

AM03

Notice of administrator's proposals



Companies House

WEDNESDAY



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08/12/2021

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COMPANIES HOUSE

1 Company details

Company number

Company name in full

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

2 Administrator's name

Full forename(s)

Surname

3 Administrator's address

Building name/number

Street

Post town

County/Region

Postcode

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.

AM03 Notice of Administrator's Proposals

6		Statement of proposals	
		<input checked="" type="checkbox"/> I attach a copy of the statement of proposals	
7		Sign and date	
Administrator's Signature	<div>Signature</div> <div>✕  ✕</div>		
Signature date	<div><div>^d0^d3</div><div>^m1^m2</div><div>^y2^y0^y2^y1</div></div>		

AM03

Notice of Administrator's Proposals

**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	Anna Johnson
Company name	Marshall Peters
Address	Heskin Hall Farm
	Wood Lane
Post town	Heskin
County/Region	Preston
Postcode	P R 7 5 P A
Country	
DX	
Telephone	01257 452021

**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 and dated 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

High Court of Justice

No. CR-2021-001798

**Cheshire ATV & Mowers Limited
In Administration**

THE ADMINISTRATOR'S PROPOSAL

**Clive Morris
Administrator**

Marshall Peters

Heskin Hall Farm, Wood Lane, Heskin, Preston, PR7 5PA

01257 452021

anna.johnson@marshallpeters.co.uk

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1. Executive Summary

- 1.1 This Proposal incorporates the Statement of the Administrator's Proposals prepared pursuant to Paragraph 49(1) of Schedule B1 of the Act attached at Appendix I.
- 1.2 Cheshire ATV & Mowers Limited ("the Company") was incorporated on 3 September 2020. The principal activity of the Company was wholesale of agricultural machinery, equipment and supplies and traded from Yew Tree Works, Congleton Road, Marton, Macclesfield, Cheshire, SK11 9HN.
- 1.3 On 12 October 2021, Clive Morris of Marshall Peters was appointed Administrator of the Company by the Director, James Barlow.
- 1.4 As explained in more detail in the Statement of Proposals, the Administrator is currently pursuing the third statutory objective of realising property in order to make a distribution to one or more secured or preferential creditors.
- 1.5 A summary of the current and anticipated future positions are detailed below.

Assets

Asset	Realisations to date (£)	Anticipated future realisations (£)	Total anticipated realisations (£)
Plant & Machinery	Nil	4,500.00	4,500.00
Motor Vehicles	Nil	7,000.00	7,000.00
Stock	Nil	15,000.00	15,000.00
Cash at Bank	2,569.61	Nil	2,569.61
Book Debts	2,131.37	15,860.63	17,992.00

Expenses

Expense	Expense incurred to date	Anticipated further expense	Total anticipated expense
Administrator's pre-appointment fees	4,050.00	Nil	4,050.00
Administrator's post-appointment fees	22,970.00	7,840.00	30,810.00
Administrator's expenses	425.00	50.00	475.00
Agents' fees	2,400.00	Nil	2,400.00

Dividend prospects

Creditor class	Distribution / dividend paid to date	Anticipated distribution / dividend
Preferential creditors	Nil	9,326.61
Floating Charge Holder	Nil	Nil
Unsecured creditors	Nil	Nil

- 1.6 The Statement of Proposals at Appendix I provides explanations of the events leading to the Administration and the progress of the Administration to date, as well as other statutory information.
- 1.7 This Proposal provides more detailed information on the work that the Administrator anticipates he will undertake to complete the Administration together with his proposed basis of fees. To put this request into context, this Proposal provides further information on the Administrator's costs to date, including the costs incurred prior to Administration. It also explains other matters for creditors' consideration, such as the proposed timing of the Administrator's discharge on conclusion of the Administration.
- 1.8 Definitions of the terms used in this Proposal are provided in Appendix I together with all statutory information pertaining to the Company.

2. Statement of Pre-Administration Costs

- 2.1 Setting the Administrator's fees in the sum of £4,050.00 is considered to be a fair and reasonable reflection of the work undertaken as it is based on the time costs actually spent on the case by the Administrator and his staff.

- (a) The work completed by the Administrator to date includes liaising with the Company's secured creditor regarding the proposed Administration strategy and outcomes, ongoing communication with the Director to complete a statement of affairs and gathering other financial information to determine the Company's overall financial state, the drafting, filing and issuing of the Notice of Intention to Appoint an Administrator and the Notice of the Appointment by the Director. Communication with the Company accountant, Haywood Shepherd Limited, to obtain payroll information for the employees of the Company.
- (b) GTC Appraisals were instructed to value the assets of the Company which incurred costs of £2,400.00. The agents attended site on 28 September 2021 and completed a valuation report shortly thereafter.
- (c) It was apparent that there was insufficient working capital and no prospect of raising new funding to allow short-to-medium-term trading to continue. On this basis, the Company could not trade in Administration with a view to returning to profitability and exiting Administration by handing the Company back to the Director. Nor could the Company trade in Administration so that the business and assets could be exposed thoroughly to the market.

- 2.2 In conducting the above work, the following costs were incurred:

	£
Marshall Peters's pre-appointment time costs (see Appendix II)	4,050.00
Marshall Peters's disbursements	50.00
Agents' costs	2,400.00

2.3 Attached at Appendix II is a breakdown of the time costs of the Administrator and his staff incurred prior to Administration and included within Appendix III are Marshall Peter's charge-out rates and bases of disbursements.

2.4 All the above costs remain unpaid.

2.5 Consequently, the unpaid pre-Administration costs are as follows:

	£
Marshall Peters's pre-appointment time costs (see Appendix II)	4,050.00
Marshall Peters's disbursements	50.00
Agents' costs	2,400.00

2.6 The payment of the unpaid pre-Administration costs as an expense of the Administration is subject to approval under Rule 3.52 of the Rules and is not part of the Statement of Proposals subject to approval under Paragraph 53 of Schedule B1 of the Act. Further explanation of the approval process is provided in Section 9.

3. The Administrator's Fees

3.1 The Administrator proposes to fix his fees on the following basis:

- (i) the time properly given by the Administrator and his staff in attending to matters arising in the Administration, such time to be charged at the prevailing standard hourly charge out rates used by Marshall Peters at the time the work is performed (plus VAT).

3.2 Attached at Appendix IV is a breakdown of the time costs incurred in the Administration to 12 October 2021. The Statement of Proposals provides an account of the work undertaken to date and Appendix V provides a detailed list of work undertaken and proposed to be undertaken by the Administrator and his staff.

3.3 The charge-out rates of the Administrator and his staff are detailed in Appendix III. The appropriate staff have been assigned to work on each aspect of the case based upon their seniority and experience, having regard to the complexity of the relevant work, the financial value of the assets being realised and claims being agreed. The grades of staff instructed to assist in this matter and their key responsibilities include:

- Support Staff: maintenance of the creditors' contacts database, assisting with creditors' queries and routine correspondence
- Administrators: assisting in the realisation of assets, employee matters, liaising with creditors and debtors, preparing reports to creditors and other statutory matters, and managing the cashiering function
- Managers: on-site attendance, reviewing the Company's position and affairs, handling asset realisations, reviewing draft statutory reports to creditors and overseeing the tax and VAT aspects of the case

3.4 Creditors may access a Guide to Administrators' Fees at [https://www.r3.org.uk/media/documents/publications/professional/Guide to Administrators Fees Oct 2015.pdf](https://www.r3.org.uk/media/documents/publications/professional/Guide_to_Administrators_Fees_Oct_2015.pdf) or a hard copy will be provided on request.

3.5 Further information is set out below and in the appendices to explain the future time costs that the Administrator anticipates incurring in this Administration.

4. The Administrator's Expenses

4.1 The Administrator's expenses may be divided into two categories:

- Category 1 expenses are costs that can be specifically identified as relating to the administration of the case. These are charged to the estate at cost with no uplift. These include, but are not limited to, such items as advertising, bonding and other insurance premiums and properly reimbursed expenses. Legislation provides that administrators may discharge Category 1 expenses from the funds held in the insolvent estate without further recourse to creditors.
- Category 2 expenses are costs that are also directly referable to the appointment in question but not to a payment to an independent third party. Payments may only be made in relation to Category 2 expenses after the relevant creditors have approved the bases of their calculation.

4.2 Appendix III provides details of the bases of Category 2 expenses that the Administrator proposes to recover from the insolvent estate.

5. Proposed Work to be Undertaken

5.1 Set out in Appendix V is a detailed list of tasks that the Administrator proposes that he and his staff will undertake. The most material tasks are summarised below. The Estimated Outcome Statement attached to the Statement of Proposals provides an overview of the financial benefit that this work is expected to bring to creditors.

Administration (including Statutory Reporting)

5.2 The Administrator is required to meet a considerable number of statutory and regulatory obligations. Whilst many of these tasks do not have a direct benefit in enhancing realisations for the insolvent estate, they assist in the efficient and compliant progressing of the administration, which ensures that the Administrator and his staff carry out their work to high professional standards.

5.3 Primarily, these tasks include:

- Meeting all statutory reporting and filing requirements, including 6-monthly reports, seeking an extension where necessary, and issuing a final report and notices;
- Consulting with and instructing staff and independent advisers as regards practical, technical and legal aspects of the case to ensure efficient progress;

- Maintaining case files, which must include records to show and explain the administration and any decisions made by the Administrator that materially affects the administration;
- Conducting periodic case reviews to ensure that the administration is progressing efficiently, effectively and in line with the statutory requirements; and
- Maintaining and updating the estate cash book and bank accounts, including regular bank reconciliations and processing receipts and payments.

Investigations

5.4 The Administrator examines the conduct of the Company and its directors prior to the Administration with two main objectives:

- To identify what assets are available for realising for the benefit of creditors, including any potential actions against directors or other parties, such as challenging transactions at an undervalue or preferences; and
- To enable the Administrator to report to the Insolvency Service on the conduct of the directors so that the Insolvency Service may consider whether disqualification proceedings are appropriate ("CDDA" work).

5.5 In the early stages of the Administration, this work involves examining the Company's books and records, considering information received from creditors and the Company's accountants and seeking information from the Company's directors and other senior staff by means of questionnaires and/or interviews.

5.6 In the event that questionable transactions are identified, it may be necessary to conduct further investigations and instruct solicitors to assist in deciding the Administrator's next steps in pursuing a recovery. If a potential recovery action is identified, it may be necessary to instruct professional agents in gathering evidence and in exploring further the existence and value of assets to target. If the Administrator encounters resistance in making a recovery, formal legal action may be appropriate.

5.7 In addition, if the Insolvency Service decides to proceed with a disqualification, the Administrator will be required to assist the Insolvency Service's investigators in his work, which may include providing the investigators with access to the Company's books and records and agreeing statements to be given in evidence of those proceedings.

Realisation of assets

5.8 The Statement of Proposals summarises the work carried out by the Administrator to date in realising the Company's assets. The principal matters that require further work are:

- Continuing to pursue the Company's outstanding book debts;
- Investigating potential sums due in respect of the directors' loans/inter-company balances/associated party transactions and pursuing settlement of these;

- Marketing the Company's asset sale;
- Concluding a sale of the Company's assets; and
- Maintaining appropriate insurance cover on the Company's assets until they have been sold.

Trading

5.9 Although the Company is no longer trading, there remain some matters to resolve, such as:

- Terminating all remaining contracts with employees, sub-contractors and other service-providers/suppliers;
- Submitting all post-appointment tax returns and settling liabilities.

Creditors (claims and distributions)

5.10 As the Statement of Proposals explains, there are a number of different classes of creditor involved in the Administration that require the Administrator's attention. In particular, the Administrator anticipates conducting the following key tasks:

- Liaising with the secured creditor in relation to the sale of assets subject to their security;
- Examining the validity of the secured creditor's claim;
- Assisting the employees to receive payments from the RPO and liaising with the RPO to agree its claim;
- Reviewing claims submitted by the tax departments and, where it is appropriate, examining the Company's records to appeal assessments or adjudicate on the Crown's claims;
- Responding to creditors' queries and logging their claims and supporting information;
- Maintaining the database as regards creditors' contact details and claims;
- Agreeing employee claims, calculating and paying a distribution to preferential creditors.

Exit Routes

5.11 Dissolution

Based on the present information, it is unlikely that there will be any dividend to unsecured creditors above the prescribed part, therefore once the Administration has concluded and all matters within the Administration have been dealt with, the Administrator proposes to file a notice together with the final progress report at Court and with the Registrar of Companies for the dissolution of the Company. The Administrator appointed will end following the registration of the notice by the Registrar of Companies.

Creditors Voluntary Liquidation ("CVL")

As noted above, it is unlikely that there will be a dividend to unsecured creditors apart

from the prescribed part; therefore, the best exist route is dissolution. However, if the Administrator later determines that the creditors would be better served by moving the Company into Liquidation, the Administrator would file a notice with the Registrar of Companies in order that the Administration will cease and the move automatically into CVL.

Compulsory Liquidation

If a move to a CVL is not possible because a dividend to unsecured creditors, other than by the prescribed part, is not anticipated, but the Administrator concludes that an exit into Liquidation is the best course of action so that further investigations into the Company's affairs may be carried out then moving the Company into Compulsory Liquidation will be the best course of action to take.

5.12 In any event, the Liquidator will be required to carry out the following activities in addition to continuing to realise the Company's assets and conduct investigations, where these have not been completed in the Administration:

- Meeting statutory requirements including: issuing notices on appointment; issuing annual progress reports and a final account to creditors; and completing periodic tax returns;
- Maintaining case files, which must include records to show and explain the administration of the liquidation and any decisions made by the Liquidator that materially affect the administration;
- Conducting periodic case reviews to ensure that the liquidation is progressing efficiently, effectively and in line with the statutory requirements;
- Maintaining and updating the estate cash book and bank accounts, including regular bank reconciliations and processing receipts and payments;
- Adjudicating on all creditors' claims with the assistance of solicitors where necessary;
- Giving notice of the intention to declare a dividend; and
- Calculating, declaring and paying dividends to creditors and dealing with unclaimed dividends.

6. Other Information to Support the Proposed Fees

6.1 Attached at Appendix V is an estimate of the time that the Administrator envisages the above work will take to complete and the expenses to do so.

6.2 Please note that the estimates have been provided on the assumptions given below. In the event that it proves necessary for the Administrator to incur additional expenses in performing his duties, he will provide further details in his progress reports, but there is no statutory obligation to ask creditors to approve any adjusted Expenses Estimate. In the event that the Administrator incurs time costs in excess of the Fees Estimate, he will only revert to the relevant creditors for approval if he proposes to draw any fees in addition to those estimated from the insolvent estate.

6.3 In summary, the Administrator proposes that his fees be fixed on the basis of time costs and he estimate that he and his staff will spend time totalling £34,860.00 in

conducting the tasks described. This estimate includes the time spent to date of £27,020.00, as described in Appendix IV.

6.4 The Fees and Expenses Estimates have been compiled on the assumptions set out below. Please note that these are assumptions only for the purposes of preparing the Estimates in accordance with the statutory provisions. It has been assumed that:

- investigations to the extent described in section 5 above will be carried out;
- no exceptional work will need to be conducted in order to realise the remaining assets;
- there will be no requirement to hold a physical creditors' meeting or additional decision procedure to consider the matters covered by this Proposal; and
- there will be no need to extend the Administration.

6.5 On the basis of these assumptions, the Administrator does not anticipate that it will be necessary to seek additional approval from the relevant creditors for fees in excess of the Fees Estimate. However, in the event that the Administration does not proceed as envisaged, the Administrator will seek approval for any fees in addition to those estimated that he wishes to draw from the insolvent estate.

6. The Administrator's Discharge

6.1 The Act requires that the timing of the Administrator's discharge from liability will be decided by the secured creditor. The Administrator proposes that this discharge will take effect when his appointment ceases to have effect, unless the court specifies a time.

7. Approval Process

7.1 As the Administrator anticipates that the Company has insufficient property to enable a distribution to unsecured creditors (other than the potential prescribed part fund of any net floating charge property), he is not required to seek a decision from the unsecured creditors for approval of the Proposals.

If any creditor has any queries in relation to the above, please do not hesitate to contact either of the Administrator or Anna Johnson, on 01257 452021 or by email to anna.johnson@marshallpeters.co.uk.

Dated this 30 November 2021



Clive Morris
Administrator

Clive Morris was appointed Administrator of Cheshire ATV & Mowers Limited on 12 October 2021. The affairs, business and property of the Company are managed by the Administrator. The Administrator acts as an agents of the Company and contract without personal liability.

Cheshire ATV & Mowers Limited (In Administration)

**STATEMENT OF THE ADMINISTRATORS' PROPOSALS
PURSUANT TO SCHEDULE B1 OF THE INSOLVENCY ACT 1986**

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High Court of Justice

No. CR-2021-001798

**Cheshire ATV & Mowers Limited
In Administration**

**STATEMENT OF THE ADMINISTRATOR'S PROPOSAL
PURSUANT TO SCHEDULE B1 OF THE INSOLVENCY ACT 1986**

**Clive Morris
Administrator**

Marshall Peters

Heskin Hall Farm, Wood Lane, Heskin, Preston, PR7 5PA

01257 452021

anna.johnson@marshallpeters.co.uk

Disclaimer Notice

- This Statement of Proposals has been prepared by Clive Morris, the Administrator of Cheshire ATV & Mowers Limited, solely to comply with his statutory duty under Paragraph 49, Schedule B1 of the Insolvency Act 1986 to lay before creditors a statement of his proposal for achieving the purposes 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.
- Any estimated outcomes for creditors included in this Statement of Proposals 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 document for any purpose or in any context other than under Paragraph 49, Schedule B1 of the Insolvency Act 1986 does so at their own risk. To the fullest extent permitted by law, the Administrator does not assume any responsibility and will not accept any liability in respect of this Statement of Proposals.
- The Administrator acts as an agent for Cheshire ATV & Mowers Limited and contract without personal liability. The appointment of the Administrator is personal to him and, to the fullest extent permitted by law, Marshall Peters does not assume any responsibility and will not accept any liability to any person in respect of this Statement of Proposals or the conduct of the Administration.
- All licensed Insolvency Practitioners of Marshall Peters are licensed in the UK to act as Insolvency Practitioners.

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- C Director's Statement of Affairs as at 12 October 2021 and Creditors' Details**
- D Estimated Outcome Statement**
- E The Administrator's Receipts and Payments Account to 30 November 2021**

1. Introduction

- 1.1** This Statement of Proposals is prepared pursuant to Schedule B1 of the Act in relation to the Company, the purposes of which are to provide creditors with a full update as to the present position and to set out the Administrator's proposals for achieving an Administration objective.
- 1.2** The Statement of Proposals also includes information required to be provided to creditors pursuant to the Rules. Definitions of the terms used in the Statement of Proposals are provided in Attachment A and statutory information pertaining to the Company is set out in Attachment B.
- 1.3** This Statement of Proposals is being delivered to creditors on 30 November 2021. The Administrator thinks that neither of the first two Administration objectives will be achieved. Consequently, and in accordance with Paragraph 52(1)(c) of Schedule B1 of the Act, creditors are not being asked to decide on the Administrator's proposals, although they may ask the Administrator to request such a decision. Please see section 8 for further details.

2. Background to the Company

- 2.1** Cheshire ATV & Mowers Limited ("the Company") was incorporated by James Barlow ("the Director") on 03 September 2020. The Company traded as a wholesaler of agricultural machinery, equipment and supplies and traded from leasehold premises at Yew Tree Works Congleton Road, Marton, Macclesfield, Cheshire, SK11 9HN.
- 2.2** The Company purchased assets on deferred terms from the Liquidator of an associated company, Barlows Agri Limited, following the Liquidation on 16 October 2020. The Company utilised a secured loan from Seneca Trade Finance Ltd to assist with payment of an initial lump sum consideration to the Liquidator.
- 2.3** Shortly after commencement of trading, the Company began to face cashflow issues as a result of the drain on working capital caused by the large initial consideration paid for the assets in the Liquidation of Barlows Agri Limited and commitments to meet the remaining consideration due as well as repayments to Seneca Trade Finance Ltd. As a large proportion of the assets purchased were intangible, the Company found that there was not sufficient liquidity in the tangible assets to meet ongoing trading costs as well as the deferred consideration and finance repayments. The Company refinanced some of its tangible assets to aid its immediate cashflow difficulties.
- 2.4** In August 2021, two key members of staff left the Company which left the Company short staffed and unable to carry out trading effectively, with a knock-on effect on turnover. During this time, the Company's liabilities increased and the Company started to receive threats of enforcement action despite the Director's efforts to reach agreements for payment arrangements.
- 2.5** Later that month, the Director held a fire sale in order to liquidate assets at a fast rate to assist with immediate cashflow requirements. Alongside this, the Director

attempted to cover workload himself to support the business, but was unable to cover the additional workload effectively.

- 2.6 It became apparent that alongside the financial strain and the lasting effects of the pandemic, sufficient new business could not be obtained. The Director took the decision to cease trading on 24 September 2021 due to insufficient cashflow and a lack of prospect of returning to profitability. All staff were made redundant on 24 September 2021.
- 2.7 With this in mind, the Director sought the advice of independent Insolvency Practitioners Marshall Peters Ltd, at which point it was determined that the Company was insolvent on a cashflow basis and had no reasonable prospect of returning to solvency.
- 2.8 On the above basis, a Notice of Intention to Appoint Clive Morris as Administrator of the Company was filed at Court on 30 September 2021.
- 2.9 On 12 October 2021, the Notice of Appointment was filed at Court and the Company formally entered Administration.

Overview of Financial Information

- 2.10 Due to the Company only being incorporated on 3 September 2020, no accounts have been prepared or filed at Companies House. The Director has advised that no management accounts have been prepared.

Management and Employees

- 2.11 As at 24 September 2021, the Company employed 5 members of staff at its sole trading premises. All staff were made redundant on 24 September 2021.
- 2.12 Statutory information on the Company, including details of the Directors, Company Secretary, and Shareholders is provided at Attachment B.

3. Events leading to the Administration

- 3.1 As detailed above, creditor level began to rise and various creditors began to issue threats of enforcement action.
- 3.2 A Notice of Intention to Appoint an Administrator was filed on 30 September 2021, this subsequently triggered an Interim Moratorium.
- 3.3 On 12 October 2021, Clive Morris of Marshall Peters was appointed Administrator of the Company following the filing of a Notice of Appointment of Administrator by the Director of the Company.
- 3.4 For creditors' general information, the EC Regulation on insolvency proceedings do not apply in this case.

- 3.5 The proceedings flowing from the appointment are COMI proceedings to which the EU Regulation as it has effect in the law of the United Kingdom does not apply, as the company's registered office and centre of main interests are within the United Kingdom.

4. The Purpose of the Administration

- 4.1 The purpose of an Administration is set out in Schedule B1, Paragraph 3(1) of the Act. In short, this provides that an Administrator of a company must perform his functions with the objective of:

- rescuing the company as a going concern, or
- achieving a better result for the creditors as a whole than would be likely to be achieved 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.

- 4.2 These objectives form a hierarchy. The rescue of a company is the priority. If this is not possible, the Administrator seeks to achieve a better result for the creditors as a whole. In the event that this cannot be achieved, then the Administrator is permitted to realise assets for the benefit of the preferential or secured creditors.

- 4.3 The Administrator would comment that there was insufficient working capital and no prospect of raising new funding to allow trading to continue. On this basis, the Company could not trade in Administration with a view of returning to profitability and existing Administration by handing the Company back to the Director. Nor could the Company trade in Administration and be exposed to the market, therefore, the first objective was not a possibility in this case.

- 4.4 The Administrator would comment that he does not anticipate that ordinary, unsecured creditors will receive a dividend at this stage. Accordingly, the Administrator anticipates that the third objective will be achieved through the sale of the Company's assets and by the collection of the debtor ledger.

- 4.5 A detailed account of how the Administrator has sought to achieve the objective of the Administration is set out below.

5. Management of the Company's Affairs since the Administrator's Appointment

- 5.1 Immediately upon appointment the Administrator undertook a review of the Company's affairs with particular regard to its financial and resource requirements. This assessment was carried out in liaison with the remaining management of the Company.

Sales to connected parties

- 5.2 To date, there have been no sales of any of the Company's assets to connected parties since the Administrator's appointment.
- 5.3 On 28 September 2021, the Administrator instructed GTC Appraisals ("GTC") attend site and carry out a valuation of the Company's assets.
- 5.4 GTC were then instructed market the assets and were advised of all known interested parties. GTC are professional independent agents with adequate professional indemnity insurance, to dispose of the Company's assets using the most advantageous method available.
- 5.5 As detailed above, the Company traded from leasehold premises at Yew Tree Works, Congleton Road, Marton, Macclesfield, Cheshire, SK11 9HN. The Landlord of the trading premises, namely Barlow's (Properties) Limited, entered Administration on 11 October 2021. Unfortunately, this resulted in delays to the sale of the Company's assets due to restricted access to the trading premises.
- 5.6 Three unconnected parties contacted the Administrator to declare an interest purchasing the assets of the Company and were put in touch with GTC to progress their interest, from which one formal offer has been received;
- 5.7 An unconnected party has offered to purchase the tangible unencumbered assets of the Company for £26,500 on an ex-situ basis.
- 5.8 GTC concluded that the aforementioned offer was very likely to represent the best net realisation for the assets and they recommended to the Administrator that the offer be accepted.
- 5.9 The offer has been accepted in principle by the Administrator, but the sale is yet to complete due to restricted premises access following the appointment of the Administrators of the landlord to the premises.

Assets remaining to be realised

5.10 Book Debts

Upon appointment, the Administrator sought the assistance of the Director to bring the Company's outdated debtor ledger up to date. Following this, £22,490 of debts were identified as owing to the Company. To date, book debts totalling £2,131 have been collected. As illustrated in the Estimated Outcome Statement at Attachment D, on the basis of current information, it is estimated that book debts of £17,992 will be collected during the Administration, based upon 20% of book debts being uncollectable due to the age of various invoices listed in the ledger.

5.11 Plant and Machinery

As per GTC's valuation report, it was determined that the Company's plant and machinery held a total value of £7,000 in-situ. Due to the current climate, it was concluded that the assets have a lesser estimated value and subsequently have an ex-situ value of £4,500.

5.12 Motor Vehicles

As per GTC's valuation report, it was determined that the Company's motor vehicles hold a total value of £8,500 in-situ. It was concluded that the assets have an ex-situ value of £7,000.

5.13 Stock

As per GTC's valuation report, it was determined that the Company's stock holds a total value of £47,000 in-situ. It was concluded that the assets have an ex-situ value of £15,000.

Post appointment strategy

5.14 Immediately following the appointment of the Administrator on 12 October 2021, employees of the Company were informed of the Administration and that they are being made redundant as a result of the Company's insolvency. They were provided with instructions of how to submit their claim to the Redundancy Payments Service.

5.15 The Administrator's staff are in the process of collating creditors' claims and have handled creditors' queries as they have arisen which include telephone calls and correspondence.

5.16 Motor vehicles were financed on hire purchase agreements with Bira Bank, against which there will be a shortfall to Bira Bank. The Administrator's staff continue to liaise with Bira Bank and information continues to be provided to assist them in the collection of these assets.

5.17 GTC Appraisals, a firm of chattel agents, were instructed to undertake inventories and valuations of stock, plant and equipment, motor vehicles and other chattel assets where appropriate. The agents also advised on the best method of disposal of those assets and assisted in their disposal, as well as assisted with claims of retention of title and security.

5.18 All professional fees are based upon the parties' recorded time costs incurred at their standard charge out rates and will be reviewed by the Administrator's staff before being approved for payment.

Investigation into the Company's Affairs Prior to the Administration

5.19 The Administrator is undertaking a review of the Company's trading activities in order to establish whether or not there are actions that may be taken for the benefit of the Administration and consequently to enable a conduct report to be submitted in respect of Company director in office at the commencement of the Administration.

5.20 Should any creditor have any concerns about the way in which the Company's business has been conducted or information on any potential recoveries for the estate, they are invited to bring them to the attention of the Administrator as soon as they are able.

6. The Statement of Affairs and the Outcome for Creditors

- 6.1 A Statement of Affairs dated 12 October 2021 has been submitted by the Director of the Company, a copy of which is attached at Attachment C.
- 6.2 In accordance with the standard format of a Statement of Affairs, no provision has been made in the Statement for the costs of the Administration (including agents, legal and other professional fees).
- 6.3 The Administrator has not carried out any work of the nature of an audit on the information.

Secured creditors

- 6.4 The Company granted the following security:

Seneca Trade Finance Ltd – 05 October 2020 (Date of creation of the charge)

As detailed above, the Company granted a fixed and floating charge to Seneca Trade Finance Ltd on 05 October 2020, against which an estimated £32,500.00 was outstanding as at the date of Administration.

Preferential claims

- 6.5 Preferential claims relating to employee deductions are expected to be paid by the Redundancy Payments Service who will have a corresponding preferential claim against the Company. These are likely to be in the region of £5,711.00. The Administrator estimates that these claims will be paid in full in the Administration.
- 6.6 The secondary preferential creditor is HMRC for claims of unpaid VAT, PAYE Income Tax, employee National Insurance contributions, student loan deductions and Construction Industry Scheme deductions. Claims totalling £20,000 relating to unpaid PAYE and £25,000 relating to unpaid VAT are estimated to be received. A final claim is yet to be received from HMRC. The Administrator estimates that a dividend totalling £3,615.61 will be issued to HMRC relating to their preferential claim in the Administration.
- 6.7 Section 176A of the Act requires Administrators to make a prescribed part of the company's net property, which is the balance remaining after discharging the preferential claims but before paying the floating charge-holder, available for the satisfaction of unsecured debts.
- 6.8 In this case, it is anticipated that the prescribed part provision will not apply. It is unlikely that there will be sufficient realisations after the preferential dividends have been paid and therefore the Administrator envisages that there will be no resulting net property from which to deduct a prescribed part.
- 6.9 The Administrator does not propose to make an application to court under Section 176A(5) of the Act to disapply the prescribed part provisions, because it is anticipated that there will be no prescribed part.

6.10 As demonstrated in the Estimated Outcome Statement attached at Attachment D, on the basis of the costs incurred to date and the estimated further costs to be incurred in bringing the Administration to a conclusion, it is anticipated that there will be sufficient funds to pay a distribution to preferential creditors only.

6.11 Attached at Attachment D is the Administrator's receipts and payments account for the period from 12 October 2021 to 30 November 2021.

7. The Administrator's Fees

7.1 The Administrator proposes to be remunerated on the basis of the time properly given by the Administrator and his staff in attending to matters arising in the Administration, such time to be charged at the prevailing standard hourly charge out rates used by Marshall Peters at the time the work is performed (plus VAT).

7.2 The Administrator will seek approval for the basis of his fees from the secured and preferential creditors.

7.3 Information to support the proposed basis of the Administrator's fees, together with the Statement of pre-Administration costs, is provided in the Administrator's Proposal, to which this Statement of Proposals forms an appendix.

8. Approval of the Statement of Proposals

8.1 As explained in section 6 above, the Administrator thinks that the Company has insufficient property to enable a distribution to be made to unsecured creditors (other than by virtue of Section 176A(2)(a) of the Act). Therefore, pursuant to Paragraph 52(1)(b) of Schedule B1 of the Act, the Administrator is not required to seek creditors' approval of the Statement of Proposals.

8.2 Notwithstanding this, the Administrator shall be required to seek a creditors' decision on whether to approve the Statement of Proposals, if it is requested by creditors whose debts amount to at least 10% of the Company's total debts. Such request must be delivered to the Administrator within 8 business days from the date on which the Statement of Proposals was delivered. Security must be given for the expenses of seeking such a decision.

8.3 If no decision is requested, the Statement of Proposals will be deemed to be approved pursuant to Rule 3.38(4) of the Rules.

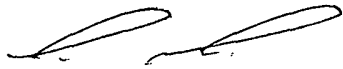
9. Summary of the Administrator's Proposals

9.1 The Statement of Proposals is summarised below.

9.2 In order to achieve the purpose of the Administration, the Administrator formally proposes to creditors that:

- i. The Administrator continues to manage the business, affairs and property of the Company in order to achieve the third statutory purpose of Administration, realising property in order to make a distribution to one or more secured or preferential creditors. The Administrator proposes to do this by collecting the book debts and selling the assets of the Company.
- ii. The Administrator investigates and, if appropriate, pursues any claims that the Company may have against any person, firm or company, whether in contract or otherwise, including any officer or former officer of the Company or any person, firm or company that supplies or has supplied goods or services to the Company.
- iii. The Administrator do all such things and generally exercise all his powers as Administrator as he considers desirable or expedient at his discretion in order to achieve the purpose of the Administration or protect and preserve the assets of the Company or maximise the realisations of those assets, or of any purpose incidental to these activities.
- iv. In the event that there is no remaining property that might permit a distribution to the Company's creditors, they shall file a notice of dissolution of the Company pursuant to Paragraph 84 of Schedule B1 of the Act; or
- v. In the event that the Administrator thinks that a distribution will be made to unsecured creditors (and they have not sought the court's permission, and are otherwise unable, to pay the distribution whilst the Company is in Administration), they shall send to the registrar of companies notice to move the Company from Administration to Creditors' Voluntary Liquidation. In such circumstances, Clive Morris will be appointed as Liquidator. Creditors may nominate a different person or persons as the proposed Liquidator in accordance with Paragraph 83(7)(a) of Schedule B1 of the Act and Rule 3.60(6)(b) of the Rules, but they must make the nomination or nominations at any time after they receive the Statement of Proposals, but before it is approved. Information about the process of approval of the Statement of Proposals is set out at Section 8; or
- vi. Alternatively, and should there be no likely funds to distribute to unsecured creditors, the Administrator may seek to place the Company into Compulsory Liquidation in order to bring proceedings that only a Liquidator may commence for the benefit of the estate. In such circumstances, Clive Morris may ask the court that he be appointed Liquidator, to act in undertaking his duties as Liquidator.

Dated this 30 November 2021



Clive Morris
Administrator

Clive Morris was appointed Administrator of Cheshire ATV & Mowers Limited on 12 October 2021. The affairs, business and property of the Company are managed by the Administrator. The Administrator acts as an agent of the Company and contract without personal liability.

DEFINITIONS

The Act	The Insolvency Act 1986
The Rules	The Insolvency Rules 1986 or the Insolvency (England & Wales) Rules 2016 (whichever applied at the time of the event described)
The Statement of Proposals	The Statement of the Administrator's Proposals prepared pursuant to Paragraph 49(1) of Schedule B1 of the Act
The Administrator	Clive Morris
The Company	Cheshire ATV & Mowers Limited (in Administration)
The Court	High Court of Justice
EBIT	Earnings before interest and tax
FY	Financial year ended
SPA	Sale & Purchase Agreement
RPO	The Redundancy Payments Office
HMRC	HM Revenue & Customs
ROT	Retention of Title
EOS	Estimated Outcome Statement
PP or Prescribed Part	The Prescribed Part of the Company's net property subject to Section 176A of the Insolvency Act 1986
QFCH	Qualifying Floating Charge Holder
SIP	Statement of Insolvency Practice (England & Wales)
TUPE	Transfer of Undertakings (Protection of Employment) Regulations

Cheshire ATV & Mowers Limited (IN ADMINISTRATION)**STATUTORY INFORMATION**

Company Name	Cheshire ATV & Mowers Limited
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Proceedings	In Administration
Court	High Court of Justice
Court Reference	CR-2021-001798
Date of Appointment	12 October 2021
Administrator	Clive Morris of Marshall Peters Heskin Hall Farm, Wood Lane, Heskin, Preston, PR7 5PA
Registered office Address	c/o Marshall Peters, Heskin Hall Farm, Wood Lane, Heskin, Preston, PR7 5PA
Company Number	12856941
Incorporation Date	03 September 2020
Appointment by	Director – James Barlow
Directors at date of Appointment	James Barlow
Directors' Shareholdings	James Barlow – 100 Ordinary Shares

Cheshire ATV & Mowers Limited (IN ADMINISTRATION)

STATEMENT OF AFFAIRS AT 12 OCTOBER 2021 AND CREDITORS' DETAILS

STATEMENT OF AFFAIRS

Name of Company
Cheshire Atv & Mowers Limited

Company Number
12856941

In the
High Court of Justice

Court case number
CR-2021-001798

Statement as to the affairs of

Cheshire Atv & Mowers Limited

Heskin Hall Farm

Wood Lane

Heskin

Preston

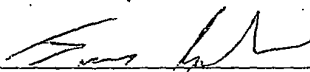
PR7 5PA

on the 12 October 2021, the date that the company entered administration.

Statement of Truth

I believe the facts stated in this statement of affairs are a full, true and complete statement of the affairs of the above named company as at 12 October 2021 the date that the company entered administration. I understand that proceedings for contempt of court may be brought against anyone who makes, or causes to be made, a false statement in a document verified by a statement of truth without an honest belief in its truth.

Full Name



Signed

JAMES BARLOW


Dated

22/11/21

Cheshire Atv & Mowers Limited
Company Registered Number: 12856941
Statement Of Affairs as at 12 October 2021

A - Summary of Assets

Assets	Book Value £	Estimated to Realise £
Assets subject to fixed charge:		
Bira Bank Financed Assets	19,000.00	18,200.00
Bira Bank		(33,805.00)
Deficiency c/d		(15,605.00)
Assets subject to floating charge:		
Uncharged assets:		
Plant & Machinery	7,000.00	4,500.00
Furniture & Equipment	500.00	NIL
Motor Vehicles	8,500.00	7,000.00
Stock	47,000.00	15,000.00
Book Debts	22,490.00	17,992.00
Estimated total assets available for preferential creditors		44,492.00

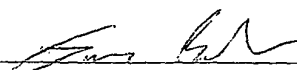
Signature  Date 22/11/21

Cheshire Atv & Mowers Limited
Company Registered Number: 12856941
Statement Of Affairs as at 12 October 2021

A1 - Summary of Liabilities

		Estimated to Realise £
Estimated total assets available for preferential creditors (Carried from Page A)		44,492.00
Liabilities		
Preferential Creditors:-		
Employee Arrears/Hol Pay (Count=5)	5,711.00	5,711.00
Estimated deficiency/surplus as regards preferential creditors		38,781.00
2nd Preferential Creditors:-		
HM Revenue & Customs (PAYE)	20,000.00	
HM Revenue & Customs (VAT)	25,000.00	45,000.00
Estimated deficiency/surplus as regards 2nd preferential creditors		(6,219.00)
Debts secured by floating charges pre 15 September 2003		
Other Pre 15 September 2003 Floating Charge Creditors		
Seneca Trade Finance Ltd	32,500.00	32,500.00
		(38,719.00)
Estimated prescribed part of net property where applicable (to carry forward)		NIL
Estimated total assets available for floating charge holders		(38,719.00)
Debts secured by floating charges post 14 September 2003		
		NIL
Estimated deficiency/surplus of assets after floating charges		(38,719.00)
Estimated prescribed part of net property where applicable (brought down)		NIL
Total assets available to unsecured creditors		(38,719.00)
Unsecured non-preferential claims (excluding any shortfall to floating charge holders)		
Deficiency b/d	15,605.00	
Trade & Expense Creditors	118,129.00	
Employee Claims(Count=5)	58,131.00	
ALG Finance Ltd	2,622.00	
Grove Asset Management Ltd	5,057.00	199,544.00
Estimated deficiency/surplus as regards non-preferential creditors (excluding any shortfall in respect of F.C's post 14 September 2003)		(238,263.00)
Estimated deficiency/surplus as regards creditors		(238,263.00)
Issued and called up capital		
Ordinary Shareholders	100.00	100.00
Estimated total deficiency/surplus as regards members		(238,363.00)

Signature



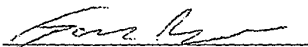
Date

22/10/21

Cheshire Atv & Mowers Limited
Company Registered Number: 12856941
B - Company Creditors

Key	Name	Address	£
CA00	ADT Fire & Security plc	ADT House, Mucklow Hill, Halesowen, West Midlands, B62 8DA	432.00
CA01	ALG Finance Ltd	Sovereign House, Stockport Road, Cheadle, Cheshire, SK8 2EA	2,622.24
CA02	Alliance Fire Protection Ltd	Old Stones House, Rochdale Road, Ripponden, Hali, HX6 4LB	451.26
CA03	Anthony Agricultural Services	27 Wynchgate Road, Hazel Grove, Stockport, SK7 6NZ	360.00
CA04	Ashton Tyre Specialists Ltd	Adlington Industrial Estate, Adlington, Macclesfield, Cheshire, SJ10 4NL	1,078.80
CB00	Bateson Trailers LTD	Doodfield Works, Windlehurst Road, Marple, Stockport, SK6 7EN	934.80
CB01	B & B Tractors	Meverill Road, Tideswell, Buxton, Derbyshire, SK17 8PY	53.16
CB03	Barlow's (Properties) Ltd	Yew Tree Works, Congleton Road, Marton, Cheshire, SK11 9HN	75.10
CB04	Barlows Agri Limited	Cowgills, Regency House, 45-53 Chorley New Road, Bolton, Lancashire, BL1 4QR	40,000.00
CB05	Bira Bank	225 Bristol Road, Edgbaston, Birmingham, B5 7UB	15,605.00
CC00	Calor Gas Limited	Potteries Calor Gas Centre, Sneyd Hill, Smallthorne, Staffs, ST6 2DZ	1,512.75
CC02	Charles J Marshall Ltd	Chapel Works, Bucksburn, Aberdeen, AB2 9TL	360.46
CE00	Excel Oils & Consumables	16 Heywood Close, Alderley Edge, SK9 7PP	488.45
CE01	Employee Claims	C/O Marshall Peters, Heskin Hall Farm, Wood Lane, Heskin, Preston, PR7 5PA	63,842.00
CG00	G.N.H Agri Ltd	Meihirina, Aberdesach, Caenarfon, Gwynedd, LL54 5EN	948.18
CG01	Geo. Agar Agricultural Enginee	Church Road, Ravenscar, Scarborough, North Yorkshire, YO13 0LZ	2,981.48
CG02	Grove Asset Management Ltd	Sovereign House, Stockport Road, Cheadle, Cheshire, SK8 2EA	5,057.66
CH00	Henton & Chattell	London Road, Nottingham, NG2 3HW	7,853.00
CH01	HandePay Credit Card Machine	Westway Park, Galway Crescent, Haydock, WA11 0GR	19.19
CH03	Heywood Shepherd	Chartered Accountants, 1 Park Street, Macclesfield, Cheshire, SK11 6SR	144.00
CH04	Hillsgreen Marketing Ltd	14 John Bradshaw Court, Alexandra Way, Congleton, Cheshire, CW12 1LB	600.00
CH05	HM Revenue & Customs (PAYE)	EIS Newcastle, BX9 1SR	20,000.00
CH07	HM Revenue & Customs (VAT)	Inland Revenue, Enforcements Office, Durrington Bridge House, Barrington Road, Worthing, West Sussex, BN12 4SE	25,000.00
CK00	Kramp UK LTD	Unit 5, Lancaster Way, Biggleswade, Bedfordshire, SG18 8YL	8,235.27
CK01	KBL Solicitors LLP	28 Mawdsley Street, Bolton, BL1 1LF	420.00
CK03	Kilwick Sprayers Ltd	Thorpefield Farm, Thorpe-Le-Street, York, Notes, YO42 4LN	55.08
CK05	Kymco UK Limited	30 North Road, Bridgend Industrial Estate, Bridgend, CF31 3TP	160.27
CM00	Macclesfield Bearings LTD	23 Park Lane, Macclesfield, Cheshire, SK11 6TJ	315.54
CM02	Macclesfield Motor Factors	Newton Street, Macclesfield, Cheshire, SK11 6RW	1,109.98

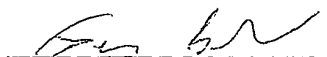
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Cheshire Atv & Mowers Limited
Company Registered Number: 12856941
B - Company Creditors

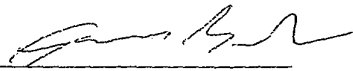
Key	Name	Address	£
CM03	McCormick AgriArgo UK Ltd	Unit D3 Harworth Industrial Es, Bryans Close, Harworth, Doncaster, South Yorkshire, DN11 8RY	45,000.00
CO00	One Connectivity Ltd	Unit A6 Langham Park, Maple Road, Castle Donington, Derbyshire, DE74 2UT	181.26
CP00	Portek Ltd	Bryn Hall, Knolton Bryn, Overton-On-Dee, Wrexham, LL13 0LF	858.53
CR00	RS Components Ltd	PO Box 99, Corby, Northamptonshire, NN17 9RS	17.16
CS00	Seneca Trade Finance Ltd	Gregs Building, 1 Booth Street, Manchester, M2 4DU	32,500.00
CT00	T H Horn LTD	Croston Barn Works, Croston Barn Lane, Carbus, Garstang, Preston, PR3 0JL	903.30
CT02	TFM Engineering Limited	Beehive Lane, New Hutton, Kendal, Cumbria, LA8 0AJ	1,377.60
CW00	W Bateman & Co	Garstang Road, Barton, Near Preston, Lancashire, PR3 5AA	1,202.00
37 Entries Totalling			282,755.52

Signature



Cheshire Atv & Mowers Limited
Company Registered Number: 12856941
C - Shareholders

Key	Name	Address	Type	Nominal Value	No. Of Shares	Called Up per share	Total Amt. Called Up
HB00	James Barlow	C/O Marshall Peters, Heskin Hall Farm, Wood Lane, Heskin, Preston, PR7 5PA	Ordinary	1.00	100	0.00	0.00
1 Ordinary Entries Totalling					100		

Signature 

COMMENTS ON THE DIRECTORS STATEMENT OF AFFAIRS

The Statement of Affairs ("SoA") does not reflect the costs of insolvency and realisation.

Agents and Valuers

GTC Appraisals ("GTC") were instructed on 28 September 2021 to value the assets of the Company. A going concern valuation reflects the estimated amount for which the assets could be sold as a whole in their working place. A forced sale basis reflects a sale whereby the assets are removed from the premises at the expense of the purchaser. The valuation used for the Statement of Affairs ("SoA") was the forced sale basis since the company has ceased to trade. The outcome of this valuation is detailed further below.

Assets

Bira Bank Financed Assets

The Company financed five motor vehicles as at the Administration date, the vehicles were subject to hire purchase agreements with Bira Bank. It is estimated that there will be a deficiency to Bira Bank of £15,605 following the collection of the vehicles.

Plant and Machinery

As per GTC's valuation report, it was determined that the Company's plant and machinery held a total value of £7,000 in-situ. Due to the current climate, it was concluded that the assets have a lesser estimated value and subsequently have an ex-situ value of £4,500.

Furniture and Equipment

As per GTC's valuation report, it was determined that the Company's furniture and equipment has a market value of £500 in-situ which is reflected as the book value in the SoA. However, GTC's report states that the furniture and equipment does not have a realisable value if the assets were to be sold ex-situ and, as a result, the realisable value is nil for the purposes of the SoA.

Motor Vehicles

As per GTC's valuation report, it was determined that the Company's motor vehicles hold a total value of £8,500 in-situ. It was concluded that the assets have an ex-situ value of £7,000.

Stock

As per GTC's valuation report, it was determined that the Company's stock holds a total value of £47,000 in-situ. It was concluded that the assets have an ex-situ value of £15,000.

Book Debts

Upon appointment, the Administrator sought the assistance of the Director to bring the Company's outdated debtor ledger up to date. Following this, £22,490 of debts were identified as owing to the Company. To date, book debts totalling £2,131.37 have been collected.

On the basis of current information, it is estimated that book debts of £17,992.00 will be collected during the Administration, based upon 20% of book debts being uncollectable due to the age of various invoices listed in the ledger.

Creditors

Secured creditors

The Company granted a fixed and floating charge to Seneca Trade Finance Ltd on 05 October 2020, against which an estimated £32,500.00 was outstanding as at the date of Administration.

First preferential creditors

The preferential creditors are employee claims for unpaid wages limited to £800 per employee. There are also preferential claims for unpaid holiday totalling £1,711.

Secondary preferential creditors

The secondary preferential creditor is HMRC for claims of unpaid VAT, PAYE Income Tax, employee National Insurance contributions, student loan deductions and Construction Industry Scheme deductions.

A claim totalling £20,000 relating to HMRC (PAYE) and £25,000 relating to HMRC (VAT). A proof of debt has not been received as of yet.

Prescribed Part

The prescribed part only applies where the company has granted a floating charge to a creditor after 15 September 2003. Where a floating charge over the company's assets has been given a prescribed amount of the company's net property after paying the preferential creditors must be made available to the unsecured creditors and the basis of this calculation is detailed below:-

50% of the first £10,000 of the net property; and
20% of the remaining net property up to a maximum of £600,000 or an £800,000 limit where the relevant floating charge was created on or after 6 April 2020.

The Company granted a floating charge to Seneca Trade Finance Ltd on 05 October 2020. Based on present information, unfortunately the Company's net property is less than the prescribed minimum (currently £10,000). Therefore, the prescribed part provisions will not apply.

Unsecured creditors

The unsecured claims total £199,544, I would point out that the amounts shown have been provided by the director and the company accountant, which may not necessarily agree with your own records. However, the amounts stated will not prejudice your claim as it will be agreed by the Liquidator in due course. Creditors may also be entitled to claim VAT Bad Debt Relief on their claims.

Shares

The issued and fully paid up share capital is £100 resulting in an overall total deficiency of £238,363.

Cheshire ATV & Mowers Limited

Schedule of Secured Creditors

Secured Creditors

Secured creditor's name and address	Estimated amount of claim (£)	Details of security	Date security was given	Value of security (per Statement of Affairs)
Seneca Trade Finance Ltd - Gregs Building, 1 Booth Street, Manchester, M2 4DU	32,500.00	Fixed and Floating	05 October 2020	32,500.00

Insolvency Act 1986

Cheshire ATV & Mowers Limited

Estimated Outcome Statement

	Book Value £	Estimated to Realise £	£
ASSETS			
Assets subject to fixed charge:			
Bira Bank Financed Assets	19,000.00	18,200.00	
Bira Bank		33,805.00	
Deficiency c/d		<u>15,605.00</u>	
Assets subject to floating charge:			
Plant & Machinery	7,000.00		4,500.00
Furniture & Equipment	500.00		NIL
Motor Vehicles	8,500.00		7,000.00
Stock	47,000.00		15,000.00
Cash at Bank	NIL		2,570.00
Book Debts	22,490.00		17,992.00
Total			47,062.00
Administration Costs			37,735.00
LIABILITIES			
PREFERENTIAL CREDITORS:-			
Employee Arrears/Hol Pay	5,711.00		<u>5,711.00</u>
			<u>3,616.00</u>
2nd PREFERENTIAL CREDITORS:-			
HM Revenue & Customs (PAYE)	20,000.00		
HM Revenue & Customs (VAT)	25,000.00		
			<u>45,000.00</u>
			<u>41,384.00</u>
DEBTS SECURED BY FLOATING CHARGES PRE 15 SEPTEMBER 2003			
OTHER PRE 15 SEPTEMBER 2003 FLOATING CHARGE CREDITORS			
Seneca Trade Finance Ltd	32,500.00		
			<u>32,500.00</u>
			<u>73,884.00</u>
Estimated prescribed part of net property where applicable (to carry forward)			NIL
Estimated total assets available for floating charge creditors			<u>73,884.00</u>
DEBTS SECURED BY FLOATING CHARGES POST 14 SEPTEMBER 2003			
			NIL
			<u>73,884.00</u>
Estimated deficiency/surplus of assets after floating charges			<u>73,884.00</u>
Estimated prescribed part of net property where applicable (brought down)			NIL
Total assets available for unsecured creditors			NIL
Unsecured non-preferential claims (excluding any shortfall to floating charge holders)			
Deficiency b/d		15,605.00	
Trade & Expense Creditors		118,129.00	
Employee Claims		58,131.00	
ALG Finance Ltd		2,622.00	
Grove Asset Management Ltd		5,057.00	
			<u>199,544.00</u>
Estimated deficiency/surplus as regards non-preferential creditors (excluding any shortfall in respect of F.C's post 14 September 2003)			<u>- 273,428.00</u>

Shortfall in respect of F.C's post 14 September 2003 (brought down)	- 273,428.00
Estimated deficiency/surplus as regards creditors	- 273,428.00
Issued and called up capital	
Ordinary Shareholders	100
	100
TOTAL SURPLUS/(DEFICIENCY)	-273,528.00

Cheshire ATV & Mowers Limited (IN ADMINISTRATION)

THE ADMINISTRATOR'S RECEIPTS AND PAYMENTS ACCOUNT TO 30 NOVEMBER 2021

Cheshire ATV & Mowers Limited
(In Administration)
Administrator's Summary of Receipts and Payments
To 30 November 2021

RECEIPTS	Statement of Affairs (£)	Total (£)
Bira Bank Financed Assets	18,200.00	0.00
Plant & Machinery	4,500.00	0.00
Furniture & Equipment	NIL	0.00
Motor Vehicles	7,000.00	0.00
Stock	15,000.00	0.00
Cash at Bank		2,569.61
Book Debts	17,992.00	2,131.37
		<hr/>
		4,700.98
		<hr/>
PAYMENTS		
Bira Bank	(33,805.00)	0.00
Employee Arrears/Hol Pay	(5,711.00)	0.00
HM Revenue & Customs (PAYE)	(20,000.00)	0.00
HM Revenue & Customs (VAT)	(25,000.00)	0.00
Seneca Trade Finance Ltd	(32,500.00)	0.00
Trade & Expense Creditors	(118,129.00)	0.00
Employee Claims	(58,131.00)	0.00
ALG Finance Ltd	(2,622.00)	0.00
Grove Asset Management Ltd	(5,057.00)	0.00
Ordinary Shareholders	(100.00)	0.00
		<hr/>
		0.00
		<hr/>
Net Receipts/(Payments)		4,700.98
		<hr/>

MADE UP AS FOLLOWS

Bank 1 Current	4,700.98
	<hr/>
	4,700.98
	<hr/>


 Clive Morris
 Administrator

Cheshire ATV & Mowers Limited (In Administration)

BREAKDOWN OF PRE-ADMINISTRATION TIME COSTS FOR MARSHALL PETERS

Time Entry - SIP9 Time & Cost Summary

C177 - Cheshire ATV & Mowers Limited
All Pre Appointment Project Codes
To: 12/10/2021

Classification of Work Function	Partner	Manager	Other Senior Professionals	Assistants & Support Staff	Total Hours	Time Cost (£)	Average Hourly Rate (£)
Administration & Planning	2.00	0.00	12.00	0.00	14.00	3,420.00	244.29
Case Specific Matters	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Creditors	0.00	0.00	3.00	0.00	3.00	630.00	210.00
Investigations	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Realisation of Assets	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Trading	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Total Hours	2.00	0.00	15.00	0.00	17.00	4,050.00	238.24
Total Fees Claimed						0.00	
Total Disbursements Claimed						0.00	

Cheshire ATV & Mowers Limited (In Administration)

CHARGE-OUT RATES AND BASES OF DISBURSEMENTS ("MARSHALL PETERS SUMMARY")

HOURLY CHARGE-OUT RATES OF THE STAFF OF MARSHALL PETERS LIMITED AS AT 1 NOVEMBER 2019:-

	£
Partner	450.00
Manager	350.00
Assistant Manager	245.00
Senior Administrator	210.00
Administrator	180.00
Senior Cashier	180.00
Cashier	135.00
Support Staff	135.00

Minimum charge-out will be in six minute units.

DISBURSEMENTS**Category 1 Disbursements**

These are costs where there is specific expenditure directly referable both to the appointment in question and a payment to an independent third party.

Examples of equivalent costs that may be reimbursed to the office holders without up lift and do not require prior approval are given below:

Category	Basis of Charge
Indemnity Bond	At cost of mandatory cover required in accordance with the Insolvency Act 1986 for each appointment
Insurance of Assets	At cost in relation to asset coverage requirements
Company Searches	At cost incurred
Travel	All forms other than mileage at actual cost
Room Hire	All external venues at actual cost
Stationery	At cost incurred
Storage Charge	At actual cost incurred for storage (and retrieval, when appropriate) of records
Other	At actual cost charged

Category 2 Disbursements

These are costs that are directly referable to the appointment in question but not to an independent third party. They may include shared or allocated costs that can be allocated to the appointment on a proper and reasonable basis. In the event of charging for Category 2 disbursements the following items of expenditure are recharged on the basis specified:

Category	Basis of Charge
Business Mileage	Motor vehicle at 45 p per mile
Internal Room Hire	Held at Marshall Peters Limited, Heskin Hall, Wood Farm Lane, Preston, Heskin, PR7 5PA: £50
Photocopying	Specific calculation of 25 pence per sheet x number of creditors
Facsimiles	£1 for first page and 10 pence for each additional page

Subcontractors

Details and the cost of any work which has been or is intended to be sub-contracted out that could otherwise be carried out by the office holder or his staff will be provided in any report which incorporates a request for approval of the basis upon which remuneration may be charged.

Professional Advisors

Details of any professional advisor(s) used will be given in reports to creditors. Unless otherwise indicated the fee arrangement for each is based on hourly charge out rates, which are reviewed on a regular basis, together with the recovery or relevant disbursements. The choice of professional advisors is based around a number of factors including, but not restricted to, their expertise in a particular field; the complexity or otherwise of the assignment and their geographic location.

Cheshire ATV & Mowers Limited (In Administration)

BREAKDOWN OF THE ADMINISTRATOR'S POST-APPOINTMENT TIME COSTS

Time Entry - SIP9 Time & Cost Summary

C177 - Cheshire ATV & Mowers Limited
All Post Appointment Project Codes
From: 12/10/2021 To: 30/11/2021

From: 12/10/2021 To: 30/11/2021

Classification of Work Function	Partner	Manager	Other Senior Professionals	Assistants & Support Staff	Total Hours	Time Cost (£)	Average Hourly Rate (£)
Administration & Planning	6.00	11.50	40.50	0.00	58.00	15,230.00	262.59
Case Specific Matters	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Creditors	2.50	0.00	19.50	0.00	22.00	5,220.00	237.27
Investigations	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Replication of Assets	0.00	0.00	12.00	0.00	12.00	2,520.00	210.00
Trading	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Total Hours	8.50	11.50	72.00	0.00	92.00	22,970.00	249.67
Total Fees Claimed							0.00
Total Disbursements Claimed							0.00

SIP 9 - Estimated Time & Cost Summary

Time Summary from 30 November 2021

Hours						Time Cost (£)	Average Hourly Rate (£)
Classification Of Work Function	Partner	Manager	Other Senior Professionals	Assistants & Support Staff	Total Hours		
Costs from 30 November 2021							
Administration & Planning	1.00	1.00	0.00	4.00	6.00	1,535.00	255.83
Investigations	1.00	2.00	0.00	3.00	6.00	1,960.00	326.67
Realisation Of Assets	1.00	3.00	0.00	3.00	7.00	2,025.00	289.29
Trading	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Creditors	0.00	1.00	0.00	4.00	5.00	1,190.00	238.00
Case Specific Matters	0.00	1.00	0.00	4.00	5.00	1,130.00	226.00
Total Hours	2.00	7.00	0.00	15.00	23.00	7,840.00	340.87

INFORMATION TO SUPPORT THE ADMINISTRATOR'S FEE PROPOSAL

a) The Administrator's Fees Estimate

Please note that this estimate reflects the work undertaken and time anticipated to be incurred for the full period of the Administration and thus it includes the time already incurred, details of which are provided in Appendix IV.

General Description	Includes
Administration (including statutory reporting)	
Statutory/advertising	Filing of documents to meet statutory requirements Advertising in accordance with statutory requirements
Document maintenance/file review/checklist	Filing of documents Periodic file reviews Periodic reviews of the application of ethical, anti-money laundering and anti-bribery safeguards Maintenance of statutory and case progression task lists/diaries Updating checklists
Bank account administration	Preparing correspondence opening and closing accounts Requesting bank statements Bank account reconciliations Correspondence with bank regarding specific transfers Maintenance of the estate cash book Banking remittances and issuing cheques/BACS payments
Planning/review	Discussions regarding strategies to be pursued Meetings with team members and independent advisers to consider practical, technical and legal aspects of the case
Books and records storage	Dealing with records in storage Sending case files to storage
Creditor reports	Preparing proposal, six monthly progress reports, fee authority report to secured and preferential creditors (where appropriate), conversion to CVL (where appropriate) and final report Seeking extension via creditors (where appropriate) Reporting to secured creditor Proposing further fee approval if necessary
Creditors' decisions	Preparation of decision notices, proxies/voting forms for secured and preferential creditors Collate and examine proofs and proxies/votes Issuing notice of result of decision process
Investigations	
SIP-2 Review	Collection, and making an inventory, of company books and records Correspondence to request information on the company's dealings, making further enquiries of third parties Reviewing questionnaires submitted by creditors and directors Reconstruction of financial affairs of the company Reviewing company's books and records Preparation of deficiency statement Review of specific transactions and liaising with directors regarding certain transactions Liaising with the secured creditor and preferential creditors about further action to be taken
Statutory reporting on conduct of director(s)	Preparing statutory investigation reports Liaising with the Insolvency Service Submission of report to the Insolvency Service Preparation and submission of supplementary report (if required) Assisting the Insolvency Service with its investigations
Realisation of Assets	
Sale of Assets	Instructing and liaising with agents

General Description	Includes
	<ul style="list-style-type: none"> Preparing an information memorandum Marketing the assets Liaising with potential purchasers Assessment and review of offers received Negotiating with intended purchaser Liaising with secured creditor Liaising with the Administrator of the associated company, Barlow (Properties) Limited, regarding access to the trading premises
Plant and machinery office furniture and equipment	<ul style="list-style-type: none"> Liaising with valuers Reviewing asset listings
Book debts	<ul style="list-style-type: none"> Collecting supporting documentation Correspondence with debtors Reviewing and assessing debtors' ledgers Dealing with disputes, including communicating with directors/former staff Pursuing credit insurance claims Submitting VAT bad debt relief claims
Leasing	<ul style="list-style-type: none"> Reviewing leasing documents Liaising with agents and owners/lessors
Stock	<ul style="list-style-type: none"> Conducting stock takes Reviewing stock values Liaising with agents and potential purchasers
Other assets motor vehicles intangibles intellectual property VAT/corporation tax refunds insurance claims	<ul style="list-style-type: none"> Liaising with agents to agree disposal strategy Dealing with potential purchasers Negotiating sales Collecting sales consideration
Retention of Title Claims ("ROT")	<ul style="list-style-type: none"> Receive initial notification of creditor's intention to claim Review additional documentation and agreements provided by creditor Provision of retention of title claim form to creditor Adjudicate retention of title claim Forward correspondence to claimant notifying outcome of adjudication
Creditors (claims and distribution)	
Creditor communication	<ul style="list-style-type: none"> Receive and follow up creditor enquiries via telephone Review and prepare correspondence to creditors and their representatives via facsimile, email and post Assisting employees to pursue claims via the RPO Corresponding with the PPF and the Pensions Regulator
Dealing with proofs of debt ("POD")	<ul style="list-style-type: none"> Receipting and filing POD when not related to a dividend Corresponding with RPO regarding POD
Processing proofs of debt	<ul style="list-style-type: none"> Preparation of correspondence to potential creditors inviting submission of POD Receipt of POD Adjudicating POD Request further information from claimants regarding POD Preparation of correspondence to claimant advising outcome of adjudication
Distribution procedures	<ul style="list-style-type: none"> Paying distribution to preferential creditors Correspondence with HMRC regarding preferential claims and distributions Preparation of correspondence to creditors advising of intention to declare distribution Advertisement of notice of intended distribution Preparation of distribution calculation Preparation of correspondence to creditors announcing declaration of distribution Preparation of cheques/BACS to pay distribution Preparation of correspondence to creditors enclosing payment of distribution

APPENDIX V

General Description	Includes
	Seeking unique tax reference from HMRC, submitting information on PAYE/NI deductions from employee distributions and paying over to HMRC Dealing with unclaimed dividends

b) The Administrator's Expenses Estimate

Below is the expenses estimate in respect of category 1 direct expenses and category 2 expenses, which will have an element of shared or allocated costs.

Please note that this estimate reflects the expenses anticipated to be incurred for the full period of the Administration and thus it includes expenses already incurred, details of which are provided elsewhere in this document.

Expenses Category 1	Basis	Estimate of total £
Agents and Valuers GTC Appraisals has been instructed to provide a valuation and to assist with a sale of the company's business and assets	Time-costs & expenses	2,400.00
Court Filing Fee	Fixed fee	50.00
Advertising	Fixed fee	85.00
Bonding (assets up to £50,000)	Fixed fee	290.00
Total		2,825.00

Expenses Category 2	Basis	Estimate of total £
Postage / telephone / photocopying	General	50.00
Total		50.00

Cheshire ATV & Mowers Limited (In Administration)

PROOF OF DEBT

PROOF OF DEBT - GENERAL FORM

Cheshire ATV & Mowers Limited (in Administration)

Date of Administration: 12 October 2021

DETAILS OF CLAIM		
1.	Name of Creditor (if a company, its registered name)	
2.	Address of Creditor (i.e. principal place of business)	
3.	If the Creditor is a registered company: <ul style="list-style-type: none"> For UK companies: its registered number For other companies: the country or territory in which it is incorporated and the number if any under which it is registered The number, if any, under which it is registered as an overseas company under Part 34 of the Companies Act 	
4.	Total amount of claim, including any Value Added Tax, as at the date of administration, less any payments made after this date in relation to the claim, any deduction under R14.20 of the Insolvency (England & Wales) Rules 2016 and any adjustment by way of set-off in accordance with R14.24 and R14.25	£
5.	If the total amount above includes outstanding uncapitalised interest, please state	YES (£) / NO
6.	Particulars of how and when debt incurred	
7.	Particulars of any security held, the value of the security, and the date it was given	
8.	Details of any reservation of title in relation to goods to which the debt relates	
9.	Details of any document by reference to which the debt can be substantiated. [The administrator may call for any document or evidence to substantiate the claim at his discretion.]	
10.	Give details of whether the whole or any part of the debt falls within any (and if so which) of the categories of preferential debts under section 386 of, and schedule 6 to, the Insolvency Act 1986	Category Amount(s) claimed as preferential £
AUTHENTICATION		
Signature of Creditor or person authorised to act on his behalf		
Name in BLOCK LETTERS		
Date		
If signed by someone other than the Creditor, state your postal address and authority for signing on behalf of the Creditor		
Are you the sole member of the Creditor?		YES / NO