

AM10

Notice of administrator's progress report



Companies House

TUESDAY



A06 *A96E1QMY* 02/06/2020 #292
COMPANIES HOUSE

1 Company details

Company number 0 3 7 7 3 3 3 1

Company name in full Eisenmann U.K. Limited

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

2 Administrator's name

Full forename(s) Nigel

Surname Price

3 Administrator's address

Building name/number 13 Church Street

Street Stourbridge

Post town DY8 1LT

County/Region

Postcode

Country

4 Administrator's name *

Full forename(s) Joseph Gordon Maurice

Surname Sadler

* Other administrator
Use this section to tell us about
another administrator.

5 Administrator's address *

Building name/number 14 Regent Street

Street Nottingham

Post town NG1 5BQ

County/Region

Postcode

Country

* Other administrator
Use this section to tell us about
another administrator.

AM10

Notice of administrator's progress report

6 Period of progress report

From date	d	0	d	8	m	1	m	1	y	2	y	0	y	1	y	9
To date	d	0	d	7	m	0	m	5	y	2	y	0	y	2	y	0

7 Progress report

☒ I attach a copy of the progress report

8 Sign and date

Administrator's
signature

Signature

X

Nigel

X

Signature date

d	0	d	2	m	0	m	6	y	2	y	0	y	2	y	0
---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---

AM10

Notice of administrator's progress report



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 **Nigel Price**

Company name **Elwell Watchorn & Saxton LLP**

Address **13 Church Street**

Stourbridge

Post town **DY8 1LT**

County/Region

Postcode

Country

DX

Telephone **01384465301**



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

**Eisenmann U.K. Limited
(In Administration)**

**The Joint Administrators' Progress Report
For the period 8 November 2019 to 7 May 2020**

This report has been prepared for the sole purpose of updating the creditors for information purposes. The report is private and confidential and may not be relied upon, referred to, reproduced or quoted from, in whole or in part, by creditors for any purpose other than updating them for information purposes, or by any other person for any purpose whatsoever.

Nigel Price and Joseph Sadler were appointed Joint Administrators of Eisenmann U.K. Limited on 8 November 2019. 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.

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1. SUMMARY

Nigel Price of Elwell Watchorn & Saxton LLP, 13 Church Street, Stourbridge, DY8 1LT and Joseph Sadler of Elwell Watchorn & Saxton LLP, 14 Regent Street, Nottingham, NG1 5BQ were appointed Joint Administrators ("the Administrators") of Eisenmann U.K. Limited ("Eisenmann" and "the Company") on 8 November 2019 by the Director of the Company.

This report describes the progress for the period 8 November 2019 to 7 May 2020 ("the Review Period").

For details of work undertaken by the Administrators as a whole, see the Administrators' proposals.

2. THE PROGRESS OF THE ADMINISTRATION IN THE REVIEW PERIOD

The Administrators' receipts and payments account

Attached at Appendix 2 is a receipts and payments account for the Review Period, 8 November 2019 to 7 May 2020.

RECEIPTS

Cash at Bank Co-Op

The funds have been received from the Co-Operative Bank in relation to the balance within the former bank account held by the Company. The Bank closed the account and forwarded £26,149.72, which was banked into the Administration case bank account.

Other Refunds

The solicitors engaged to assist the director to place the Company into Administration, was holding £1,200, *within their client account, in relation to a previous matter and forwarded this amount as an asset of the Company.*

Bank interest

An amount of £4.76 has been received in respect of interest earned on the funds held within the Administration bank account.

PAYMENTS

Bordereau premium

It is a requirement of statute that all office holders take out an Insolvency Bond ("Bordereau"). The premium in respect of Bordereau is set by the provider and varies depending on the level of assets in the case. An amount of £140 has been paid to AUA Insolvency Risk Services, by Elwell Watchorn & Saxton LLP, and recharged as a disbursement in the Administration in this regard.

Professional Fees

Evolve IS Limited have been paid £350 plus VAT, for providing employee rights advice and for the assistance given to the employees with their submission of pension claims through the Redundancy Payments Service.

Holder Blackthorn LLP, the Company's former accountants, have been paid £375 plus VAT in respect of assisting by providing financial information in relation the Company and employee claims.

Preparation of Statement of Affairs

The sum of £500 plus VAT has been paid to Holder Blackthorn for their assistance in bringing the accounts up to date, to enable a draft Statement of Affairs to be produced. This is within the estimate of expenses as circulated within the Joint Administrators' proposals.

All of the above expenses were detailed within our proposals as incurred and awaiting payment.

Administrators' pre-appointment costs

Approval of our pre-appointment time incurred, in the sum of £9,618, plus VAT, was granted by creditors by way of a vote by correspondence on 14 January 2020. I confirm these fees have been paid during the period.

Pre-Appointment Professional Fees

Hilco Global, agents and valuers, have been paid £500 plus VAT to provide a valuation on the Company's chattel assets, being the office furniture and equipment, and provide a recommendation in relation to these items. It was recommended by Hilco, that the value of the furniture was minimal and to abandon the items, as the cost to up lift and store, whilst a buyer was located, would outweigh any sales consideration achievable. This payment is within the estimate of expenses as circulated within the Joint Administrators' proposals.

Document hosting

The sum of £10 plus VAT has been paid to The Creditor Gateway in respect of the document upload and hosting of the Administrator's proposals.

Storage

L&R Storage Limited, were instructed to attend the premises of the Company, make an inventory of, and remove all the Company's books and records. Any items which were over 6 years old were destroyed, with the remaining records being stored within L&R's storage facility. An amount of £763.84 plus VAT has been paid to L&R Storage Limited in this regard.

Citistore Ltd, were instructed to liaise with the Company's former accountants, Holder Blackthorn LLP, to arrange the collection of the recent financial information from them, and list and store the records collected. A total amount of £49.96 plus VAT has been paid to Citistore to date in this regard.

It is a statutory requirement that the Company records are collected and stored.

Advertising

The sum of £79.25, plus VAT, has been paid to Courts Advertising for the placement of the notice of appointment of Administrators in the London Gazette. The advertisement of the appointment is a requirement of statute.

WORK DONE DURING THE PERIOD

Administration (including statutory reporting)

The Administrators have met a considerable number of statutory and regulatory obligations. Whilst many of these tasks have not had a direct benefit in enhancing realisations for the insolvent estate, they have assisted in the efficient and compliant progressing of the administration, which has ensured that the Administrators and their staff have carried out their work to high professional standards.

During the Review Period, primarily these tasks have included:

- Preparing and sending out the initial notice of appointment and the Joint Administrators' proposals;
 - Drafting and issuing the progress report to creditors;
 - Consulting with and instructing staff and independent advisers, as regards practical, technical and legal aspects of the case to ensure efficient progress;
 - Maintaining case files, which must include records to show and explain the conduct of the administration and any decisions made by the Administrators that materially affect the administration;
 - Monitoring and maintaining an adequate statutory bond;
 - Conducting periodic case reviews to ensure that the administration is progressing efficiently, effectively, and in line with the statutory requirements;
 - Maintaining and updating the estate cash book and bank accounts, including regular bank reconciliations and processing receipts and payments;
-

- Completing periodic tax returns;
- Liaising with all relevant stakeholders (including, but not exhaustively, directors, creditors, employees) regarding appointment matters as necessary;
- Ongoing filing of paperwork;
- Dealing with general enquiries and all correspondence regarding the case and routine updating of data in my case management system;
- Periodic review of case progress, asset realisations and other statutory case matters;
- Planning and management of strategies for subsequent case progression.

Realisation of assets

Details of the assets realised during the period are detailed in Section 2 of the report.

In addition to this work we have also completed the following asset realisation work:-

- Liaising with Deutsche Bank with regards to closure of two other Company bank accounts held with them and the transfer of funds to the Administration account (further information provided in Section 3);
- Liaising with the Company's debtors with regards to payment of the outstanding amounts due to the Company (further information provided in Section 3).

Investigations

As part of the Administrators' statutory duties, an initial investigation into the conduct of the Company directors was completed.

Reporting on the director's conduct

I am also required to consider the conduct of the Company's directors and to make an appropriate submission to the Department of Business, Energy and Industrial Strategy (DBEIS). I have concluded my initial investigation into the conduct of the directors and have fulfilled our reporting obligations. Please note, the contents of this report are confidential and cannot be disclosed to creditors.

Creditors' claims and distributions

During the reporting period we have undertaken the following matters:

Non-preferential creditors

- Dealing with calls and queries from creditors;
- Taking, relaying and actioning messages;
- Management of correspondence to non-preferential creditors, including e-mail queries and claim forms;
- Providing summary updates to creditors as required;

These items are not necessarily of financial benefit to any class of creditor but are requirements of the Statutory Regulations/The Insolvency Act and Rules and also ensure the effective management and maintenance of the files.

The appointees are bound by the Insolvency Code of Ethics when carrying out work relating to the insolvency appointment.

During the Review Period, the Administrators have also incurred time costs and direct expenses, not all of which have yet been discharged. Further details of these costs are set out in the relevant appendices.

3. ASSETS THAT REMAIN TO BE REALISED AND FURTHER WORK THAT REMAINS TO BE COMPLETED

Detailed below, under the relevant headings, we have detailed the work that remains to be done in this matter, why the work is necessary and what (if any) financial benefit the completion of the work will provide to creditors.

Administration (including statutory reporting)

It will be necessary to continue to undertake the following administrative and statutory requirements:

- Dealing with general enquiries and all correspondence regarding the case and routine updating of data in my case management system and filing;
- Periodic review of case progress, asset realisations and other statutory case matters;
- Planning and management of strategies for case progression;
- Bond reviews;
- Cashiering functions including the recording of all receipts and payments made during the course of the administration and bank reconciliations;
- Filing mandatory returns at Companies House;
- Production and submission of periodic (and final) reports to the creditors and other appropriate stakeholders;
- Obtaining necessary tax clearances to close the Administration.

The above are not directly financially beneficial to creditors but are required in order to continue to comply with Statutory Regulations/The Insolvency Act and Rules and best practice. The updating reports will also assist creditors in assessing the progress of the case.

REALISATION OF ASSETS

Book Debts

Correspondence has been forwarded to the Company's debtors, in relation to the outstanding amounts due to the Company. To date we have not received any settlement payments, with only limited responses received from the potential debtors. Those who have responded have stated that payment has already been made.

We believe that it is possible that some of the debtors may have paid prior to our appointment, into the Company's bank account held at Deutsche Bank. We continue to liaise with Deutsche Bank for copy bank statements, to the date of the account closure, to enable us to review what payments have been received in relation to the debtors. Following receipt of the bank statements, and an analysis of receipts, we will correspond with those debtors who still appear to have outstanding balances.

Cash at Bank Deutsche Bank

Despite numerous emails, calls and correspondence we did not receive the amount held within the account with Deutsche Bank, before the end of the reporting period.

We were initially advised that the Company held an account at Deutsche Bank, with a balance of approximately £13,000, as noted within the Estimated Statement of Affairs.

Correspondence advising the bank of our appointment was sent shortly after appointment requesting that the bank close all accounts, forward any balance and provide additional information such as copy bank statements, to assist with asset realisations and investigations.

We have been advised that there are two accounts held at Deutsche Bank, with the following balances available, which will, hopefully, be forwarded shortly:-

GBP £35,035.78 CR
EUR €17,343.29 CR

These amounts exceed the estimated statement of affairs figure previously provided, as they were additional accounts, operated by the Parent Company, and the UK subsidiary was unable to control them.

It is possible that these additional account balances, may be due to the debtors paying into either of these accounts, but will review the statements as and when they are received from Deutsche Bank and make enquires as appropriate.

Other Refunds

We have been contacted by a former employees' benefits firm, which assisted the Company with employee matters, who have advised that there was a small refund in relation to a life insurance policy and records storage facility due to the Company.

The life insurance refund has since been paid into the former bank account in error, and once the copy bank statements are received we will then be able to allocate to the correct account.

Inter-Company Balances

The Company's accounting records show that there have been significant intercompany balances with several of the Group Companies. On present information, there are balances due from certain Group companies which total £1,585,551. The German Group companies have also entered into an insolvency procedure, and we have lodged claims in respect of the various inter-company debts with the relevant insolvency solicitor in Germany. The estimated to realise figure has been noted as uncertain as the insolvency solicitor is unable to provide confirmation as to the likelihood of any dividends from the insolvent estates.

Please note, it is unclear whether the claims have been accepted by the insolvency solicitor.

These intercompany balances will continue to be investigated and more information regarding their potential for repayment will be provided in our future reports.

These appear to be intercompany balances with other group companies where money is owed by the UK subsidiary.

Investigations

We will also continue our investigations into whether there could be any other matters that may lead to recoveries for the estate.

Connected party transactions

We have not been made aware of any sales of the Company's assets to connected parties in the period shortly prior to our appointment.

Creditors, claims and distributions

Queries raised by creditors will continue to be dealt with in a timely manner as and when they arise.

Should sufficient realisations be made to enable a distribution to creditors, we will undertake the following additional work to carry out a dividend distribution process:

- *Preparation and sending out of further statutory progress reports;*
- *Corresponding with preferential and non-preferential unsecured creditors regarding submission of their claims;*
- *Entry onto my case management system of all non-preferential claims;*

Based on the information currently available, I estimate the remaining time to complete this case to be 12-18 months from the date of this report, although this could be shorter if the outstanding recoveries and claims can be received sooner.

4. ESTIMATED OUTCOME FOR CREDITORS

Details of the sums owed to each class of the Company's creditors at the date of appointment were provided in the Administrator's Statement of Proposals. The estimated outcome for each class of creditor is detailed as follows:

Secured creditors

There are no known outstanding secured creditors.

Preferential creditors

As there was no sale of the business and assets, the employees of the Company did not transfer to a third party purchaser under the Transfer of Undertakings (Protection of Employment) Regulations 2006. Accordingly, the employees' preferential and unsecured claims will remain against the Company.

On present information, the preferential claims of employees for arrears of wages, salaries, holiday pay and outstanding pension contributions (subject to certain statutory limits) are estimated at £42,369.

The Amount of these claims up to the statutory limits, are likely to be paid out to employees by the Redundancy Payments Services (RPS), which will then claim in lieu of those employees. Certain employees may also have additional preferential claims, over and above those which the RPS will pay and those claims, which are known as "balancing preferential claims" will continue to be made against the Administration by the employees personally.

We are yet to receive a claim from the Redundancy Payments Service and have requested that they forward their final claim accordingly.

Based on realisations to date, and estimated future realisations, we anticipate that a dividend will become available to the preferential creditors, the quantum and timing depending on future realisations.

Prescribed Part for unsecured creditors

Details of how the prescribed part for unsecured creditors is calculated were provided in the Administrator's statement of proposals.

Section 176A of the Insolvency Act 1986 provides that, where the Company has created a floating charge on or after the 15 September 2003, the administrator must make a prescribed part of the Company's net property available for the unsecured creditors and not distribute it to the floating charge holder.

To the best of our knowledge and belief, there is no outstanding charges registered against the Company or its property therefore there is no unsatisfied floating charges, created or registered on or after 15 September 2003 and, consequently, there will be no requirement to determine "net property" as defined in Section 176A(6) of the Insolvency Act 1986 and, therefore, no requirement to calculate a prescribed part for distribution to the unsecured creditors.

Unsecured creditors

Employees' unsecured claims

These are the estimated claims of employees in respect of redundancy, pay in lieu of notice, arrears of pay in excess of £800 per person and any other sums which they may be owed, including any unpaid expenses. The total amount estimated to be outstanding in this regard to employees is £176,612.

HM Revenue & Customs

The amount due to HM Revenue and Customs, as taken from the Company's records and from the VAT return which has been prepared for the quarter ending 31 August 2019, totals £19,951. This does not include any VAT due following this date or outstanding PAYE/NIC, so we anticipate the claim from HMRC will be higher. To date, we have not received a claim from HMRC.

Trade and Expenses Creditors

The amount due to trade and expense creditors as per the Company's records, totals £712,329. Those claims will be adjudicated on, in due course, only if there are sufficient realisations to enable a dividend to be paid to unsecured creditors by subsequently appointed Liquidators.

We would stress that these are figures, which have been extracted from the Company's own records, and they may not, necessarily, agree with the amounts which creditors believe they are owed. The claims will have to be adjudicated upon at a later date, if a dividend becomes available to unsecured creditors, so creditors' interests will not be prejudiced by any differences which may currently exist.

Based on realisations to date, and potential future realisations, after costs and a dividend to the preferential creditors, we anticipate that there may not be sufficient funds to enable a dividend to be paid to the unsecured creditors.

This estimate has been provided merely as a preliminary, and very approximate, guide for creditors and it may change significantly, depending upon various factors, such as the level of realisations achieved from the Company's assets, especially as there is considerable uncertainty around any potential recoveries in respect of the inter-company debts and trade debtor amounts, as well as the final level of claims received from employees and trade creditors.

5. THE ADMINISTRATORS' FEES AND EXPENSES

Pre administration costs

Details have previously been provided in my proposals, sent to all known creditors, and the amount was approved, by decision procedure, and has been paid.

We believe that by undertaking this work we have further achieved the objective of the administration, namely, *achieving a better result for the Company's creditors as a whole than would be likely if the Company were wound up without first being in administration.*

The pre-appointment costs approved and paid were as follows:

Elwell Watchorn & Saxton

Time costs incurred in relation to the work detailed above totalling £9,618 plus VAT has been paid in this regard. No Category 2 disbursements have been charged or drawn to date.

CSK Legal

Legal costs incurred in respect of planning and preparation in respect of the potential administration, preparing the appointment documentation, handling appointment process including reviewing documents, filing notice of intention to appoint at Court, dealing with service requirements, subsequently filing the notice of appointment at court, service upon the company and the qualifying floating charge holder and general advice. All costs in relation to this were paid by the Company prior to our appointment.

Hilco Global

As mentioned in section 2 of this report, Hilco have been paid £500 plus VAT for the valuation of the chattel assets and the provision of their recommendation with regards to those assets.

Holder Blackthorn

As mentioned above, in section 2 of this report, Holder Blackthorn the Company's former accountants, have been paid £375 plus VAT in respect of providing financial information in relation to the Company and employee claims.

Administrators' Remuneration and Disbursements

The basis of the Administrators' remuneration was fixed by a resolution of the creditors' on 14 January 2020, via a vote by correspondence, by reference to the time properly given by them and their staff in attending to matters arising in the Administration, such time to be charged at the hourly charge out rate of the grade of staff undertaking the work, at the time the work is undertaken, and subject to the initial fee estimate of £35,391.50.

Time costs incurred for the period 8 November 2019 to 7 May 2020 are £13,943.50 a summary is provided within the appendices, which represents 89.4 hours, with an average charge out rate of £155.97 per hour.

As can be seen, from the information above, the time costs incurred within the Administration period are within the original estimate, to date we have drawn £8,000 plus VAT of remuneration on account.

Information about this insolvency process may be found on the R3 Website here <http://www.creditorinsolvencyguide.co.uk/>.

A copy of 'A Creditors Guide to Liquidators' Fees' may be found at <https://www.r3.org.uk/what-l-do/publications/professional/fees>. A hard copy of the Creditors Guide may be obtained free of charge on request.

Should you require a paper copy please send your request in writing to this office and this will be provided to you at no cost.

Administrators' Disbursements

The Administrators were also authorised to draw disbursements for services provided by Elwell, Watchorn & Saxton LLP (known as Category 2 disbursements) in accordance with our firm's policy.

During the period we have recharged category 1 disbursements of £140 in relation to insolvency bond, which has been recharged and drawn as an expense of the Administration. No Category 2 disbursements have been charged by the Administrators and their staff in this regard.

Expenses - Professional advisors engaged

We instructed professional advisors to assist with the administration and progression of the case where required, to deal with the employee claims, legal matters, and chattel assets valuations. The choice of advisor is based on their relevant experience and ability to perform this type of work, the nature and complexity of the specific assignment and the basis of the fee arrangement negotiated. Full details are included in the attached schedule of further information.

6. OTHER MATTERS

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 permission of the Court, may request in writing the Joint Administrators to provide additional information regarding fees or expenses to that already supplied within this report. Such requests must be made within 21 days of receipt of this report.

Creditors' right to challenge fees and/or expenses

Any secured creditor, or unsecured creditor with the support of at least 10% in value of the unsecured creditors or with permission of the Court, may apply to the Court for one or more orders, reducing the amount or the basis of fees which the Joint Administrators are entitled to charge or otherwise challenging some or all of the expenses incurred.

Such applications must be made within 8 weeks of receipt by the applicant(s) of the progress report detailing the fees and/or expenses being complained of.

Please note that such challenges may not disturb fees or expenses (whether or not discharged from the estate) disclosed in prior progress reports.

EC Regulations

Council Regulation (EU) No 2015/848 applies and these are main proceedings as defined in that regulation.

Privacy

Elwell Watchorn & Saxton LLP uses personal information in order to fulfil the legal obligations of our Insolvency Practitioners under the Insolvency Act and other relevant legislation and also to fulfil the legitimate interests of keeping creditors and others informed about the insolvency proceedings.

You can find more information on how Elwell Watchorn & Saxton LLP uses your personal information as a stakeholder in our Stakeholders Privacy Notice available on our website at: www.ewslip.co.uk/privacy/stakeholders

General

If any creditor has any information concerning the Company's affairs that they would like to bring to my attention, then we should be pleased to hear from them.

The end of the Administration

Paragraph 76 of Schedule B1 to the Insolvency Act provides that the appointment of an administrator shall cease to have effect at the end of one year. However, our term of office may be extended by the consent of the creditors, for a period not exceeding twelve months, or by order of the Court for a specified period. As it is possible that the collection of debts may will not be concluded within twelve months, it may become necessary, at some future time, for us to seek the consent of creditors for an extension of the period of the Administration for up to a further twelve months following the anniversary of our appointment, in order to ensure that the objective of the Administration can be fully achieved.

7. DISCLAIMER

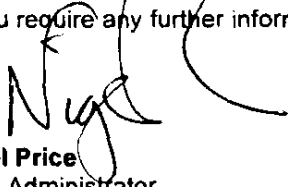
This report has been circulated for the sole purpose of providing creditors with an update on the progress of the administration in satisfaction of our statutory obligations. The contents of the report are strictly private and confidential and may not be relied upon, referred to, reproduced in whole or part or otherwise used by creditors for any purpose other than providing an update for them for information purposes, or by any other person for any purpose whatsoever.

8. CONCLUSION

The Administration will continue in order to finalise the following outstanding matters:

- Enable me to continue my investigations into events that occurred prior to my appointment, which may generate further recoveries;
- Realise the remaining Company assets, being the trade debts, cash at Deutsche Bank, and any other potential assets which may come to light;
- Possible conversion to a Creditors' Voluntary Liquidation;
- Review and possible recovery of the Inter Company Balances;
- Finalise the case administration and statutory compliance;

If you require any further information, please contact my office on 01384 465 301.



Nigel Price
Joint Administrator

Nigel Price and Joseph Sadler were appointed Joint Administrators of Eisenmann U.K. Limited on 8 November 2019. 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.

STATUTORY INFORMATION

Company Name	Eisenmann U.K. Limited
Trading Name(s)	Eisenmann
Proceedings	In Administration
Court	High Court of Justice, Business and Property Courts in Birmingham, Insolvency and Companies List (ChD)
Court Reference	No. 902 of 2019
Date of Appointment	8 November 2019
Joint Administrators	Nigel Price Elwell Watchorn & Saxton LLP 13 Church Street Stourbridge DY8 1LT Joseph Sadler Elwell Watchorn & Saxton LLP 14 Regent Street Nottingham NG1 5BQ
Registered office address	c/o Elwell Watchorn & Saxton LLP 109 Swan Street Sileby Leicestershire LE12 7NN
Company Number	03773331
Appointment by	Director of the Company
Jurisdiction of Insolvency proceedings	The EC Council Regulation on Insolvency Proceedings apply to these proceedings which are 'main proceedings' as defined in Article 3 of the EC Regulation

DEFINITIONS

The Act	Insolvency Act 1986
The Rules	Insolvency Rules 1986 or Insolvency (England & Wales) Rules 2016 (whichever applied at the time of the event)
The Administrators	Nigel Price and Joseph Sadler
The Company	Eisenmann U.K. Limited (in Administration)
The Court	High Court of Justice, Business and Property Courts in Birmingham, Insolvency and Companies List (ChD)
SIP	Statement of Insolvency Practice
Review Period	Period covered by the report from 8 November 2019 to 7 May 2020

THE ADMINISTRATORS' RECEIPTS AND PAYMENTS ACCOUNT

Eisenmann U.K. Limited
(In Administration)
Joint Administrators' Summary of Receipts & Payments
To 07/05/2020

\$ of A £	£	£
	ASSET REALISATIONS	
NIL	Furniture & Equipment	NIL
42,562.00	Book Debts	NIL
26,150.00	Cash at Bank Co Op	26,149.72
1,500.00	Other Refunds	1,200.00
13,000.00	Cash at Bank - Deutsche Bank	NIL
Uncertain	Inter Co debt Eisenmann Anlagenbau	NIL
Uncertain	Inter Co debt Eisenmann SE	NIL
Uncertain	Inter Co debt Eisenmann Thermal Solu	NIL
	Bank Interest	4.76
		<u>27,354.48</u>
	COST OF REALISATIONS	
	Burdensau Premium	140.00
	Professional Fees	725.00
	Preparation of S. of A.	500.00
	Pre Appointment professional fees	500.00
	Office Holders Fees	8,000.00
	Administrators' pre-appointment costs	9,618.00
	Document Holding	10.00
	Storage and destruction of records	813.80
	Advertising	79.25
		<u>(20,386.05)</u>
	PREFERENTIAL CREDITORS	
(33,987.00)	Employee Arrears & lcl Pay	NIL
(8,402.00)	Pension Schemes	NIL
		<u>NIL</u>
	UNSECURED CREDITORS	
(712,329.00)	Trade & Expense Creditors	NIL
(176,612.00)	Employees / Directors	NIL
(19,951.00)	HMRC	NIL
(971,161.00)	Inter-Company debts	NIL
		<u>NIL</u>
	DISTRIBUTIONS	
(100,000.00)	Ordinary Shareholders	NIL
		<u>NIL</u>
<u>(1,939,210.00)</u>		<u>6,968.43</u>
	REPRESENTED BY	
	Vat Receivable	1,705.82
	Bank 1 Current	2,891.22
	Vat Control Account	2,371.39
		<u>6,968.43</u>

EIS01 - Eisenmann UK Limited
From: 08/11/2019 To: 07/05/2020
All Post Appointment Project Codes

[illegible]

CHARGE-OUT RATES AND BASES OF CATEGORY 2 DISBURSEMENTS

It is the firm's policy that all staff involved on an assignment will record all time spent on dealing with matters arising on that client and that the time will be categorised to show the type of activity carried out. The charge out rates of licensed insolvency practitioners, directors and managers do not therefore include provisions for time spent by secretaries, cashiers and support staff. From 1 October 2015, additional categories of staff activity have been introduced to facilitate more detailed reporting where it is appropriate to do so.

Irrespective of any basis of remuneration agreed, the legislation requires that time spent by all staff on a case is recorded. The recorded time cost is calculated by multiplying the time spent by the individual by their charge-out rate. Time is recorded in units of 6 minutes, with 10 units making up each hour of time spent. Charge-out rates are reviewed annually and are subject to change without prior notice. Full details of the rates applied to a specific case are available on application.

Although for most appointments, the legislation allows the office holder to seek to be remunerated on a combination of any or all of the following bases;

- a. A time cost basis
- b. A percentage of the value of the property dealt with by the office holder (realisations and / or distributions)
- c. A fixed fee

it is the Firm's current policy to seek remuneration on (a) a time cost basis for insolvent appointments.

The arrangements regarding office holders remuneration do not however apply to Members Voluntary Liquidations (MVL's), Company Voluntary Arrangements (CVA's) or Individual Voluntary Arrangements (IVA's). In MVL's, the company members agree the fee basis, usually as a fixed fee. In VA's, the fee basis is incorporated in the arrangement proposal which creditors agree when they approve the arrangement.

Office holders' remuneration in insolvency procedures is subject to VAT with the exception of IVA's which are VAT exempt.

The Firm has five grades of staff (including the office holder) as detailed below. The office holder ensures that case assignments have been carried out by appropriate grades of staff. The charge-out rates of the persons involved in this case from commencement to the current time are as follows:-

	<i>Charge-out rate at commencement (up to £ per hour)</i>
Licensed Insolvency Practitioner	295.00
Director / Senior Manager	200.00
Manager	150.00
Other professionals	135.00
Administrative staff	65.00

Each staff member involved in the case records actual time spent in a computerised time recording system together with a narrative describing the actual work undertaken. Work is analysed by prescribed task descriptors which are recorded under the following standardised categories;

- Administration (including statutory reporting)
- Investigations
- Realisation of assets
- Trading
- Creditors (claims and distribution)

In seeking approval to be remunerated on a time costs basis, the office holder must provide a fee estimate to the creditors which then acts as a cap to ensure that the fees subsequently drawn cannot exceed the fee estimate without the office holder seeking further approval. The office holder must also provide details of the work intended to be undertaken together with details of the hourly rates proposed to be charged and an estimate of the time envisaged being taken to complete the required work. The

office holder will also state whether it is envisaged at this stage whether there may be a future need to seek approval to exceed the original estimate and any reasons for which this could become necessary. To simplify matters, the estimated charges may be presented using a 'blended' (an average time cost) rate for the work carried out detailed in the fee estimate.

Should the office holder subsequently need to seek authority to draw fees in excess of the original fees estimate, details will be provided which include reasons why the original estimate has been or is likely to be exceeded, details of any additional work required to be undertaken, the hourly rates proposed and an estimate of the additional time envisaged being taken to complete the identified work. The office holder will again state whether it is envisaged at this stage whether there may be a future need to seek approval to exceed the estimate and any reasons for which this could become necessary.

Sufficient information will be provided about the appointment to demonstrate how the fee estimate reflects the requirements of the case. This will include any responsibility of an exceptional nature on the office holder, the effectiveness with which functions are carried out and the value and nature of the property dealt with by the office holder.

A guide to help creditors understand the law and their rights in relation to an insolvency process can be found at:-

<http://www.creditorinsolvencyguide.co.uk>

Additional information regarding how the Insolvency Practitioner will be paid can be downloaded under "Fees" at:-

<https://www.r3.org.uk/what-we-do/publications/professional/fees>

Alternatively, a creditor may obtain a printed copy by contacting this office directly.

Disbursements

Disbursements incurred by the office holder in connection with the case must be fully disclosed to creditors. Disbursements are categorised as either Category 1 or Category 2.

Category 1 - disbursements not requiring approval represent a re-charge to the estate for direct costs, payable to independent third parties, specifically incurred in the administration of the estate. In certain instances these costs were initially met from the firm's resources due to the lack of funds available at the time that payment was due.

Category 2 - disbursements requiring approval, represent a charge to the estate for the costs incurred by the firm specifically in relation to the estate. The basis of payment of category 2 disbursements must be approved by creditors prior to any payment being drawn. It is proposed that payment shall be made in respect of Category 2 disbursements as follows:-

- Mileage will be charged at 45p per mile.
 - Other disbursements where the firm makes payment to an external party for an expense incurred wholly, exclusively and necessarily in relation to the insolvent estate, will be recharged at cost.
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Elwell Watchorn & Saxton LLP
Case Direct Cost Summary by Analysis Code

All Staff
All Project Codes.

		Disb Type	Amount	Adjust
EIS01				
Eisenmann U.K. Limited (In Administration)				
C11-Insolvency Bond	(Category 1)		140.00	0.00
Disbursements Category 1			140.00	
Disbursements Category 2			0.00	
Disbursements Total			140.00	
Fee Notes (Disbs Only)			(140.00)	
Write Off/Up			0.00	
Adjustments			0.00	
Provisions			0.00	
Total Outstanding			0.00	
