

# **Notice seeking decisions by deemed consent regarding the extension of the administration**

In accordance with section 246ZF and paragraph 76(2) of schedule B1 of the Insolvency Act 1986 and rules 3.54 and 15.7 of the Insolvency (England and Wales) Rules 2016 (IR16)

Name of Company BAS Castings Limited	Company Number 01137480
Court High Court of Justice, The Business and Property Courts of England & Wales, Insolvency & Companies List (ChD)	Court case number CR-2023-001512

We (a) Ross D Connock and Edward Williams

(a) Insert full names of administrators

joint administrators of the company, give notice to preferential and unsecured creditors we are seeking decisions by deemed consent about the following matters:

(b) Insert nature of any other matters

(b) that the period of the administration be extended by 12 months until 29 March 2025

(c) Insert reasons extension is required

and whether a creditors' committee should be established if sufficient creditors are willing to be members. Information on the formation, rights, duties and functions of a committee can be found in R3's committee guidance at:

<https://www.r3.org.uk/technical-library/england-wales/technical-guidance/creditor-guides/>

We are also inviting creditors to make nominations for membership of the creditors' committee, if one is established.

We are seeking preferential and unsecured creditors' consent to extend the period of the administration for the following reasons:

(c)

- The initial administration period of 12 months is insufficient for the Joint Administrators to achieve the purpose of the administration, as stated in the joint administrators' proposals;
- Settlement of the trading suppliers' costs have not been concluded. In particular, the Joint Administrators are dealing with utility companies and councils in order to obtain correct invoices for the trading period;
- Further time is required to review and adjudicate upon the preferential creditor claims and distribute to preferential creditors accordingly;
- Further time is needed to deal with employment tribunal claims received;
- Further time is required to deal with and conclude VAT matters;
- After all of the above matters are completed, we must deal with closure matters including drafting and issuing the final progress report, closure of our internal systems, and removal of the Administrators' bond.

d) Insert any additional decisions

The proposed decisions are: (d)

- (1) THAT that the period of the administration be extended by 12 months until 29 March 2025; and
- (2) THAT a creditors' committee SHOULD NOT be established.

The decision date is (d) **11 March 2024**

**If you wish to object to the proposed decisions you must do so no later than 23.59 hrs on the decision date. Please refer to the information overleaf.**

If less than 10% in value of relevant creditors\* object to the proposed decision in accordance with the procedure set out in this notice the creditors are to be treated as having made the proposed decisions.

If 10% or more in value of relevant creditors\* object to the proposed decisions the creditors are to be treated as NOT having made the decision. If a decision about the same matter is sought again it must be sought using a decision procedure (i.e. by correspondence, electronic voting, or a virtual or physical meeting).

\* For the purposes of this notice “relevant creditors” means the creditors who, if the decision were to be made by a decision procedure, would be entitled to vote in the procedure.

#### **Objecting to the proposed decisions or requesting a physical meeting:**

In order to object to the proposed decisions you must deliver to us at the postal address shown below a notice stating that you object to the proposed decisions, to be received by us **NO LATER THAN 23.59 hrs ON THE DECISION DATE**, together **WITH A PROOF** in respect of your claim, in accordance with IR16, failing which your objection will be disregarded. A form of notice of objection is set out at the end of this notice and A proof of debt form which you can use is available at [www.pwc.co.uk/concord](http://www.pwc.co.uk/concord)

If your debt is treated as a small debt in accordance with rule 14.31(1) IR16 (creditors with claims of £1,000 or less) you must still deliver a proof to us by 23.59 hrs on the decision date if you wish to object to the proposed decision.

If you have opted out from receiving notices you may nevertheless object to the proposed decision if you provide a proof as set out above.

It is our responsibility to aggregate any objections to see if the threshold is met for the decision to be taken as not having been made.

If the threshold is met this deemed consent procedure will terminate without a decision being made and if a decision is sought again on the same matter it will be sought by a decision procedure.

Creditors who meet one of the thresholds in section 246ZE of the Insolvency Act 1986 may, within five business days from the date of delivery of this notice, require a physical meeting to be held to consider the matters set out above. The relevant thresholds are 10% in value of creditors, 10% in number of creditors, or 10 creditors.

A creditor may appeal a decision in accordance with rule 15.35 IR16 by applying to court not later than 21 days after the decision date.

#### **Result of the decision on extending the administration**

If the extension is granted, a notice of the extension will be made available for viewing and downloading on the website [www.pwc.co.uk/concord](http://www.pwc.co.uk/concord) and no other notice will be delivered to creditors.

The password that will be required to view and download the notice of extension is **BA\$Castings!**

The document will be available on the website until at least two months after this insolvency procedure ends, or the last office-holder receives their release.

A recipient of this notice may request, free of charge, a hard copy of the notice of extension (if granted) by:

- writing to the case team at the address below; or
- telephoning the case team on 0113 289 4000; or
- emailing: [uk\\_insolvencydocsrequests@pwc.com](mailto:uk_insolvencydocsrequests@pwc.com) (\*)

(\*) Please include in the email title the name of the insolvent company and in the body of the e-mail your/the creditor's name and your postal address, if different from the address to which this notice was sent.

Please use the above email address to request hard copies only and not for general queries



Signed  
Joint administrator

Dated 23 February 2024

Address for  
correspondence

The Joint Administrators' contact details are:

Postal address: 8th floor Central Square, 29 Wellington Street, Leeds, LS1 4DL

Email address: [uk\\_bas\\_creditors@pwc.com](mailto:uk_bas_creditors@pwc.com)

Telephone number: 0113 289 4000

# Creditor's notice of objection to decisions by deemed consent

Name of Company BAS Castings Limited	Company Number 01137480
Court High Court of Justice, The Business and Property Courts of England & Wales, Insolvency & Companies List (ChD) (full name of court)	Court case number CR-2023-001512

## To be completed and returned to the postal address above only if you wish to object to the proposed decision.

Insert creditor's name and address, and registered number if a company

I/We \_\_\_\_\_  
Company number (if creditor is a company) \_\_\_\_\_  
Of \_\_\_\_\_  
\_\_\_\_\_

object to the proposed decisions set out in the notice seeking decisions by deemed consent dated **23 February 2024**

I/we do\*/do not\* request that the decisions be considered at a physical meeting.  
[\* Delete as applicable]

NB: if creditors satisfying the relevant thresholds do not request a physical meeting and a decision about the same matters is sought again, it will be sought by correspondence, electronic voting or a virtual meeting.

I/we enclose my/our proof of debt (if not previously submitted).

Signature of creditor or person authorised to act on behalf of the creditor:

\_\_\_\_\_

Name in block capitals: \_\_\_\_\_

Position with or relation to the creditor:  
(e.g. director, company secretary, solicitor): \_\_\_\_\_

Date: \_\_\_\_\_