

# AM10

## Notice of administrator's progress report



Companies House

SATURDAY



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08/01/2022

#245

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 8 Warren Park Way

Street Enderby

Post town Leicester

County/Region

Postcode L E 1 9 4 S A

Country

### 4 Administrator's name ①

Full forename(s) Joseph Gordon Maurice

Surname Sadler

① Other administrator  
Use this section to tell us about  
another administrator.

### 5 Administrator's address ②

Building name/number 8 Warren Park Way

Street Enderby

Post town Leicester

County/Region

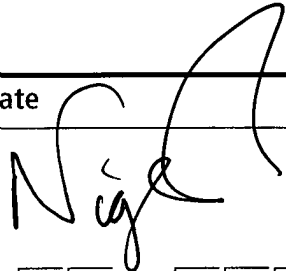
Postcode L E 1 9 4 S A

Country

② Other administrator  
Use this section to tell us about  
another administrator.

# AM10

## Notice of administrator's progress report

<b>6</b>		<b>Period of progress report</b>																
From date		<sup>d</sup>	0	<sup>d</sup>	8	<sup>m</sup>	0	<sup>m</sup>	5	<sup>y</sup>	2	<sup>y</sup>	0	<sup>y</sup>	2	<sup>y</sup>	1	
To date		<sup>d</sup>	0	<sup>d</sup>	7	<sup>m</sup>	1	<sup>m</sup>	1	<sup>y</sup>	2	<sup>y</sup>	0	<sup>y</sup>	2	<sup>y</sup>	1	
<b>7</b>		<b>Progress report</b>																
		<input checked="" type="checkbox"/> I attach a copy of the progress report																
<b>8</b>		<b>Sign and date</b>																
Administrator's signature		Signature 																
Signature date		<sup>d</sup>	0	<sup>d</sup>	6	<sup>m</sup>	0	<sup>m</sup>	1	<sup>y</sup>	2	<sup>y</sup>	0	<sup>y</sup>	2	<sup>y</sup>	2	

# 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 **8 Warren Park Way**

**Enderby**

Post town **Leicester**

County/Region

Postcode **L E 1 9 4 S A**

Country

DX

Telephone **03300 889038**



### 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](http://www.gov.uk/companieshouse) or email [enquiries@companieshouse.gov.uk](mailto: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](http://www.gov.uk/companieshouse)



**ELWELLWATCHORNSAXTON**

Collaborative Business Recovery

**Eisenmann U.K. Limited  
(In Administration)  
("The Company" or "EUK")**

**The Joint Administrators' Progress Report  
For the period 8 May 2021 to 7 November 2021**

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.

## **Contents**

1. Summary
2. The Progress of the Administration in the review period
3. Assets that remain to be realised and further work that remains to be completed
4. Estimated Outcome for Creditors
5. The Administrators' Fees and Expenses
6. Other Matters
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8. Conclusion

## **Appendices**

1. Statutory Information and Definitions
  2. The Joint Administrators' Receipts and Payments Account
  3. The Joint Administrators' Time Costs
  4. Charge-out Rates and Bases of Expenses
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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 as Joint Administrators ("the Administrators") of Eisenmann U.K. Limited ("EUK" and "the Company") on 8 November 2019 by the Director of the Company.

This report describes the progress since our last progress report and covers the period from 8 May 2021 to 7 November 2021 ("the Review Period").

For details of all the work undertaken, by the Administrators, to date, please read this report in conjunction with the previous progress reports, and 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 which details both the Review Period, from 8 May 2021 to 7 November 2021, and the cumulative period, for the whole Administration, from 8 November 2019 to 7 November 2021.

The closing balance on the Administration account, at the end of the reporting period, was £21,679.52, including a VAT refund due of £4,112.98.

### **RECEIPTS**

Predictably, there have not been any receipts during the reporting period, while we still wait to learn, from the German insolvency solicitor, if there is likely to be any return from the intercompany debts due from three of the German companies, within the group, namely Eisenmann Anlagenbau, Eisenmann Thermal Solutions and Eisenmann SE.

### **PAYMENTS**

#### **Storage**

As previously reported, Citistore now store all of the company records and further storage payments of £579.50 were made, to Citistore, during the review period, increasing the total costs of collection, and storage, of company records, to £2,223.85.

It is a statutory requirement that the essential records of the Company are collected and stored, whilst they are required and they will be destroyed, confidentially, once they are no longer required.

#### **Document Hosting**

A further amount of £14.00 has been paid to The Creditor Gateway, for hosting our progress reports and providing access, to them, for creditors. The amounts paid for this service, from the date of Administration to date, total £48.00, net of VAT.

#### **Legal fees**

The application for the extension was heard by the High Court, Birmingham District Registry on 7 October 2021 and our application for an extension of the Administration, for a further year, until 8 November 2022, was granted.

Fees and expenses totalling £1,009, net of VAT, were incurred in respect of the work carried out in obtaining the consent of the Court, to the further extension of the Administration. These have been paid to CSK Legal, after the end of the reporting period, so they are not included in the attached Receipts and Payments account for the reporting period.

#### **Other Payments**

There were no other payments made, during the reporting period.

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## **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 case, which has ensured that the Administrators and their staff have carried out their work to high professional standards.

During the Review Period, the primary tasks have included:

- Drafting and issuing the progress reports to creditors;
- Maintaining case files;
- 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 and employees) regarding appointment and subsequent matters, as necessary;
- Dealing with general enquiries, and all correspondence, relating to the case, routine updating of data in my case management system and ongoing filing of case paperwork;
- Planning, and management, of strategies for case progression;
- Liaising with CSK Legal with regard to the drafting, agreement, and signing of the Administrators' witness statement, made in support of the application for the extension of the Administration.

### **Realisation of assets**

Details of the asset realisation made during the period are detailed, above, in Section 2 of the report.

### **Investigations**

As part of the Administrators' statutory duties, an initial investigation was conducted, into the conduct of the Company directors, and matters which we felt needed further investigation have continued to be reviewed, in compliance with our statutory obligations regarding investigations.

### **Reporting on the director's conduct**

We are 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). We concluded our initial investigation into the conduct of the directors and fulfilled our reporting obligations. 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 work:

#### **Preferential creditors**

- During a previous reporting period, to 7 November 2020, we liaised with Evolve IS, and the Redundancy Payments Service ("RPS"), in relation to the submission, agreement, and partial dividend repayment, of the preferential claims of the Company's former employees, and the RPS;
- No further work was carried out, in relation to these claims, during this reporting period.

#### **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;
  - Providing summary updates to creditors as required.
-

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

Any dividend paid, is beneficial to the class of creditor, which received the distribution.

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

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

Detailed below, under the relevant headings, is 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, the routine updating of data in our case management system, and the filing of case papers;
- Periodically reviewing case progress, asset realisations, distributions to creditors, and other statutory case matters;
- Planning and managing strategies for case progression;
- Bond reviews;
- Cashiering functions, including the recording of all receipts and payments, made during the course of the Administration, together with bank account reconciliations;
- Filing mandatory returns at Companies House;
- Producing and submitting periodic (and final) reports, to the creditors and other appropriate stakeholders;
- Obtaining necessary tax clearances to close the Administration.

The above are not all, directly, financially beneficial to creditors, but they 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**

As previously advised, we wrote to all of the Company's trade debtors, who were believed to owe money to the Company. We have not received any settlement payments from them, and those who did reply stated that all payments due had already been made, to the Company, prior to our appointment. From reviewing the Company's bank statements, when they were finally obtained, it is apparent that some of the debtors had paid prior to our appointment.

In addition, the director had already advised us that certain debts were likely to be disputed, due to counter claims, in respect of inadequate service provision.

However, there are a small number of debtors who are still believed to owe some relatively small amounts to the Company, although, due to Covid19, the recently lifted embargo preventing the issuing of enforcement proceedings against debtors, meant that we had been prevented from commencing recovery action against them.

Now that this is no longer the case, we will review the position, but we think it unlikely that any significant realisations will be obtained from the remaining trade debtors, and that the majority of the apparently unpaid debtor balances will have to be written-off, as irrecoverable.

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### **Inter-Company Balances**

The Company's accounting records showed that there had been significant intercompany balances with three of the Eisenmann group companies, based in Germany, the gross total of which was £1,585,551.

However, there are potential contra claims, totalling £895,513.85, from the same three companies, which might reduce the net claims to a total of £690,037.15.

These three German companies have also entered an insolvency procedure, in Germany, and we have lodged EUK's claims with the appointed insolvency solicitor in Germany.

The estimated to realise figure has been noted as uncertain, as the solicitor has not, yet, provided any confirmation as to the likelihood of any dividends from the insolvent estates.

In addition, at this stage, it is unclear as to whether our claims, against the three German companies, will be accepted, even if a dividend does become available from any of the three debtor companies, although correspondence from the German insolvency solicitor, received since the end of the reporting period, seems to indicate that our claim, against Eisenmann Thermal Solutions GmbH, has been admitted in the sum of Euros 65,474.57, which we will follow-up.

Consequently, it is not yet possible to predict whether there will be any recovery from these intercompany balances, but we will provide any further information, which becomes available, regarding potential recoveries, in our future reports.

### **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 are not aware of any sales of any of the Company's assets, to connected parties, in the period shortly prior to our appointment.

### **Creditors, claims and distributions**

We will undertake the following additional routine work:

- Queries raised by creditors will continue to be dealt with, in a timely manner, as and when they arise ;
- Entering all non-preferential claims into our case management system ;
- Preparing and sending out further statutory progress reports.

If sufficient realisations are made to enable a further distribution, to preferential creditors, and a distribution to unsecured creditors, the following additional work would be required:

- Calculating and paying a second preferential dividend;
- Corresponding with non-preferential unsecured creditors regarding submission and agreement of their claims;
- Carrying out a dividend distribution process for unsecured creditors, either by converting the Administration to a Creditors' Voluntary Liquidation, or by obtaining leave of the Court to pay a dividend to unsecured creditors within the Administration.

## **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 Administrators' Statement of Proposals. The estimated outcome for each class of creditor is detailed as follows:

### **Secured creditors**

There are no known, outstanding, secured creditors.

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**Preferential creditors**

The preferential claims of employees for arrears of wages, salaries, holiday pay and outstanding pension contributions (subject to certain statutory limits), were originally estimated at £42,369.

As previously reported, Evolve IS reviewed and agreed the total preferential claims at a figure of £36,428.05, which enabled us to pay a dividend of 50p in the £ to all preferential creditors, during a previous reporting period.

Based on realisations to date, we anticipate that a second, and final, dividend will be paid to the preferential creditors, but the quantum and timing of which will depend on what future realisations, if any, are achieved.

**Prescribed Part for unsecured creditors**

Details of how the prescribed part for unsecured creditors is calculated were provided in the Administrators' 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 are no outstanding charges registered against the Company, or its property. Therefore there is no unsatisfied floating charge, 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**

The total amount estimated to be outstanding, in respect of the claims of employees, for redundancy pay, and pay in lieu of notice is £176,612, but this does not include any other sums which they may be owed, such as unpaid expenses.

**HM Revenue & Customs**

The amount due to HM Revenue and Customs, as taken from the Company's records totals £19,951 but this does not necessarily include all VAT due, or outstanding PAYE/NIC, so we anticipate that the claim from HMRC may, ultimately, be greater than this figure.

**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, if there are sufficient realisations to enable a dividend to be paid to unsecured creditors, at a later stage.

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, if a dividend becomes available to unsecured creditors, so creditors' interests will not be prejudiced by any differences which may currently exist.

**Prospects of a dividend for unsecured creditors**

On current information, it is unclear whether any realisations will be made from the intercompany debtors, or the remaining trade debtors and, presently, the funds in the case are not sufficient to enable a distribution to unsecured creditors, after paying a second, and final, dividend to the preferential creditors, and discharging the costs of the Administration. Therefore, at present, the Administration cannot be converted to a Creditors' Voluntary Liquidation.

Consequently, as the Administration had, already, been extended for 12 months, by consent of the Creditors, to 7 November 2021, as detailed above, we made a successful application to the High Court of Justice, Birmingham District Registry, to extend the Administration for a further year, to 8 November 2022.

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If sufficient further realisations are achieved, which would enable a distribution to be made to unsecured creditors, before the Administration comes to an end, we would convert the Administration to a Creditors' Voluntary Liquidation, or apply to Court for leave to pay a dividend to unsecured creditors within the Administration.

However, if it becomes clear that there will not be any, or sufficient, further realisations to enable a distribution to be made to unsecured creditors, we will proceed to make the second, and final, distribution to the preferential creditors, and the Administration will be closed.

Consequently, at this stage, it is not possible to predict whether, or not, a return to unsecured creditors will become available.

## **5. THE ADMINISTRATORS' FEES AND EXPENSES**

### **Pre administration costs**

Details of the Pre-Administration costs have been provided, previously, in our proposals and progress reports, sent to all known creditors, and the amounts were approved, by a decision procedure, and have been paid.

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

#### **Elwell Watchorn & Saxton**

Time costs incurred in relation to the work, totalling £9,618 plus VAT, were approved and paid. No Category 2 expenses 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 the 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**

Hilco Global were paid £500 plus VAT, for the valuation of the chattel assets and the provision of their recommendation with regards to those assets.

#### **Holder Blackthorn**

Holder Blackthorn, the Company's former accountants, were 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 May 2021 to 7 November 2021 are £4,149.00, a summary of which is provided within the appendices, which represents 17.10 hours, with an average charge out rate of £242.63 per hour.

Total time costs for the whole period of the Administration, up until 7 November 2021, are £31,631.50, representing 195.30 hours at an average charge out rate of £161.96.

As can be seen, from the information above, the time costs incurred within the whole Administration period are within the original estimate, of £35,391.50. To date, we have drawn remuneration on account of £27,000, plus VAT.

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One of the case managers, who has worked on this case has left the firm's full-time employment, but still works, on our cases, on a part-time basis, and is paid on a pro-rata basis. However, there is no cost implication for creditors, as the hourly charge-out rate, for the work done, remains unchanged.

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-I-do/publications/professional/fees>. A hard copy of the Creditors Guide may be obtained free of charge on request.

### **Administrators' Expenses**

During the Administration we have recharged a category 1 expenses of £180, in relation to the Administrators' fidelity bond, which has been recharged, at cost, and drawn as an expense of the Administration.

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

However, no Category 2 expenses, including payments to any parties classed as associates, have been, or will be, made. Accordingly, no resolution is sought for category 2 expenses to be charged by the Administrators, to the estate.

### **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 advisors was based on their relevant experience, their ability to perform this type of work, the nature and complexity of the specific assignment, and the basis of the fee arrangements negotiated.

Full details of the amounts paid to professional advisors, in this and previous periods, have been provided in this report and our earlier reports to creditors.

## **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, that the Joint Administrators 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 discharged from the estate, or not) disclosed in prior progress reports.

### **EC Regulations**

Since these proceedings commenced before 31 December 2020, the Council Regulations (EU) No 1346/2000 continues to apply, and these are the main proceedings as defined in Article 3(1) of that Regulation.

### **Privacy**

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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, which is available on our website at: [www.ewslip.co.uk/privacy/stakeholders](http://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 our attention, we should be pleased to hear from them.

#### **Extension and the end of the Administration**

As noted above, the Administration has been extended until 8 November 2022.

### **7. DISCLAIMER**

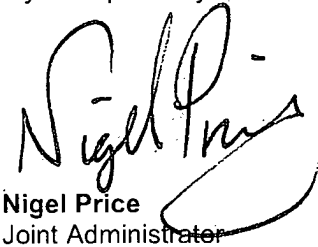
This report has been circulated for the sole purpose of providing creditors with an update on the progress of the Administration, in satisfaction of our statutory obligations. The contents of the report are strictly private and confidential and may not be relied upon, referred to, reproduced in whole, or in 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 allow the following outstanding matters to be completed:

- Our investigations into events that occurred prior to our appointment, which may generate further recoveries;
- Realisation of the intercompany and trade debts, and any other potential assets which may come to light;
- Possible conversion to a Creditors' Voluntary Liquidation, depending upon future realisations;
- Completing the case administration and statutory compliance.

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



**Nigel Price**  
Joint Administrator

6 January 2022

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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## 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 8 Warren Park Way, Enderby, Leicestershire LE19 4SA
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
Extensions of the administration period	The administration was extended by order of the Court for a period of 12 months until 8 November 2022

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**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 May 2021 to 7 November 2021

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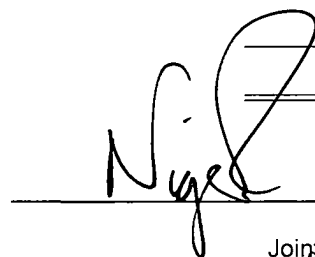
THE ADMINISTRATORS' RECEIPTS AND PAYMENTS ACCOUNT

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**Eisenmann U.K. Limited**  
**(In Administration)**  
**Joint Administrators' Summary of Receipts & Payments**

Statement of Affairs £	From 08/05/2021 To 07/11/2021 £	From 08/11/2019 To 07/11/2021 £
<b>ASSET REALISATIONS</b>		
	NIL	7.24
42,562.00 Bank Interest	NIL	NIL
13,000.00 Book Debts	NIL	50,180.11
26,150.00 Cash at Bank - Deutsche Bank	NIL	26,149.72
NIL Cash at Bank Co-Op	NIL	NIL
Uncertain Furniture & Equipment	NIL	NIL
Uncertain Inter Co debt-Eisenmann Anlagenbau	NIL	NIL
Uncertain Inter Co debt-Eisenmann SE	NIL	NIL
Uncertain InterCo debt-Eisenmann Thermal Solu	NIL	NIL
1,500.00 Other Refunds	NIL	4,652.76
	NIL	80,989.83
<b>COST OF REALISATIONS</b>		
	NIL	9,618.00
Administrators' pre-appointment costs	NIL	79.25
Advertising	NIL	180.00
Bordereau Premium	14.00	48.00
Document Hosting	NIL	27,000.00
Office Holders Fees	NIL	500.00
Pre-Appointment professional fees	NIL	500.00
Preparation of S. of A.	NIL	910.00
Professional Fees	579.50	2,223.85
Storage and destruction of records	(593.50)	(41,059.10)
<b>PREFERENTIAL CREDITORS</b>		
(33,967.00) Employee Arrears/Hol Pay	NIL	8,999.84
PAYE/NIC deductions on Dividends	NIL	2,919.34
(8,402.00) Pension Schemes	NIL	NIL
RPS Arrears & Holiday Pay	NIL	6,294.87
RPS Pension	NIL	37.16
	NIL	(18,251.21)
<b>UNSECURED CREDITORS</b>		
(176,612.00) Employees / Directors	NIL	NIL
(19,951.00) HMRC	NIL	NIL
(971,161.00) Inter-Company debts	NIL	NIL
(712,329.00) Trade & Expense Creditors	NIL	NIL
	NIL	NIL
<b>DISTRIBUTIONS</b>		
(100,000.00) Ordinary Shareholders	NIL	NIL
	NIL	NIL
<b>(1,939,210.00)</b>	<b>(593.50)</b>	<b>21,679.52</b>
<b>REPRESENTED BY</b>		
Bank 1 Current		17,566.54
Vat Receivable		4,112.98
		<b>21,679.52</b>



Nigel Price  
Joint Administrator  
04 January 2022 21:56

THE JOINT ADMINISTRATORS' TIME COSTS

## Time Entry - Detailed SIP9 Time & Cost Summary

EIS01 - Eisenmann U.K. Limited  
 From: 08/05/2021 To: 07/11/2021  
 All Post Appointment Project Codes

Classification of Work Function	Partner	Manager	Other Senior Professionals	Assistants & Support Staff	Director / Senior Manager	Total Hours	Time Cost (£)	Average Hourly Rate (£)
1CF : Cashiering function	0.80	0.00	2.80	0.00	0.00	3.60	502.00	139.44
1CR : Case review	0.50	0.00	0.00	0.00	0.00	0.50	147.50	295.00
1GEN : General administration	0.00	0.00	0.00	0.50	0.00	0.50	22.50	45.00
1STT : Statutory compliance - returns/reports/meetings	8.10	0.90	0.50	0.00	0.00	9.50	2,592.00	272.84
<b>Admin &amp; Planning</b>	<b>9.40</b>	<b>0.90</b>	<b>3.30</b>	<b>0.50</b>	<b>0.00</b>	<b>14.10</b>	<b>3,264.00</b>	<b>231.49</b>
2LEG : Legal correspondence/litigation	0.70	0.00	0.00	0.00	0.00	0.70	206.50	295.00
<b>Investigations</b>	<b>0.70</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.70</b>	<b>206.50</b>	<b>295.00</b>
3LIA : Liaising with professional advisors (assets)	2.30	0.00	0.00	0.00	0.00	2.30	678.50	295.00
<b>Realisation of Assets</b>	<b>2.30</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>2.30</b>	<b>678.50</b>	<b>295.00</b>
<b>Total Hours</b>	<b>12.40</b>	<b>0.90</b>	<b>3.30</b>	<b>0.50</b>	<b>0.00</b>	<b>17.10</b>	<b>4,149.00</b>	<b>242.63</b>
<b>Total Fees Claimed</b>								<b>27,000.00</b>

## Time Entry - Cumulative Detailed SIP9 Time & Cost Summary

EIS01 - Eisenmann U.K. Limited  
From: 08/11/2019 To: 07/11/2021  
All Post Appointment Project Codes

Classification of Work Function	Partner	Manager	Other Senior Professionals	Assistants & Support Staff	Director / Senior Manager	Total Hours	Time Cost (£)	Avg Hourly Rate (£)	Hours Cum (POST Only)	Time Costs Cum (POST Only)
1APF : Appointment formalities	1.50	3.20	0.00	0.00	1.50	6.20	1,222.50	197.18	6.20	1,222.50
1ASU : Administrative set-up	0.20	0.00	0.00	0.00	0.00	0.20	59.00	295.00	0.20	59.00
1CC : Case completion	0.00	0.20	0.30	0.00	0.00	0.50	58.50	117.00	0.50	58.50
1CF : Cashiering function	1.80	4.40	30.70	0.00	0.50	37.40	4,207.50	112.50	37.40	4,207.50
1CR : Case review	0.50	0.80	0.00	0.00	1.30	2.60	267.50	205.77	1.30	267.50
1GEN : General administration	0.30	12.10	0.60	6.20	2.00	21.20	2,639.50	124.50	21.20	2,639.50
1GOV : Liaising with Government agencies	0.60	0.70	0.00	0.00	0.10	1.40	302.00	215.71	1.40	302.00
1P&M : Planning and monitoring	0.20	0.60	0.00	0.00	0.50	1.30	249.00	191.54	1.30	249.00
1PEN : Pension matters	0.50	6.80	0.00	0.00	0.00	7.30	1,167.50	159.93	7.30	1,167.50
1RET : Non insolvency statutory returns	0.00	2.90	1.70	0.00	0.00	4.60	596.50	129.67	4.60	596.50
1STT : Statutory compliance - returns/reports/meetings	11.70	37.20	2.10	0.00	7.70	58.70	10,803.00	184.04	58.70	10,803.00
<b>Admin &amp; Planning</b>	<b>17.30</b>	<b>68.90</b>	<b>35.40</b>	<b>6.20</b>	<b>12.30</b>	<b>140.10</b>	<b>21,572.50</b>	<b>153.98</b>	<b>140.10</b>	<b>21,572.50</b>
5DIV : Dividends and distributions (non PP)	0.50	0.00	0.00	0.00	0.00	0.50	147.50	295.00	0.50	147.50
5EM : Employee claims	1.20	15.10	0.00	0.00	1.70	18.00	2,959.00	164.39	18.00	2,959.00
5NOP : Non preferential creditors	0.60	2.70	0.00	0.00	0.60	3.90	699.50	179.36	3.90	699.50
<b>Creditors</b>	<b>2.30</b>	<b>17.80</b>	<b>0.00</b>	<b>0.00</b>	<b>2.30</b>	<b>22.40</b>	<b>3,806.00</b>	<b>169.91</b>	<b>22.40</b>	<b>3,806.00</b>
2BOO : Review books & records	0.20	0.00	0.00	0.00	0.00	0.20	59.00	295.00	0.20	59.00
2CDA : CDDA reports	0.00	1.70	0.00	0.00	0.60	2.30	375.00	163.04	2.30	375.00
2INV : Investigating antecedent transactions	0.10	0.60	0.00	0.00	0.00	0.70	119.50	170.71	0.70	119.50
2LEG : Legal correspondence/litigation	0.70	0.00	0.00	0.00	0.00	0.70	206.50	295.00	0.70	206.50
2PIA : SIP 2 post Initial Assessment	0.00	7.50	0.00	0.00	0.00	7.50	1,125.00	150.00	7.50	1,125.00
2SIP : SIP 2 Initial Assessment	0.10	1.30	0.00	0.00	0.00	1.40	224.50	160.36	1.40	224.50
<b>Investigations</b>	<b>1.10</b>	<b>11.10</b>	<b>0.00</b>	<b>0.00</b>	<b>0.60</b>	<b>12.80</b>	<b>2,109.50</b>	<b>164.80</b>	<b>12.80</b>	<b>2,109.50</b>
6PRE : Pre appointment	0.00	0.00	0.30	0.00	0.00	0.30	28.50	95.00	0.30	28.50
<b>Pre Appointment</b>	<b>0.00</b>	<b>0.00</b>	<b>0.30</b>	<b>0.00</b>	<b>0.00</b>	<b>0.30</b>	<b>28.50</b>	<b>95.00</b>	<b>0.30</b>	<b>28.50</b>
3BDR : Book debt realisations	2.30	5.10	0.00	0.00	2.10	9.50	1,863.50	196.16	9.50	1,863.50
3LIA : Liaising with professional advisors (assets)	2.30	0.00	0.00	0.00	0.00	2.30	678.50	295.00	2.30	678.50
3OTH : Other asset realisations	2.10	4.70	0.00	0.00	0.80	7.60	1,484.50	195.33	7.60	1,484.50
3SOB : Sale of Business	0.30	0.00	0.00	0.00	0.00	0.30	88.50	295.00	0.30	88.50
<b>Realisation of Assets</b>	<b>7.00</b>	<b>9.80</b>	<b>0.00</b>	<b>0.00</b>	<b>2.90</b>	<b>19.70</b>	<b>4,115.00</b>	<b>208.88</b>	<b>19.70</b>	<b>4,115.00</b>
<b>Total Hours</b>	<b>27.70</b>	<b>107.60</b>	<b>35.70</b>	<b>6.20</b>	<b>18.10</b>	<b>195.30</b>	<b>31,631.50</b>	<b>161.96</b>	<b>195.30</b>	<b>31,631.50</b>
<b>Total Fees Claimed</b>							<b>27,000.00</b>			

\*\* - Denotes codes included in cumulative data that are not present in the period.

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## CHARGE-OUT RATES AND BASES OF EXPENSES

## APPENDIX 4

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:-

	<b><i>Charge-out rate at commencement (up to £ per hour)</i></b>
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

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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.

### **Expenses**

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

Category 1 - expenses 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, in the estate, at the time that payment was due.

Category 2 - expenses requiring approval, including any payments to associates, 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 expenses must be approved by creditors prior to any payment being drawn. Usually, it is proposed that payment shall be made in respect of Category 2 expenses 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.

**Elwell Watchorn & Saxton LLP**  
**Case Direct Cost Summary by Analysis Code**

For Nigel Price - All Appointments All Staff  
 All Post Appointment Project Codes.

		Disb Type	Amount	Adjust
<b>EIS01</b>				
<b>Eisenmann U.K. Limited (In Administration)</b>				
C11-Insolvency Bond	(Category 1)		180.00	0.00
Disbursements Category 1			180.00	
Disbursements Category 2			0.00	
Disbursements Total			180.00	
Fee Notes (Disbs Only)			(180.00)	
Write Off/Up			0.00	
Adjustments			0.00	
Provisions			0.00	
Total Outstanding			0.00	