

LIQ03

Notice of progress report in voluntary winding up



Companies House

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

1 Company details

Company number 03517183

Company name in full Kaiam Europe Limited

→ Filling in this form

Please complete in typescript or in
bold black capitals.

2 Liquidator's name

Full forename(s) Alistair

Surname McAlinden

3 Liquidator's address

Building name/number c/o Interpath Ltd

Street 5th Floor, 130 St Vincent Street

Post town Glasgow

County/Region

Postcode G2 5HF

Country

4 Liquidator's name ①

Full forename(s) Blair Carnegie

Surname Nimmo

① Other liquidator

Use this section to tell us about
another liquidator.

5 Liquidator's address ②

Building name/number c/o Interpath Ltd

Street 5th Floor, 130 St Vincent Street

Post town Glasgow

County/Region

Postcode G2 5HF

Country

② Other liquidator

Use this section to tell us about
another liquidator.

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Period of progress report

From date

^d1^d5^m1^m2^y2^y0^y2^y2

To date

^d1^d4^m1^m2^y2^y0^y2^y3

7

Progress report

☒ The progress report is attached

8

Sign and date

Liquidator's signature

Signature

X

Alfred Hill

X

Signature date

^d1^d6^m0^m1^y2^y0^y2^y4

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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 **Nicole Leonard**

Company name **Interpath Ltd**

Address **5th Floor, 130 St Vincent Street**

Glasgow

Post town **G2 5HF**

County/Region

Postcode

Country

DX

Telephone **Tel +44 (0) 141 648 4300**



Checklist

We may return forms completed incorrectly or with information missing.

Please make sure you have remembered the following:

- ☐ The company name and number match the information held on the public Register.
- ☐ You have attached the required documents.
- ☐ You have signed the form.



Important information

All information on this form will appear on the public record.



Where to send

You may return this form to any Companies House address, however for expediency we advise you to return it to the address below:

The Registrar of Companies, Companies House,
Crown Way, Cardiff, Wales, CF14 3UZ.
DX 33050 Cardiff.



Further information

For further information please see the guidance notes on the website at www.gov.uk/companieshouse or email enquiries@companieshouse.gov.uk

This form is available in an alternative format. Please visit the forms page on the website at www.gov.uk/companieshouse

Joint
Liquidators'
progress
report for the
period 15
December
2022 to 14
December
2023

Kaiam Europe Limited - in
Liquidation

15 January 2024

Deemed delivered: 16 January 2024

Notice to creditors

This report provides an update on the liquidation of the Company.

We have included (Appendix 2) an account of all amounts received and payments made during the period 15 December 2022 to 14 December 2023, including the cumulative receipts and payments since the date of our appointment.

We have also explained our future strategy for the liquidation and how likely it is that we will be able to pay each class of creditor.

You will find other important information in this report such as the costs which we have incurred to date.

A glossary of the abbreviations used throughout this document is attached (Appendix 5).

Finally, we have provided answers to frequently asked questions and a glossary of insolvency terms on the following websites:

Liquidation - www.ia-insolv.com/case+INTERPATH+KKC16C2821.html and;

Administration - <https://www.ia-insolv.com/case+INTERPATH+KIC19E0401.html>

We hope this is helpful to you.

Please also note that an important legal notice about this report is attached (Appendix 6).

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1 Executive summary

This progress report covers the period from 15 December 2022 to 14 December 2023.

All assets were realised in earlier periods. (Section 2 - Progress to date).

We are not aware of any secured claims against the Company. (Section 3 - Dividend prospects and dividends paid).

The preferential creditors have been paid in full. (Section 3 - Dividend prospects and dividends paid).

The unsecured creditors have received a first and final dividend in the sum of 3.01p per £ of agreed claim (which was paid in an earlier accounting period). (Section 3 - Dividend prospects and dividends paid).

Please note: you should read this report in conjunction with any previous reports issued to the Company's creditors; these can be found at:

Liquidation - www.ia-insolv.com/case+INTERPATH+KKC16C2821.html

Administration - <https://www.ia-insolv.com/case+INTERPATH+KIC19E0401.html>

Unless stated otherwise, all amounts in this report and appendices are stated net of VAT.



Alistair McAlinden
Joint Liquidator

2 Progress to date

This report covers the period from 15 December 2022 to 14 December 2023. However, please refer to previous reports where relevant information has previously been disclosed.

This section updates you on our strategy for the liquidation and on our progress to date. It follows the information provided in our previous reports.

2.1 Strategy and progress to date

Strategy

Our efforts in the period have focussed on the following:

- Finalising all remaining costs including those related to the books and records held for the Company;
- Drawing the Joint Liquidators' approved remuneration;
- Reclaiming all VAT from HM Revenue & Customs ("HMRC");
- Completing various standard closure matters including seeking tax clearance from HMRC.

2.2 Asset realisations

All assets were realised in earlier periods.

2.3 Costs

Payments made in this period are set out in the attached receipts and payments account (Appendix 2).

Summaries of the most significant payments made during the period are provided below.

Agents' fees

A total of £6,236.29 in agents' costs were settled in the period

Storage costs

£252.48 in storage costs were paid in the period.

3 Dividend prospects and dividends paid

3.1 Secured creditors

We are not aware of any secured claims against the Company.

3.2 Preferential creditors

Claims from employees in respect of (1) arrears of wages up to a maximum of £800 per employee, (2) unlimited accrued holiday pay and (3) certain pension benefits, rank preferentially.

The preferential creditors have been repaid in full.

3.3 Unsecured creditors

The unsecured creditors have received a first and final dividend in the sum of 3.01p per £ of agreed claim.

3.4 Liquidation committee

Committee meetings

As previously advised, a Creditors' Committee was elected during the Administration. Any Creditors' Committee that existed in the administration continues in existence in the proceeding liquidation as if appointed as a Liquidation Committee.

The elected members are:

- Milne Management Limited;
- Unleashed IT Limited;
- Tecdia Inc;
- Ernst & Young LLP; and
- Kaiam Corporation Inc – in Assignment for the Benefit of Creditors, c/o Sherwood Partners Inc.

Function of the Liquidation Committee

The Liquidation Committee represents the interests of the creditors as a whole rather than the interests of certain parties or individuals.

Its statutory function is to help us to discharge our responsibilities as Joint Liquidators. Members and observers of the liquidation committee are not remunerated for their time.

Other than receiving travel expenses, they receive no payment from the Company.

4 Joint Liquidators' remuneration and expenses and payments to Interpath

4.1 Joint Liquidators' remuneration and expenses

Time costs

During the period from 15 December 2022 to 14 December 2023, we have incurred time costs of £25,512. These represent 50.90 hours at an average rate of £501.22 per hour.

Remuneration

During the period, we have drawn floating charge remuneration of £27,583. This was approved by the Liquidation Committee, in an earlier period.

Liquidators' Expenses

These are any payments which are neither liquidators' remuneration nor a distribution to a creditor or a member. Expenses also includes disbursements which are payments first met by the liquidators, and then reimbursed to the liquidators from the estate.

During the period, we have not incurred any expenses.

Additional information

We have attached (Appendix 4) an analysis of the time spent, the charge-out rates for each grade of staff and the expenses paid directly by Interpath for the period from 15 December 2022 to 14 December 2023. We have also attached our charging and expenses policy.

5 Future strategy

5.1 Future conduct of the liquidation

The following matters are still ongoing in the liquidation:

- Await receipt of VAT repayment from HMRC;
- Finalise the remaining statutory closure matters; and
- Prepare the final report to creditors and bring the liquidation to a formal conclusion.

5.2 Future reporting

We will report again on the progress of this liquidation by 12 February 2025 or in the final report if matters have been concluded earlier.

Appendix 1

Statutory information

Company information

Company name	Kaiaam Europe Limited
Date of incorporation	20 February 1998
Company registration number	03517183
Present registered office	10 Fleet Place, London, EC4M 7RB
Nature of business	Other telecommunications activities

Liquidation information

Appointed by	Creditors pursuant to Paragraph 83 of Schedule B1 of the Act
Date of appointment	15 December 2020
Joint Liquidators' details	Alistair McAlinden and Blair Nimmo
Joint Liquidators' address	Interpath Ltd, 5th Floor, 130 St Vincent Street, Glasgow, G2 5HF
Functions	The functions of the Joint Liquidators are being exercised by them individually or together in accordance with Section 231(2) of the Insolvency Act 1986.
EC Regulations	EC Regulations apply and these proceedings will be the Main Proceedings as defined in Article 3 of the EC regulations.

Appendix 2

Joint Liquidators' receipts and payment account

Kaiaam Europe Limited - in Liquidation		
Abstract of receipts & payments		
Statement of affairs (£)	From 15/12/2022 To 14/12/2023 (£)	From 15/12/2020 To 14/12/2023 (£)
ASSET REALISATIONS		
Cash at bank	NIL	43,932.21
	NIL	43,932.21
OTHER REALISATIONS		
Bank interest, gross	NIL	157.71
Sundry refunds	NIL	482.00
Inter-company dividends	NIL	301,661.93
Surplus funds from Kaiaam UK Ltd - in ADM	NIL	982,619.18
	NIL	1,284,920.82
ADMINISTRATION TRADING COSTS		
Administration Trading Costs	NIL	(3,911.39)
	NIL	(3,911.39)
COST OF REALISATIONS		
Administrators' fees & expenses	NIL	(231,079.15)
Liquidators' fees	(27,583.00)	(306,104.95)
Liquidators' expenses	NIL	(20.00)
Agents'/Valuers' fees	(6,236.29)	(6,236.29)
Legal fees	NIL	(900.00)
Corporation tax	NIL	(195,200.30)
Storage & transportation of records	(252.48)	(348.91)
Statutory advertising	NIL	(165.00)
Insurance of assets	NIL	(3,460.21)
Bank charges	NIL	(425.18)
Unclaimed dividends	NIL	(18,828.57)
Consignment fee	NIL	(51.50)
	(34,071.77)	(762,820.06)
PREFERENTIAL CREDITORS		
PAYE income tax etc	NIL	(7,305.80)
Nat ins conts & student loan deductions	NIL	(1,660.22)
Employees' wage arrears	NIL	(62,133.91)
	NIL	(71,099.93)

Kaiaam Europe Limited - in Liquidation**Abstract of receipts & payments**

Statement of affairs (£)	From 15/12/2022 To 14/12/2023 (£)	From 15/12/2020 To 14/12/2023 (£)
FLOATING CHARGE CREDITORS		
Transfer of funds from ADM to CVL	NIL	1,336,234.44
	NIL	1,336,234.44
UNSECURED CREDITORS		
Trade & expense	NIL	(1,823,129.62)
Corp tax etc/nonpref PAYE	NIL	(3,334.59)
Non-preferential NIC	NIL	(791.88)
	NIL	(1,827,256.09)
	(34,071.77)	NIL
REPRESENTED BY		
VAT receivable		103,454.27
Current account		NIL
Floating ch. VAT control		(103,454.27)
		NIL

Schedule of expenses (15/12/2022 to 14/12/2023)			
Expenses (£)	Incurring and paid in the period (£)	Incurring in the period not yet paid (£)	Total (£)
Cost of realisations			
Liquidators' fees	27,583.00	25,512.00	53,095.00
Agents'/Valuers' fees	6,236.29	0.00	6,236.29
Storage & transportation of records	252.48	0.00	252.48
TOTAL	34,071.77	25,512.00	59,583.77

Requests for further information and right to challenge our remuneration and expenses

Creditors' requests for further information

If you would like to request more information about our remuneration and expenses disclosed in this report, you must do so in writing within 21 days of receiving this report.

Requests from unsecured creditors must be made with the concurrence of at least 5% in value of unsecured creditors (including, the unsecured creditor making the request) or with the permission of the Court.

Creditors' right to challenge our remuneration and expenses

If you wish to challenge the basis of our remuneration, the remuneration charged, or the expenses incurred during the period covered by this report, you must do so by making an application to Court within eight weeks of receiving this report.

Applications by unsecured creditors must be made with concurrence of at least 10% in value of unsecured creditors (including the unsecured creditor making the challenge) or with the permission of the Court.

The full text of the relevant Rules can be provided on request by writing to Nicole Leonard at Interpath Advisory, 5th Floor 130 St Vincent Street Glasgow G2 5HF.

Appendix 4 Joint Liquidators' charging and expenses policy

Joint Liquidators' charging policy

The time charged to the liquidation is by reference to the time properly given by us and our staff in attending to matters arising in the liquidation. This includes work undertaken by in-house Interpath Advisory tax, VAT and employee specialists.

Our policy is to delegate tasks in the liquidation to appropriate members of staff considering their level of experience and requisite specialist knowledge, supervised accordingly, so as to maximise the cost effectiveness of the work performed. Matters of particular complexity or significance requiring more exceptional responsibility are dealt with by senior staff or us.

A copy of "A Creditors' Guide to Joint Liquidators' Fees" from Statement of Insolvency Practice 9 ('SIP 9') produced by the Association of Business Recovery Professionals is available at:

<https://www.r3.org.uk/technical-library/england-wales/technical-guidance/fees/more/29114/page/1/guide-to-liquidators-fees/>

If you are unable to access this guide and would like a copy, please contact Nicole Leonard on 0141 648 4339.

Hourly rates

Set out below are the relevant charge-out rates per hour worked for the grades of our staff actually or likely to be involved on this liquidation. Time is charged by reference to actual work carried out on the liquidation.

All staff who have worked on the liquidation, including cashiers and secretarial staff, have charged time directly to the liquidation and are included in the analysis of time spent. The cost of staff employed in central administration functions is not charged directly to the liquidation but is reflected in the general level of charge-out rates.

Managing Director	725	780
Director	675	725
Associate Director	590	635
Manager	495	530
Senior Associate	345	370
Associate	245	265
Support	155	165

The charge-out rates used by us might periodically rise (for example to cover annual inflationary cost increases) over the period of the liquidation. You will note that our rates have been subject to change.

Policy for the recovery of expenses

Where funds permit the officeholders will seek to recover both Category 1 and Category 2 expenses from the estate. For the avoidance of doubt, such expenses are defined within SIP 9 as follows:

Expenses: These are any payments which are neither an office holder's remuneration nor a distribution to a creditor or a member. Expenses also includes disbursements which are payments first met by the office holder, and then reimbursed to the office holder from the estate.

Category 1 expenses: These are payments to persons providing the service to which the expense relates who are not an associate of the office holder. These may include, for example, advertising, room hire, storage, postage, telephone charges, travel expenses, and equivalent costs reimbursed to the officeholder or his or her staff.

Category 2 expenses: These are payments to associates or which have an element of shared costs. They may include shared or allocated costs that can be allocated to the appointment on a proper and reasonable basis, for example, business mileage.

Associates: are defined in the insolvency legislation but also extends to parties where a reasonable and informed third party might consider there would be an association between the third party and the office holder or their firm.

Category 2 expenses charged by Interpath Restructuring include mileage. This is calculated as follows:

Mileage claims fall into three categories:

Use of privately-owned vehicle or car cash alternative – 45p per mile.

Use of company car – 60p per mile.

Use of partner's car – 60p per mile.

For all of the above car types, when carrying Interpath Advisory passengers an additional 5p per mile per passenger will also be charged where appropriate.

We have not incurred any expenses during the period.

Total	NIL	NIL	NIL
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We have the authority to pay Category 1 expenses without the need for any prior approval from the creditors of the Company.

Category 2 expenses have been approved in the same manner as our remuneration.

Narrative of work carried out for the period 15 December 2022 to 14 December 2023

The key areas of work have been:

Statutory and compliance	dealing with various closure related formalities; ensuring compliance with all statutory obligations within the relevant timescales.
Strategy documents, Checklist and reviews	reviewing the liquidation strategy; regular case management and reviewing of progress; reviewing and authorising junior staff correspondence and other work; dealing with queries arising during the appointment; reviewing matters affecting the outcome of the liquidation; complying with internal filing and information recording practices.
Cashiering	preparing and processing vouchers for the payment of post-appointment invoices; creating remittances and sending payments to settle post-appointment invoices; reconciling post-appointment bank accounts to internal systems; ensuring compliance with appropriate risk management procedures in respect of receipts and payments.
Tax	dealing with post appointment tax compliance.
General	reviewing time costs data and producing analysis of time incurred which is compliant with Statement of Insolvency Practice 9; drawing remuneration in accordance with the basis which has been approved by the liquidation committee; dealing with the ongoing storage of the Company's books and records.
Creditors and claims	drafting our annual progress report.

Time costs

General correspondence	1.20	636.00	530.00
General (Cashiering)	2.70	1,514.00	560.74
Reconciliations (& IPS accounting reviews)	1.80	816.00	453.33
Books and records	3.80	1,765.50	464.61
Fees and WIP	6.80	3,801.00	558.97
Checklist & reviews	1.70	691.00	406.47
Closure and related formalities	8.90	4,078.00	458.20
Strategy documents	3.00	2,058.00	686.00
Post appointment corporation tax	0.30	122.00	406.67

SIP 9 –Time costs analysis (15/12/2022 to 14/12/2023)

	Hours	Time Cost (£)	Average Hourly Rate (£)
Post appointment PAYE (Non Trading)	0.20	106.00	530.00
Post appointment VAT	11.90	5,529.00	464.62
Creditors			
Creditors and claims			
General correspondence	1.40	735.00	525.00
Payment of dividends	0.70	256.50	366.43
Statutory reports	5.90	3,082.50	522.46
Realisation of assets			
Asset Realisation			
Cash and investments	0.30	162.50	541.67
Plant and machinery	0.30	159.00	530.00
Total in period	50.90	25,512.00	501.22
Brought forward time (appointment date to SIP 9 period start date)	990.45	411,833.40	
SIP 9 period time (SIP 9 period start date to SIP 9 period end date)	50.90	25,512.00	
Carry forward time (appointment date to SIP 9 period end date)	1,041.35	437,345.40	

All staff who have worked on this assignment, including cashiers and secretarial staff, have charged time directly to the assignment and are included in the analysis of time spent. The cost of staff employed in central administration functions is not charged directly to the assignment but is reflected in the general level of charge out rates.

All time shown in the above analysis is charged in units of six minutes.

Appendix 5 Glossary

Company	Kaiam Europe Limited - in Liquidation
Joint Liquidators/we/our/us	Alistair McAlinden and Blair Nimmo
Interpath/Interpath Advisory	Interpath Ltd

Any references in this report to Sections, Paragraphs and Rules are to Sections, Paragraphs and Rules in the Insolvency Act 1986, and the Insolvency (England and Wales) Rules 2016 respectively.

Appendix 6 Notice: About this report

This progress report has been prepared by Alistair McAlinden and Blair Nimmo, the Joint Liquidators of Kaiam Europe Limited (the 'Company'), solely to comply with their statutory duty under the Insolvency Rules (England and Wales) 2016 to provide members and creditors with an update on the progress of the liquidation of the estate, and for no other purpose.

This report is not suitable to be relied upon by any other person, or for any other purpose or in any other context including any decision in relation to the debt of or any financial interest in the Company. Any person that chooses to rely on this report for any purpose or in any context other than under the Insolvency Rules (England and Wales) 2016 does so at their own risk. Any estimated outcomes for creditors included in this report are illustrative only and cannot be relied upon as guidance as to the actual outcomes for individual creditors.

Alistair McAlinden and Blair Carnegie Nimmo are authorised to act as insolvency practitioners by the Institute of Chartered Accountants of Scotland.

We are bound by the Insolvency Code of Ethics.

The Officeholders may be Data Controllers of personal data as defined by the Data Protection Act 2018. Personal data will be kept secure and processed only for matters relating to the appointment. For further information, please see our Privacy policy at – www.interpathadvisory.com/privacy-insolvency.

The appointments of the Joint Liquidators are personal to them and, to the fullest extent permitted by law, Interpath Ltd does not assume any responsibility and will not accept any liability to any person in respect of this Report or the conduct of the liquidation.

www.interpathadvisory.com

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