

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 0 9 3 1 4 4 7 6

Company name in full Csoma Engineering Limited

→ Filling in this form

Please complete in typescript or in
bold black capitals.

2 Liquidator's name

Full forename(s) Kris Anthony

Surname Wigfield

3 Liquidator's address

Building name/number 3rd Floor, Westfield House

Street 60 Charter Row

Post town Sheffield

County/Region

Postcode S 1 3 F Z

Country

4 Liquidator's name ①

Full forename(s) Joanne Louise

Surname Hammond

① Other liquidator

Use this section to tell us about
another liquidator.

5 Liquidator's address ②

Building name/number 3rd Floor, Westfield House

Street 60 Charter Row

Post town Sheffield

County/Region

Postcode S 1 3 F Z

Country

② Other liquidator

Use this section to tell us about
another liquidator.

LIQ03

Notice of progress report in voluntary winding up

6	Period of progress report											
From date	^d	^d	^m	^m	^y	^y	^y	^y				
	2	8	1	0	2	0	2	1				
To date	^d	^d	^m	^m	^y	^y	^y	^y				
	2	7	1	0	2	0	2	2				
7	Progress report											
<input checked="" type="checkbox"/> The progress report is attached												
8	Sign and date											
Liquidator's signature	<div>Signature</div> <div> X <div>Wammend</div> X </div>											
Signature date	^d	^d	^m	^m	^y	^y	^y	^y				
	2	0	1	2	2	0	2	2				

**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 **Shannon Jones**

Company name **Begbies Traynor (SY) LLP**

Address **3rd Floor, Westfield House**

60 Charter Row

Post town **Sheffield**

County/Region

Postcode **S 1 3 F Z**

Country

DX

Telephone **0114 2755033**

**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

Csoma Engineering Limited
(In Liquidation)
Joint Liquidators' Summary of Receipts & Payments

Statement of Affairs £		From 28/10/2021 To 27/10/2022 £	From 28/10/2021 To 27/10/2022 £
	ASSET REALISATIONS		
160.00	Cash at Bank	NIL	NIL
	Directors Contributions	4,500.00	4,500.00
		<u>4,500.00</u>	<u>4,500.00</u>
	COST OF REALISATIONS		
	Bank Charges	3.35	3.35
	Disbursements		
	Postage	12.70	12.70
	Specific Bond	20.00	20.00
	Statement of Affairs Fee	3,433.37	3,433.37
	Statutory Advertising		
	Advertising	170.00	170.00
		<u>(3,639.42)</u>	<u>(3,639.42)</u>
	PREFERENTIAL CREDITORS		
(4,500.00)	Employee Claim	NIL	NIL
		<u>NIL</u>	<u>NIL</u>
	SECONDARY PREFERENTIAL CREDITORS		
(4,752.74)	HMRC (VAT)	NIL	NIL
		<u>NIL</u>	<u>NIL</u>
	UNSECURED CREDITORS		
(167.60)	HMRC (CT)	NIL	NIL
(20,000.00)	HSBC (Bounce Back Loan)	NIL	NIL
(475.00)	The Registrar of Companies	NIL	NIL
		<u>NIL</u>	<u>NIL</u>
	DISTRIBUTIONS		
(1.00)	Ordinary Shareholder	NIL	NIL
		<u>NIL</u>	<u>NIL</u>
(29,736.34)		860.58	860.58
	REPRESENTED BY		
	Bank 1 Current		1,250.69
	Post Liquidation Credits		(1,117.32)
	Vat Receivable		727.21
			<u>860.58</u>

Joanne Louise Hammond
Joint Liquidator

Kris Anthony Wigfield and Joanne Louise Hammond were appointed joint liquidators on 28 October 2021

Csoma Engineering Limited

(In Creditors' Voluntary Liquidation) ("the Company")

Progress Report

Period: 28 October 2021 to 27 October 2022

Contents

- ☐ Interpretation
- ☐ Company and liquidators' details
- ☐ Progress since appointment
- ☐ Creditor claims and estimated outcome for creditors
- ☐ Remuneration and expenses
- ☐ Liquidators' expenses
- ☐ Assets that remain to be realised and work that remains to be done
- ☐ Other relevant information
- ☐ Creditors' rights
- ☐ Conclusion
- ☐ Appendices
 - 1. Joint liquidators' account of receipts and payments for the period from 28 October 2021 to 27 October 2022
 - 2. Joint liquidators' time costs and expenses
 - 3. Fees estimate

1. INTERPRETATION

<u>Expression</u>	<u>Meaning</u>
"the Company"	Csoma Engineering Limited (In Creditors' Voluntary Liquidation)
"the liquidation"	The appointment of liquidators on 28 October 2021.
"the liquidators", "we", "our" and "us"	Kris Anthony Wigfield of Begbies Traynor (SY) LLP, 3rd Floor, Westfield House, 60 Charter Row, Sheffield, S1 3FZ and Joanne Louise Hammond of Begbies Traynor (SY) LLP, 3rd Floor, Westfield House, 60 Charter Row, Sheffield, S1 3FZ
"the Act"	The Insolvency Act 1986 (as amended)
"the Rules"	The Insolvency (England & Wales) Rules 2016
"secured creditor" and "unsecured creditor"	Secured creditor, in relation to a company, means a creditor of the company who holds in respect of his debt a security over property of the company, and "unsecured creditor" is to be read accordingly (Section 248(1)(a) of the Act)
"security"	(i) In relation to England and Wales, any mortgage, charge, lien or other security (Section 248(1)(b)(i) of the Act); and (ii) In relation to Scotland, any security (whether heritable or moveable), any floating charge and any right of lien or preference and any right of retention (other than a right of compensation or set off) (Section 248(1)(b)(ii) of the Act)
"preferential creditor"	Any creditor of the Company whose claim is preferential within Sections 386, 387 and Schedule 6 to the Act

2. COMPANY AND LIQUIDATORS' DETAILS

Company registered number:	09314476
Nature of business:	Manufacture of railway locomotives and rolling stock
Former trading address:	85 Hollowfield, Coulby Newham, Middlesbrough, TS8 0RS
Date winding up commenced:	28 October 2021
Names of joint liquidators:	Kris Anthony Wigfield and Joanne Louise Hammond
Date of liquidators' appointment:	28 October 2021
Changes in office holder (if any):	None
Registered office address:	3rd Floor, Westfield House, 60 Charter Row, Sheffield, S1 3FZ

3. PROGRESS SINCE APPOINTMENT

Receipts and Payments

Attached at Appendix 1 is our abstract of receipts and payments for the period from 28 October 2021 to 27 October 2022.

Receipts

Directors Contributions

The Company's director, Mark Csoma, contributed a total of £4,500.00 into the liquidation estate on account of the Joint Liquidators' statement of affairs fee and expenses.

Payments

Specific Bond

A sum of £20.00 has been drawn on account of a statutory bond placed over the liquidation estate.

Statements of Affairs Fee

The Joint Liquidators have drawn £3,433.37 plus VAT on account of their statement of affairs fee.

Disbursements - Postage

Postal charges of £12.70 have been drawn on account of charges relating to issuing correspondence to the Company's creditors and other relevant parties.

Statutory Advertising – Advertising

A sum of £170.00 plus VAT has been paid to EPE Reynell Advertising Limited in relation to the advertisement of the Joint Liquidators appointment being placed in the London Gazette, as required by the Insolvency Act 1986.

Bank Charges

Total charges of £3.35 have been paid to Santander Corporate Banking for holding the funds in the estate bank account since the Joint Liquidators appointment.

What work has been done since appointment, why was that work necessary and what has been the financial benefit (if any) to creditors?

Details of the types of work that generally fall into the headings mentioned below are available on our firm's website - <http://www.begbies-traynorgroup.com/work-details> Under the following headings we have explained the specific work that has been undertaken on this case. Not every piece of work has been described, but we have sought to give a proportionate overview which provides sufficient detail to allow creditors to understand what has been done, why it was necessary and what financial benefit (if any) the work has provided to creditors.

The costs incurred in relation to each heading are set out in the Time Costs Analysis which is attached at Appendix 2.

The details below relate to the work undertaken in the period of the report only.

General case administration and planning

The Joint Liquidators have utilised a specific electronic case diary and standard checklists to ensure statutory deadlines and requirements are being adhered to. A case strategy document has been update to ensure all works to be undertaken throughout the liquidation were administered as planned.

Time has also been spent preparing and issuing standard and statutory letters, in addition to scanning and saving onto our internal systems. This also includes post that has been received at the Liquidators office addressed to the Company.

Periodic case reviews were completed to ensure the case was progressing as deemed necessary. They have been carried out at one, three, and six month intervals.

The above works have not provided a financial benefit to the Company's creditors, however this was necessary to ensure that the liquidation progressed efficiently.

Compliance with the Insolvency Act, Rules and best practice

The Joint Liquidators have prepared and issued statutory notices of their appointment to the Registrar of Companies and to the Company's creditors.

An advertisement of their appointment was also placed in the London Gazette, as required by the Insolvency Act 1986.

Time was also spent opening an estate bank account to safeguard any funds realised in the liquidation.

A statutory bond has been obtained to cover any realisations into the case. Regular reviews of the bond level have been undertaken to ensure that this remains adequate throughout the course of the liquidation.

The above works have not resulted in a financial benefit to the Company's creditors, however the Joint Liquidators have a duty to undertake this work as required by the Insolvency Act 1986 and therefore costs cannot be avoided.

Investigations

The Joint Liquidators have spent time conducting their investigations into the directors' conduct within the Company for the submission of their report to the Department of Business Energy & Industrial Strategy ("DBEIS"). This included the Joint Liquidators completing statutory checklists to ensure that all matters had been investigated, including a review of the Company's bank statements and books and records and a creditor analysis was prepared and analysed.

The Joint Liquidators then submitted their confidential report for the consideration of the DEBIS within the three-month statutory deadline.

Time was then spent requesting further information from the Company's director regarding specific transactions identified in the Company's bank statements. The Joint Liquidators have not received a full response in relation to their queries during this reporting period.

The above works have not resulted in a financial benefit to the Company's creditors however these works are required to establish if the Joint Liquidators have a claim against the Company's director, which may result in realisations for the estate.

Realisation of assets

No time has been spent on this matter.

Dealing with all creditors' claims (including employees), correspondence and distributions

The Joint Liquidators have spent time dealing with creditor correspondence in relation to claims and queries received over the course of the liquidation, this included inputting creditor claims onto our internal systems.

Time was spent uploading the relevant government forms to the Redundancy Payments Service ("RPS") to ensure the director's redundancy claim was submitted. Time was also spent corresponding and providing information to Redundancy Claims UK ("RCUK") who were instructed by the director to assist him with his redundancy claim.

The above works do not provide a direct financial benefit to the Company's creditors. However, it is deemed necessary in order to aid creditor understanding of the liquidation process.

Other matters which includes seeking decisions from creditors (via Deemed Consent Procedure and/or Decision Procedures, tax, litigation, pensions and travel

The Joint Liquidators have conducted online statutory pension searches to determine whether the Company operated a pension scheme.

The Joint Liquidators have spent time reviewing whether any possible terminal loss relief ("TLR") claim could be made to HM Revenue & Customs ("HMRC"). It was identified that the Company had a claim however the Joint Liquidators concluded not to pursue the TLR claim due to the minimal claim amount, as the costs of pursuing the claim would outweigh the financial benefit of the potential realisation.

Time has been spent requesting for the appropriate forms to be sent to HMRC to deregister the Company from VAT.

The above works will not provide a financial benefit to the Company's creditors as the aforementioned works in relation to pensions was required by statute and therefore these costs could not be avoided.

4. CREDITOR CLAIMS AND ESTIMATED OUTCOME FOR CREDITORS

Details of the sums owed to each class of the Company's creditors were provided in the director statement of affairs.

Secured creditors

There are no known secured creditors.

Preferential creditors

Preferential claims of employees for arrears of wages, salary and holiday pay were estimated at £4,500.00.

Secondary preferential creditors

Further to the changes to the Finance Act 2020, HM Revenue & Customs are now able to claim secondary preferential status for certain liabilities. Taxes owed by the business to HMRC comprising of VAT, PAYE Income Tax, Employee National Insurance Contributions, Student loan deductions and Construction Industry Scheme deductions fall under the secondary preferential status.

The secondary preferential claim of HM Revenue & Customs is estimated at £4,752.74.

Unsecured creditors

Unsecured creditors were estimated at £20,642.60.

On the basis of realisations to date and estimated future realisations we estimate an outcome for each class of the Company's creditors as follows:

Secured creditors

There are no known secured claims.

Preferential creditors

Based upon realisations to date and estimated future realisations, it is anticipated that there will be insufficient funds available to enable a dividend to be paid to the preferential creditors.

Secondary preferential creditors

Based upon realisations to date and estimated future realisations, there will be insufficient funds available to enable a dividend to be paid to HM Revenue & Customs as secondary preferential creditor.

Prescribed Part for unsecured creditors pursuant to Section 176A of the Act

Section 176A of the Act provides that, where the company has created a floating charge on or after 15 September 2003, the liquidator must make a prescribed part of the Company's net property available for the unsecured creditors and not distribute it to the floating charge holder except in so far as it exceeds the amount required for the satisfaction of unsecured debts. Net property means the amount which would, were it not for this provision, be available to floating charge holders out of floating charge assets (i.e. after accounting for preferential debts and the costs of realising the floating charge assets). The prescribed part of the Company's net property is calculated by reference to a sliding scale as follows:

- ☐ 50% of the first £10,000 of *net property*;
- ☐ 20% of *net property* thereafter;
- ☐ Up to a maximum amount to be made available of £800,000

A liquidator will not be required to set aside the prescribed part of net property if:

- ☐ the net property is less than £10,000 and the liquidator thinks that the cost of distributing the prescribed part would be disproportionate to the benefit; (Section 176A(3)) or
- ☐ the liquidator applies to the court for an order on the grounds that the cost of distributing the prescribed part would be disproportionate to the benefit and the court orders that the provision shall not apply (Section 176A(5)).

To the best of our knowledge and belief there are no unsatisfied floating charges created on or after 15 September 2003 and, consequently there is no net property and, therefore, no prescribed part available for distribution to the unsecured creditors.

Unsecured creditors

Based upon realisations to date and estimated future realisations it is anticipated there will be insufficient funds available to enable a dividend to be paid to the unsecured creditors.

5. REMUNERATION & EXPENSES

The Joint Liquidators have not at this time drawn any funds on account of our remuneration, nor on account of certain expenses as creditor approval has not previously been sought. Best practice guidance provides that payments to an office holder should be fair and reasonable and reflect the work that has been, and will be, properly carried out. The following proposal represents what we believe is a fair and reasonable fee basis, based on the work which has been carried out to date and the work which is yet to be undertaken.

Accordingly, the Joint Liquidators are seeking approval that their remuneration be fixed by reference to the time properly given by them (as liquidators) and the various grades of their staff calculated at the prevailing hourly charge out rates of Begbies Traynor (SY) LLP for attending to matters arising in the winding up as set out in the fees estimate which appears at Appendix 3. The Joint Liquidators are also seeking approval to draw expenses, including expenses for services provided by their firm and/or entities within the Begbies Traynor group, in accordance with the firm's policy.

Total time spent to date on this assignment amounts to 45.00 hours at an average composite rate of £222.93 per hour resulting in total time costs to date of £10,032.00. A more detailed breakdown of the time spent so far is included at Appendix 2. Please note that this time is included in the fees estimate which appears at Appendix 3.

To assist creditors in determining whether to approve this basis of remuneration as well as our expenses, the following further information is set out at Appendix 2:

- ☐ Begbies Traynor (SY) LLP's charging policy which includes details of our charge-out rates;
- ☐ Time Costs Analysis for the period 28 October 2021 to 27 October 2022

In addition, Appendix 3 contains the following:

- ☐ Details of how the proposed liquidators are seeking to be remunerated;
- ☐ Estimate of expenses.

Work undertaken prior to appointment

In addition to the post appointment time costs detailed in the Time Costs Analysis, the costs relating to work undertaken prior to our appointment in assisting with the preparation of the statement of affairs and seeking the decisions of creditors on the nomination of liquidators were approved by the creditors on 28 October 2021.

Expenses

To 27 October 2022, we have discharged expenses in the sum of £206.05. These are expenses that do not require approval by creditors, unlike those contained in the Charging Policy at Appendix 2.

If you wish to know more about how creditors should determine the liquidators' fees, 'A Creditors Guide to Liquidators' Fees (E&W) 2021' which provides guidance on creditors' rights can be obtained online at www.begbies-traynor.com/creditorsguides. Alternatively, if you require a hard copy of the Guide, please contact my office and we will arrange to send you a copy. In addition, the Association of Business Recovery Professionals (R3) has set up a website that contains a step-by-step guide designed to help creditors navigate their way through an insolvency process. You can access the website at the following address: <http://www.creditorinsolvencyguide.co.uk/>

6. LIQUIDATORS' EXPENSES

A statement of the expenses incurred during the period of this progress report is attached at Appendix 2.

7. ASSETS THAT REMAIN TO BE REALISED AND WORK THAT REMAINS TO BE DONE

As detailed in the director's statement of affairs, the Company held no assets and our enquires to date confirm this to be the case.

What work remains to be done, why is this necessary and what financial benefit (if any) will it provide to creditors?

General case administration and planning

The Joint Liquidators will continue to progress the case, including performing periodic reviews to ensure that deadlines are met and that the case is passed for closure when possible.

The case diary and statutory checklists will continue to be monitored regularly and updated to ensure that all statutory deadlines are adhered to. All statutory documentation will be issued to the relevant parties, when applicable, during the course of the liquidation.

Time will also be spent reviewing and responding to any correspondence received at the liquidators' office in relation to the Company.

There will be no financial benefit to the Company's creditors in relation to the above works, however these works ensure the case progresses efficiently.

Compliance with the Insolvency Act, Rules and best practice

Periodic bond reviews will continue to be carried out, when required, to ensure the case mains adequately bonded.

Time will be spent preparing and submitting this progress report to the Registrar of Companies and creditors, and a final review of the case will be carried out to ensure all works have been completed, with a final report being prepared and submitted once the case is ready for closure.

In addition, banking duties will continue to be carried out to ensure that all receipts and payments are accounted for.

There will be no financial benefit to creditors for the works undertaken in this area, however these works are required by the statue and therefore costs cannot be avoided.

Investigations

The Joint Liquidators' will continue to correspond with the director with regards to the transactions identified within the Company's bank statements, and will endeavour to receive a response from the director, with a view of realising funds for the estate. The Joint Liquidators' may seek legal advice in this regard.

Depending on the quantum of any possible claim there may be a benefit for unsecured creditors.

Realisation of assets

No time is anticipated to be spent on this matter.

Dealing with all creditors' claims (including employees), correspondence and distributions

The Joint Liquidators will continue to liaise with the Company's creditors, as and when required, by way of verbal and written communications with regard to any queries they may have in relation to their claims or specific case queries.

Time was also spent reviewing and responding to all incoming post regarding the Company received at the Liquidators' office.

The above works will not provide any financial benefit to the Company's creditors, but will ensure that creditors are kept up to date with the liquidation proceedings.

Other matters which includes seeking decisions from creditors (via Deemed Consent Procedure and/or Decision Procedure, tax, litigation, pensions and travel)

The Joint Liquidators will compile their Corporation Tax Returns, if required, and arrange for these to be submitted to HMRC as and when they fall due.

The Joint Liquidators will arrange for the relevant documentation to be sent to HMRC to deregister the Company from VAT and reclaim any VAT to the liquidation estate.

The above works will not provide any financial benefit to creditors, however such work is a statutory requirement which must be adhered to and therefore costs cannot be avoided.

How much will this further work cost?

The Joint Liquidators anticipate that the works detailed above will cost £18,555.00. These works are necessary in order to compete and close the liquidation.

What is the anticipated payment for administering the case in full?

Although we estimate that the cost of the work will be in the region of £18,555.00, due to the fact that there are limited assets, the fees that we will be able to draw will be limited to the amount that is realised for the assets, (less any costs incurred in realising those assets).

At this stage in the liquidation, the Joint Liquidators are unable to estimate the total remuneration drawn as the Joint Liquidators investigations are ongoing, and it is uncertain as to whether any realisations will be achieved.

Expenses

Our estimate of expenses is provided to creditors at Appendix 3

8. OTHER RELEVANT INFORMATION

Use of personal information

Please note that in the course of discharging our statutory duties as liquidators, we may need to access and use personal data, being information from which a living person can be identified. Where this is necessary, we are required to comply with data protection legislation. If you are an individual and you would like further information about your rights in relation to our use of your personal data, you can access the same at <https://www.begbies-traynorgroup.com/privacy-notice>. If you require a hard copy of the information, please do not hesitate to contact us.

9. CREDITORS' RIGHTS

Right to request further information

Pursuant to Rule 18.9 of the Rules, within 21 days of the receipt of this report a secured creditor, or an unsecured creditor with the concurrence of at least 5% in value of the unsecured creditors, including that creditor, (or an unsecured creditor with less than 5% in value of the unsecured creditors, but with the permission of the court) may request in writing that we provide further information about our remuneration or expenses which have been incurred during the period of this progress report.

Right to make an application to court

Pursuant to Rule 18.34 of the Rules, any secured creditor or any unsecured creditor with the concurrence of at least 10% in value of the unsecured creditors including that creditor, (or any unsecured creditors with less than 10% in value of the unsecured creditors, but with the permission of the court) may, within 8 weeks of receipt of this progress report, make an application to court on the grounds that the remuneration charged or the expenses incurred during the period of this progress report are excessive or, the basis fixed for our remuneration is inappropriate.

10. CONCLUSION

Accompanying this report is a notice providing further information about the decisions being sought by correspondence together with a Voting Form. Please complete and return this form to our office by no later than 17 January 2023 together with proof of your debt (unless a proof has already been submitted) or your vote will be disregarded as will any Voting Forms returned after this date.

Should any creditor require further explanation of matters contained within the report, they should contact our office and speak in the first instance to the case manager who will be pleased to assist.

Our next report will follow the second anniversary of the liquidation or at the conclusion of the winding up, whichever is the sooner.



Joanne Louise Hammond
Joint Liquidator

Dated: 20 December 2022

JOINT LIQUIDATORS' ACCOUNT OF RECEIPTS
AND PAYMENTS FOR THE PERIOD FROM 28
OCTOBER 2021 TO 27 OCTOBER 2022

Csoma Engineering Limited
(In Liquidation)
Joint Liquidators' Summary of Receipts & Payments
To 27/10/2022

S of A £		£	£
	ASSET REALISATIONS		
160.00	Cash at Bank	NIL	
	Directors Contributions	4,500.00	4,500.00
	COST OF REALISATIONS		
	Specific Bond	20.00	
	Statement of Affairs Fee	3,433.37	
	Disbursements		
	Postage	12.70	
	Statutory Advertising		
	Advertising	170.00	
	Bank Charges	3.35	(3,639.42)
	PREFERENTIAL CREDITORS		
(4,500.00)	Employee Claim	NIL	NIL
	SECONDARY PREFERENTIAL CREDITORS		
(4,752.74)	HMRC (VAT)	NIL	NIL
	UNSECURED CREDITORS		
(20,000.00)	HSBC (Bounce Back Loan)	NIL	
(167.60)	HMRC (CT)	NIL	
(475.00)	The Registrar of Companies	NIL	NIL
	DISTRIBUTIONS		
(1.00)	Ordinary Shareholder	NIL	NIL
(29,736.34)			860.58
	REPRESENTED BY		
	Vat Receivable		727.21
	Bank 1 Current		1,250.69
	Post Liquidation Credits		(1,117.32)
			860.58

JOINT LIQUIDATORS' COSTS AND EXPENSES

- a. Begbies Traynor (SY) LLP's charging policy;
- b. Time Costs Analysis for the period from 28 October 2021 to 27 October 2022.

BEGBIES TRAYNOR CHARGING POLICY

INTRODUCTION

This policy applies where a licensed insolvency practitioner in the firm is acting as an office holder of an insolvent estate and seeks creditor approval to draw remuneration on the basis of the time properly spent in dealing with the case. It also applies where further information is to be provided to creditors regarding the office holder's fees following the creditors' decision being made for the office holder to be remunerated on a time cost basis. Best practice guidance* requires that such information should be disclosed to those who are responsible for approving the basis of an office holder's remuneration. Within our fee estimate creditors can see how we propose to be remunerated.

In addition, this policy applies where creditor approval is sought to make a separate charge by way of expenses or disbursements to recover the cost of facilities provided by the firm. Best practice guidance* indicates that such charges should be disclosed to those who are responsible for approving the basis of the office holder's remuneration, together with an explanation of how those charges are calculated.

OFFICE HOLDER'S FEES IN RESPECT OF THE ADMINISTRATION OF INSOLVENT ESTATES

The office holder has overall responsibility for the administration of the estate. He/she will delegate tasks to members of their staff. Such delegation assists the office holder as it allows him/her to deal with the more complex aspects of the case and ensures that work is being carried out at the appropriate level. There are various levels of staff that are employed by the office holder and these appear below.

The firm operates a time recording system which allows staff working on the case along with the office holder to allocate their time to the case. The time is recorded in 6 minute units at the individual's hourly rate in force at that time which is detailed below.

EXPENSES INCURRED BY OFFICE HOLDERS IN RESPECT OF THE ADMINISTRATION OF INSOLVENT ESTATES

Expenses are payments from the estate which are neither an office holder's remuneration nor a distribution to a creditor or a member. Expenses also include disbursements, which are expenses that are initially paid by the office holder's own firm, but which are subsequently reimbursed from the estate when funds are available.

Best practice guidance classifies expenses into two broad categories:

- ❑ *Category 1 expenses (approval not required)* - Specific expenditure that is directly related to the case and referable to an independent external supplier's invoice. All such items are charged to the case as they are incurred.
- ❑ *Category 2 expenses (approval required)* - Items of expenditure that are directly related to the case and either:
 - (i) include an element of shared or allocated cost and are based on a reasonable method of calculation, but which are not payable to an independent third party; or
 - (ii) are items of expenditure which are payable to an associate of the office holder and/or their firm.

* Statement of Insolvency Practice 9, (SIP9) – Payments to Insolvency office holders and their associates from an estate

Shared or allocated costs (pursuant to (i) above)

The following expenses include an element of shared or allocated cost and are charged to the case (subject to approval).

- ☐ Internal meeting room usage for the purpose of physical meetings of creditors is charged at the rate of £100;per meeting;
- ☐ Car mileage which is charged at the rate of 45 pence per mile.

General Office Overheads.

The following items of expenditure will normally be treated as general office overheads and will not be charged to the case although a charge may be made where the precise cost to the case can be determined because the item satisfies the test of a *Category 1 expense*:

- ☐ Telephone and facsimile
- ☐ Printing and photocopying
- ☐ Stationery

BEGBIES TRAYNOR CHARGE-OUT RATES

Begbies Traynor is a national firm. The rates charged by the various grades of staff that may work on a case are set nationally, but vary to suit local market conditions. The rates applying to the Sheffield office as at the date of this report are as follows:

Grade of staff	Charge-out rate (£ per hour)
	1 January 2022 until further notice
Partner	545
Director	490
Senior Manager	435
Manager	380
Assistant Manager	275
Senior Administrator	240
Administrator	195
Junior Administrator	155
Cashier	155
Secretarial	155

Time spent by support staff such as secretarial, administrative and cashiering staff is charged directly to cases. It is not carried as an overhead.

As detailed above, time is recorded in 6 minute units.

* Statement of Insolvency Practice 9, (SIP9) – Payments to Insolvency office holders and their associates from an estate

SIP9 Csoma Engineering Limited - Creditors Voluntary Liquidation - 91CS035.CVL : Time Costs Analysis From 28/10/2021 To 27/10/2022

Staff Grade		Consultant/Partner	Director	Snr Mngr	Mngr	Asst Mngr	Snr Admin	Admin	Jnr Admin	Support	Total Hours	Time Cost £	Average hourly rate £
General Case Administration and Planning	Case planning	0.2	0.5					1.5	0.1		2.3	651.00	283.04
	Administration	1.5	1.2		1.0	0.2	0.1	1.9	8.8		14.7	3,499.50	238.06
	Total for General Case Administration and Planning:	1.7	1.7		1.0	0.2	0.1	3.4	8.9		17.0	4,150.50	244.15
Compliance with the Insolvency Act, Rules and best practice	Appointment								3.1		3.1	434.00	140.00
	Banking and Bonding	0.1			0.6	0.2		0.7	0.4	2.0	4.0	826.00	207.00
	Case Closure												0.00
	Statutory reporting and statement of affairs							0.2			0.2	37.50	185.00
	Total for Compliance with the Insolvency Act, Rules and best practice:	0.1			0.6	0.2		0.9	3.5	2.0	7.3	1,299.00	177.95
Investigations	CDDA and investigations	1.4	0.6			0.2		6.6	8.5		17.3	3,692.50	213.44
	Total for Investigations:	1.4	0.6			0.2		6.6	8.5		17.3	3,692.50	213.44
Realisation of assets	Debt collection												0.00
	Property, business and asset sales												0.00
	Retention of Title/Third party assets												0.00
	Total for Realisation of assets:												0.00
Trading	Trading												0.00
	Total for Trading:												0.00
Dealing with all creditors claims (including employees), correspondence and distributions	Secured												0.00
	Others				0.1			1.0			1.1	233.00	211.82
	Creditors committee												0.00
	Total for Dealing with all creditors claims (including employees), correspondence and distributions:				0.1			1.0			1.1	233.00	211.82
Other matters which includes meetings, tax, litigation, pensions and travel	Seeking decisions of creditors												0.00
	Meetings												0.00
	Other							0.2			0.2	35.00	175.00
	Tax		0.1		1.0			1.0			2.1	622.00	296.19
	Litigation												0.00
	Total for Other matters:		0.1		1.0			1.2			2.3	657.00	285.65
	Total hours by staff grade:	3.2	2.4		2.7	0.6	0.1	13.1	20.9	2.0	45.0		
	Total time cost by staff grade £:	1,714.00	1,167.00		1,006.50	165.00	22.50	2,504.50	3,140.50	310.00		10,032.00	
	Average hourly rate £:	535.63	486.25	0.00	373.52	275.00	225.00	191.18	150.26	155.00			222.93
	Total fees drawn to date £:											0.00	

STATEMENT OF EXPENSES

Type of expense	Name of party with whom expense incurred	Amount incurred £	Amount discharged £	Balance (to be discharged) £
Expenses incurred with entities not within the Begbies Traynor Group				
Statutory advertising	EPE Reynell Advertising Limited	170.00	170.00	-
Postage	Postworks UK	14.61	12.70	1.91
Specific Bond	Aon UK Limited	20.00	20.00	-
Bank charges	Santander Corporate Banking	3.35	3.35	

EXPENSES ANTICIPATED FOR FUTURE WORK

Expenses anticipated to be incurred prior to closure of the case	Name of party with whom expense anticipated to be incurred	Amount estimated to cost £
Postage	Postworks UK	8.50
Legal fees	Irwin Mitchell	1,000.00 plus VAT
Bank Charges	Santander Corporate Banking	5.00

PROPOSAL FOR JOINT LIQUIDATORS' REMUNERATION

- a. A fees estimate;
- b. Details of the expenses that we consider will be or are likely to be incurred.

CSOMA ENGINEERING LIMITED

THE LIQUIDATORS' FEES ESTIMATE

Further to our appointment as liquidators, we are seeking to be remunerated on a time costs basis. Details of our firm's hourly charge-out rates are set out in the charging policy which accompanies this estimate. Prior to creditors determining the basis upon which we are to be remunerated, we are obliged to produce a fees estimate and to provide it to each creditor of whose details we are aware so that it can be approved at the same time as the basis of our remuneration.

Our fees estimate for the liquidation is set out below. Please note that blended hourly rates have been used which take account of the various levels of staff that are likely to undertake each area of work. These can be seen in the average hourly rate column.

Details of the work that the liquidators and their staff propose to undertake	Hours	Time cost £	Average hourly rate £
General case administration and planning	26.40	6,188.00	234.39
Compliance with the Insolvency Act, Rules and best practice	24.20	4,509.00	186.32
Investigations	27.50	5,957.50	216.64
Realisation of assets	0.00	0.00	0.00
Trading	0.00	0.00	0.00
Dealing with all creditors' claims (including employees), correspondence and distributions	2.40	540.50	225.21
Other matters which include seeking decisions from creditors via Deemed Consent Procedures or Decision Procedures, tax, litigation, pensions and travel	5.00	1,360.00	272.00
Total hours	85.50		
Total time costs		18,555.00	
Overall average hourly rate £			217.02

What is the anticipated payment for administering the case?

Although the fees estimate indicates that the total time costs for this matter will be £18,555.00, we are aware that there are limited assets to realise and so the time costs that we will be able to draw will be limited to the amount that is realised for the assets. At this stage in the liquidation, the Joint Liquidators are unable to estimate the total remuneration drawn as the Joint Liquidators investigations are ongoing, and it is uncertain as to whether any realisations will be achieved.

However, please note that should there be additional or unexpected asset realisations, we will look to draw our fees from those too, limited to the level of the fees estimate that the creditors approve.

Should creditors require further information on how this estimate has been produced this can be obtained from our website at <http://www.begbies-traynorgroup.com/fee-estimates>.

A more detailed explanation of the work that falls into the categories mentioned in the table above can be obtained from our website at <http://www.begbies-traynorgroup.com/work-details>. There is also a case specific explanation within this fee estimate.

Dated: 20 December 2022

CSOMA ENGINEERING LIMITED

DETAILS OF THE EXPENSES THAT THE LIQUIDATORS CONSIDER WILL BE, OR ARE LIKELY TO BE INCURRED

No.	Type of expense	Description	Estimate £
1.	Advertisements	Of appointment, meetings, dividends etc.	170.00 plus VAT
2.	Bond	An Insolvency Practitioner is required to have a bond in place to protect the estate from misappropriation of funds	20.00 plus VAT
3.	Legal fees	The fees of any solicitors and/or barristers instructed to assist the Insolvency Practitioner and their anticipated disbursements	1,000.00 plus VAT
4.	Bank charges	An Insolvency Practitioner is required to operate a separate bank account in relation to the insolvent entity's estate	10.00 plus VAT
5.	Postage	Based on current prices. Relating to the circulation of notices to creditors of the Deemed Consent Procedure, the appointment of Liquidator and a final account.	29.30 plus VAT