In accordance with Rule 18.7 of the Insolvency (England & Wales) Rules 2016 and Sections 92A, 104A and 192 of the Insolvency Act 1986.

# LIQ03 Notice of progress report in voluntary winding up



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	→ Filling in this form Please complete in typescript or in
Company name in full	Csoma Engineering Limited	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 <b>o</b>	
Full forename(s)	Joanne Louise	<b>Other liquidator</b> Use this section to tell us about
Surname	Hammond	another liquidator.
5	Liquidator's address ❷	
Building name/number	3rd Floor, Westfield House	<b>②</b> Other liquidator
Street	60 Charter Row	Use this section to tell us about another liquidator.
Post town	Sheffield	
County/Region		
Postcode	S 1 3 F Z	
Country		

LIQ03 Notice of progress report in voluntary winding up

6	Period of progress report
From date	$\begin{bmatrix} \frac{1}{2} & \frac{1}{8} & \frac{1}{0} & \frac{1}{0} & \frac{1}{2} & $
To date	$\begin{bmatrix} \frac{1}{2} & \frac{1}{7} & \frac{1}{9} & \frac{1}{9} & \frac{1}{2} & \frac{1}{9} & \frac{1}{2} & \frac{1}{3} \end{bmatrix}$
7	Progress report
	☑ The progress report is attached
8	Sign and date
Liquidator's signature	Signature
	× didamneral ×
Signature date	

#### **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.

## **7** 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

From 28/10/2021 To 27/10/2023 £	From 28/10/2022 To 27/10/2023 £		Statement of Affairs £
		ASSET REALISATIONS	
NIL	NIL	Cash at Bank	160.00
4,500.00	NIL	Directors Contributions	
4,500.00	NIL		
		COST OF REALISATIONS	
3.35	NIL	Bank Charges	
		Disbursements	
12.70	NIL	Postage	
20.00	NIL	Specific Bond	
3,433.37	NIL	Statement of Affairs Fee	
		Statutory Advertising	
170.00	NIL	Advertising	
(3,639.42)	NIL		
		PREFERENTIAL CREDITORS	
NIL	NIL	Employee Claim	4,500.00)
NIL	NIL	OF COMPARY PREFERENTIAL ORFRITORS	
N.III	NIII	SECONDARY PREFERENTIAL CREDITORS	4 750 74)
NIL NIL	NIL NIL	HMRC (VAT)	,752.74)
INIL	INIL	UNSECURED CREDITORS	
NIL	NIL	HMRC (CT)	(167.60)
NIL NIL	NIL	HSBC (Bounce Back Loan)	(167.60)
NIL NIL	NIL	The Registrar of Companies	(475.00)
NIL	NIL	The Registral of Companies	(473.00)
INIL	NIL	DISTRIBUTIONS	
NIL	NIL	Ordinary Shareholder	(1.00)
NIL	NIL	Ordinary Griarenoider	(1.00)
860.58	NIL		29,736.34)
4.050.00		REPRESENTED BY	
1,250.69		Bank 1 Current	
(1,117.32) 727.21		Post Liquidation Credits Vat Receivable	
		vai neceivable	
860.58			

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 2022 to 27 October 2023

#### **Contents**

- Interpretation
- Company and liquidators' details
- Progress during the period covered by this report
- 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 2022 to 27 October 2023
  - 2. Joint liquidators' time costs and expenses
  - 3. Fees estimate

#### 1. INTERPRETATION

Expression	Meaning
"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 DURING THE PERIOD COVERED BY THIS REPORT

#### **Receipts and Payments**

Attached at Appendix 1 is our abstract of receipts and payments for the period from 28 October 2022 to 27 October 2023.

No receipts of payments have been made during the period of this report.

What work has been done in the period of this report, 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 - <a href="http://www.begbies-traynorgroup.com/work-details">http://www.begbies-traynorgroup.com/work-details</a> 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. There is an analysis for the period of the report and also an analysis of time spent on the case since the date of our appointment.

The details below relate to the work undertaken in the period of the report only. Our previous report contains details of the work undertaken since our appointment.

#### General case administration and planning

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

Time has also been spent preparing and issuing standard and statutory letters to the relevant stakeholders. In addition, all post addressed to the Company which has been received to the Joint Liquidators office has been saved onto their internal systems and dealt with in the most appropriate manner.

Periodic case reviews have been completed to ensure the case was progressing as deemed necessary, and to ensure any outstanding tasks were raised and completed in a timely manner. These reviews have been carried out at six monthly intervals. Furthermore, the outstanding case matters have been reviewed by various staff grades between the completion of the case reviews.

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

Periodic bond reviews have been undertaken to ensure the protection of monies realised in the liquidation, in addition to ensuring that the bond level remains sufficient against the liquidation estate.

In addition, time was spent preparing and issuing the Joint Liquidators first progress report to creditors and the Registrar of Companies.

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 Act and therefore costs could not be avoided.

#### Investigations

Creditors will recall that the Joint Liquidators spent time conducting their investigations into the director's conduct for the submission of their report to the Department of Business Energy & Industrial Strategy ("DBEIS").

As creditors are aware, the Joint Liquidators identified various transactions within the Company's bank statements and during the period of this report the Joint Liquidators have continued to query these transactions with the director.

However, due to the director's lack of cooperation the Joint Liquidators instructed Forbes Solicitors LLP ("Forbes") to assist them with assessing their claim against the director and issue correspondence on the Joint Liquidators' behalf.

The above works have not resulted in a financial benefit for the Company's creditors however the Joint Liquidators have a statutory duty to undertake investigatory works and therefore the associated costs are unavoidable.

#### Realisation of assets

No time has been spent on this matter during the period of this report.

#### 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 during this reporting period.

The above works have not provided a 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 include seeking decisions from creditors (via Deemed Consent Procedure and/or Decision Procedures, tax, litigation, pensions and travel

Time was spent circulating the Joint Liquidators' first progress report to creditors, inclusive of a fee estimate, and issuing a voting form requesting approval from creditors in respect of the Joint Liquidators' remuneration and expenses.

The above works have not provided a financial benefit to creditors, however was deemed necessary for the Joint Liquidators to obtain approval to draw funds from the estate for their reasonable fees incurred, should any realisations be achieved.

# 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 Ioan 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 creditors.

#### **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 <i>net property</i> ;
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

We 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 obtained. We previously sought to obtain creditor approval in respect of our remuneration on 17 January 2023, however the requisite majority was not achieved. 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, we are seeking approval that our remuneration be fixed by reference to the time properly given by us (as liquidators) and the various grades of our 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. We are also seeking approval to draw expenses, including expenses for services provided by our firm and/or entities within the Begbies Traynor group, in accordance with our firm's policy.

Total time spent to date on this assignment amounts to 30.5 hours at an average composite rate of £214.03 per hour resulting in total time costs to date of £6,528.00. 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 2022 to 27 October 2023.

Please note that details relating to work undertaken in periods covered by previous progress reports can be found in those reports and have not been repeated here. However, a cumulative Time Costs Analysis for the entire period of the liquidation also appears at Appendix 2 so that creditors have a breakdown of all time spent on the matter. Again, the total time spent so far is included in the fees estimate which appears at Appendix 3.

In addition, Appendix 3 contains the following:

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

#### **Expenses**

To 27 October 2023, 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.

#### Why have subcontractors been used?

Forbes were chosen to assist the Joint Liquidators with assessing their claim against the director and issuing correspondence on their behalf. Forbes were chosen based on their extensive knowledge, qualifications and experience in dealing with similar matters.

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 <a href="https://www.begbies-traynor.com/creditorsquides">www.begbies-traynor.com/creditorsquides</a>. 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: <a href="http://www.creditorinsolvencyquide.co.uk/">http://www.creditorinsolvencyquide.co.uk/</a>.

#### LIQUIDATORS' EXPENSES

A statement of the expenses incurred during the period of this progress report is attached at Appendix 2. A cumulative statement showing the total expenses incurred since the date of our appointment also appears at Appendix 2.

#### Expenses actually incurred compared to those that were anticipated

Creditors will recall that we estimated that the expenses of the liquidation would total £1,229.30. That estimate has not been exceeded and we do not expect it to be exceeded if matters progress to conclusion as envisaged.

# 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 tangible assets and our enquires to date confirm this to be correct. However, the statement of affairs showed the Company held £160.00 cash at bank although these funds were offset by the Company's former bankers prior to the Joint Liquidators' appointment.

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 Forbes with regards to the correspondence issued in respect of their claim against the director and transactions identified within the Company's bank statements.

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

#### Realisation of assets

No time is anticipated to be incurred in 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.

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 include 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 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 £26,845.00. 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 £26,845.00, 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). Due to the current uncertainty surrounding future realisations for the case, the Joint Liquidators are unable to provide an estimate of the total amount of remuneration they expect to draw.

However, please note that should there be unexpected asset realisations, we will look to draw our fees from those too, capped at the level that the creditors approve.

#### **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 <a href="https://www.begbies-traynorgroup.com/privacy-notice">https://www.begbies-traynorgroup.com/privacy-notice</a>. 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 the 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 28 December 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 third anniversary of the liquidation or at the conclusion of the winding up, whichever is the sooner.

Disammend

Joanne Louise Hammond Joint Liquidator

Dated: 4 December 2023

# JOINT LIQUIDATORS' ACCOUNT OF RECEIPTS AND PAYMENTS FOR THE PERIOD FROM 28 OCTOBER 2022 TO 27 OCTOBER 2023

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

From 28/10/2021 To 27/10/2023 £	From 28/10/2022 To 27/10/2023 £		Statement of Affairs £
		ASSET REALISATIONS	
NIL	NIL	Cash at Bank	160.00
4,500.00	NIL	Directors Contributions	100.00
4,500.00	NIL	Directors Contributions	
4,000.00	MIL	COST OF REALISATIONS	
3.35	NIL	Bank Charges	
0.00	IVIL	Disbursements	
12.70	NIL	Postage	
20.00	NIL	Specific Bond	
3,433.37	NIL	Statement of Affairs Fee	
0,100.07	ME	Statutory Advertising	
170.00	NIL	Advertising	
(3,639.42)	NIL	Advortising	
(0,000.1_)		PREFERENTIAL CREDITORS	
NIL	NIL	Employee Claim	(4,500.00)
NIL	NIL	Employed claim	(4,000.00)
		SECONDARY PREFERENTIAL CREDITORS	
NIL	NIL	HMRC (VAT)	(4,752.74)
NIL	NIL	,	( .,, ,
		UNSECURED CREDITORS	
NIL	NIL	HMRC (CT)	(167.60)
NIL	NIL	HSBC (Bounce Back Loan)	20,000.00)
NIL	NIL	The Registrar of Companies	(475.00)
NIL	NIL		,
		DISTRIBUTIONS	
NIL	NIL	Ordinary Shareholder	(1.00)
NIL	NIL	·	, ,
860.58	NIL		(29,736.34)
	errore and the second s	REPRESENTED BY	
1,250.69		Bank 1 Current	
(1,117.32)		Post Liquidation Credits	
727.21		Vat Receivable	
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 2022 to 27 October 2023;
- c. Cumulative Time Costs Analysis for the period from 28 October 2021 to 27 October 2023.

#### **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.

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

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

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:

Charge-out rate range (£ per hour) 10 <sup>th</sup> July 2023 until further notice
560-640
415-540
215-300
170

Prior to 10<sup>th</sup> July 2023, the following rates applied:

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

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

Prior to 31st December 2021, the following rates applied:

	Charge-out rate (£ per hour)
Grade of staff	,
Partner	495
Director	445
Senior Manager	395
Manager	345
Assistant Manager	250
Senior Administrator	225
Administrator	175
Junior Administrator	140
Cashier	140
Secretarial	495

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.

<sup>\*</sup> 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 28/10/2022 To 27/10/2023

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		0.1			0.2	0.1				0.4	130.50	326.25
	Administration	1.0	0.4		0.8		0.2	0.5	2.0	0.2	5.1	1,581.50	310.10
	Total for General Case Administration and Planning:	1.0	0.5		0.8	0.2	0.3	0.5	2.0	0.2	5.5	1,712.00	311.27
Compliance with the Insolvency Act, Rules and best	Appointment												0.00
practice	Banking and Bonding	0.3	0.1				0.1	1.2		0.2	1.9	504.00	265.26
	Case Closure												0.00
	Statutory reporting and statement of affairs	0.3						3.0	9.0		12.3	2,143.50	174.27
	Total for Compliance with the Insolvency Act, Rules and best practice:	0.6	0.1				0.1	4.2	9.0	0.2	14.2	2,647.50	186.44
Investigations	CDDA and investigations	0.3	0.2		0.8		0.1	2.0	6.4		9.8	2,009.50	205.05
	Total for Investigations:	0.3	0.2		8.0		0.1	2.0	6.4		9.8	2,009.50	205.05
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),	Secured												0.00
correspondence and distributions	Others												0.00
	Creditors committee												0.00
	Total for Dealing with all creditors claims (including employees), correspondence and distributions:												0.00
Other matters which includes meetings, tax, litigation,	Seeking decisions of creditors								0.9		0.9	139.50	155.00
pensions and travel	Meetings												0.00
	Other												0.00
	Tax							0.1			0.1	19.50	195.00
	Litigation												0.00
	Total for Other matters:							0.1	0.9		1.0	159.00	159.00
	Total hours by staff grade:	1.9	8.0		1.6	0.2	0.5	6.8	18.3	0.4	30.5		
	Total time cost by staff grade £:	1,061.50	420.00		625.50	55.00	132.50	1,326.00	2,845.50	62.00		6,528.00	
	Average hourly rate £:	558.68	525.00	0.00	390.94	275.00	265.00	195.00	155.49	155.00			214.03
	Total fees drawn to date £:											0.00	

#### SIP9 Csoma Engineering Limited - Creditors Voluntary Liquidation - 91CS035.CVL : Time Costs Analysis From 28/10/2021 To 27/10/2023

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	0.6			0.2	0.1	1.5	0.1		2.7	781.50	289.44
	Administration	2.5	1.6		1.8	0.2	0.3	2.4	10.8	0.2	19.8	5,081.00	256.62
	Total for General Case Administration and Planning:	2.7	2.2		1.8	0.4	0.4	3.9	10.9	0.2	22.5	5,862.50	260.56
Compliance with the Insolvency Act, Rules and best	Appointment								3.1		3.1	434.00	140.00
practice	Banking and Bonding	0.4	0.1		0.6	0.2	0.1	1.9	0.4	2.2	5.9	1,332.00	225.76
	Case Closure												0.00
	Statutory reporting and statement of affairs	0.3						3.2	9.0		12.5	2,180.50	174.44
	Total for Compliance with the Insolvency Act, Rules and best practice:	0.7	0.1		0.6	0.2	0.1	5.1	12.5	2.2	21.5	3,946.50	183.56
Investigations	CDDA and investigations	1.7	0.8		0.8	0.2	0.1	8.6	14.9		27.1	5,702.00	210.41
	Total for Investigations:	1.7	0.8		0.8	0.2	0.1	8.6	14.9		27.1	5,702.00	210.41
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),	Secured												0.00
correspondence and distributions	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,	Seeking decisions of creditors								0.9		0.9	139.50	155.00
pensions and travel	Meetings												0.00
	Other							0.2			0.2	35.00	175.00
	Tax		0.1		1.0			1.1			2.2	641.50	291.59
	Litigation												0.00
	Total for Other matters:		0.1		1.0			1.3	0.9		3.3	816.00	247.27
	Total hours by staff grade:	5.1	3.2		4.3	0.8	0.6	19.9	39.2	2.4	75.5		
	Total time cost by staff grade £:	2,775.50	1,587.00		1,634.00	220.00	155.00	3,830.50	5,986.00	372.00		16,560.00	
	Average hourly rate £:	544.22	495.94	0.00	380.00	275.00	258.33	192.49	152.70	155.00			219.34
	Total fees drawn to date £:											0.00	

# STATEMENT OF EXPENSES

No expenses have been incurred during the period of this report.

# **CUMULATIVE STATEMENT OF EXPENSES**

Type of expense	Name of party with whom expense incurred	Amount incurred
	Oxponso mounou	£
Statutory Advertising	EPE Reynell Advertising Limited	170.00
Postage	Postworks	14.61
Specific Bond	Aon UK Limited	20.00
Bank charges	Santander Corporate Banking	3.35

# 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	26.30	6,808.00	258.86
Compliance with the Insolvency Act, Rules and best practice	33.20	7,865.50	236.91
Investigations	40.30	9,997.50	248.08
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	1.80	423.00	235.00
Other matters which include seeking decisions from creditors via Deemed Consent Procedures or Decision Procedures, tax, litigation, pensions and travel	6.40	1,751.00	273.59
Total hours	108.00		_
Total time costs	26,845.00		
Overall average hourly rate £	248.56		

#### What is the anticipated payment for administering the case?

Although the fees estimate indicates that the total time costs for this matter will be £26,845.00, 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. Due to the current uncertainty surrounding future realisations for the case, the Joint Liquidators are unable to provide an estimate of the total amount of remuneration they expect to draw.

However, please note that should there be 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 <a href="http://www.begbies-traynorgroup.com/fee-estimates">http://www.begbies-traynorgroup.com/fee-estimates</a>.

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

Dated: 4 December 2023

#### **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