

The Insolvency Act 1986

Administrator's progress report

Name of Company

Flynn Holdings Limited

Company number

04336125

In the

Birmingham District Registry, Chancery Division
(full name of court)

Court case number

8338 of 2014

(a) Insert full
name(s) and
address(es) of
administrator(s)

I/We (a)

Christopher James Farrington
Deloitte LLP
Four Brindleyplace
Birmingham
B1 2HZDominic Lee Zoong Wong
Deloitte LLP
Four Brindleyplace
Birmingham
B1 2HZ

administrator(s) of the above company attach a progress report for the period

From

To

(b) Insert date

(b) 22 May 2015

(b) 21 November 2015

Signed

Joint / Administrator(s)

Dated

9/12/15

Contact Details:

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

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

Wendy Packwood
Deloitte LLP
Four Brindleyplace
Birmingham
B1 2HZ

DX Number

0121 632 6000
DX Exchange

THURSDAY



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A30

10/12/2015

#487

COMPANIES HOUSE

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



Flynn Holdings Limited (In Administration) ("the Company")

Court Case No 8338 of 2014
In the Birmingham District
Registry, Chancery Division
Company Number 04336125

Registered Office: c/o Deloitte LLP, 1 Woodborough Road, Nottingham, NG1 3FG

Progress report to creditors for the period 22 May 2015 to 21 November 2015 pursuant to Rule 2.47 of the Insolvency Rules 1986 (as amended) ("the Rules").

Christopher James Farrington and Dominic Lee Zoong Wong were appointed Joint Administrators of Flynn Holdings Limited on 26 August 2014 by the Director of the Company. The affairs, business and property of the Company are managed by the Joint Administrators. The Joint Administrators act as agents of the Company and contract without personal liability. All licensed Insolvency Practitioners of Deloitte LLP are licensed in the UK to act as Insolvency Practitioners by the Institute of Chartered Accountants in England and Wales.

For the purposes of paragraph 100(2) of Schedule B1 of the Act (the Insolvency Act 1986 (as amended)), the Joint Administrators confirm that they are authorised to carry out all functions, duties and powers by either of them jointly and severally.

Council Regulation (EC) No 1346/2000 applies and these are the main proceedings as defined in Article 3(1) of that regulation.

9 December 2015

Contacts

Joint Administrators of the Company

Christopher James Farrington

Dominic Lee Zoong Wong

Flynn Holdings Limited (In

Administration)

c/o Deloitte LLP

1 Woodborough Road

Nottingham

NG1 3FG

Contact details

Email wpackwood@deloitte.co.uk

Website

www.deloitte.com/uk/flynnholdings

Tel +44 121 696 8661

	Commentary
Purpose of administration	The purpose of the Administration is to achieve a better result for creditors as a whole than would be obtained through an immediate Liquidation of the Company
Progress of administration	- No further funds have been received or paid in the period in respect of trading - Preferential claims have been agreed and paid in full totalling £10,934 67 in the period and unsecured creditor claims are in the process of being agreed to enable a distribution to be made
Costs	- The Joint Administrators' remuneration incurred during the period of the report amounts to £33,898 50 - The Joint Administrators have drawn time costs of £12,000 during the period Further detail on the Joint Administrators' remuneration are set out in the analysis on page 13
Outstanding matters	Make distributions to the Unsecured Creditors
Dividend prospects	- The Secured Creditor was repaid £104,229 in full settlement in accordance with its security following the realisation of the Property - Preferential claims have been agreed and paid in full totalling £10,934 67 in the period - There is expected to be a dividend to unsecured creditors but until the Joint Administrators have confirmed the corporation tax liability, of approx £8k, on the sale of the property the dividend rate cannot yet be calculated
Extension to administration period	The administration was extended by the court on 10 August 2015 and will now end on or before 26 August 2016





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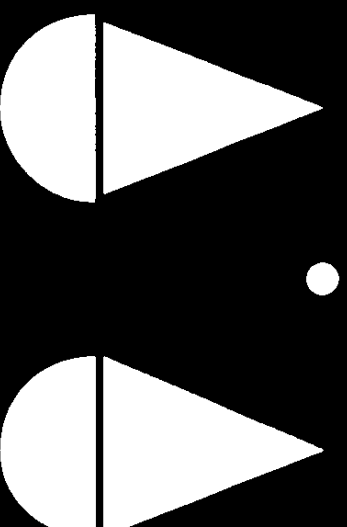
Remuneration and expenses

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Progress of the administration

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Progress of the administration Summary



Progress of the administration

As previously reported, the Company was unable to trade normally within the constraints of an Administration process in particular due to concerns raised by our insurers over certain aspects of the safety of the premises. Consequently, trading ceased on 3 September 2014 and all employees were made redundant.

A sale of the Property was concluded on 28 March 2015 for £380,000 and on agents' and solicitors' advice, an 'overage' provision relating to an 'overage deed' was negotiated as part of the sale agreement.

Costs incurred but unpaid

The receipts and payments account on page 5 has been prepared on a cash basis and excludes further Joint Administrators' remuneration and expenses incurred but which have not yet been billed and paid. Further information on these costs are provided on page 12.

Progress of the administration Receipts and payments

Joint Administrators' Receipts and Payments Account

26 August 2014 to 21 November 2015				
26 August 2014 to 21 May 2015	22 May 2015 to 21 November 2015	Total		
Statement of Affairs	Notes			

Receipts				
Trading Surplus	3	5 657 33	-	5 657 33
Sale of Tall Trees Garden Centre		380 000 00	-	380 000 00
Cash in hand	1	5 790 42	-	5 790 42
Bank Interest Gross		10 49	195 61	206 10
Book Debts		164 95	-	164 95
Stock and sundry chattel asset		900 00	-	900 00
Freehold land and buildings		-	-	-
Total Receipts		392,523 19	195 61	392,718 80
Payments				
Security costs		749 99	-	749 99
Health and Safety Requirements		3 679 00	277 80	3 956 80
Preparation of S of A		750 00	-	750 00
Accountants' fees		3 000 00	1 250 00	4 250 00
Agents fees		12 260 29	-	12 260 29
Insurance of Assets		2 006 30	115 00	2 121 30
Stock clearance supervision		1 890 00	-	1 890 00
Statutory Advertising		169 20	84 60	253 80
Postage & Redirection		705 00	8 00	713 00
Bank Charges		47 80	5 00	52 80
Legal Fees		11 282 50	2 150 00	13 432 50
Legal Expenses		108 40	282 00	390 40
Website		500 00	-	500 00
HSBC Loan Redemption		104 228 72	-	104 228 72
Preferential Creditors		-	10 934 67	10 934 67
Post Appl Administrators' Fees		68 013 00	12 000 00	80 013 00
Post Administrators' Expenses		431 30	-	431 30
Pre Appointment Administrators Fees		20 957 00	-	20 957 00
Pre Appointment Administrators Expenses		55 66	-	55 66
Total Payments		25,257 58	27,107 07	257,364 23
Balance in Hand		367 265 61	(26 911 46)	134 777 57
Made up as Follows		392,523 19	195 61	392,718 80
Bank Account	1	159,425 25	(25,123 16)	134 302 09
VAT Receivable	2	81 006 30	(80 530 82)	475 48
VAT Payable	2	(78,742 52)	78,742 52	-
		161,689 03	(25,911 46)	134,777 57

A receipts and payments account to 21 November 2015 is provided opposite, detailing the transactions in the Administration since the Administrators' appointment. On the next page is a separate trading account.

Notes to receipts and payments account

Note 1 – Cash in hand represents funds held at the Company's premises on the date of the Administration. All funds held by the Administrators are banked in interest bearing accounts and are subject to corporation tax.

Note 2 – The Company is registered for VAT and the receipts and payments are shown net of VAT.

Note 3 – No further funds have been received or paid in the period in respect of trading, nor are any more expected.



Progress of the administration Receipts and payments

Joint Administrators' Trading Account 26 August 2014 to 21 November 2015

£	Total
Receipts	
Sales	13,712 62
Total Receipts	13,712 62
Payments	
Rates	181 48
Heat & Light	510 90
Professional Fees	265 00
Sundry Expenses	176 77
Wages	6,496 09
Waste Disposal	425 05
Total Payments	8,055.29
Trading Surplus	5,657.33

The Joint Administrators' trading account shown opposite has been prepared on a cash basis as at 21 November 2015

The Joint Administrators achieved a trading surplus of £5,657





Information for creditors

Outcome

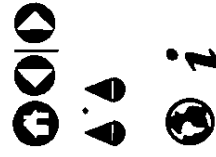
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Statutory information

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Information for creditors Outcome



Secured creditors

The Joint Administrators have repaid the Secured Creditor in full £104,229 (including interest) in accordance with the priority of charges together with all payments related to the sale of the Property (Main Road, Bulcote, Nottingham, NG14 5GT)

Corporation Tax

Following the sale of the Property and the finalisation of all the costs directly related to the sale, corporation tax computations are being prepared and will be submitted to HM Revenue & Customs shortly with an approximate tax liability of £8k. Any tax payable will be paid as an expense from the funds in the Administration estate.

Preferential creditors

Preferential claims relating to employee holiday pay were estimated at £8,331, in the Director's Statement of Affairs. Total claims received amounted to £10,934 and have been paid in full during the period. The difference between claims expected and those received is a result of one employee claim not being known when the Director's Statement of Affairs was prepared. All wages arrears were paid as an expense of the Administration.

Prescribed Part (PP) & Unsecured Creditors

As detailed in the report, the Joint Administrators have repaid the Secured Creditor in full from the realisation of fixed charge assets. Accordingly the PP provision will not apply and after discharging the costs of the Administration, a dividend to the unsecured creditors of the Company will be paid.

On current information it is not possible to quantify the likely amount of any dividend, until the liability exactly for corporation tax is known and all creditors' claims are agreed.

Claims process

Unsecured creditors who have not already claimed are invited to submit their claims to the Joint Administrators by completing a proof of debt form which is available on the Administration website and which should be sent to the address on page 2, marked for the attention of Wendy Packwood.

Exit from Administration

Following the sale of the Property and distribution of the funds to creditors, the appropriate exit from Administration will be via a move to compulsory liquidation.

The Administrators have considered placing the Company into Creditors Voluntary Liquidation (CVL) in order to distribute funds to unsecured creditors. However, in order to avoid the additional costs that would be incurred in placing the Company into CVL, the Administrators have obtained an order from the Court (The High Court of Justice, Chancery Division, Birmingham District Registry) to extend the Administration and for permission to make a distribution to unsecured creditors in the Administration. Thereafter, the Company will move into compulsory liquidation which will enable the Official Receiver to deal with any additional sales proceeds uplift from the property which may be received should the overage provision be activated as detailed on page 4.

**Information for
creditors**
(Statutory information)

Statutory information

[REDACTED]

Registered office

c/o Deloitte LLP, Four Brindleyplace, Birmingham, B1 2HZ

Company number

4336125

Date of appointment

26-Aug-14





Remuneration and expenses

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Remuneration and expenses

Joint Administrators' remuneration

Administrators' remuneration

"A Creditors' Guide to Remuneration" is available for download at www.deloitte.com/uk/flynnholdings

Should you require a paper copy, please send your request in writing to the Joint Administrators at the address on the front of this report and this will be provided to you at no cost

Basis of remuneration and expenses

The basis of the Joint Administrators' remuneration was fixed on 3 November 2014 by the general body of creditors by reference to the time properly given by the Administrators and their staff in attending to matters arising in the Administration calculated at the prevailing standard hourly charge out rates used by Deloitte (Deloitte LLP) at the time when the work is performed, plus VAT

Time costs incurred

Since the date of appointment to 24 August 2014, the Joint Administrators have incurred total time costs of £221,125.75 made up of 564.80 hours at an average charge out rate of £391.51 per hour across all grades of staff

The Joint Administrators have drawn remuneration of £80,013.00 to date, as shown in the receipts and payments account on page 5

Please note the Joint Administrators do not currently intend to draw the full amount of their time costs incurred. The balance of any undrawn remuneration at the completion of the Administration will be written off



Remuneration and expenses

Joint Administrators' time costs for the period 22 May 2015 to 21 November 2015

	Partners & Directors		Assistant Directors		Managers		Assistant Managers		Assistants & Support		TOTAL		Average rate/h Cost (£)
	Hours	Cost (£)	Hours	Cost (£)	Hours	Cost (£)	Hours	Cost (£)	Hours	Cost (£)	Hours	Cost (£)	
Administration and Planning													
Cashiering and Statutory Filing	2.00	1,417.50	1.15	751.00	1.20	631.00	8.10	3,125.50	1.50	471.00	11.95	4,978.50	416.61
Case Management and Closure			8.85	4,228.75			12.60	4,230.00	1.30	336.00	24.75	10,212.25	412.62
Initial Actions													
Liaison with Other Insolvency Practitioners	1.00	660.00	3.00	1,425.00			5.90	1,888.00			9.90	3,973.00	401.31
General Reporting	3.00	2,077.50	13.00	6,404.75	1.20	631.00	26.60	9,243.50	2.80	807.00	46.60	19,163.75	411.24
Investigations													
Investigations			4.00	1,900.00			0.30	96.00			4.30	1,996.00	464.19
Reports on Directors Conduct			0.75	356.25							0.75	356.25	475.00
			4.75	2,256.25			0.30	96.00			5.05	2,352.25	465.79
Trading													
Day 1 Control of Trading													
Ongoing Trading													
Monitoring Trading													
Closure of Trade													
Realisation of Assets													
Book Debts													
Other Assets (e.g. Stock)													
Chattel Assets													
Property - Freehold and Leasehold													
Retention of Title													
Sale of Business / Assets													
Third Party Assets													
Creditors													
Employees	0.50	347.50	1.00	500.00			0.50	160.00			0.50	160.00	320.00
Preferential							11.40	3,759.00			12.90	4,606.50	357.09
Secured													
Shareholders													
Unsecured	0.50	347.50	1.00	500.00			1.80	586.50	0.20	40.00	2.00	626.50	313.25
							13.70	4,505.50	0.20	40.00	15.40	5,393.00	350.18
Case Specific Matters													
Litigation													
Pensions			0.35	168.75			2.30	755.50			2.65	924.25	348.77
VAT					4.55	3,071.25	0.70	227.00	9.60	2,338.00	15.35	6,065.25	395.13
Tax	0.50	429.00	0.35	168.75	4.55	3,071.25	3.00	982.50	9.60	2,338.00	18.00	6,889.50	388.31
	0.50	429.00	0.35	168.75	4.55	3,071.25	3.00	982.50	9.60	2,338.00			
TOTAL HOURS & COST	4.00	2,854.00	19.10	9,329.75	5.75	3,702.25	43.60	14,827.50	12.60	3,185.00	85.05	33,888.50	398.57

AVERAGE RATE/HOUR PER GRADE

£ 713.50

£ 488.47

£ 643.87

£ 340.08

£ 252.78

FEES DRAWN

12,000.00



Remuneration and expenses Joint Administrators' time costs for the period 24 August 2014 to 21 November 2015

	Partners & Directors		Assistant Directors		Managers		Assistant Managers		Assistants & Support		TOTAL		Average rate/h Cost (£)
	Hours	Cost (£)	Hours	Cost (£)	Hours	Cost (£)	Hours	Cost (£)	Hours	Cost (£)	Hours	Cost (£)	
Administration and Planning													
Cashiering and Statutory Filing	1 00	725 00	0 40	242 50	4 00	2 019 00	16 40	6 191 50	5 30	1 475 00	27 10	10 653 00	393 10
Case Management and Closure	11 80	8 438 00	16 20	7 695 00	0 20	99 00	21 35	6 938 50	15 95	3 348 00	65 50	28 518 50	404 86
Initial Actions	0 50	322 50	1 00	475 00	8 50	3 400 00	1 00	317 50	4 50	915 00	15 50	5 430 00	350 32
Liaison with Other Insolvency Practitioners	7 00	4 652 50	29 15	13 846 25	-	-	17 30	5 556 00	17 70	3 540 00	71 15	27 574 75	387 56
General Reporting	20 30	14 138 00	46 75	22 256 75	12 70	5 518 00	56 05	18 983 50	43 45	9 278 00	179 25	70 176 25	391 50
Investigations													
Investigations	2 80	1 848 00	5 50	2 612 50	-	-	0 70	224 00	7 20	1 440 00	6 20	2 836 50	457 50
Reports on Directors' Conduct	2 80	1 848 00	8 85	4 203 75	-	-	9 80	3 136 00	7 20	1 440 00	28 65	10 627 75	370 85
Trading													
Day 1 Control of Trading	-	-	5 50	2 557 50	-	-	-	-	-	-	5 50	2 635 50	448 89
Ongoing Trading	0 90	594 00	14 00	6 600 00	-	-	1 50	480 00	1 10	218 00	17 50	7 892 00	450 97
Mentoring Trading	-	-	14 50	6 887 50	-	-	-	-	-	-	14 50	6 887 50	475 00
Closure of Trade	0 90	594 00	34 00	16 045 00	-	-	1 50	480 00	1 50	286 00	37 90	17 415 00	459 50
Realisation of Assets													
Book Debts	1 50	990 00	1 00	475 00	-	-	-	-	4 40	880 00	6 90	2 345 00	339 86
Other Assets (e.g. Stock)	14 50	9 570 00	109 75	51 976 25	-	-	-	-	18 90	3 760 00	143 15	65 306 25	456 21
Chattel Assets	0 50	330 00	3 75	1 781 25	-	-	-	-	36 70	7 340 00	40 95	9 451 25	230 80
Property - Freehold and Leasehold	0 50	330 00	4 50	2 137 50	-	-	-	-	1 00	200 00	6 00	2 667 50	444 58
Retention of Title	-	-	-	-	-	-	-	-	-	-	-	-	-
Sale of Business / Assets	17 00	11 220 00	119 00	56 370 00	-	-	-	-	61 00	12 180 00	197 00	79 270 00	404 92
Third Party Assets	-	-	-	-	-	-	-	-	-	-	-	-	-
Creditors													
Employees	-	-	2 00	950 00	-	-	26 00	8 320 00	25 20	5 289 00	53 20	14 559 00	273 67
Preferential	-	-	7 25	3 443 75	-	-	1 00	320 00	-	-	1 00	320 00	320 00
Secured	-	-	-	-	-	-	-	-	-	-	7 25	3 443 75	475 00
Shareholders	-	-	0 50	237 50	-	-	5 50	1 755 00	6 70	1 340 00	12 70	3 332 50	262 40
Unsecured	-	-	9 75	4 631 25	-	-	32 50	10 385 00	31 90	6 629 00	74 15	21 655 25	292 05
Case Specific Matters													
Litigation	-	-	-	-	-	-	-	-	-	-	-	-	-
Pensions	1 90	1 797 50	8 10	4 051 50	1 40	931 00	5 55	2 568 00	4 00	800 00	20 95	10 148 00	484 39
VAT	-	-	11 50	5 462 50	2 45	1 310 75	0 75	313 75	6 00	1 410 00	20 70	8 497 00	410 48
Tax	1 90	1 797 50	19 60	9 514 00	3 85	2 241 75	6 30	2 881 75	10 00	2 210 00	41 65	18 645 00	447 68
TOTAL HOURS & COST	42 90	29 597 50	243 45	116 635 25	16 55	7 759 75	106 85	36 100 25	155 05	32 033 00	564 80	221 125 75	391 51
AVERAGE RATE/HOUR PER GRADE		£ 689 92		£ 474 99		£ 468 87		£ 337 86		£ 206 60		80 013 00	
FEES DRAWN													



Remuneration and expenses

Detailed information

Joint Administrators' time costs – work undertaken

A detailed breakdown of the time costs incurred by the Joint Administrators and our staff during the period from 22 May 2015 to 21 November 2015 is shown on the previous page. Time is charged in six minute increments. The work undertaken has been categorised into the following task headings

Administration and planning

- Activities include case management, statutory reporting and compliance, correspondence, cashiering, accounting and administrative functions

Investigations

- Activities include such tasks as reporting on the Director's conduct, investigating any antecedent transactions, a review of the Company's records and any other investigations that may be deemed appropriate

Realisation of Assets

- Activities include such tasks as securing assets and any related legal issues. Also, dealing with interested parties, liaising with agents and legal advisors in connection to the sale of the property and health and safety issues

Trading

- Activities include such tasks as planning, preparation of cash flow and other trading forecasts, strategy and managing day one site visit and corresponding with suppliers and customers. Also, monitoring trading to 3 September 2014 and dealing with matters upon cessation of trading

Creditors

- Activities include such tasks as creditor communication and meetings, reviewing and agreeing preferential and unsecured claims, corresponding with the Secured Creditor, obtaining legal advice in relation to security granted to the Bank. Also, dealing with trade creditors and dealing with customer creditors

Case specific matters

- Activities include such tasks as employee related issues, liaising with HM Revenue & Customs on VAT and corporation tax issues



Remuneration and expenses

Detailed information

Restructuring Services charge out rates (£/hour)

Grade	From 1 Sept 2012	From 1 Sept 2015
Partners & Directors	605 - 950	645 - 1,020
Assistant Directors	465 - 720	500 - 770
Managers	400 - 645	430 - 695
Assistant Managers	305 - 515	325 - 550
Assistants & Support	50 - 305	80 - 325

The average charge - out rates applicable to this case are provided at Page 11

The above bands are specific to the Restructuring Services department partners and staff. In certain circumstances the use of specialists from other Deloitte departments such as Tax/VAT, Corporate Advisory or Deloitte Real Estate may be required on the case. These departments may charge rates that fall outside the Restructuring Services department bands quoted above so, where such specialists have performed work on the case, average rates may also fall outside the Restructuring Services department bands

All partners and technical staff (including cashiers) assigned to the case recorded their time spent working on the case on a computerised time recording system. Time spent by secretarial staff working on the assignment has not been recorded or recovered. 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/or claims agreed

Charge out rates increased on 1 September 2015



Remuneration and expenses

Detailed information

Category 1 expenses incurred

£ (net)	Value	Paid	Unpaid
Parking	3	3	-
Company Website Update	75	75	-
Statutory Advertising	85	85	-
Key cut	4	4	-
Insurance	230	230	-
Postage/Couriers	363	363	-
Total expenses	760	760	-

Category 2 expenses incurred

£ (net)	Value	Paid	Unpaid
Mileage	405	349	56
Website set up	500	500	-
Total expenses	905	849	56

Expenses

The Joint Administrators' direct expenses and disbursements incurred to date (excluding VAT) are set out above

Mileage is calculated at the prevailing standard mileage rate of up to 45p used by Deloitte at the time when the mileage is incurred

Creditors' right to request information

Any secured creditor or unsecured creditor (with the support of at least 5% in value of the unsecured creditors or with leave of the Court) may, in writing, request the Administrators to provide additional information regarding remuneration or expenses to that already supplied within this report. Such requests must be made within 21 days of receipt of this report, in accordance with Rule 2.47(1)(fa) and 2.48A of the Rules

Creditors' right to challenge remuneration and/or expenses

Any secured creditor or unsecured creditor (with the support of at least 10% in value of the unsecured creditors or with leave of the Court) may apply to the Court for one or more orders (in accordance with Rule 2.109(4) of the Rules), reducing the amount or the basis of remuneration which the Administrators are entitled to charge or otherwise challenging some or all of the expenses incurred

Such applications must be made within eight weeks of receipt by the applicant(s) of the progress report detailing the remuneration and/or expenses being complained of, in accordance with Rule 2.109 of the Rules

Please note that such challenges may not disturb remuneration or expenses approved or deemed to be approved under prior progress reports





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