

AM10 (Scot)

Notice of administrator's progress report



Companies House

For further information, please
refer to our guidance at
www.gov.uk/companieshouse

1 Company details

Company number	S	C	1	0	9	0	3	8
Company name in full	EFCL Realisations Ltd (formerly Electro-Flow Controls Ltd)							

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

2 Administrator's name

Full forename(s)	George
Surname	Lafferty

3 Administrator's address

Building name/number	Leonard Curtis
Street	4th Floor
	58 Waterloo Street
Post town	Glasgow
County/Region	
Postcode	G 2 7 D A
Country	

4 Administrator's name ①

Full forename(s)	Barry
Surname	Stewart

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

5 Administrator's address ②

Building name/number	Leonard Curtis
Street	4th Floor
	58 Waterloo Street
Post town	Glasgow
County/Region	
Postcode	G 2 7 D A
Country	

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

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6 Period of progress report

From date	^d 1	^d 4	^m 1	^m 2	^y 2	^y 0	^y 2	^y 2
To date	^d 0	^d 8	^m 0	^m 6	^y 2	^y 0	^y 2	^y 3

7 Progress report

☒ I attach a copy of the progress report

8 Sign and date

Administrator's
signature

Signature

X



X

Signature date	^d 0	^d 9	^m 0	^m 6	^y 2	^y 0	^y 2	^y 3
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AM10 (Scot)

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	Greg Templeton
Company name	Leonard Curtis
Address	4th Floor
	58 Waterloo Street
	Glasgow
Post town	
County/Region	
Postcode	G 2 7 D A
Country	
DX	
Telephone	0141 212 2060



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,
Fourth floor, Edinburgh Quay 2,
139 Fountainbridge, Edinburgh, Scotland, EH3 9FF.
DX ED235 Edinburgh.



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



LEONARD CURTIS
BUSINESS RESCUE & RECOVERY

**EFCL REALISATIONS LTD (FORMERLY
ELECTRO-FLOW CONTROLS LTD)**

(IN ADMINISTRATION)

Registered Number: SC109038

Court Ref: P1055/20

Court of Session

**Joint Administrators' Final Progress report in accordance
with Rules 3.53 and 3.94 of the Insolvency (Scotland) (Company Voluntary
Arrangements and Administration) Rules 2018**

**Report period
14 December 2022 to 8 June 2023**

8 June 2023

George Lafferty and Barry Stewart - Joint Administrators
Leonard Curtis
4th Floor, 58 Waterloo Street, Glasgow, G2 7DA
Tel: 0141 212 2060
recovery@leonardcurtis.co.uk
Ref: G/59/GT/E018G/1010

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**STRICTLY PRIVATE AND CONFIDENTIAL
NOT FOR PUBLICATION**

**TO: THE REGISTRAR OF COMPANIES
ALL CREDITORS
ALL MEMBERS**

1 INTRODUCTION

- 1.1 This report has been produced in accordance with Rules 3.53 and 3.94 of The Insolvency (Scotland) (Company Voluntary Arrangements and Administration) Rules 2018 (“the Rules”) to provide creditors with an update on the progress of the Administration of EFCL Realisations Ltd (formerly Electro-Flow Controls Ltd) (“the Company”) for the period from 14 December 2022 to 8 June 2023. This is the Joint Administrators’ final progress report to creditors.
- 1.2 The Administration of the Company is now for practical purposes complete. Section 10 of this report deals with how the Joint Administrators intend to bring the Administration to an end.
- 1.3 Much of the information contained in this report encompasses the whole period of the Administration. Please be aware, however, that where reference is made to “the period of this report”, this specifically means 14 December 2022 to 8 June 2023, being the period since the end of the period covered by the last progress report.

2 STATUTORY INFORMATION

- 2.1 Stuart Robb and Michelle Elliot were appointed as Joint Administrators of the Company in the jurisdiction of Court of Session, number P1055/20 on 14 December 2020. The Administration appointment was made by the Directors. Thereafter, George Lafferty and Barry Stewart replaced the original Administrators on 10 March 2021 as part of a block transfer order.
- 2.2 The Administration is being handled by the Glasgow office of Leonard Curtis, which is situated at 4th Floor, 58 Waterloo Street, Glasgow, G2 7DA.
- 2.4 The registered office address of the Company at the date of the appointment of the Joint Administrators was 6 Queens Road, Aberdeen AB15 4ZT. Following appointment, this was changed to 4th Floor, 58 Waterloo Street, Glasgow, G2 7DA. The registered number of the Company is SC109038.
- 2.5 For the purposes of paragraph 100(2) of Schedule B1 to the Insolvency Act 1986 (as amended), it should be noted that during the period in which the Administration Order is in force, any act or function required or authorised under any enactment to be done by the Joint Administrators may be exercised by all or any of the persons holding that office.
- 2.6 The Company’s main centre of operations is based in the UK. The EC Regulation on Insolvency Proceedings applies and the proceedings are main proceedings under the Regulation.

3 JOINT ADMINISTRATORS’ PROPOSALS

- 3.1 Attached at Appendix A is a summary of the Joint Administrators’ approved proposals for achieving one of the three statutory purposes of Administration.
- 3.2 There have been no major amendments to, or deviations from, the proposals during the course of the Administration to date.

- 3.3 The objective of the Administration is to realise property in order to make a distribution to one or more secured or preferential creditors.
- 3.4 Having sold the business and assets of the Company on the date of appointment, the Administrators have achieved this objective by issuing a dividend to the secondary preferential creditor, as detailed in the receipts and payments account detailed at Appendix B.

4 PROGRESS OF THE ADMINISTRATION

- 4.1 Attached at Appendix B is the Joint Administrators' receipts and payments account for the period from 14 December 2022 to 8 June 2023. Cumulative figures have also been provided to reflect transactions for the whole of the Administration period to date.

Sale of Business

- 4.2 As previously reported to creditors, the business and assets of the Company were sold at the date of appointment to E-Flow Control Limited ('the Purchaser'), a company associated to EFCL Realisations Ltd (formerly Electro-Flow Controls Ltd) by way of common directorship.
- 4.3 The agreed sale consideration totalled £294,000 and was comprised of £240,000 of book debtors, £35,000 in plant and machinery, £4,000 in stock and £5,000 in intellectual property.

Utility Refund

- 4.4 Creditors are aware that following the sale of the business and assets of the Company, a utility refund in the sum of £5,162.25 was received.

Cash at Bank

- 4.5 At the date of appointment the Company's bank account was in credit to the sum of £27.95, which was subsequently transferred to the Administration account.

Deposit Interest

- 4.6 The Administration bank account has accumulated £291.70 in deposit interest since the date of appointment.

VAT Reclaim

- 4.7 In the period of this report, creditors are aware that the Joint Administrators were awaiting receipt of a corrected VAT refund following the disbandment of the Company's VAT registration by HM Revenue & Customs.
- 4.8 To date, the VAT refund has not been received.
- 4.9 On 12 April 2023, the Joint Administrators lettered HM Revenue & Customs advising that the only outstanding matter in the Administration was to pay a first and final dividend to HM Revenue & Customs in their capacity as secondary preferential creditor.
- 4.10 Having exhausted all other options and given the proximity to the automatic end of the Administration, HM Revenue & Customs were advised that the VAT due to the Company would be offset against the dividend payable unless an objection to this course of action was received.
- 4.11 As no objections were received the dividend was paid to HMRC, further details of which are noted at section 7 of this report.

5 INVESTIGATIONS

- 5.1 As previously reported, following their initial assessment, no detailed investigations were considered to be required by the Joint Administrators. Nothing further has been brought to the attention of the Joint Administrators in the period of this report.
- 5.2 Regardless of the above, the Joint Administrators have complied with their statutory obligations under the Company Directors Disqualification Act 1986 and the appropriate report has been submitted to the relevant authority.

6 JOINT ADMINISTRATORS' REMUNERATION AND EXPENSES

Pre-Administration Costs

- 6.1 On 23 November 2021, the Sheriff at the Court of Session approved the following pre-Administration costs and expenses being paid as an expense of the Administration:

Charged by	Services provided	Total amount charged £
Leonard Curtis Recovery Limited	Pre-appointment time costs	68,594.50
Agents' fees	Professional Services	29,222.00
TOTAL		97,816.50

The costs that have been paid are detailed in the receipts and payments account attached at Appendix B.

Joint Administrators' Remuneration

- 6.2 The Joint Administrators sought a decision of the Company's preferential and unsecured creditors to draw their post-appointment time costs and disbursements. Creditors are aware that it was agreed that the basis of the Joint Administrators' remuneration be fixed by reference to time properly spent by them and their staff in attending to matters arising from the Administration.
- 6.3 On 23 March 2023, the Administrators post-appointment remuneration totalling £142,716.50 was approved. These funds have been drawn in full and are detailed alongside the pre-appointment remuneration in the receipts and payments account at Appendix B.
- 6.4 The time charged by the Joint Administrators for the period of this report amounts to £5,797.50. This represents 20.7 hours at an average rate of £280.07 per hour. A summary of time costs incurred in the period is attached at Appendix C. A detailed description of work undertaken attributable to each category of time costs and an explanation of why it was necessary for that work to be performed is also provided at Appendix C.
- 6.5 In addition, a summary of the Joint Administrators' time costs encompassing the whole of the Administration is attached at Appendix D.
- 6.8 Further guidance may be found in "A Creditors' Guide to Administrators' Fees" which may be downloaded from:
- 6.9 If you would prefer this to be sent to you in hard copy please contact Greg Templeton of this office on 0141 212 2060.
- 6.10 No additional funds will be drawn.

Joint Administrators' Expenses

6.12 Expenses are separated into the following categories:

- (i) Standard Expenses: this category includes expenses payable by virtue of the nature of the Administration process and / or payable in order to comply with legal or regulatory requirements.
- (ii) Case Specific Expenses: this category includes expenses likely to be payable by the Joint Administrators in carrying out their duties in dealing with issues arising in a particular case. Also included within this category are costs that are directly referable to the Administration but are not paid to an independent third party (and which may include an element of allocated costs). These are known as "Category 2 expenses" and are subject to the approval of the creditors.

Additionally, with effect from 1 April 2021, the Joint Administrators are required to disclose to those responsible for approving our remuneration whether any payments we intend to make from an insolvency estate are to associates of Leonard Curtis. Payments to associates are subject to the same level of approval as the office holder's fees and category 2 expenses and further details are included at Appendix E.

On 23 March 2023, the unsecured creditors also approved that category 2 expenses could be drawn by the Joint Administrators as and when funds permit.

6.13 The following Category 1 and Category 2 expenses have been incurred on the case since appointment:

Category 1 Expenses

Charged by	Services provided	Total amount pd by LC £	Amount recovered from case £	Amount still to be recovered from case £
Brodies LLP	Block transfer	273.71	273.71	0.00
Postworks	Postage	381.37	380.35	1.02
AUA Insolvency Risk Services	Bordereau	560.00	560.00	0.00
Registers of Scotland	Land Registry Search	34.00	34.00	0.00
GMG Asset Valuation	Stock inspection	1,222.00	1,222.00	0.00
CMS Cameron McKenna LLP	Legal services	4,200.00	4,200.00	0.00
Pelstar	Creditorweb	14.00	14.00	0.00
	Total	6,685.08	6,684.06	1.02

Category 2 Expenses

Charged by	Services provided	Total amount pd by LC £	Amount recovered from case £	Amount still to be recovered from case £
Ricky O'Kane	Mileage	102.75	102.75	0.00
Pelstar	Uploads and Creditorweb	227.00	227.00	0.00
	Total	329.75	329.75	0.00

- 6.14 No additional expenses have been incurred during the period of this report.
- 6.15 Since our last report, no professional advisors or subcontractors were instructed:
- 6.16 Attached at Appendix E is additional information in relation to the firm's policy on staffing, the use of sub-contractors, expenses and details of our current charge-out rates by staff grade. Please be aware that the firm's charge out rates have been amended with effect from 1 March 2021.
- 6.17 Under Rule 3.100 of the Rules, any secured creditor, or any unsecured creditor with either the concurrence of at least 25% in value of the unsecured creditors (including that creditor) or the permission of the court, may apply to the court, on the grounds that the basis fixed for the Joint Administrators' remuneration is inappropriate, or the remuneration or expenses charged by the Joint Administrators are, in all the circumstances, excessive.
- 6.18 The application must be made no later than eight weeks after the end of the accounting period in question.
- 6.19 Unless the court orders otherwise, the costs of the application shall be paid by the applicant and are not payable as an expense of the Administration.

7 OUTCOME FOR CREDITORS

7.1 Secured Creditors

There are no secured creditors.

7.2 Preferential Claims

No preferential claims have been received.

7.3 Secondary Preferential Creditors

With respect to insolvencies commencing on or after 1 December 2020, HMRC will rank ahead of floating charge holders and unsecured creditors in respect of certain unpaid taxes that the relevant company collects on behalf of HMRC. These taxes are known as Priority Taxes and include:

- VAT;
- PAYE (including student loan repayments);
- Construction Industry Scheme deductions; and
- Employees' NI contributions.

HM Revenue & Customs' total claim amounts to £677,876.07, of which £572,628.16 ranks as secondary preferential.

A first and final dividend of £36,990.36 was paid to HM Revenue & Customs on 9 June 2023 which represents 6p in the £.

7.4 Prescribed Part

As the Company has no outstanding floating charge liabilities, there is no requirement to set aside a prescribed part in this case.

7.5 Unsecured Claims

There are insufficient funds in the Administration to facilitate a distribution beyond the secondary preferential creditor.

8 MATTERS STILL TO BE DEALT WITH

8.1 All matters have been dealt with and consequently the Administration has now concluded.

8.2 As previously reported, the Administrators undertook an investigation into the basis of the loan of £867k and the shareholding in EFC Americas Inc. It was concluded that the loan was used for staffing services provided by the Company and given the fact these services benefitted the Company, the loan was made in good faith.

8.3 There was no value in the Company's shareholding in EFC Americas Inc. which has since been dissolved.

9 EXTENSIONS TO THE ADMINISTRATION

9.1 The appointment of administrators ordinarily ceases to have effect at the end of the period of one year from the date of their appointment.

9.2 In certain circumstances it may be necessary to extend the administrators' term of office.

9.3 The most recent extension was received by Order of the Court on 11 November 2022 until 13 June 2023.

9.4 No further extensions are required.

10 ENDING THE ADMINISTRATION

10.1 The Administration is now for practical purposes complete. As there are insufficient funds available to allow payment of a dividend to unsecured creditors in this case, the appropriate exit route from the Administration is Dissolution of the Company. Attached at Appendix F is Notice of Move from Administration to Dissolution. On the registration of this Notice by Companies House, the Administration will be brought to an end and the appointment of the Joint Administrators will cease to have effect.

10.2 At the end of the period of three months beginning with the date of registration of the Notice of Move from Administration to Dissolution at Companies House, the Company will be dissolved.

10.3 The Joint Administrators will be discharged from liability in respect of any action(s) of theirs as Joint Administrators immediately upon their appointment ceasing to have effect.

11 DATA PROTECTION

11.1 Finally, when submitting details of your claim in the administration, you may disclose personal data to the Joint Administrators. The processing of personal data is regulated in the UK by the General Data Protection Regulation EU 2016/679 as supplemented by the Data Protection Act 2018, together with other laws which relate to privacy and electronic communications. The Joint Administrators act as Data Controllers in respect of personal data they obtain in relation to this administration and are therefore responsible for complying with Data Protection Law in respect of any personal data they process. The Joint Administrators' privacy notice, which is attached to this report at Appendix G, explains how they process your personal data. Terms used in this clause bear the same meanings as are ascribed to them in Data Protection Law.

If you wish to discuss the issues raised in this report or require any additional information please contact this office.

Yours faithfully
for and on behalf of
EFCL REALISATIONS LTD (FORMERLY ELECTRO-FLOW CONTROLS LTD)



**GEORGE LAFFERTY
JOINT ADMINISTRATOR**

George Lafferty and Barry Stewart are authorised to act as insolvency practitioners in the UK by the Institute of Chartered Accountants of Scotland under office holder numbers 9584 and 9450, respectively

The affairs, business and property of the Company are being managed by the Joint Administrators, who act as agents of the Company without personal liability.

SUMMARY OF JOINT ADMINISTRATORS' PROPOSALS

It is proposed that

1. The Joint Administrators continue to manage the business, affairs and property of the Company in such a manner as they consider expedient with a view to achieving the statutory purposes of the Administration
2. If appropriate, the Joint Administrators take any action they consider necessary with a view to the approval of a Company Voluntary Arrangement ("CVA") or Scheme of Arrangement in relation to the Company
3. If appropriate, the Joint Administrators file a notice with the Registrar of Companies in order that the Administration will cease and the Company will move automatically into Creditors' Voluntary Liquidation ("CVL") It is further proposed that that the Joint Administrators in office at the date of conversion to CVL will become the Joint Liquidators of the Company, and that where Joint Liquidators are proposed any act required or authorised to be done by the Joint Liquidators may be exercised by both or either of them. NB Creditors may nominate a different person as the proposed Liquidator, provided that the nomination is made after receipt of these proposals and before the proposals are approved
4. Alternatively, if appropriate, the Joint Administrators apply to Court under Para 65 (3) of Schedule B1 to the Insolvency Act 1986 (as amended) for permission to make a distribution to the unsecured creditors within the Administration.
5. In the event that there are no monies remaining to be distributed to creditors and as soon as all matters relating to the Administration have been completed, the Joint Administrators file a Notice with the Registrar of Companies that the Company should be dissolved
6. The Joint Administrators investigate and, if appropriate, pursue any claims that they or the Company may have against any directors or former directors, other third parties, officers or former officers, advisers or former advisers of the Company
7. The Company may be placed into compulsory liquidation in circumstances where assets are still to be realised or investigations concluded yet there will be no return to unsecured creditors. In these circumstances it is further proposed that Michelle Elliot and/or Stuart Robb be appointed (Joint) Liquidator(s) of the Company and that where Joint Liquidators are proposed any act required or authorised to be done by the Joint Liquidators may be exercised by both or either of them
8. The Joint Administrators shall do all such other things and generally exercise all of his powers as contained in Schedule 1 of the Insolvency Act 1986, as he considers desirable or expedient to achieve the statutory purpose of the Administration.
9. The Joint Administrators be authorised to distribute funds to the secured or preferential creditors as and when claims are agreed and funds permit
10. Subject to any order of the court required under Paragraph 65 of Schedule B1 to the Insolvency Act 1986 (as amended), the Joint Administrators be authorised to distribute funds to the unsecured creditors as and when claims are agreed and funds permit

APPENDIX B

SUMMARY OF JOINT ADMINISTRATORS' RECEIPTS AND PAYMENTS ACCOUNT FOR THE PERIOD FROM
14 DECEMBER 2022 TO 8 JUNE 2023

Joint Administrators Abstract of Receipts & Payments

E018G EFCL Realisations Ltd (formerly Electro-Flow Controls Ltd) (ADM)

Statement Of Affairs	From 14/12/2022 To 08/06/2023	From 14/12/2020 To 08/06/2023
FLOATING CHARGE ASSETS		
Plant & Equipment	0.00	45,000.00
Stock	0.00	4,000.00
Suspense	0.00	5,162.25
Intellectual property	0.00	5,000.00
Debtors	0.00	240,000.00
Balance at Bank	0.00	27.95
Deposit Interest Gross	160.26	291.70
VAT Assigned to Leonard Curtis	1,544.40	1,544.40
	1,704.66	301,026.30
COSTS		
Administrators' Remuneration	12,689.50	211,311.00
Agents' Fees and Expenses	0.00	5,714.68
Solicitors' Fees and Expenses	4,200.00	41,453.57
Bordereau Fee	0.00	560.00
Sundry Expenses/Disbursements	0.00	87.00
Disbursements CAT1	14.00	225.32
Disbursements CAT2	56.00	158.75
Software Licence	0.00	84.00
Property Charges	0.00	5,162.02
Insurance	0.00	839.21
Bank Interest and Charges	0.90	15.90
Land Registry	9.00	34.00
Postage	169.03	169.03
Corporation Tax	24.97	24.97
VAT Paid	(1,803.51)	(1,803.51)
	(15,359.89)	(264,035.94)
0.00	(13,655.23)	36,990.36
PREFERENTIAL CREDITORS		
Secondary Preferential Creditor	36,990.36	36,990.36
	(36,990.36)	(36,990.36)
	(50,645.59)	0.00
REPRESENTED BY		
RBS-CAM Client account	(50,645.59)	0.00
	(50,645.59)	0.00

**SUMMARY OF JOINT ADMINISTRATORS' TIME COSTS FOR THE PERIOD
FROM 14 DECEMBER 2022 TO 8 JUNE 2023**

EFCL Realisations Ltd (formerly Electro-Flow Controls Ltd)
(In Administration)

Summary of Administrators' Time Costs from 14 December 2022 to 8 June 2023

	Director		Manager 1		Administrator 4		Total		Average
	Units	Cost	Units	Cost	Units	Cost	Units	Cost	Hourly Rate
		£		£		£		£	£
Statutory & Review	5	275.00	19	788.50	10	175.00	34	1,238.50	364.26
Receipts & Payments	1	55.00	27	1,120.50	51	892.50	79	2,068.00	261.77
Assets	-	-	-	-	3	52.50	3	52.50	175.00
Liabilities	-	-	29	1,203.50	50	875.00	79	2,078.50	263.10
General Administration	-	-	-	-	3	52.50	3	52.50	175.00
Planning & Strategy	4	220.00	-	-	5	87.50	9	307.50	341.67
<hr/>									
Total	10	550.00	75	3,112.50	122	2,135.00	207	5,797.50	
<hr/>									
Average Hourly Rate (£)		<u>550.00</u>		<u>415.00</u>		<u>175.00</u>		<u>280.07</u>	
<hr/>									
All Units are 6 minutes									

APPENDIX C (continued)

DESCRIPTION OF TIME SPENT BY CATEGORY

Statutory and Review

This category of activity encompasses work undertaken for both statutory and case management purposes. Whilst this work will not directly result in any monetary value for creditors, it will ensure that the case is managed efficiently and resourced appropriately, which will be of benefit to all creditors. The work to be carried out under this category will comprise the following:

- Case management reviews.
- Allocation of staff, management of staff, case resourcing and budgeting.
- Review of time costs data to ensure accurate posting of time and to ensure compliance with Statement of Insolvency Practice 9;
- Review of work carried out by more junior members of staff to ensure quality of work and adherence to standards, legislation and best practice;
- Completion of case closing procedures at the end of the case.

Receipts and Payments

This category of work will not result in a direct financial benefit for creditors. However, close monitoring of case bank accounts is essential to ensure that bank interest is maximised where possible, estate expenses are properly managed and kept to a minimum and amounts payable to creditors are identified and distributed promptly.

- Preparation of periodic receipts and payments accounts for inclusion in statutory reports
- tax and VAT returns; and
- Managing estate expenses.

Insurance, Bonding and Pensions

Insolvency Practitioners are obliged to comply with certain statutory requirements when conducting their cases. Some of these requirements are in place to protect company assets (see insurance and bonding matters below), whilst requirements in respect of company pension schemes are there to protect the pension funds of Company employees. Whilst there is no direct financial benefit to Company creditors in dealing with these, close control of case expenditure is crucial to delivering maximum returns to the appropriate class of creditor.

- Periodic review of bonding requirements to ensure that creditors are appropriately protected. The bond is reviewed upon each large receipt of monies into the case and also at three month intervals in accordance with best practice;

Liabilities

This category of time includes both statutory and non-statutory matters and will not necessarily bring any financial benefit to creditors generally. The more employees and creditors a company has, the more time and cost will be involved in dealing with those claims.

- Processing of claims from the Company's creditors
- Preparation and submission of periodic progress reports to creditors
- Dealing with enquiries from the Company's creditors regarding distribution of funds

General Administration

This category of work does not result in a direct financial benefit for creditors; however it is necessary for these tasks to be completed in order to ensure the smooth and efficient progression of the administration:

- General planning matters;
- Maintaining the Joint Administrators' records;
- Dealing with general correspondence and communicating with directors and shareholders.

Investigations

Some of the work administrators are required to undertake is to comply with legislation such as the Company Directors' Disqualification Act 1986 ("CDDA") and Statement of Insolvency Practice 2 – Investigations by Office Holders in Administration and Insolvent Liquidations. It may not necessarily bring any financial benefit to creditors, unless these investigations reveal potential asset recoveries that the Administrator can pursue for the benefit of creditors.

- Conducting initial investigations into the Company's affairs/records to identify the possibility of further realisations.

EFCL REALISATIONS LTD (FORMERLY ELECTRO-FLOW CONTROLS LTD) – IN ADMINISTRATION

APPENDIX D

SUMMARY OF JOINT ADMINISTRATORS' TIME COSTS
FROM 14 DECEMBER 2020 TO 8 JUNE 2023

EFCL Realisations Ltd (formerly Electro-Flow Controls Ltd)
(In Administration)

Summary of Administrators' Time Costs from 14 December 2020 to 8 June 2023

	Director		Manager 1		Manager 2		Administrator 1		Administrator 3		Administrator 4		Support		Total		Average
	Units	Cost £	Units	Cost £	Units	Cost £	Units	Cost £	Units	Cost £	Units	Cost £	Units	Cost £	Units	Cost £	Hourly Rate £
Statutory & Review	246	13,090.00	331	13,664.50	18	657.00	-	-	-	-	118	2,065.00	-	-	713	29,476.50	413.42
Receipts & Payments	26	1,430.00	221	9,159.50	37	1,320.50	72	2,124.00	2	46.00	293	5,127.50	-	-	651	19,207.50	295.05
Insurance	-	-	74	2,939.00	9	320.50	-	-	7	161.00	21	349.50	-	-	111	3,770.00	339.64
Assets	320	16,847.50	403	16,386.50	9	324.50	-	-	-	-	162	2,835.00	-	-	894	36,393.50	407.09
Liabilities	-	-	244	9,802.00	217	7,730.50	-	-	10	230.00	411	7,168.50	-	-	882	24,931.00	282.66
Landlords	133	7,082.50	220	8,930.00	106	3,793.00	-	-	-	-	11	187.50	-	-	470	19,993.00	425.38
General Administration	40	2,107.50	199	8,148.50	117	4,156.50	-	-	6	147.00	98	1,710.00	4	-	464	16,269.50	350.64
Appointment	20	1,050.00	35	1,382.50	31	1,069.50	-	-	16	368.00	-	-	-	-	102	3,870.00	379.41
Planning & Strategy	30	1,650.00	172	7,114.00	10	365.00	-	-	-	-	97	1,697.50	-	-	309	10,826.50	350.37
Post Appt Creditor Decisions	302	15,855.00	38	1,577.00	-	-	-	-	-	-	-	-	-	-	340	17,432.00	512.71
Investigations	105	5,550.00	56	2,246.00	67	2,333.50	-	-	-	-	11	192.50	-	-	239	10,322.00	431.88
Accelerated Merger & Acquis'n	61	3,202.50	-	-	-	-	-	-	-	-	-	-	-	-	61	3,202.50	525.00
Review	10	525.00	-	-	-	-	-	-	-	-	-	-	-	-	10	525.00	525.00
Total	1,293	68,390.00	1,993	81,349.50	621	22,070.50	72	2,124.00	41	952.00	1,222	21,333.00	4	-	5,246	196,219.00	
Average Hourly Rate (£)		<u>528.92</u>		<u>408.18</u>		<u>355.40</u>		<u>295.00</u>		<u>232.20</u>		<u>174.57</u>		<u>-</u>		<u>374.04</u>	
All Units are 6 minutes																	

Joint Administrators' Final Progress Report
8 June 2023

LEONARD CURTIS POLICY REGARDING FEES AND EXPENSES

LEONARD CURTIS POLICY REGARDING FEES AND EXPENSES

The following Leonard Curtis policy information is considered to be relevant to creditors:

Staff Allocation and Charge Out Rates

We take an objective and practical approach to each assignment which includes active director involvement from the outset. Other members of staff will be assigned on the basis of experience and specific skills to match the needs of the case. Time spent by secretarial and other support staff on specific case related matters, e.g. report despatching, is not charged.

Where it has been agreed by the appropriate body of creditors that the office holders' remuneration will be calculated by reference to the time properly given by the office holders and their staff in attending to matters as set out in a fees estimate, then such remuneration will be calculated in units of 6 minutes at the standard hourly rates given below. In cases of exceptional complexity or risk, the insolvency practitioner reserves the right to request and obtain authority from the appropriate body of creditors that their remuneration on such time shall be charged at the higher complex rates given below.

The following hourly charge out rates apply to all assignments undertaken by Leonard Curtis:

	6 Jan 2014 onwards		1 Aug 2019 onwards		1 March 2021 onwards	
	Standard	Complex	Standard	Complex	Standard	Complex
	£	£	£	£	£	£
Director	450	562	525	656	550	688
Senior Manager	410	512	445	556	465	581
Manager 1	365	456	395	494	415	518
Manager 2	320	400	345	431	365	456
Administrator 1	260	325	280	350	295	369
Administrator 2	230	287	250	313	265	331
Administrator 3	210	262	230	288	245	306
Administrator 4	150	187	165	206	175	219
Support	0	0	0	0	0	0

In respect of assignments pre-dating 1 March 2022, office holders' remuneration may include costs incurred by the firm's in-house legal team, which may be used for non-contentious matters pertaining to the insolvency appointment.

Use of Associates

We are required to disclose to those responsible for approving our remuneration whether any payments we intend to make from an insolvency estate are to Associates of Leonard Curtis (LC). The term "Associate" is defined in s435 of the Insolvency Act 1986, but we are also required to consider the substance or likely perception of any association between the appointed insolvency practitioner, their firm (LC) or an individual within the firm and the recipient of a payment. Payments to Associates are subject to the same level of approval as the office holder's fees and category 2 expenses (see table on the next page for further details).

Leonard Curtis Legal Limited (LC Legal) are part of the Leonard Curtis group; as such they are an "Associate" of LC. Where LC Legal are instructed to assist an office-holder in a particular matter from 1 March 2022 onwards, details of their proposed costs will be provided to creditors and specific approval for payment will be sought.

Additionally, Pelstar Limited (Pelstar) provides insolvency case management software and document hosting facilities to LC. Until 31 December 2022, LC employed an individual who is married to a director of Pelstar, and as such, whilst not meeting

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the legal definition of “Associate”, we were aware that there was a perceived association between LC and Pelstar and specific approval of their costs were sought accordingly. As this individual is no longer employed by LC, this is no longer required and Pelstar costs invoiced with effect from 1 January 2023 will be paid without prior approval.

Use of Professional Advisors

Details of any professional advisor(s) used will be given in reports to creditors. Unless otherwise indicated the fee arrangement for each is based on hourly charge out rates, which are reviewed on a regular basis, together with the recovery of relevant disbursements.

The choice of professional advisors is based around a number of factors including, but not restricted to, their expertise in a particular field, the complexity or otherwise of the assignment and their geographic location.

Use of Subcontractors

Where we subcontract out work that could otherwise be carried out by the office holder or his/her staff, this will be drawn to the attention of creditors in any report which incorporates a request for approval of the basis upon which remuneration may be charged. An explanation of why the work has been subcontracted out will also be provided.

Categorisation of Expenses

We are required to provide creditors with an estimate of the expenses we expect to be incurred in respect of an assignment and report back to them on actual expenses incurred and paid in our periodic progress reports. There are two broad categories of expenses: standard expenses and case specific expenses. These are explained in more detail below:

- a) Standard Expenses – this category includes expenses which are payable in order to comply with legal or regulatory requirements and therefore will generally be incurred on every case. They will include:

Type	Description	Amount																								
AML checks via Smartsearch	Electronic client verification in compliance with the Money Laundering, Terrorist Financing and Transfer of Funds (Information on the Payer) Regulations 2017	£5.00 plus VAT per search Note that with effect from 1 April 2021, these costs are no longer recovered from the estate.																								
Bond / Bordereau fee via AUA Insolvency Services	Insurance bond to protect the insolvent entity against any losses suffered as a result of the fraud or dishonesty of the IP	£10.00 to £1,200.00 dependent on value of assets within case																								
Company searches via Companies House	Extraction of company information from Companies House	£1.00 per document unless document can be accessed via the free service																								
Document hosting via Pelstar Limited	Hosting of documents via a secure portal for access by creditors/shareholders. Costs are charged per upload plus VAT and are generally dependent upon the number of creditors. The costs are commensurate with those charged by other providers of comparable services.	<table><tr><th>Type</th><th>First 100</th><th>Every addtl 10</th></tr><tr><td>ADM</td><td>£14.00</td><td>£1.40</td></tr><tr><td>CVL</td><td>£7.00</td><td>£0.70</td></tr><tr><td>MVL</td><td>£7.00</td><td>£0.70</td></tr><tr><td>CPL</td><td>£7.00</td><td>£0.70</td></tr><tr><td>CVA</td><td>£10.00</td><td>£1.00</td></tr><tr><td>BKY</td><td>£10.00</td><td>£1.00</td></tr><tr><td>IVA</td><td>£10 p.a. or £25 for life of case</td><td></td></tr></table>	Type	First 100	Every addtl 10	ADM	£14.00	£1.40	CVL	£7.00	£0.70	MVL	£7.00	£0.70	CPL	£7.00	£0.70	CVA	£10.00	£1.00	BKY	£10.00	£1.00	IVA	£10 p.a. or £25 for life of case	
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IVA	£10 p.a. or £25 for life of case																									
Software Licence fee hosting via Pelstar Limited	Payable to software provider for use of case management system. The costs are commensurate with those charged by other providers of comparable services.	£87.00 plus VAT per case																								
Postage via Royal Mail or Postworks	Cost of posting documents which are directly attributable to a case to external recipients	Calculated in accordance with applicable supplier rates and																								

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		dependent on the number of pages and whether the document is sent by international, first or second class post.
Post re-direction via Royal Mail	Redirection of post from Company's premises to office-holders' address	0-3 months £216.00 3-6 months £321.00 6-12 months £519.00
Statutory advertising via advertising agents	Advertising of appointment, notice of meetings etc. - London Gazette - Other	£91.80 - £102.00 plus VAT per advert Dependent upon advert and publication
Storage costs	Costs of storage of case books and records	£5.07 plus VAT per box per annum plus handling charges

- b) Case-specific expenses – this category includes expenses (other than office-holders' fees) which are likely to be payable on every case but which will vary depending upon the nature and complexity of the case and the assets to be realised. They will include but may not be restricted to:

Type	Description	Amount
Agents' fees	Costs of appointed agents in valuing and realising assets	Time costs plus disbursements plus VAT
Debt Collection fees	Costs of appointed debt collectors in realising debts	Generally agreed as a % of realisations plus disbursements plus VAT
Legal fees	Costs of appointed solicitors. Will generally comprise advice on validity of appointment, drafting of sale contracts, advice on retention of title issues and advice on any reviewable transactions. Where the solicitor appointed is LC Legal, any fee payable for work completed is classed as a payment to an associate and requires specific creditor / committee approval as detailed above.	Time costs plus disbursements plus VAT
Other expenses	See Category 1 and 2 expenses notes below	See Category 1 and 2 expenses notes below

Please note that expenses are generally categorised as Category 1 or Category 2:

- a) Category 1 expenses: These are payments to independent third parties providing the service to which the expense relate. These may include, for example, advertising, external room hire, storage costs, postage costs, telephone charges, travel expenses (excl. mileage), and equivalent costs reimbursed to the office holder or his or her staff. Category 1 expenses may be paid without prior approval.
- b) Category 2 expenses: These are costs that are directly referable to the appointment in question, but not paid to an independent third party. They may include costs which have an element of shared cost. The following items of expenditure are recharged on this basis and are charged at HMRC approved rates:

Business mileage

45p per mile

Payments to Associates (as defined above) are categorised by LC in the same way as Category 2 expenses. Category 2 expenses and payments to Associates may only be drawn if they have been approved in the same manner as an office holder's remuneration.

NOTICE OF MOVE FROM ADMINISTRATION TO DISSOLUTION

In accordance with
Rule 3.61(1) of the
Insolvency (Scotland)
(Company Voluntary
Arrangements and
Administration) Rules
2018 & Paragraph 84(1)
of Schedule E1 of the
Insolvency Act 1986.

AM23 (Scot)

Notice of move from administration
to dissolution



Companies House

For further information, please
refer to our guidance at
www.gov.uk/companieshouse

1	Company details	
Company number	S C 1 0 9 0 3 8	→ Filling in this form Please complete in typescript or in bold black capitals.
Company name in full	EFCL Realisations Ltd (formerly Electro-Flow Controls Ltd)	
2	Court details	
Court name	Court of Session	
Court number	P 1 0 5 5 / 2 0	
3	Administrator's name	
Full forename(s)	George	
Surname	Lafferty	
4	Administrator's address	
Building name/number	Leonard Curtis	
Street	4th Floor	
	58 Waterloo Street	
Post town	Glasgow	
County/Region		
Postcode	G 2 7 D A	
Country		

04/19 Version 1.0

AM23 (Scot)

Notice of move from administration to dissolution

5 Administrator's name [ⓐ]		
Full forename(s)	Barry	ⓐ Other administrator Use this section to tell us about another administrator.
Surname	Stewart	
6 Administrator's address [ⓑ]		
Building name/number	Leonard Curtis	ⓑ Other administrator Use this section to tell us about another administrator.
Street	4th Floor	
	58 Waterloo Street	
Post town	Glasgow	
County/Region		
Postcode	G 2 7 D A	
Country		
7 Final progress report		
<input checked="" type="checkbox"/> I have attached a copy of the final progress report.		
8 Sign and date		
Administrator's signature	 X	X
Signature date	09 06 2023	

04/19 Version 1.0

AM23 (Scot)

Notice of move from administration to dissolution

**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	Greg Templeton									
Company name	Leonard Curtis									
Address	4th Floor									
	58 Waterloo Street									
	Glasgow									
Post town										
County/Region										
Postcode	G	2		7	D	A				
Country										
DX										
Telephone	0141 212 2060									

**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,
Fourth floor, Edinburgh Quay 2,
139 Fountainbridge, Edinburgh, Scotland, EH3 9FF,
DX ED235 Edinburgh.

**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

PRIVACY NOTICE

Information we collect and hold about you

By requesting details of your claim in this insolvency, we may collect Personal Data from you, particularly if you are a consumer creditor, a sole trader or are lodging a claim in your personal capacity.

Personal Data is information relating to a living individual. Whenever Personal Data is processed, collected, recorded, stored or disposed of it must be done within the terms of the General Data Protection Regulation ("the GDPR"). Examples of Personal Data include but may not be limited to your name, address, telephone number and email contact details.

If you do not provide us with the information we require, this may adversely affect our ability to deal with your claim, but we would ask you not to submit more Personal Data than we request from you.

Legal justification for processing your Personal Data

The processing of your Personal Data by us is necessary to enable us to comply with legal obligations under the Insolvency Act 1986 and associated legislation which we are subject to as Insolvency Practitioners.

How we use your information

All information you supply to us is required to enable us to comply with our duties under the Insolvency Act 1986 and associated legislation. It will be used to enable us to assess the extent of the insolvent entity's liabilities, to allow you to vote on any decision procedures, to enable us to communicate with you, to process your claim and to pay any dividends which may be due to you from the insolvent estate.

Who we share your information with

We may be required to share some of your Personal Data with other creditors. The data which will be shared with other creditors will be limited to that specifically required to be disclosed under insolvency legislation.

We may share some of your information with our Data Processors. Data Processors include solicitors, accountants and employment law specialists who assist us with our duties where required. We will only share your information with our Data Processors if we require their specialist advice. All of our Data Processors are subject to written contracts with us to ensure that your Personal Data is processed only in accordance with the GDPR.

How long will we hold your Personal Data for?

We will need to hold your Personal Data for a period of time after the insolvency has been concluded. This is to enable us to deal with any queries which might arise. Our Records Management Policy requires us to destroy our physical files 6 years after closure of the case. Electronic data files will be removed from our Case Management System 6 years after conclusion of the case but may be held on our server for a longer period of time but with restricted access.

Your rights in respect of your Personal Data

You have the right to request access to your Personal Data and to require it to be corrected or erased. You also have the right to request a restriction in the way we process your Personal Data or to object to its processing. You should be aware however that we may not be able to comply with your request if this would affect our ability to comply with our legal obligations.

You have the right to Data Portability. This is a right to have the Personal Data we hold about you to be provided to you in a commonly used and machine-readable format so that you can transfer that Data to another organisation in a way that is not too onerous to upload the Data.

Your right to complain

You have the right to be confident that we are handling your Personal Data responsibly and in line with good practice. If you have a concern about the way we are handling your Personal Data you should contact our Privacy Manager in the first instance.

If you are unable to resolve your concerns with us, you have the right to complain to the Information Commissioners' Office. The Information Commissioner can be contacted at Wycliffe House, Water Lane, Wilmslow, Cheshire SK6 5AF or on 0303 123 1113.

Contacting us

If you have any questions relating to the processing of your Personal Data, please write to our Privacy Manager at Leonard Curtis, 5th Floor, Grove House, 248A Marylebone Road, London NW1 6BB Alternatively our Privacy Manager can be contacted by telephone on 0207 535 7000 or by email: privacy@leonardcurtis.co.uk

Data Controller: LEONARD CURTIS