download from our company website or by email from this office.

Further, the Office Holder reserves the right to uplift both the hourly rates and category 2 disbursements periodically without further recourse to the creditors. By law, such increases must be disclosed to creditors within each statutory report.

Support Staff

In an effort to minimise costs to the case, it is necessary to use support staff to undertake certain matters. Support staff time is charged in the same manner as technical staff on the rates outlined above.

Recording of Fees

Time is formally recorded in prescribed categories in units of 6 minutes. All units of time properly spent, shall be recorded on a formal time management system and retained throughout appointment, irrespective of the basis of fees.

Reporting of Fees

All reports and correspondence detailing fees incurred and indeed drawn will provide the legal basis upon which fees have been incurred and from whom sanction was given in relation to those fees.

Such information shall be contained within statutory progress reports and be in the prescribed form. When providing such a report, under existing insolvency regulations, creditors are able to request further and better particulars of fees and disbursements where they believe further explanation is required.

The exact basis of how requisite members and creditors may request such information will be attached with each statutory progress report subsequently issued.

Code of Ethics

I am required to advise you at the earliest opportunity, that I am bound by the Code of Ethics of my regulator ICAEW.