

LIQ03

Notice of progress report in voluntary winding up



Companies House

For further information, please
refer to our guidance

THURSDAY



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COMPANIES HOUSE

Please complete in typescript or in
bold black capitals.

1 Company details

Company number 0 2 5 6 4 5 5 7

Company name in full Driveline Golf Limited

2 Liquidator's name

Full forename(s) Michael

Surname Solomons

3 Liquidator's address

Building name/number 82 St John Street

Street

Post town London

County/Region

Postcode E C 1 M 4 J N

Country

4 Liquidator's name ①

Full forename(s) Andrew

Surname Pear

① Other liquidator

Use this section to tell us about
another liquidator.

5 Liquidator's address ②

Building name/number 82 St John Street

Street

Post town London

County/Region

Postcode E C 1 M 4 J N

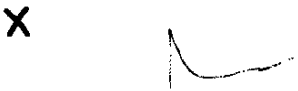

Country

② Other liquidator

Use this section to tell us about
another liquidator.

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6	Period of progress report											
From date	^d	^d	^m	^m	^y	^y	^y	^y				
	2	0	1	2	2	0	1	7				
To date	^d	^d	^m	^m	^y	^y	^y	^y				
	1	9	1	2	2	0	1	8				
7	Progress report											
<input checked="" type="checkbox"/> The progress report is attached												
8	Sign and date											
Liquidator's signature	Signature 											
Signature date	^d	^d	^m	^m	^y	^y	^y	^y				
	1	3	0	2	2	0	1	9				

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Presenter information

You do not have to give any contact information, but if you do it will help Companies House if there is a query on the form. The contact information you give will be visible to searchers of the public record.

Contact name	Sam Constable
Company name	BM Advisory
Address	82 St John Street
Post town	London
County/Region	
Postcode	E C 1 M 4 J N
Country	
DX	
Telephone	020 7549 8050



Checklist

We may return forms completed incorrectly or with information missing.

Please make sure you have remembered the following:

- ☐ The company name and number match the information held on the public Register.
- ☐ You have attached the required documents.
- ☐ You have signed the form.



Important information

All information on this form will appear on the public record.



Where to send

You may return this form to any Companies House address, however for expediency we advise you to return it to the address below:

The Registrar of Companies, Companies House,
Crown Way, Cardiff, Wales, CF14 3UZ.
DX 33050 Cardiff.



Further information

For further information please see the guidance notes on the website at www.gov.uk/companieshouse or email enquiries@companieshouse.gov.uk

This form is available in an alternative format. Please visit the forms page on the website at www.gov.uk/companieshouse

TO ALL MEMBERS AND KNOWN CREDITORS

T +44 (0)20 7549 8050
F +44 (0)20 7549 2400
E info@bm-advisory.com

www.bm-advisory.com

Our ref: SC/DRI001MS

13 February 2019

Dear Sirs

Driveline Golf Limited – In Creditors’ Voluntary Liquidation (“the Company”)

As you are aware, Andrew Pear and I were appointed Joint Liquidators of the Company on 20 December 2017.

I have prepared my first annual progress report on the Company for the period 20 December 2017 to 19 December 2018 (the reporting period). Statutory information regarding the Company is attached at **Appendix I**.

The Liquidators have acted jointly and severally in all matters relating to the Liquidation and there have been no changes in the office holders since my last report. This report should be read in conjunction with my previous reports, copies of which are available on request. Further information can also be found at www.creditorinsolvencyguide.co.uk which is designed to provide creditors with a step by step guide to the insolvency process.

CONDUCT OF LIQUIDATION

The Company was incorporated in 1990 but remained dormant until 1998 and since 2004 has traded as a specialist golf tour operator and traded from rented premises in Shefford. Initially funded by its shareholders, the business subsequently grew to generating average yearly turnover in excess of £1million whilst operating on a break even basis.

During 2017 the Company undertook a financial review in response to changes in the way the Civil Aviation Authority (“CAA”) requested certain information. During this review it was identified that as a result of historic accounting system errors and having to account for liabilities in a different manor as a result of the new guidelines the Company was balance sheet insolvent. In the circumstances, the directors approached BM Advisory for advice on the Company’s financial position and it was agreed a Creditors’ Voluntary Liquidation was appropriate, based on the increasing difficulties with regards to working capital as well as the inability to continue trading whilst not meeting the relevant CAA guidelines.

Following appointment I continued to respond to a large quantity of queries from both consumer and trade creditors regarding bookings that had been made. Assistance was provided where necessary with regards to consumer creditors making claims from their banks or alternatively from the relevant authority in accordance with the protection provided by the ABTA (“Association of British Travel Agents”) or ATOL (Air Travel Organiser’s Licence) schemes. Discussions also continued with both the CAA and ABTA in this respect.

Following receipt of the cash at bank funds it was considered appropriate to announce a dividend to preferential creditors and accordingly the relevant notices were sent to those creditors who were entitled to receive them. Claims were subsequently reviewed and a distribution was made representing 100 p in the £.

The balance of funds held in the estate is due to be distributed to unsecured creditors however I was required to wait for the 12 month period to elapse in which consumer creditors were able make a claim from the ATOL / ABTA schemes. Whilst this period has now elapsed, the Company's pre-appointment bankers have made a claim in respect of the funds remaining in the estate and accordingly I am unable to announce any such distribution until the position is clarified.

I have also attended to the statutory matters incumbent upon Liquidators generally, including (but not limited to) drafting and issuing the relevant notifications to the respective authorities, preparing and issuing an initial report to members and creditors, preparing and submitting any necessary tax returns and undertaking my initial investigations into the Company's affairs & submitting my report to the Insolvency Service.

RECEIPTS AND PAYMENTS ACCOUNT

A receipts and payments account for the reporting period is attached as **Appendix II** and shows a balance on hand of £10,555 with a further £5,746 due in respect of a VAT refund. The funds were previously held in an interest bearing estate account however due to changes in the service provided by the bank they are currently held in a non-interest bearing estate account.

ASSETS

Furniture & equipment

In the absence of any initial interest it was considered that the cost of removing and then marketing the assets would outweigh any benefit to the Company and accordingly these items were abandoned.

Cash at bank

A total of £50,371 was received by the Liquidation estate in respect of cash at bank.

LIABILITIES

Secured creditor

The Company's mortgage register held by the Registrar of Companies shows that the Company has no current charges over its assets.

Preferential creditors

As previously advised, the Company had four employees, all of whom were made redundant prior to my appointment. Preferential claims totalling £5,285 were received and I confirm a distribution of 100 p in the £ was made in this respect.

Unsecured creditors

The Statement of Affairs ("SoA") indicated there to be trade & expense creditors totalling £349,722 with a further £113,904 owed to consumer creditors. Furthermore, it was anticipated that there would be further claims totalling £15,848 in respect of unsecured employee entitlements.

To date I have received claims totalling; £280,445 in respect of trade & expense creditors, £4,705 in respect of consumer creditors and £13,923 in respect of HM Revenue & Customs.

Some of the claims received from trade & expense creditors were received in EUR and I have converted these to GBP at the rate of 0.8865 which was the stated Bank of England exchange rate as at the date of the Liquidation.

DIVIDENDS

The following distribution was made to the preferential creditors:

Date	Amount of Distribution	Rate of Distribution
22 August 2018	£5,284	100 pence in the £

As detailed earlier in this report, whilst I anticipate being able to announce a distribution to unsecured creditors at present I am unable to do so due to a claim by the Company's pre-appointment bankers.

PRESCRIBED PART

The Prescribed Part Fund is created out of the Company's net floating charge property pursuant to Section 176A of the Insolvency Act 1986, as long as the floating charge was registered later than 15 September 2003.

As previously advised, there is no floating charge registered after 15 September 2003 and therefore the prescribed part does not apply.

JOINT LIQUIDATORS' INVESTIGATIONS

Under the insolvency legislation, the Liquidators have a duty to consider the conduct of those persons who have been directors of the Company, shadow directors or de facto directors at any time within three years preceding the Liquidation and consider whether any civil proceedings should be taken.

I undertook an initial investigation into the Company's affairs to establish whether there were any potential asset recoveries or conduct matters that justified further investigation, taking into account public interest and the potential recoveries and costs involved. I have recovered the Company's accounting records, obtained copy bank statements for the 12 months prior to my appointment and compared information in the Company's accounts with that in the statement of affairs. I have made enquiries where necessary and concluded that there were no matters that justified further investigation.

Within three months of my appointment as Liquidator, I was required to submit a confidential report to the Secretary of State to include any matters which came to my attention during the course of my work, which may have indicated that the conduct of any past or present director would make them unfit to be concerned with the management of the Company. I confirm that my report has been submitted.

PRE-APPOINTMENT REMUNERATION

The directors and creditors have previously authorised the payment of my fees for assistance with preparing the statement of affairs in the sum of £5,000 and facilitating the creditors' decision in the sum of £5,000, plus VAT and disbursements. Of this, £1,000 was paid to Gordon Brothers for its assistance with preparing a valuation of the Company's assets in connection with the statement of affairs. These fees were paid by the Company prior to my appointment.

JOINT LIQUIDATORS' REMUNERATION

At a meeting of creditors on 20 December 2017, it was agreed that the Joint Liquidators be remunerated by a combination of a fixed fee of £10,000 plus VAT and by reference to time properly spent by them and their staff in attending to matters arising from the Liquidation of the Company.

The work to be undertaken in respect of the fixed fee relates to the administration and planning, statutory compliance and asset realisation aspects of the Liquidation whilst time costs refer to the investigation and creditor aspects. A summary of my time costs for this reporting period and the work undertaken is attached at **Appendix III**, together with a comparison to the original fee estimate approved by creditors and BM Advisory's policy on fees.

A total of 83.70 hours have been spent in respect of those aspects applicable to time costs approval during this reporting period at a cost of £22,931, resulting in an average hourly charge out rate of £274. This is compared to anticipated hours of 93.80 at an average hourly rate of £199, which I estimated at the outset of my appointment for the whole period of the Liquidation. As previously advised there was a minor miscalculation in my initial fee estimate provided to creditors with the total stated to be £17,328 and accordingly this is the level at which I have capped my approval.

I have drawn £27,328 plus VAT during this reporting period.

As a result of the case requiring more senior staff involvement than originally anticipated, time costs have exceeded the original estimate, however, due to insufficient asset realisations I do not intend to seek further fee approval and I will not draw remuneration in excess of my original estimate.

A guide to fees can be found at www.bm-advisory.com/resources/ and provides information relating to Liquidators' remuneration. A hard copy is available on request.

Please note that a secured creditor, or unsecured creditor with the permission of the Court or with the concurrence of 5% in value of the unsecured creditors (including the creditor in question), may request further details of the Joint Liquidators' remuneration and expenses, within 21 days of receipt of this report.

Furthermore, a secured creditor, or unsecured creditor with the permission of the Court or with the concurrence of 10% in value of the creditors (including the creditor in question), may apply to Court to challenge the amount and/or basis of the Joint Liquidators' fees and the amount of any proposed expenses or expenses already incurred, within eight weeks of receipt of this report.

JOINT LIQUIDATORS' DISBURSEMENTS

On 20 December 2017, creditors agreed my Category 2 disbursements as detailed in my firm's policy on fees, attached at **Appendix III**. Category 1 disbursements do not need approval and can be drawn at the Liquidators' discretion without authority.

Detailed below are the expenses I expected to incur during the Liquidation and what I have incurred in this reporting period, together with details of what has been paid in this period and what remains unpaid.

		Estimated total cost £	Incurred in period £	Paid during period £	Remains unpaid £
Statutory advertising	Category 1	137.40	206.10	206.10	-
Printing	Category 2	30.00	4.35	4.35	-
Postage	Category 1	55.00	7.41	7.41	-
Virtual meeting	Category 1	10.00	19.95	19.95	-
Land Registry search	Category 1	3.00	-	-	-
Storage	Category 1	90.00	-	-	-
Bond	Category 1	108.00	162.00	162.00	-
TOTAL		433.40	399.81	399.81	-

The expenses incurred have not exceeded the estimate previously given to creditors and I do not anticipate that they will exceed the original estimate.

SUMMARY

I shall report again on the next anniversary of my appointment, or the closure of the Liquidation, whichever is sooner.

Information about our privacy policy, complaints procedure, Professional Indemnity insurance and the Provision of Services Regulations, can be found at www.bm-advisory.com/about/legals-compliance/. If you have any queries regarding this report, please contact Sam Constable of this office on 020 7549 2496 or email sam.constable@bm-advisory.com.

Yours faithfully



Michael Solomons
Joint Liquidator

STATUTORY INFORMATION

Company name:	Driveline Golf Limited
Registered office:	82 St John Street, London, EC1M 4JN
Former registered office:	8th Floor Becket House, 36 Old Jewry, London, EC2R 8DD
Former trading address:	3 Brewers Yard, Ivel Road, Shefford, Bedfordshire, SG17 5GY
Registered number:	02564557
Joint Liquidators' names:	Michael Solomons and Andrew Pear
Joint Liquidators' address:	82 St John Street, London, EC1M 4JN
Liquidators' date of appointment:	20 December 2017

Driveline Golf Limited
(In Liquidation)
Joint Liquidators' Summary of Receipts & Payments
To 19/12/2018

S of A £		£	£
	ASSET REALISATIONS		
400.00	Furniture & equipment	NIL	
56,752.00	Cash at bank	50,371.36	
	Bank interest (gross)	21.50	
			50,392.86
	COST OF REALISATIONS		
	Joint Liquidators' fees	27,328.00	
	Joint Liquidators' expenses	262.41	
	Accountancy fees	80.00	
	Pre-appointment Agents' fees	1,000.00	
	Statutory advertising	137.40	
			(28,807.81)
	PREFERENTIAL CREDITORS		
	Redundancy Payments Service	5,284.52	
(4,052.06)	Employees/Former employees	NIL	
			(5,284.52)
	UNSECURED CREDITORS		
(349,722.35)	Trade & expense creditors	NIL	
(15,848.05)	Employees/Former employees	NIL	
(113,903.94)	Consumer creditors	NIL	
			NIL
	DISTRIBUTIONS		
(50,000.00)	Ordinary shareholders	NIL	
			NIL
(476,374.40)			16,300.53
	REPRESENTED BY		
	Estate account - non interest bearing		10,554.97
	VAT control account		5,745.56
			16,300.53

BM ADVISORY

STATEMENT OF POLICY ON FEES

Introduction

This statement has been prepared in accordance with guidelines set out in Statement of Insolvency Practice 9 issued by the Association of Business Recovery Professionals (R3).

The following information applies to all appointments of partners, directors, consultants or staff of BM Advisory, to act as any of the following:-

Liquidator, Receiver, Administrator or Administrative Receiver of a Limited Company or Limited Liability Partnership
Trustee in Bankruptcy
Supervisor of an Individual, Company or Partnership Voluntary Arrangement
Administrator under the Insolvent Estates Order

When acting as Nominee, the provisions of the Insolvency Act 1986 ("the Act") require that the amount of the fees payable to the Office Holder be specified within the Debtor's proposals. Such fees will nevertheless be fixed to take account of the Office Holder's expected time costs arising as referred to below.

Policy on fees

In accordance with the Act, the Office Holder may seek approval of their remuneration either on a fixed fee basis, on a percentage basis or on a time costs basis. When an Office Holder's fees are charged by reference to time costs, they will be charged at the firm's usual rates applicable at the time the work is carried out. Rates may be varied from time to time, at the sole discretion of BM Advisory, and such changes will be notified in retrospect with each report to Creditors. It is the policy of BM Advisory to use as junior grade of staff as compatible with the efficient conduct of the matter in order to ensure costs are kept to a minimum. Time is recorded in 6 minute units with supporting narrative to explain the work undertaken.

As at 1st March 2014 the rates applicable are:

Grade	£
Partner 1	430
Partner 2	380
Associate Director	360
Senior Manager	340
Manager	310
Assistant Manager	285
Senior Administrator	240
Administrator	185
Junior Administrator	125
Cashier	115
Support staff	85

Rates vary between individuals, reflecting experience and qualification. For certain more complex tasks, BM Advisory may seek to apply a higher rate in respect of work undertaken, but subject to prior authorisation in accordance with the Act.

Further information on the manner in which an Office Holder's fees may be fixed, can be found in the guidance notes on our website: www.bm-advisory.com/resources/.

Disbursements

Disbursements are categorised as either Category 1 or Category 2.

Category 1 expenses are directly referable to an invoice from a third party, which is either in the name of the case or BM Advisory; in the case of the latter, the invoice makes reference to, and therefore can be directly attributed to, the case. These disbursements are recoverable in full from the case without the prior approval of creditors either by a direct payment from the case or, where BM Advisory has made payment on behalf of the case, by a recharge of the amount invoiced by the third party. Examples of category 1 disbursements are statutory advertising, external meeting room hire, external storage and specific bond insurance.

Category 2 expenses are incurred by BM Advisory and recharged to the case; they are not attributed to the case by a third party invoice and/or they may include a profit element. These disbursements are recoverable in full from the case, subject to the basis of the disbursement charge being approved by creditors in advance. Examples of Category 2 disbursements are photocopying, internal room hire and internal storage.

It is proposed that the following Category 2 disbursements are recovered:

Meeting room hire	Up to £200
Postage	£0.51 - £2.25
Mileage (per mile)	£0.45
Photocopies (per sheet)	£0.15
Storage (per box per month)	£0.35

The costs recharged are based upon the actual cost of the materials used or the costs which would have been incurred if that service had been sourced externally.

DRIVELINE GOLF LIMITED - IN LIQUIDATION

Summary of work undertaken during the period 20 December 2017 to 19 December 2018

BM Advisory.**REMUNERATION APPROVED ON A FIXED FEE BASIS**

As agreed, the Joint Liquidators are to be remunerated by a fixed fee for certain tasks and details of this fee are set out in the report.

A summary of the work undertaken in this reporting period, which is to be remunerated on a fixed fee basis, is detailed below and was required to be undertaken to deal meet our statutory duties and obligations:

ADMINISTRATION AND PLANNING

Strategy & planning - devising an appropriate strategy for dealing with the case and giving instructions to staff.
Opening, maintaining and managing the office holder's estate bank account.
Creating, maintaining and managing the office holder's cashbook.
Undertaking regular reconciliations of the office holder's estate bank account.

STATUTORY COMPLIANCE

Setting up physical/electronic case files.
Setting up the case on insolvency practice management software and inputting necessary data.
Dealing with all correspondence and emails relating to the case.
Delivering statutory notifications to creditors and others as required on appointment, including advertising the office holder's appointment in the Gazette.
Conduct statutory searches to identify company pension schemes.
Deal with statutory obligations in relation to identified company pension schemes
Obtaining a specific penalty bond.
Reviewing the adequacy of the specific penalty bond on a quarterly basis.
Undertaking periodic reviews of the progress of the case.
Overseeing and controlling the work done.
Preparing, reviewing and issuing progress reports to creditors and members.
Preparing and filing VAT returns.

ASSET REALISATION

Liaising with the bank to recover any credit balances and close the account(s).
Liaising with agents to realise known assets.

REMUNERATION APPROVED ON A TIME COST BASIS

As agreed, the Joint Liquidators are to be remunerated on a time cost basis for certain tasks and details of this fee are set out in the report.

Task	ORIGINAL ESTIMATE			REPORTING PERIOD		
	Estimated hours hrs	Estimated cost £	Average charge out rate £	Actual hours hrs	Actual cost £	Average rate £/hr
Investigations	14.70	2,606.00	177.28	10.60	3,328.00	313.96
Creditors	79.10	16,024.50	202.59	73.10	19,602.50	268.16
TOTAL	93.80	18,630.50	198.62	83.70	22,930.50	273.96

A summary of the work undertaken in this reporting period, which is to be remunerated on a time cost basis, is detailed below and was required to be undertaken to meet our statutory obligations and identify potential recoveries for the benefit of creditors:

INVESTIGATIONS

Recovering the Company's books and records.
Scheduling the Company's books and records.
Preparing a report on the conduct of the directors as required by the Company Directors Disqualification Act.
Conducting an initial investigation with a view to identifying potential asset recoveries by seeking and obtaining information from relevant third parties, such as the bank, accountants, solicitors, etc.

Reviewing books and records to identify any suspicious transactions or actions the office holder may take against a third party in order to recover funds for the benefit of creditors.

CREDITORS

Obtaining information from the case records about employee claims.
Completing documentation for submission to the Redundancy Payments Office.
Corresponding with employees regarding their claims.
Liaising with the Redundancy Payments Office regarding employee claims.
Issuing a notice of intended dividend to preferential creditors, and advertising notice of intention to pay a dividend to preferential creditors in the Gazette.
Reviewing proofs of debt received from preferential creditors, adjudicating on them and formally admitting them for the payment of a dividend.
Calculating and paying a dividend to preferential creditors, and issuing the notice of declaration of dividend.
Dealing with all creditor correspondence, emails and telephone conversations regarding their claims.
Maintaining up to date creditor information on the insolvency practice management system.
Dealing with customer bookings and liaising with ABTA and the CAA as applicable.

Notes:

- 'Administration and planning' represents the work involved in the routine administrative functions of the case. It does not give direct financial benefit to the creditors, but has to be undertaken to meet our statutory requirements and obligations under the insolvency legislation and the Statements of Insolvency Practice.
- 'Statutory compliance and reporting' represents the work involved in the statutory functions of the case, together with the necessary control and supervision by senior staff. It does not give direct financial benefit to the creditors, but has to be undertaken to meet our statutory obligations.
- 'Investigations' represents the work required to comply with our statutory obligations and has no direct financial benefit to creditors unless there are potential recovery actions identified. Details of the investigations undertaken and outcomes are set out in the report.
- 'Asset realisation' represents the work required to be undertaken to realise the known assets in the case for the benefit of the creditors, details of which are set out in the report.
- 'Creditors' represents the work required to deal with the various creditors of the Company and maintain records of each claim. All queries and correspondence are dealt with as part of our statutory obligations. Extensive time has been required to be incurred in respect of liaising with the numerous consumer creditors regarding how to claim as well as with the relevant travel industry authorities regarding customer bookings.