In accordance with Rule 18.6 of the Insolvency (England & Wales) Rules 2016.

AM10
Notice of administrator's progress report

Companies House

FRIDAY

A82901K9
A06 29/03/2019 #134
COMPANIES HOUSE

1 Company details

Company number	0 4 2 8 2 0 7 2
Company name in full	Eclipse Developments (UK) Limited

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

2 Administrator's name

Full forename(s)	Lila
Surname	Thomas

3 Administrator's address

Building name/number	Derby House
Street	12 Winckley Square
Post town	Preston
County/Region	
Postcode	P R 1 3 J J
Country	

4 Administrator's name ❶

Full forename(s)	David
Surname	Acland

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

5 Administrator's address ❷

Building name/number	Derby House
Street	12 Winckley Square
Post town	Preston
County/Region	
Postcode	P R 1 3 J J
Country	

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

AM10
Notice of administrator's progress report

6 Period of progress report

	d	d	m	m	y	y	y	y
From date	1	5	0	9	2	0	1	8
To date	1	4	0	3	2	0	1	9

7 Progress report

☑ I attach a copy of the progress report

8 Sign and date

Administrator's signature

Signature

X X

	d	d	m	m	y	y	y	y
Signature date	2	9	0	3	2	0	1	9

Eclipse Developments (UK) Limited
(In Administration)
Joint Administrators' Summary of Receipts & Payments

Statement of Affairs £		From 15/09/2018 To 14/03/2019 £	From 15/09/2017 To 14/03/2019 £
	ASSET REALISATIONS		
	Motor Vehicles	NIL	500.00
	Book Debts / Retentions	NIL	25,791.16
	Sundry Refund	NIL	1,281.90
	Cash in hand	NIL	20,838.00
	Cash at Bank	NIL	607.42
	Contribution to Legal Costs	NIL	5,000.00
	Bank Interest Gross	98.09	186.54
	Sundry Refund	NIL	2,068.04
		98.09	56,273.06
	COST OF REALISATIONS		
	Administrators Remuneration - Pre	NIL	20,000.00
	Legal Fees (1)	NIL	900.00
	Legal fees - Pre-Administration	NIL	6,180.00
	Corporation Tax	16.53	16.53
	Mileage	NIL	119.70
	Storage Costs	176.90	795.48
	Statutory Advertising	NIL	84.60
	Insurance of Assets	NIL	165.00
	Bank Charges - Floating	0.40	0.40
		(193.83)	(28,261.71)
		(95.74)	**28,011.35**
	REPRESENTED BY		
	Vat Recoverable - Floating		35.38
	IB Current Floating		27,969.97
	Vat Control Account		6.00
			28,011.35

Lila Thomas
Joint Administrator

FRP
Advisory

Eclipse Developments (UK) Limited (IN ADMINISTRATION)

("THE COMPANY")

The High Court of Justice, Manchester District Registry NO. 2844 OF 2017

The Administrator's Progress Report for the period 15/09/18 – 14/03/19 pursuant to Rule 18.3 of the Insolvency (England and Wales) Rules 2016

28 March 2019

Contents and abbreviations

The following abbreviations may be used in this report:

FRP	FRP Advisory LLP
The Company	Eclipse Developments (UK) Limited (In Administration)
The Administrators	Lila Thomas and David Acland of FRP Advisory LLP
The Period	The reporting period 15/09/18 – 14/03/19
CVL	Creditors' Voluntary Liquidation
SIP	Statement of Insolvency Practice
QFCH	Qualifying floating charge holder
HMRC	HM Revenue & Customs

1. Progress of the Administration

Work undertaken during the period

I attach at **Appendix C** a schedule of work undertaken during the period together with a summary of work still to be completed.

The schedule of work details the work required to realise the following assets:

- Finalise the debt collection exercise.

Attached at **Appendix E** is a receipts and payments account detailing both transactions for the period of this report and also cumulatively since my appointment as Administrator.

Receipts

Bank Interest Gross

The sum of £98.09 has been received during the period.

Payments

Corporation Tax

The sum of £16.53 has been paid to HMRC in respect of the CT Liability for the period 15/09/17 to 14/09/18.

Investigations

Part of my duties include carrying out proportionate investigations into what assets the Company has, including any potential claims against directors or other parties, and what recoveries could be made. I have reviewed the Company's books and records and accounting information, requested further information from the directors, and invited creditors to provide information on any concerns they have regarding the way in which the Company's business has been conducted.

Further details of the conduct of my investigations are set out in the schedule of work attached. I can confirm that no further investigations or actions were required.

Extension to the initial period of appointment

The Administrators have obtained approval from the Secured and Preferential Creditors to extend the period of the Administration for 12 months to 14 September 2019. A copy of the notice is available on the creditor portal.

Anticipated exit strategy

Based on current and future anticipated realisations, it is unlikely that the Company will have sufficient property to permit a distribution to its unsecured creditors. Therefore, it will be appropriate to send a notice to the Registrar of Companies in accordance with Paragraph 84 of Schedule B1 to the Insolvency Act 1986 to bring the administration to an end and three months after the filing of the notice the Company will be deemed to be dissolved.

2. Estimated Outcome for the creditors

The estimated outcome for creditors was set out in the Administrators proposals. Based on current anticipated realisations the preferential creditors will receive a nominal distribution. The outcome for all creditors will only be materially affected following a successful recovery from the principal contract.

Outcome for the secured creditors

Natwest has the benefit of a debenture dated 3 June 2011 granting fixed and floating charges over the assets of the Company.

The Bank's indebtedness amounts to £147,251.79 which includes the overdraft facility, credit cards and the application of interest and charges following the closure of the account. There are no monies available to the Bank under their fixed charge as there are no fixed charge assets. Based on current anticipated realisations there will be no funds available for the Bank under there floating charge after the costs of the Administration and distribution in part to the preferential creditors.

Outcome for the preferential creditors

Preferential creditor claims being the employees' preferential element for arrears of pay, unpaid pension contributions and holiday pay as calculated in accordance with legislation amount to £25,412.73. It is anticipated that preferential creditors will receive a distribution in part only.

Outcome for the unsecured creditors

Based on the assumptions made in the estimated outcome statement it is currently anticipated that there will be insufficient funds available to make a distribution to unsecured creditors with the exception of a possible distribution from the prescribed part fund.

Prescribed Part

The prescribed part is a carve out of funds available to the holder of a floating charge which is set aside for the unsecured creditors in accordance with Section 176A of the Insolvency Act 1986. The prescribed part only applies where the floating charge was created after 15 September 2003 and the net property available to the floating charge holder exceeds £10,000.

Based on current realisations, the net property is currently £nil therefore the value of the prescribed part fund is £nil.

3. Administrators' remuneration, disbursements, expenses and pre-appointment costs

Administrators' remuneration

Following circulation of the Administrators' proposals the secured and preferential creditors passed a resolution that the Administrators' remuneration should be calculated on the following bases:

		Fee Basis
Statutory reporting obligations (including those in the subsequent liquidation)	£20,000	Fixed Fee
All other actions including (not limited to): Asset realisations, creditor queries, investigations.	10%	Percentage of Debtor Realisations
Agreeing creditor and employee claims, calculation and payment of the preferential and unsecured distributions (**via liquidation**).	10%	Percentage of Distribution

No fees have been drawn to date.

Administrators' disbursements

The Administrators' disbursements are a recharge of actual costs incurred by the Administrators on behalf of the Company. Mileage payments made for expenses relating to the use of private vehicles for business travel, which is directly attributable to the insolvency estate, are paid by FRP Advisory at the HMRC approved mileage rate prevailing at the time the mileage was incurred. Details of disbursements incurred during the period of this report are set out in **Appendix D**.

Administrators' expenses

An estimate of the Administrators' expenses was set out in the Administrators' proposals. I attach at **Appendix F** a statement of expenses that have been incurred during the period covered by this report. It is currently expected that the expenses incurred or anticipated to be incurred are not likely to exceed the details previously provided

Creditors have a right to request further information from the Administrators and further have a right to challenge the Administrators' remuneration and other expenses, which are first disclosed in this report, under the Insolvency (England and Wales) Rules. (For ease of reference these are the expenses incurred in the reporting period as set out in **Appendix F** only). Further details of these rights can be found in the Creditors' Guide to Fees which you can access using the following link https://creditors.frpadvisory.com/info.aspx and select the one for administrations. Alternatively, a hard copy of the relevant guide will be sent to you on request. Please note there is a time limit for requesting information being 21 days following the receipt of this progress report. There is a time limit of 8 weeks following the receipt of this report for a Court application that the remuneration or expenses are excessive.

Appendix A

Statutory Information

FRP Advisory

ECLIPSE DEVELOPMENTS (UK) LIMITED (IN ADMINISTRATION)

COMPANY INFORMATION:

Other trading names:	None
Company number:	04282072
Registered office:	C/O FRP Advisory LLP, Derby House, 12 Winckley Square, Preston, PR1 3JJ
Previous registered office:	Fylde House, Amy Johnson Way, Blackpool, Lancashire, FY4 3RS
Business address:	3 Furness Drive, Poulton Business Park, Poulton-Le-Fylde, FY6 8JS

ADMINISTRATION DETAILS:

Administrator(s):	Lila Thomas & David Acland
Address of Administrator(s):	FRP Advisory LLP Derby House, 12 Winckley Square, Preston, PR1 3JJ
Date of appointment of Administrator(s):	15/09/2017
Court in which administration proceedings were brought:	The High Court of Justice, Manchester District Registry
Court reference number:	2844 of 2017
Appointor details:	Court Application by the Directors of the Company
Previous office holders, if any:	None
Extensions to the initial period of appointment:	The period of Administration has been extended for 12 months with the consent of the Secured and Preferential Creditors.
Date of approval of Administrators' proposals:	20 November 2017

Appendix B

CH Form AM10 Formal Notice of the Progress Report

In accordance with Rule 18.6 of the Insolvency (England & Wales) Rules 2016.

AM10
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	0 4 2 8 2 0 7 2
Company name in full	Eclipse Developments (UK) Limited

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

2 Administrator's name

Full forename(s)	Lila
Surname	Thomas

3 Administrator's address

Building name/number	Derby House
Street	12 Winckley Square
Post town	Preston
County/Region	
Postcode	P R 1 3 J J
Country	

4 Administrator's name ❶

Full forename(s)	David
Surname	Acland

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

5 Administrator's address ❷

Building name/number	Derby House
Street	12 Winckley Square
Post town	Preston
County/Region	
Postcode	P R 1 3 J J
Country	

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

6 Period of progress report

From date	15 09 2018
To date	14 03 2019

7 Progress report

☑ I attach a copy of the progress report

8 Sign and date

Administrator's signature	Signature X X
Signature date	29 03 2019

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	Katy Flynn
Company name	FRP Advisory LLP
Address	Derby House
	12 Winckley Square
Post town	Preston
County/Region	
Postcode	P R 1 3 J J
Country	
DX	
Telephone	01772 440700

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

Eclipse Developments (UK) Limited
(In Administration)
Joint Administrators' Summary of Receipts & Payments

Statement of Affairs £		From 15/09/2018 To 14/03/2019 £	From 15/09/2017 To 14/03/2019 £
	ASSET REALISATIONS		
	Motor Vehicles	NIL	500.00
	Book Debts / Retentions	NIL	25,791.16
	Sundry Refund	NIL	1,281.90
	Cash in hand	NIL	20,838.00
	Cash at Bank	NIL	607.42
	Contribution to Legal Costs	NIL	5,000.00
	Bank Interest Gross	98.09	186.54
	Sundry Refund	NIL	2,068.04
		98.09	56,273.06
	COST OF REALISATIONS		
	Administrators Remuneration - Pre	NIL	20,000.00
	Legal Fees (1)	NIL	900.00
	Legal fees - Pre-Administration	NIL	6,180.00
	Corporation Tax	16.53	16.53
	Mileage	NIL	119.70
	Storage Costs	176.90	795.48
	Statutory Advertising	NIL	84.60
	Insurance of Assets	NIL	165.00
	Bank Charges - Floating	0.40	0.40
		(193.83)	(28,261.71)
		(95.74)	**28,011.35**
	REPRESENTED BY		
	Vat Recoverable - Floating		35.38
	IB Current Floating		27,969.97
	Vat Control Account		6.00
			28,011.35

Lila Thomas
Joint Administrator

Appendix C

A schedule of work

Eclipse Developments (UK) Limited (IN ADMINISTRATION)

Schedule of Work

FRP Advisory

The table below sets out a detailed summary of the work undertaken by the office holder(s) during the reporting period together with an outline of work still to complete.
Where work undertaken results in the realisation of funds (from the sale of assets), there may be a financial benefit to creditors should there be sufficient funds available to make a distribution to one or more class of creditor. In this case work undertaken will include the scrutiny and agreement of creditor claims.

A proportion of the work undertaken by an Insolvency Practitioner is required by statute, including ensuring the appointment is valid, notifications of the appointment to third parties, regular reporting on the progress, notifying statutory bodies where required in relation to the conduct of the directors, complying with relevant legislation and regulatory matters. This may not have a direct financial benefit to creditors but is substantially there to protect creditors and other stakeholders and ensuring they are kept informed of developments.

Note	**Category**			
1	**ADMINISTRATION AND PLANNING** **Work undertaken during the reporting period**		**ADMINISTRATION AND PLANNING** **Future work to be undertaken**	**Fixed Fee**
	General Matters			
	Regularly reviewing the conduct of the case and the case strategy and updating as required by the insolvency practitioners regulatory professional body to ensure all statutory matter are attended to and to ensure the case is progressing.		Periodic reviews will continue for the duration of the appointment.	
	Regulatory Requirements			
	Completion of money laundering risk assessment and take on procedures.			
	Case Management Requirements			
	Setting up and administering of the insolvent estate bank account throughout the duration of the case. Compiling a forecast of the work that has been or is anticipated will be undertaken throughout the duration of the case, circulating this to creditors together with other such documentation as required to enable the			

FRP Advisory

	relevant approving creditors to assess and vote on the fee bases proposed. Arranging for insurance on the assets in the estate. Correspondence with the former advisors to the Company requesting third party information to assist in general enquiries.			
2	**ASSET REALISATION** **Work undertaken during the reporting period**		**ASSET REALISATION** **Future work to be undertaken**	**Percentage of realisations**
	The landlord forfeited the lease prior to the appointment but granted a licence to the Director to access the property and deal with the assets. A sale of the chattel assets completed to a third party pre-appointment and the agents fees were discharged. The net proceeds have been remitted to the Administrator as cash in hand. A sale of an unencumbered motor vehicle completed to a Director for the sum of £500. The sale was completed in line with agents advice and valuation. Debtor collections to date amount to £25,791. A sundry refund has been secured from E.ON in respect of an overpayment in respect of supply to the Company's former trading premises.		Debtors The Company's ledger was made up of invoiced works, retentions and applications for payment with a book value upon appointment of £1,441,315. The majority of the ledger related to the principle contract where according to the Company's records a final balance on the account remained outstanding for the sum of £1,308,656. As previously reported, this account is disputed. The customer, via their legal advisors have yet to agree the final account. They have recently made contact with the Administrators to discuss the position and it is hoped that a settlement can be agreed. Negotiations continue in respect of the principal contract.	

3	**CREDITORS** **Work undertaken during the reporting period**		**CREDITORS** **Future work to be undertaken**	**Percentage of realisations**
	Secured Creditors: Natwest holds a fixed and floating charge debenture over the Company's assets. Based on current anticipated realisations, there will be insufficient funds available for the secured creditor. Employees: Assisting the employees with their redundancy claims and their queries arising in relation to their contracts and entitlements. Liaising with the Redundancy Payments Office. Assets of finance: Liaising with the respective finance companies and arranging for their equipment to be collected. Preferential creditors: All employee claims have now been processed and a preferential claim for the sum of £18,035.25 has been received from the Redundancy Payments Office. There may be nominal claims for employees in their own right. HMRC: Liaising with HMRC and securing their claim in the Administration. Unsecured Creditors: To date the IP is aware of 168 potential creditors. Considerable time has been spent to date liaising and assessing creditor claims particularly those linked to the principal contract where parts of the claim are disputed.		Preferential Creditors: Following completion of the asset realisations a distribution will be paid to preferential creditors. In view of current estimated realisations, any distribution will be nominal. Unsecured Creditors: Should the outcome materially change and sufficient funds become available to make a distribution to the unsecured creditors the Administrators will write to all known creditors to notify of the possibility of a distribution and requested submission of the claims. As required, the Administrators will advertise for claims and adjudicate on them if there are sufficient funds to make a distribution, either agreeing or rejecting, in full or in part. There is a statutory time limit to enable creditors whose claim	

Schedule of Work

4	**INVESTIGATIONS** **Work undertaken during the reporting period**		**INVESTIGATIONS** **Future work to be undertaken**	**Fixed Fee**
	An IP has a duty to review the books and records and other information available to identify the assets that may be available to realise for the benefit of the insolvency estate. All directors of the Company both current and those holding office within 3 years of the insolvency have been asked to complete a questionnaire to assist in preparing the statutory return to the Department of Business Energy and Industrial Strategy ("DBEIS") in accordance with the Company Directors Disqualification Act. Information provided to DBEIS is confidential but can be used to assist DBEIS in identifying conduct that should be investigated further and could result in individuals being disqualified from acting as a director. Our report has been submitted.		None at this stage.	
5	**STATUTORY COMPLIANCE AND REPORTING** **Work undertaken during the reporting period**		**STATUTORY COMPLIANCE AND REPORTING** **Future work to be undertaken**	**Fixed Fee**
	The proposals have been circulated to all known creditors and were deemed approved on 20 November 2017. Separate approval has been received from the secured and preferential in respect of the resolutions regarding pre-appointment fees, Administrators remuneration and disbursements.		To provide a statutory reports to various stakeholders at regular intervals and manage any queries arising therefrom. Copies of these reports are required to be filed at Court and the Registrar of Companies.	

	The case is adequately bonded. Advertised the notice of the office holders appointment as required by statute. The IP is required to establish the existence of any pension schemes and staging dates for auto-enrolment and take appropriate action to notify all relevant parties and appoint independent trustees if required. Progress reports have been produced on 9 April 2018 and 20 September 2018. The Administrators sought consent from the secured and preferential creditors for the extension of the Administration period for a further 12 months to enable us to continue the debt collection exercise.		To place legal advertisements as required by statute which may include formal meetings of creditors and notices to submit claims Dealing with post appointment VAT and or other tax returns as required. To deal with the statutory requirements in order to bring the case to a close and for the office holders(s) to obtain their release from office; this includes preparing final reports for stakeholders, statutory advertising and filing the relevant documentation with the Court and the Registrar of Companies. We will need to apply to Court to obtain the Administrators discharge from liability.	
6	**LEGAL AND LITIGATION** **Work undertaken during the reporting period**		**LEGAL AND LITIGATION** **Future work to be undertaken**	**Fixed Fee**
	Addleshaws who were previously acting on behalf of the Company will continue to assist the Administrators in respect of the principal contract.		Solicitors will be instructed to prepare and submit an application to Court in order for the Administrators to obtain their discharge from liability in due course.	

Appendix D

Details of the Administrators' disbursements for the period and cumulative

Disbursements for the Period	Period £	Cumulative £
Bond		225.00
Postage		182.97
Mileage		64.23
Professional Services	49.93	49.93
Storage	176.90	795.48
Total	**226.83**	**1,317.61**

Appendix E

Receipts and payments account for the period and cumulative

Eclipse Developments (UK) Limited
(In Administration)
Joint Administrators' Summary of Receipts & Payments

Statement of Affairs £		From 15/09/2018 To 14/03/2019 £	From 15/09/2017 To 14/03/2019 £
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		(95.74)	**28,011.35**
	REPRESENTED BY		
	Vat Recoverable - Floating		35.38
	IB Current Floating		27,969.97
	Vat Control Account		6.00
			28,011.35

Lila Thomas
Joint Administrator

Appendix F

Statement of expenses incurred in the Period

Eclipse Developments (UK) Limited - in Administration
Statement of expenses for the period ended
14 March 2019

Expenses	Period to 14 March 2019 £	Cumulative period to 14 March 2019 £
Office Holders' remuneration (Fixed Fee)	-	20,000
Office Holders' remuneration (Percentage)	-	2,579
Office Holders' disbursements	227	1,381
Insurance	-	165
Court Application Costs	-	7,080
Accountancy Fees	-	3,750
Statutory Advertising	-	85
Legal Fees	-	2,500

AM10

Notice of administrator's progress report

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Company name	FRP Advisory LLP
Address	Derby House
	12 Winckley Square
Post town	Preston
County/Region	
Postcode	P R 1 3 J J
Country	
DX	
Telephone	01772 440700

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