

Liquidator's Progress Report

S.192

Pursuant to Sections 92A and 104A and 192
of the Insolvency Act 1986

To the Registrar of Companies

Company Number

00089725

Name of Company

Amann UK Limited

± We

Conrad Alexander Pearson, The Lexicon, Mount Street, Manchester, M2 5NT

Patrick Lannagan, The Lexicon, Mount Street, Manchester, M2 5NT

the liquidator(s) of the company attach a copy of ~~my~~ our Progress Report
under section 192 of the Insolvency Act 1986

The Progress Report covers the period from 14/10/2015 to 13/10/2016

Signed



Date

25/11/16

Mazars LLP
The Lexicon
Mount Street
Manchester
M2 5NT

Ref OXLEY2/CAP/PAL/SJP/JZS/AZH/JZB

TUESDAY
WED



A5LRQBOO

A05 13/12/2016 #94
COMPANIES HOUSE

A5KUD942

A05 30/11/2016 #69
COMPANIES HOUSE

AMANN UK LIMITED - IN MEMBERS VOLUNTARY LIQUIDATION

Progress Report to Members

This is the Liquidators' annual progress report to all known members

1. Statutory information

- 1 1 Tim Askham was appointed Liquidator of the Company at a meeting of members held on 14 October 2010
- 1 2 Mr Askham retired from the partnership of Mazars LLP with effect from 31 August 2016. Mr C A Pearson and Mr P A Lannagan of this firm were appointed in his place by order of the High Court dated 12 September 2016
- 1 3 Mr Pearson is authorised to act as an Insolvency Practitioner in the UK by the Insolvency Practitioners Association. Mr Lannagan is authorised to act as an Insolvency Practitioner in the UK by the Institute of Chartered Accountants in England and Wales
- 1 4 Our address is Mazars LLP, The Lexicon, Mount Street, Manchester, M2 5NT, which is also the registered office of the Company
- 1 5 The Company formerly traded from various premises throughout its trading history and ultimately from Unit 7A Sheene Road, Gorsehill Industrial Estate, Beaumont Leys, Leicester LE4 1BF
- 1 6 The business had formerly traded under the Company's previous registered names of Amann-Donisthorpe UK Ltd and Donisthorpe & Company Ltd. Its registered number is 00089725

2. Details of progress

- 2 1 As previously reported, I advised of one noise-induced hearing loss (NIHL) claim that may involve a short period of liability which falls outside of the known history of Employer's Liability ('EL') cover prior to 31/03/1977 (with Aviva). After failing to establish any EL policies prior to this date, a portion of both damages and costs awards in respect of the uninsured period are the responsibility of the Company. A damages settlement has been awarded to the former employee (see 5.3 below for the details). I am currently in correspondence with the parent company as to whether they are agreeable to discharging the remaining damages and costs awarded to the former employee due to the limited funds left, to enable the closure of the Liquidation.
- 2 2 I further advised in my previous report that the Company had been notified of a further NIHL claim. It transpired that the Company had full EL cover in place with Zurich Insurance plc ('Zurich'), the coordinating insurer for this claim. I am currently waiting for confirmation from DAC Beachcroft Ltd acting on behalf of Zurich to ascertain whether they have no objections to the closure of the Liquidation.
- 2 3 It is the Liquidators' position that Amann Oxley Threads Ltd (now Amann Threads UK Ltd) had already exceeded its obligations ('transferring liabilities') under the terms of the business transfer agreement in respect of contingent liabilities up to the stated cap.

However, the only recourse to any additional consideration from that source relates to note 2.1 above

3. Receipts and payments account

3.1 A summary of receipts and payments covering the period from the 14 October 2015 to 13 October 2016 (together with a summary of receipts and payments from the date of appointment) is attached at Appendix A, which I trust is self-explanatory

4. Outstanding matters

4.1 There are no further assets to be realised

4.2 The only matters preventing the closure of the Liquidation relates to the Insurers confirming that they have no objections to the closure of the Liquidation

5. Liabilities

5.1 Secured Creditors

As previously reported, there are no secured creditors in this matter

5.2 Preferential Creditors

There are no preferential claims as all employees had transferred to Amann Oxley Threads Ltd (now Amann Threads UK Ltd) with the business and assets with effect from 1 January 2009

5.3 Unsecured Creditors

There were no unsecured creditors detailed in the Declaration of Solvency and no additional claims have been received in response to the advert for claims in the London Gazette

As part of the Liquidator's due diligence work in obtaining clearances, a claim for rent arrears was received from the Company's former landlord. This claim was formally rejected and no appeal to Court has been made by the landlord

I am satisfied that all but one of the open NIHL claims are covered in full by EL insurance and claims are being defended by solicitors engaged by the coordinating insurer. As detailed in note 2.1 above, one NIHL claim does involve a short period of liability which falls outside of the known history of EL cover prior to 31/03/1977 (with Aviva)

It was agreed with Aviva that the former employee be awarded £318.07 for damages which represents 3.98% of the estimated claim of £8,000. This amount was apportioned and paid by the following parties -

- £105.25 to be paid by the Company
- £212.82 to be paid by Aviva

I am currently in correspondence with the parent company as to whether they are agreeable to discharging any remaining damages and costs awarded to the former employee to enable the closure of the Liquidation

6. Remuneration and Disbursements

- 6.1 The Liquidators' remuneration was fixed on a time-cost basis, including time incurred up to the date of Liquidation (and in accordance with the joint engagement letter, also concerning Lost Caller Ltd) by Amann Oxley Holdings Ltd. The parent company, Amann Oxley Holdings Ltd has agreed to discharge the combined pre- and post-Liquidation costs for AUK. However, some remuneration of £2,937.50 has been paid from the funds held by the Liquidators.
- 6.2 A summary of the time spent during the period of the report in accordance with SIP9 is attached at Appendix B. This also includes details of the time spent since the commencement of Liquidation. To the date of the anniversary, the Liquidators have incurred total time costs of £33,464.40, representing 240.00 hours at an average hourly rate of £139.43 for both Liquidations. (Time had been recorded jointly for both the Liquidations of Lost Caller Ltd and Amann UK Ltd up to the closure of the former, in December 2011.)
- 6.3 During the period of the report, the Liquidators have incurred time costs of £2,932.20, representing 17.10 hours at an average hourly rate of £171.47. This time relates exclusively to Amann UK Ltd.
- 6.4 Overall, fees of £8,812.50 plus VAT have been billed for this joint engagement and paid to date. Of this sum, fees of £5,875.00 plus VAT has been raised to and paid by the parent company while £2,937.50 plus VAT has been paid from the funds in hand in the Liquidation of Amann UK Ltd.
- 6.5 No further disbursements have been incurred or paid during the period of the report. Overall, disbursements total £1,073.23 for this joint engagement, of which £674.86 are attributable to Amann UK Ltd, as follows:

	Total	Attributable to Amann UK Ltd
	£	£
Specific bond premiums	264.00	132.00
Statutory advertising	453.60	226.80
Company searches	43.57	4.00
Legal fees	300.00	300.00
Courier charges	12.06	12.06
	<u>1,073.23</u>	<u>674.86</u>

All of these disbursements relate to expenses incurred by Mazars LLP and recharged at cost. Amann Oxley Holdings Ltd has agreed to pay the Liquidators' disbursements, in accordance with the engagement letter. However, some disbursements have been paid from the funds held by the Liquidators.

- 6.6 I would advise you that pursuant to rule 4.49E of the Insolvency Rules 1986, a member with concurrence of at least 5% of the total voting rights or a member with permission of the Court, may, within 21 days of receipt of this progress report, ask the Liquidator for further information about the remuneration and expenses set out in this progress report.

67 Additionally, pursuant to rule 4148C of the Insolvency rules 1986, a member with concurrence of at least 10% in value of the total voting rights or a member with the permission of the Court may, within 8 weeks of the receipt of this progress report, apply to the Court on one or more of the following grounds


- the remuneration charged by the Liquidator, or
- the basis fixed for the Liquidator's remuneration, or
- expenses incurred by the Liquidator

is or are in all of the circumstances, excessive or inappropriate

7. Professional advisors

71 No professional advisors have been engaged to assist on this assignment further to those already reported and no further fees have been incurred or paid

I trust that this is sufficient information for your requirements but please do not hesitate to contact me should you need anything further



C A Pearson
Joint Liquidator

Dated 25 November 2016

Authorised to act as an insolvency practitioner in the UK by the Institute of Chartered Accountants in England and Wales and bound by the Insolvency Code of Ethics

**Amann UK Limited
(In Liquidation)
Joint Liquidators' Summary of Receipts & Payments**

Appendix A

Declaration of Solvency £	From 14/10/2015 To 13/10/2016 £	From 14/10/2010 To 13/10/2016 £
	ASSET REALISATIONS	
956,326 00	Amounts owed by group undertakings	956,326 00
	Book debts	2 16
	NNDR Refund	4,342 42
	Sundry Refund	14 06
	Bank Interest Gross	6 59
	Refund of Employer Pension Contribution	324 54
	<u>NIL</u>	<u>961,015 77</u>
	COST OF REALISATIONS	
	Liquidator's Fees	2,937 50
	Liquidator's Disbursements	312 06
	<u>NIL</u>	<u>(3,249 56)</u>
	UNSECURED CREDITORS	
	Trade & Expense Creditors	105 25
	<u>(105 25)</u>	<u>(105 25)</u>
	DISTRIBUTIONS	
	Ordinary Shareholders	956,326 00
	<u>NIL</u>	<u>(956,326 00)</u>
<u>956,326.00</u>	<u>(105 25)</u>	<u>1,334 96</u>
	REPRESENTED BY	
	Floating Charge Current	1,334 96
		<u>1,334 96</u>

Analysis of Joint Liquidators' time costs for the period 14/10/2015 to 13/10/2016

Classification of Work Function	Partner	Director	Hours Manager	Administrator	Support	Total Hours	Time Cost £	Av hourly Rate £
2 Admin & Planning	0 00	0 40	0 00	0 40	0 20	1 00	149 60	149 60
5 Realisation of Assets	0 00	0 20	0 20	0 60	0 00	1 00	149 60	149 60
8 Creditors	0 20	3 40	0 00	1 60	0 20	5 40	1,046 40	193 78
9 Reporting	0 90	0 00	0 00	3 70	0 00	4 60	755 20	164 17
11 Cashiering	0 00	0 00	0 10	0 30	0 90	1 30	148 40	114 15
12 Statutory & Compliance	0 00	2 10	0 60	0 90	0 20	3 80	683 00	179 74
Total Hours	1 10	6 10	0 90	7 50	1 50	17 10		
Total Time Costs (£)	348 70	1,384 70	126 00	953 40	119 40		2,932 20	
Av Hourly Rate	317 00	227 00	140 00	127 12	79 60			171 47

Analysis of Joint Liquidators' total time costs to 13/10/2016

Classification of Work Function	Partner	Director	Hours Manager	Administrator	Support	Total Hours	Time Cost £	Av hourly Rate £
2 Admin & Planning	1 80	0 50	2 60	17 10	1 70	23 70	3,255 10	137 35
3 Taxation	0 10	2 20	10 40	8 10	0 00	20 80	2,617 10	125 82
4 Investigations	0 40	0 00	0 00	0 00	0 00	0 40	123 20	308 00
5 Realisation of Assets	1 80	0 50	1 60	40 20	1 00	45 10	6,126 60	135 84
7 Employees	2 70	0 20	0 50	14 30	1 90	19 60	2,877 00	146 79
8 Creditors	2 00	3 40	1 10	8 30	1 30	16 10	2,708 20	168 21
9 Reporting	6 00	0 20	1 50	26 80	0 80	35 30	5,599 70	158 63
10 Distributions	1 80	0 00	0 40	1 70	0 00	3 90	832 50	213 46
11 Cashiering	0 00	0 20	0 70	17 70	2 10	20 70	1,540 50	74 42
12 Statutory & Compliance	8 70	3 40	2 90	31 90	0 20	47 10	7,133 00	151 44
Other	0 00	0 50	0 50	3 40	2 90	7 30	651 50	89 25
Total Hours	25 30	11 10	22 20	169 50	11 90	240 00		
Total Time Costs (£)	7,882 90	2,529 90	3,554 40	18,939 30	557 90		33,464 40	
Av Hourly Rate	311 58	227 92	160 11	111 74	46 88			139 43

Note

Time was recorded jointly for both the Liquidations of Lost Caller Ltd and Amann UK Ltd up to the closure of the former in December 2011

Time spent in dealing with insurance related matters is shown under the 'realisation of assets' classification. These time costs are analysed into the sub-categories below

Subcategory	Partner	Director	Hours Manager	Administrator	Support	Total Hours	Time Cost £	Average Hourly Rate £
Property related matters	0 20	0 00	0 00	0 00	0 30	0 50	73 90	147 80
Debt collection	0 20	0 00	0 20	0 00	0 00	0 40	104 40	261 00
Dealing with other assets	0 00	0 20	1 10	1 30	0 00	2 60	393 60	151 38
Insurance matters	1 40	0 30	0 30	38 90	0 70	41 60	5,440 10	130 77
Realisation of assets	1 80	0 50	1 60	40 20	1 00	45 10	6,126 60	135 84