

TO ALL KNOWN CREDITORS

21 April 2022

Ref: FLT/SEC/LJ/16.1  
Direct line: 0141 226 9332  
Laura Jones  
scarragher@parthenon.ey.com

Dear Sirs

**TVRL Realisations Limited (formerly T.O.M. Vehicle Rental Limited) and  
Caledonian Truck & Van Limited ('the Companies') (both in Administration)**

**Court of Session: P300/18 and P301/18**

I write to provide you with our final progress report in the Administrations, which includes details of the outcomes. The report covers the period from 28 September 2021 to 27 March 2022 and should be read in conjunction with the Joint Administrators' Statement of Proposals ('the Proposals') dated 4 April 2018 (deemed approved on 16 April 2018) and previous progress reports dated 1 November 2018, 3 May 2019, 8 November 2019, 3 April 2020, 3 November 2020, 6 May 2021 and 5 November 2021. Statutory information about the Companies, the Administrations and the office holders is given at Appendix 1.

The Proposals and previous progress reports covered the Companies and two other related companies, T.O.M. Group Limited ('TG') and Alistair Fleming Limited ('AF') (together 'the Group'). As there were no further assets to be realised or distributions to be made in TG and AF, the relevant statutory notices of ceasing to act were filed with Companies House and both companies were dissolved on 6 July 2020.

**Summary of the Joint Administrators' proposals**

As set out in the Proposals, which were deemed to be approved on 16 April 2018, the Group was a leading provider of commercial vehicle hire, sales and services with a combined fleet of c12,000 vehicles and c430 employees at 11 hire locations across the UK. The Group also operated four complementary vehicle dealerships (Caledonian Truck & Van Limited ('CTV') and AF) through two franchised brands, Mercedes Benz ('MB') and Citroen.

As it was not appropriate to trade the Group's businesses in administration or to offer them for sale as going concerns due to the nature of the businesses and the ongoing trading losses being incurred, the Group ceased to trade on 28 March 2018 and the majority of employees were made redundant on this date. A small number of employees were retained for a short period to assist the Joint Administrators in undertaking an orderly wind-down of the businesses and fulfilling their statutory duties.

Progress with realising the Companies' assets is discussed in further detail below.

## **Summary of steps taken during the Administrations**

### **TVRL Realisations Limited (formerly known as T.O.M. Vehicle Rental Limited) ('TVRL')**

#### ***Funding parties***

As outlined in the Proposals and discussed in our previous reports, funding of £1.186m was provided to the Joint Administrators by 7 Hire Purchase ('HP') Funders ('the Funding Parties') (who accounted for 80% of the Group's HP debt) to meet the costs of retaining a fleet team at the Group's head office to ensure an orderly wind down of the businesses following the appointment.

The majority of funds were utilised and refunds of the unused balance were made to each of the Funding Parties.

#### ***Asset realisation***

##### ***Fixed Charge Assets***

###### ***Debtors assigned to HSBC Invoice Finance ('HIF')***

As creditors will recall, HIF appointed Hilton Baird Collection Services Limited ('Hilton Baird') to collect the debts assigned to it. With total collections of c£12.7m, HIF's debt at the date of appointment was subsequently repaid in full and a surplus of c£527k was available to HSBC which had the benefit of an assignment over any surplus monies collected from these debts.

Hilton Baird ceased collections activity towards the end of 2020 and, with HIF/HSBC confirming that there was no appetite to incur additional costs pursuing recoveries from any remaining debtors via legal action, the ledger of c£1.6m was reassigned to TVRL.

Following consideration of the options, external debt collection agents (JP Associates) were subsequently appointed in April 2021 to continue pursuing the remaining outstanding debtor balances. I am pleased to report that collections have now completed and gross realisations of c£252k have been achieved to date, an increase of £131k since our last report. As previously advised, significant sums have had to be written off the ledger due to the existence of complex counter claims and certain debtor companies having been dissolved in the interim period.

On completion of Hilton Baird's debtor collection exercise, a VAT bad debt relief claim of £1.13m was submitted to HMRC in respect of the debts which had proved to be uncollectable at that point. This claim was accepted and reduced HMRC's overall claim against the Group. Following completion of JP Associates' debt collection efforts, HMRC's claim was subsequently revised to adjust for the additional debtor balances recovered.

###### ***HP Vehicles***

Following our appointment, the Companies' 33 HP funders (including the funding parties) exercised their contractual right to recover the c12,000 vehicles held under HP contracts. There was accordingly no return of surplus funds from these vehicles for the benefit of the general body of creditors.

##### ***Floating Charge Assets***

###### ***Driver and Vehicle Licensing Agency ('DVLA') receipts***

As previously advised, TVRL was responsible for arranging and paying the relevant fees for road fund licences in respect of the vehicles and a significant number of vehicle licence fees were prepaid to the DVLA at the date of Administration. Total refunds of road fund licences of £683k have been achieved in this regard.

At the time of our last report, there remained over 200 vehicles registered in TVRL's name at the DVLA and, accordingly, we have reported these vehicles as lost or stolen to the DVLA to ensure no liability can fall upon the Joint Administrators in the future.

#### *Plant and equipment, motor vehicles, trailers and office furniture*

We engaged Thainstone's Specialist Auctions ('TSA') to ingather and sell the plant and equipment, motor vehicles, trailers and office furniture which were not subject to outstanding finance. Gross recoveries of £665k were achieved.

#### *Unidentified income*

This represents income received to date totalling £28k which we have not been able to allocate in TVRL's records.

#### *Intellectual property*

A sale of the T.O.M name, website name and related intellectual property in 2019 realised £15k for the benefit of the Administration. Following the sale, we filed the relevant documentation with Companies House to change the name of T.O.M. Vehicle Rental Limited to TVRL Realisations Limited.

#### *Debtors*

Hilton Baird was also appointed to collect TVRL's debtor ledger which had not been assigned to HIF at the date of appointment. Gross collections of £195k were achieved in this regard.

#### *Contingent asset*

As creditors will recall, in 2016, the European Commission fined five major truck manufacturers for engaging in unlawful and anti-competitive price fixing in respect of the sale of trucks over six tonnes in the period from 1997 to 2011.

As a result of the Commission ruling, applications for Collective Proceedings Orders were lodged with the UK Competition Appeal Tribunal ('the Tribunal'), in order to pursue claims for compensation on behalf of third parties who bought, leased or hired vehicles in the period and who, due to the price-fixing, had possibly overpaid for their trucks. In addition, a number of standalone claims were raised with the Tribunal and the Court of Session in Scotland.

Whilst the Directors had included a value of £5m (in respect of 510 trucks) for this contingent asset in their Statement of Affairs for TVRL, it was not possible to predict the likely compensation, if any, which could be payable to TVRL and the matter could realistically take many years to resolve through the Courts at significant cost to the Administration.

Following our appointment, we continued to explore the options available to realise value in the short to medium term including consideration of raising an action in the Court of Session to avoid the claim becoming time-barred and preserving the possibility of selling the rights to a third party.

As creditors may recall, in December 2020, we instructed our solicitors, Shepherd & Wedderburn ('S&W'), to provide advice on initial prospects for a trucks cartel follow on damages claim and to prepare

an information memorandum for potential litigation funders with a view to either selling TVRL's rights to the claim or securing funding for us to pursue the claim by raising legal proceedings.

The information memorandum was issued to a group of litigation funders in March 2021. Many were unable to progress due to the outline of the claim not meeting their investment criteria or because they were conflicted however three funders subsequently agreed non-disclosure agreements. Whilst an attractive proposal to acquire the claim on a non-recourse basis together with an earnout clause was received from one of these funders, it quickly became clear (following limited diligence) that they were unwilling to progress the proposal as initially outlined and they unfortunately withdrew their offer.

With no viable proposals for funding the claim and no other parties offering to purchase TVRL's rights to the claim, we considered that we had exhausted all of the options and it was no longer in the creditors' interests to continue pursuing the claim. The time incurred by both the Administrators and S&W relating to the truck cartel price fixing claim was subsequently written off.

We are however pleased to advise that, in December 2021, JWR Holdings Limited expressed an interest in acquiring TVRL's rights to the price fixing claim and subsequently made an offer to acquire the rights. Completion took place on 22 February 2022 and funds of £10k were realised as part of the sale proceeds. Legal costs of £1.5k were additionally incurred in obtaining the assignation.

#### *Land and Buildings Transaction Tax ('LBTT')*

As detailed in our report of 4 November 2020, following the wind down of the businesses and vacation of the leasehold properties previously operated by the Group, final LBTT returns were submitted to Revenue Scotland and a refund of £102k was received in October 2020.

#### **Caledonian Truck & Van Limited**

Creditors will recall that, prior to the appointment of the Administrators, MB terminated the dealership franchise agreements and, upon appointment, the majority of employees were immediately made redundant. The remaining employees were retained for a short period to ensure an orderly wind-down of business activities. The three trading sites closed on 20 April 2018 and the properties were returned to the landlord.

#### ***Asset realisation***

##### *Debtors*

Hilton Baird completed the debtor collection exercise with total realisations of £584k collected from an outstanding ledger at the date of appointment of £4.1m. A VAT bad debt relief claim of £42k in respect of uncollectable book debts was submitted to HMRC thereby reducing HMRC's overall VAT claim against the Group.

##### *Unidentified income*

This represents income of £99k received during the period of the Administration which we have not been able to allocate in CTV's records.

##### *Motor vehicles, plant and equipment*

Similar to TVRL, we engaged TSA to ingather and sell the motor vehicles and plant and equipment which were not subject to outstanding finance. As previously advised, TSA confirmed all owned equipment and vehicles have been realised with total realisations of £178k achieved.

### *Stock/Work in Progress*

As creditors may recall, a significant amount of outstanding warranty/repairs and maintenance invoicing was processed following the appointment and, together with the values attributable to owned plant, parts stock and signage removed from the dealerships by MB as part of the wind down, this reduced MB's claims in the Administration.

### *TVRL Dividend*

CTV's claim of £9,231,598 representing amounts due by TVRL at the date of the Administrators' appointment was accepted as a valid claim in the TVRL Administration. Funds totalling c£16k in payment of TVRL's dividend distribution (discussed below) on this agreed claim was received in the period.

## **Extension of Administrations**

The Administrations of the Companies were automatically due to expire on 27 March 2019, being the anniversary of the appointment of the Joint Administrators. It was, however, clear that the Administrations would not be concluded on this date. Accordingly, the Administrations were extended as follows:

- The requisite creditors' consent was received, allowing the Administrators to extend the period of the Administrations by 12 months to 27 March 2020 under the provisions of paragraph 77(2) of Schedule B1 to the Insolvency Act 1986.
- Further extensions of 12 months to 27 March 2021 were granted by the Court of Session under the provisions of paragraph 77(2) of Schedule B1 to the Insolvency Act 1986.
- Final extensions of 12 months to 27 March 2022 were granted by the Court of Session under the provisions of paragraph 77(2) of Schedule B1 to the Insolvency Act 1986.

These extensions were granted in order to allow a full realisation of the Companies assets and to make distributions to the non-preferential unsecured creditors in TVRL and CTV by way of the Prescribed Part.

## **Distributions to creditors**

### *Secured Creditors*

The Group had c£220m of debt exposure across 33 funders with MB, GMAC, Close Leasing, Lombard, Paccar, Santander and HSBC ('the 7 HP funders') accounting for c80% of the debt. Additionally, the Group had a £3.5m overdraft facility and a confidential invoice discounting facility of £13m with HSBC and HIF respectively. Each of the Companies was party to a cross guarantee in favour of HSBC in respect of the Group's borrowings.

Qualifying floating charges are held as follows:

<b>Company</b>	<b>Qualifying Floating Charge Holders</b>
TVRL Realisations Limited (formerly T.O.M. Vehicle Rental Limited)	HSBC, HSBC Invoice Finance, HSBC Equipment Finance, HSBC Asset Finance

<b>Company</b>	<b>Qualifying Floating Charge Holders</b>
Caledonian Truck & Van Limited	HSBC, MB

Floating charge distributions of £300k have been made to HSBC in TVRL, and floating charge distributions of £211k and £90k have been made to HSBC and MB respectively in CTV. These distributions have been made in accordance with the ranking agreements in place. We understand that there was a surplus of c£527k available to HSBC following HIF being repaid its debt in full under its fixed charge security over the debtors in TVRL. In addition, there is a shortfall to each of the HP funders in TVRL arising from recovery of the vehicles held under HP contracts at the date of appointment. The shortfalls subsequently ranked as non-preferential claims in the Administration.

#### *Preferential Creditors*

Distributions of 100p in the £, equating to total dividends of £106k and £43k, have been paid to the preferential creditors of TVRL and CTV respectively in respect of employees' salaries, holiday pay and pension contributions.

#### *Non-preferential Creditors*

The Joint Administrators received claims from the non-preferential unsecured creditors in TVRL and CTV of c£44.7m and c£14.8m, respectively.

There were sufficient funds to enable a distribution to the creditors by virtue of the Prescribed Part (see below).

#### **The Prescribed Part**

The Prescribed Part is a proportion of floating charge assets set aside for unsecured creditors pursuant to Section 176A of the Insolvency Act 1986. The Prescribed Part applies to floating charges created on or after 15 September 2003. The Companies' floating charges were all created after this date and accordingly the Prescribed Part applies.

Distributions to the non-preferential unsecured creditors by virtue of the Prescribed Part were made in TVRL and CTV on 9 March 2022 and 15 March 2022, respectively, as set out below.

<b>Company</b>	<b>Total claims received</b>	<b>Distribution (Pence in the pound)</b>	<b>Total dividend paid</b>
TVRL Realisations Limited (formerly T.O.M. Vehicle Rental Limited)	£44,716,575	0.176p	£78,809
Caledonian Truck & Van Limited	£14,844,333	0.531p	£78,836

In line with Rule 3.108 of the Insolvency (Scotland) (Company Voluntary Arrangements and Administration) Rules 2018, a list of all claims accepted and rejected in the Administration is available for viewing at [https://www.ey.com/en\\_uk/ey-tom-vehicle-rental-limited-in-administration](https://www.ey.com/en_uk/ey-tom-vehicle-rental-limited-in-administration). A hard copy of the list can be provided on request.

## Receipts and payments accounts

We enclose, at Appendix 2, final receipts and payments accounts for the Companies for the period from 28 September 2021 to 27 March 2022.

As noted above, the sum of £78,809 and £78,836 has been paid to the non-preferential unsecured creditors of TVRL and CTV, respectively, by virtue of the application of section 176A of the Insolvency Act 1986 (the Prescribed Part).

## Investigations

We concluded our investigations into the Companies' affairs, in accordance with Statement of Insolvency Practice 2 (Investigations by Office Holders), and the Company Director Disqualification Act 1986 with the required statutory returns made to the Insolvency Service.

## Joint Administrators' remuneration and expenses

The statutory provisions relating to remuneration are set out in Rules 3.95 to 3.101 of the Insolvency (Scotland) (Company Voluntary Arrangements and Administration) Rules 2018.

In certain circumstances, creditors are entitled to request further information about our remuneration or outlays, or to apply to court if they consider the costs to be excessive (Rule 3.100, Insolvency (Scotland) (Company Voluntary Arrangements and Administration) Rules 2018. Further information is given in 'A Creditors' Guide to Administrators' Fees', a copy of which may be accessed from the web site of the Institute of Chartered Accountants of Scotland at <https://www.icas.com/technical-resources/creditor-guides-to-office-holder-remuneration> or is available in hard copy upon written request to the Joint Administrators.

Our remuneration was fixed on a time-cost basis by resolutions of the floating charge holders and preferential creditors as appropriate.

Since our last progress report, further interim fees and Category 2 expenses have been approved and drawn for the period from 28 September 2020 to 27 September 2021 as set out below.

<b>Company</b>	<b>Remuneration approved</b>	<b>Category 2 expenses incurred</b>
TVRL Realisations Limited (formerly T.O.M. Vehicle Rental Limited)	£111,179	£0.00
Caledonian Truck & Van Limited	£30,491	£0.00
<b>Total</b>	<b>£141,670</b>	<b>£0.00</b>

In addition, further interim fees of £95,265 have been drawn in TVRL in respect of the period from 12 January 2019 to 27 September 2019. These fees had previously been approved but were unable to be drawn at the time due to insufficient floating charge funds being available.

Given that there were only limited floating charge funds available in TVRL, no fees were requested in respect of the period from 28 September 2019 to 27 September 2020.

During the period covered by this report, the Joint Administrators have incurred time costs of £280,953 at HSBC restricted rates and Category 2 expenses of £2,542.28. As previously advised, fees would only be drawn on the basis that there were floating charge funds available. Accordingly, the undernoted final restricted fees and Category 2 expenses were approved and drawn during the period from 28 September 2021 to the close of the Administrations.

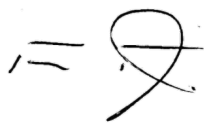
Company	Time costs incurred	Remuneration approved	Category 2 expenses incurred	Category 2 expenses approved
TVRL Realisations Limited (formerly T.O.M. Vehicle Rental Limited)	£197,894	£18,075	£2,542.28	£2,542.28
Caledonian Truck & Van Limited	£83,059	£15,000	£0.00	£0.00
<b>Total</b>	<b>£280,953</b>	<b>£33,075</b>	<b>£2,542.28</b>	<b>£2,542.28</b>

## The outcome of the Administrations

In accordance with the terms of the Proposals, as there are no further matters to be considered, assets to be realised or distributions to be made, the Companies will move from Administration to dissolution. The Administrations will come to an end on the date on which the relevant statutory notices are registered with the Registrar of Companies and the Companies will be deemed to be dissolved three months later.

Should you have any remaining questions about the Administrations, please do not hesitate to contact Laura Jones at this office.

Yours faithfully



F L Taylor  
Joint Administrator

Encs

F L Taylor is licensed in the United Kingdom to act as an Insolvency Practitioner by the Institute of Chartered Accountants in England and Wales and C P Dempster is licensed in the United Kingdom to act as an Insolvency Practitioner by the Institute of Chartered Accountants of Scotland.

The affairs, business and property of the Companies are being managed by the Joint Administrators, F L Taylor and C P Dempster, who act as agents of the Companies only and without personal liability.

The Joint Administrators may act as data controllers of personal data as defined by the UK General Data Protection Regulation (as incorporated in the Data Protection Act 2018), depending upon the specific processing activities undertaken. Ernst & Young LLP and/or the Companies may act as a data processor on the instructions of the Joint Administrators. Personal data will be kept secure and processed only for matters relating to the Joint Administrators' appointment. The Office Holder Data Privacy Notice can be found at [www.ey.com/uk/officeholderprivacy](http://www.ey.com/uk/officeholderprivacy).



## Appendix 1

### Information about the proceedings, the company and the office holders, as required by Rule 3.94 of the Insolvency (Scotland) (Company Voluntary Arrangements and Administration) Rules 2018

Name of court:	Court of Session
Court reference:	P300/18
Registered name of the Company:	TVRL Realisations Limited (formerly T.O.M. Vehicle Rental Limited)
Registered office address of the Company:	Ernst & Young LLP, G1 Building, 5 George Square, Glasgow, G2 1DY
Registered number:	SC130056
Country of incorporation (for a company incorporated outside the United Kingdom):	N/A
Date of appointment of the Joint Administrators:	28 March 2018
Details of any changes of Joint Administrator:	None
Full names of the Joint Administrators:	Fiona Livingstone Taylor and Colin Peter Dempster
Office holder number(s):	8787 and 8908
Administrators' address(es):	Ernst & Young LLP, Atria One, 144 Morrison Street, Edinburgh EH3 8EX
Telephone number:	0141 226 9332
Name of alternative person to contact with enquiries about the case:	Laura Jones

## Appendix 1

### Information about the proceedings, the company and the office holders, as required by Rule 3.94 of the Insolvency (Scotland) (Company Voluntary Arrangements and Administration) Rules 2018

Name of court:	Court of Session
Court reference:	P301/18
Registered name of the Company:	Caledonian Truck & Van Limited
Registered office address of the Company:	Ernst & Young LLP, G1 Building, 5 George Square, Glasgow, G2 1DY
Registered number:	SC428853
Country of incorporation (for a company incorporated outside the United Kingdom):	N/A
Date of appointment of the Joint Administrators:	28 March 2018
Details of any changes of Joint Administrator:	None
Full names of the Joint Administrators:	Fiona Livingstone Taylor and Colin Peter Dempster
Office holder number(s):	8787 and 8908
Administrators' address(es):	Ernst & Young LLP, Atria One, 144 Morrison Street, Edinburgh EH3 8EX
Telephone number:	0141 226 9332
Name of alternative person to contact with enquiries about the case:	Laura Jones

## TVRL Realisations Limited (formerly T.O.M. Vehicle Rental Limited) (In Administration)

### Joint Administrators' Summary of Receipts and Payments from 28 September 2021 to 27 March 2022

Estimated to Realise per Directors' Statement of Affairs	Cumulative to 27 September 2021 £	Transactions since 28 September 2021 £	Cumulative to 27 March 2022 £
<b>Trading Fund provided by the Funding Parties</b>			
	1,186,408	-	1,186,408
	(985,754)	-	(985,754)
	(200,654)	-	(200,654)
	<u>-</u>	<u>-</u>	<u>-</u>
<b>Floating Charge Receipts</b>			
875,000	682,745	-	682,745
670,000	604,862	5,948	610,809
100,000	316,001	131,405	447,406
	102,222		102,222
	75,000	-	75,000
-	27,805	-	27,805
-	43,036	-	43,036
25,000	55,000	-	55,000
	-	10,000	10,000
-	13,818	9,000	22,818
-	462	-	462
	15,000	-	15,000
	3,059	-	3,059
-	7,536	347	7,883
<u>1,670,000</u>	<u>1,946,546</u>	<u>156,699</u>	<u>2,103,245</u>
<b>Payments</b>			
	117,343	-	117,343
	51,387	-	51,387
	21,237	-	21,237
	12,955	-	12,955
	10,649	-	10,649
	7,713	205	7,917
	7,626	-	7,626
	37,579	26,980	64,558
	999,162	224,519	1,223,681
	31,352	2,678	34,031
	250,000	50,200	300,200
	8,444	3,158	11,602
	6,954	-	6,954
	2,214	-	2,214
	35,674	(3,855)	31,819
	1,467	-	1,467
	5,132	-	5,132
	1,021	-	1,021
	221	99	320
	105,806	-	105,806
	2,886	212	3,098
	1,279	2,143	3,422
	(5)	-	(5)
	<u>(1,718,096)</u>	<u>(306,340)</u>	<u>(2,024,436)</u>
<b>Distributions</b>			
	-	78,809	78,809
	-	<u>(78,809)</u>	<u>(78,809)</u>
	<u>228,449</u>	<u>(228,449)</u>	<u>-</u>

**Notes**

1. Receipts and payments are stated net of VAT

## Appendix 2

### Caledonian Truck & Van Limited (In Administration)

#### Joint Administrators' Summary of Receipts and Payments from 28 September 2021 to 27 March 2022

Estimated to Realise per Directors' Statement of Affairs		Cumulative to 27 September 2021 £	Transactions since 28 September 2021 £	Cumulative to 27 March 2022 £
	<b>Floating Charge Receipts</b>			
100,000	Book debts	583,755	150	583,905
70,000	Motor Vehicles	147,649	-	147,649
-	Plant and Equipment	30,000	-	30,000
-	Intercompany Loan Dividend	-	16,270	16,270
-	Unidentified Income	99,617	(294)	99,322
-	VAT Repayment Supplement	594	-	594
-	Bank Interest	4,539	290	4,829
<b>170,000</b>		<b>866,153</b>	<b>16,416</b>	<b>882,569</b>
	<b>Payments</b>			
	Wages and Salaries	22,106	-	22,106
	Wage Arrears - Employees	42,927	-	42,927
	Agents' Fees	15,000	-	15,000
	IT Costs	5,000	-	5,000
	Specific Bond	220	-	220
	Telephone	4,975	-	4,975
	Joint Administrators' Fees	257,064	45,491	302,555
	Joint Administrators' Expenses	6,176	-	6,176
	Floating charge distribution - HSBC	180,000	30,700	210,700
	Floating charge distribution - Mercedes Benz	90,000	-	90,000
	Legal Fees	4,803	572	5,375
	Legal Disbursements	573	-	573
	Debt Collection Expenses	36,431	-	36,431
	Other Professional Fees	15	-	15
	Security Costs	5,050	-	5,050
	Postage	303	9,000	9,303
	Storage Costs	-	16,000	16,000
	Rent	24,161	-	24,161
	Rates	5,517	(1,224)	4,293
	Heat and Light	1,619	-	1,619
	Corporation Tax	634	287	921
	Public Notices	-	99	99
	Consignment Fee	-	35	35
	Bank Charges and Interest	62	135	197
		<b>(702,637)</b>	<b>(101,095)</b>	<b>(803,733)</b>
	<b>Distributions</b>			
	Unsecured Creditors	-	78,836	78,836
		-	<b>(78,836)</b>	<b>(78,836)</b>
		<b>163,516</b>	<b>(163,516)</b>	<b>-</b>

#### Notes

1. Receipts and payments are stated net of VAT.

**TVRL Realisations Limited (formerly T.O.M. Vehicle Rental Limited) and  
Caledonian Truck & Van Limited (both in Administration) ('the  
Companies')**

**Joint Administrators' Time-Costs from 28 September 2021 to 27 March 2022**

**(a) Time charging policy**

The Administrators have engaged managers and other staff to work on the Administrations. The work required is delegated to the most appropriate level of staff taking account of the nature of the work and the individual's experience. Additional assistance is provided by accounting and treasury executives dealing with the Companies' bank accounts and statutory compliance diaries. Work carried out by all staff is subject to the overall supervision of the Administrators.

All time spent by staff working directly on case-related matters is charged to a time code established for these cases. Time is recorded in units of six minutes. Each member of staff has a specific hourly rate, which is subject to change over time. The average hourly rate for each category of staff over the period is shown below, as are the current hourly rates used and agreed with HSBC.

**(b) Narrative explanation of time incurred**

<b>Category of work</b>	<b>Description of work completed</b>
Accounting & Administration	<ul style="list-style-type: none"> <li>▶ Overall management of the case, treasury and accounting functions, statutory compliance diaries and time costing reports.</li> </ul>
Bank & Statutory Reporting	<ul style="list-style-type: none"> <li>▶ Preparing and issuing six monthly progress reports to all known creditors and regular reporting to the secured creditors.</li> </ul>
Creditors	<ul style="list-style-type: none"> <li>▶ Receipt and recording of creditor claims.</li> <li>▶ Correspondence with creditors.</li> <li>▶ Adjudication of HP Funders' claims</li> <li>▶ Processing distributions to creditors (as applicable).</li> </ul>
Debtors	<ul style="list-style-type: none"> <li>▶ Working with our agents to realise value from book debts.</li> <li>▶ Discussing and agreeing book debt collection with debtors.</li> </ul>
Employee Matters	<ul style="list-style-type: none"> <li>▶ Dealing with any employee queries.</li> </ul>
Immediate Tasks	<ul style="list-style-type: none"> <li>▶ Completion of work streams requiring immediate attention following the appointment, in order to execute the strategy outlined in the Proposals.</li> </ul>
Investigations	<ul style="list-style-type: none"> <li>▶ Investigations into the Companies' affairs in accordance with Statement of Insolvency Practice 2 "Investigations by Office Holders".</li> <li>▶ The Joint Administrators' reports on the conduct of the directors under the Company Directors Disqualification Act 1986.</li> </ul>
Job Acceptance & Strategy	<ul style="list-style-type: none"> <li>▶ Matters relating to the appointment and initial planning of the Administration strategy, including meetings with the Companies' directors and management and formulating and executing the strategy adopted.</li> <li>▶ Considering exit routes from Administration and implementing the most appropriate route.</li> </ul>

Legal Issues	<ul style="list-style-type: none"> <li>▶ Dealing with any ad hoc legal issues.</li> <li>▶ Investigating the merit in selling TVRL's claim in the Truck Cartel.</li> </ul>
Members	<ul style="list-style-type: none"> <li>▶ Liaising with the shareholders (as required).</li> </ul>
Other Assets	<ul style="list-style-type: none"> <li>▶ Realising value from the Companies' residual assets.</li> <li>▶ Assessing, quantifying and seeking to realise value from assets not recorded in the management accounts of the Companies at the date of appointment.</li> </ul>
Other Matters	<ul style="list-style-type: none"> <li>▶ Assessing the status of the Companies' physical books and records and electronic records.</li> </ul>
Public Relations	<ul style="list-style-type: none"> <li>▶ Agreeing and issuing statements to the press as required in pursuit of Administration strategies.</li> </ul>
Property	<ul style="list-style-type: none"> <li>▶ Liaising with landlords to finalise any outstanding leasehold matters.</li> </ul>
Retention of Title	<ul style="list-style-type: none"> <li>▶ Assessment and settlement of claims for retention of title from the Companies' suppliers (if applicable).</li> </ul>
Statutory Duties	<ul style="list-style-type: none"> <li>▶ Completion of statutory requirements of the Administration, including notifications to creditors and the Registrar of Companies regarding progress and final reports issued.</li> <li>▶ Seeking approval of remuneration and outlays from the secured creditors and the preferential creditors.</li> <li>▶ Arranging for extension of Administrations via consent of creditors / application to court, where applicable.</li> </ul>
VAT & Taxation	<ul style="list-style-type: none"> <li>▶ Preparing annual corporation tax and quarterly VAT returns, with input from EY VAT and tax specialists.</li> <li>▶ Issuing supporting documentation for VAT inspections by HMRC.</li> <li>▶ Assessment of the VAT and tax treatment of transactions and agreements entered during the Administration.</li> <li>▶ Preparing and submitting claims for VAT bad debt relief.</li> </ul>

## (c) Analysis of time costs

T.V.R.L Realisations Limited (Formerly T.O.M. Vehicle Rental Limited) (In Administration)

Classification of work function	Hours				Total hours	Average hourly rate	Time cost
	Partner / Director	Assistant Director / Manager	Other Senior Professionals	Assistants & Support			
Accounting & Administration	2.1	74.2	0.0	88.4	164.7	265	43,712
Bank & Statutory Reporting	8.0	40.2	0.0	19.4	67.6	328	22,189
Creditors (Mandatory)	1.0	159.0	0.0	90.8	250.8	292	73,196
Debtors	2.0	15.4	0.0	1.1	18.5	405	7,498
Employee Matters	0.0	3.1	0.0	17.5	20.6	203	4,173
Legal Issues	0.0	3.9	1.0	6.4	11.3	264	2,986
Other Assets	4.0	18.0	0.0	2.1	24.1	400	9,632
Other Matters	0.0	2.5	0.0	0.0	2.5	330	825
Property	0.0	2.4	0.0	0.0	2.4	425	1,020
Statutory Duties	0.5	31.2	0.0	15.8	47.5	316	14,994
VAT & Taxation	0.0	23.3	8.3	34.8	66.4	266	17,671
<b>Total hours</b>	<b>17.6</b>	<b>373.2</b>	<b>9.3</b>	<b>276.3</b>	<b>676.4</b>	<b>293</b>	<b>197,894</b>
<b>Time cost</b>	<b>9,064</b>	<b>136,399</b>	<b>2,697</b>	<b>49,734</b>			<b>197,894</b>
<b>Average hourly rate</b>	<b>515</b>	<b>365</b>	<b>290</b>	<b>180</b>		<b>293</b>	

Time costs for the period 28 September 2021 to 27 March 2022

197,894

Time costs previously incurred

1,494,143

1,692,037

Fees approved and drawn to 27 September 2021

(1,205,606)

Fees incurred but written off to 27 September 2021

(288,537)

Fees requested and drawn for the period 28 September 2021 to 27 March 2022

(18,075)

Fees incurred but proposed to be written off for the period 28 September 2021 to 27 March 2022

(179,818)

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### HSBC Agreed Hourly Charge Out Rates

	£
Partner	515
Associate Partner	515
Director	515
Assistant Director	425
Manager	330
Other senior professionals	
Executive	290
Assistant Executive	290
Assistants and support	
Analyst	180
Accounting and Treasury Executive	180

### Expenses Summary for the period 28 September 2021 to 27 March 2022

#### Category 1 Expenses

Travel & Accommodation	£
IT & Office Supplies	13.75
<b>Total</b>	<b>122.36</b>
	<b>136.11</b>

### Expenses Summary for the period 28 September 2021 to 27 March 2022

#### Category 2 Expenses

Mileage	£
Printing & Postage	109.80
	2,432.48
<b>Total</b>	<b>2,542.28</b>

**Caledonian Truck & Van Limited (In Administration)**

Classification of work function	Hours					Average hourly rate	Time cost
	Partner / Director	Assistant Director / Manager	Other Senior Professionals	Assistants & Support	Total hours		
Accounting & Administration	0.0	39.5	0.0	47.0	86.5	262	22,654
Bank & Statutory Reporting	0.0	26.1	0.0	19.3	45.4	284	12,885
Creditors (Mandatory)	0.0	73.0	0.0	19.1	92.1	321	29,533
Debtors	0.0	3.2	0.0	1.2	4.4	315	1,386
Employee Matters	0.0	2.2	0.0	0.0	2.2	330	726
Legal Issues	0.0	1.7	0.0	0.0	1.7	425	723
Other Matters	0.0	0.6	0.0	0.0	0.6	330	198
Property	0.0	0.2	0.0	0.0	0.2	425	85
Statutory Duties	0.5	12.1	0.0	1.4	14.0	384	5,377
VAT & Taxation	0.0	9.3	12.8	12.8	34.9	272	9,494
<b>Total hours</b>	<b>0.5</b>	<b>167.9</b>	<b>12.8</b>	<b>100.8</b>	<b>282.0</b>	<b>295</b>	<b>83,059</b>
<b>Time cost</b>	<b>258</b>	<b>60,946</b>	<b>3,712</b>	<b>18,144</b>			<b>83,059</b>
<b>Average hourly rate</b>	<b>515</b>	<b>364</b>	<b>290</b>	<b>180</b>		<b>295</b>	

Time costs for the period 28 September 2021 to 27 March 2022	83,059
Time costs previously incurred	<u>287,555</u>
	370,614
Fees approved and drawn to 27 September 2021	(287,555)
Fees requested and drawn for the period 28 September 2021 to 27 March 2022	(15,000)
Fees incurred but proposed to be written off for the period 28 September 2021 to 27 March 2022	<u>(68,059)</u>
	-

**HSBC Agreed Hourly Charge Out Rates**

	£
Partner	515
Associate Partner	515
Director	515
Assistant Director	425
Manager	330
Other senior professionals	290
	Executive
	Assistant Executive
Assistants and support	180
	Analyst
	Accounting and Treasury Executive
	180

**Expenses Summary for the period 28 September 2021 to 27 March 2022**

**No Category 1 expenses have been incurred in the period**

**Expenses Summary for the period 28 September 2021 to 27 March 2022**

**No Category 2 expenses have been incurred in the period**



**(d) Payments to other professionals**

The Joint Administrators engaged the following other professionals to assist them during the period. They were chosen on the basis of their experience in similar assignments and their specialist knowledge of the market and the Companies' assets:

*TVRL Realisations Limited (Formerly T.O.M. Vehicle Rental Limited) (In Administration)*

<b>Name of firm</b>	<b>Nature of services</b>	<b>How contracted to be paid</b>	<b>Paid during the period excl VAT (£)</b>
JP Associates Limited	Debt collection agents	Fixed % of gross realisations achieved from debts	26,980
Shepherd and Wedderburn LLP	Legal advisors	Time costs basis	3,158

*Caledonian Truck & Van Limited (In Administration)*

<b>Name of firm</b>	<b>Nature of services</b>	<b>How contracted to be paid</b>	<b>Paid during the period excl VAT (£)</b>
Shepherd and Wedderburn LLP	Legal advisors	Time costs basis	572

## Appendix 4

### TVRL Realisations Limited (formerly T.O.M Vehicle Rental Limited (In Administration))

#### Summary of Joint Administrators' outlays incurred

Type of Outlay	Paid as at 27 September 2021	Paid in Period	Outstanding	Total
<b>Category 1 expenses</b>				
Specific penalty bond	775.00	0.00	0.00	775.00
Meals & subsistence	756.88	0.00	0.00	756.88
Travel & accommodation	10,543.05	13.75	0.00	10,556.80
IT & office supplies	25.24	122.36	0.00	147.60
<b>Category 2 expenses</b>				
Mileage	2,796.75	109.80	0.00	2,906.55
Office supplies	916.56	0.00	0.00	916.56
Internal bulk copying, printing and postage	15,030.19	2,432.48	0.00	17,462.67
Hospitality	3.90	0.00	0.00	3.90
Company car over allowance	472.51	0.00	0.00	472.51
IT costs	32.11	0.00	0.00	32.11
<b>Totals</b>	<b>31,352.19</b>	<b>2,678.39</b>	<b>0.00</b>	<b>34,030.58</b>

#### Notes

SIP 9 defines expenses as a type of expense which is met by, and reimbursed to, an office holder in connection with an insolvency appointment. Expenses fall into two categories: Category 1 and Category 2.

- Category 1 expenses are payments to independent third parties where there is specific expenditure directly referable to the appointment
- Category 2 expenses are expenses which are directly referable to the appointment but not a payment to an independent third party. They may include shared and allocated costs.

It is our policy, in accordance with SIP 9, to disclose Category 1 and Category 2 expenses but only to seek approval for Category 2 expenses before they are drawn.

## Caledonian Truck & Van Limited (In Administration)

### Summary of Joint Administrators' outlays incurred

Type of Outlay	Paid as at 27 September 2021	Paid in Period	Outstanding	Total
<b>Category 1 expenses</b>				
Specific penalty bond	320.00	0.00	0.00	320.00
Meals & subsistence	130.38	0.00	0.00	130.38
Travel & accommodation	2,498.05	0.00	0.00	2,498.05
IT & office supplies	514.51	0.00	0.00	514.51
<b>Category 2 expenses</b>				
Mileage	462.00	0.00	0.00	462.00
Office supplies	458.28	0.00	0.00	458.28
Internal bulk copying, printing and postage	1,773.65	0.00	0.00	1,773.65
IT Costs	19.59	0.00	0.00	19.59
<b>Totals</b>	<b>6,176.46</b>	<b>0.00</b>	<b>0.00</b>	<b>6,176.46</b>

#### Notes

SIP 9 defines expenses as a type of expense which is met by, and reimbursed to, an office holder in connection with an insolvency appointment. Expenses fall into two categories: Category 1 and Category 2.

- Category 1 expenses are payments to independent third parties where there is specific expenditure directly referable to the appointment
- Category 2 expenses are payments which are directly referable to the appointment but not a payment to an independent third party. They may include shared and allocated costs.

It is our policy, in accordance with SIP 9, to disclose Category 1 and Category 2 expenses but only to seek approval for Category 2 expenses before they are drawn.