

TO ALL KNOWN CREDITORS

02 October 2024

Ref: LW/JB/AH/HW/SGPLC01/SSP01

Email: SGPLCcomms@uk.ey.com

Dear Sir/Madam

Saietta Sunderland Plant Limited (in Administration) (“the Company”)

As you will be aware, the above-named Company entered Administration on 4 March 2024 and Daniel Christopher Hurd and I were appointed to act as Joint Administrators.

On 26 April 2024 our Statement of Joint Administrators’ Proposals (“the Proposals”) were approved by creditors by deemed consent. A copy of our Proposals as required by paragraph 49 of Schedule B1 to the Insolvency Act 1986 can be viewed and downloaded from https://www.ey.com/en_uk/administrations/saietta-group-plc-and-saietta-sunderland-plant-limited.

In accordance with Rule 18.18, we must seek a decision from creditors on the basis of our remuneration and payment of pre-Administration costs and category 2 expenses. In this regard, we would refer you to our fee estimate and details of expenses attached dated 2 October 2024.

We intend to seek a decision on this matter by correspondence. Accordingly, I enclose formal notice of the decision procedure and a voting form and notice of claim form. Please would you complete both the voting form and the notice of claim form and return them to me, either by post to Ernst & Young LLP, The Paragon, Counterslip, Bristol, BS1 6BX or by email SGPLCcomms@uk.ey.com, to arrive no later than 23:59 hours on 24 October 2024.

The Insolvency (England and Wales) Rules 2016 require that whenever a decision is sought from creditors, they must also be invited to establish a creditors’ committee if, as in this case, a committee is not already in existence. Accordingly, the attached notice and voting form include a resolution on whether a committee should be formed. In order for a committee to be formed, at least 3 creditors must be willing to serve on the committee and they must give their consent in writing.

If you vote in favour of establishing a committee, please also complete the nomination section of the voting form and, unless you are nominating yourself, include the appropriate written consent(s) to act with your completed voting form. If there are fewer than 3 valid nominations, a committee will not be established. If there are at least 3 and no more than 5 valid nominations, a committee will be formed with the nominated creditors. In the event that there are more than 5 valid nominations, I shall put the nominations to a vote by the general body of creditors.

Should you have any questions please contact Ayse Hassan at this office on SGPLCcomms@uk.ey.com.

Yours faithfully
For the Company



Lucy Winterborne
Joint Administrator

Enc: Notice of decision procedure with voting form
Notice to creditors – invitation to form a creditors committee
Creditors notice of claim for voting purposes
Summary of receipts and payments from 4 March to 1 October 2024

Lucy Winterborne is licensed in the United Kingdom to act as an insolvency practitioner by The Insolvency Practitioners Association in England and Wales. D C Hurd is licensed in the United Kingdom to act as an insolvency practitioner by The Institute of Chartered Accountants in England and Wales. As Insolvency Practitioners, they are bound by the Insolvency Code of Ethics in carrying out all professional work relating to the appointment.

The affairs, business and property of the Company are being managed by the Joint Administrators, L Winterborne and D C Hurd, who act as agents of the Company only and without personal liability.

The Joint Administrators may act as data controllers of personal data as defined by the UK General Data Protection Regulation (as incorporated in the Data Protection Act 2018), depending upon the specific processing activities undertaken. Ernst & Young LLP and/or the Company may act as a data processor on the instructions of the Joint Administrators. Personal data will be kept secure and processed only for matters relating to the Joint Administrator's appointment. The Office Holder Data Privacy Notice can be found at www.ey.com/uk/officeholderprivacy.

Notice to creditors of decision procedure

Rules 3.39(4), 15.8 and 18.18 of the Insolvency (England and Wales) Rules 2016

Name of court:	High Court of Justice, Business and Properties Court, of England and Wales, Insolvency and Companies List (ChD)
Case number:	CR 2024 001342
Registered name of the company:	Saietta Sunderland Plant Limited (in Administration)
Other trading name(s) or style(s) of the company:	None
Any other registered name in the 12 months prior to administration:	N/A
Registered number:	08242130
Registered office address:	c/o Ernst & Young LLP The Paragon Counterslip Bristol BS1 6BX Formerly: Fieldfisher Riverbank House 2 Swan Lane London EC4R 3TT
Principal trading address (if different from above):	Mercantile Road Rainton Bridge Industrial Estate Houghton-le-Spring DH4 5PH
Date on which the company entered administration:	4 March 2024
Date of appointment of Joint Administrators:	4 March 2024
Full names of the administrators:	Lucy Winterborne Daniel Christopher Hurd
Office holder number(s):	21130 / 20030

Details of the joint administrators:

Lucy Winterborne
Ernst & Young LLP
The Paragon
Counterslip
Bristol
BS1 6BX

Daniel Christopher Hurd
Ernst & Young LLP
1 Colmore Square
Birmingham
B4 6HQ

Email: SGPLCcomms@uk.ey.com

Name of alternative person to contact about the Administration: Ayse Hassan

NOTICE IS HEREBY GIVEN that the Joint Administrators of the above-named Company are seeking a decision from creditors by correspondence on the following matter(s):

1. That the Joint Administrators' remuneration be fixed on the basis of time properly given by them and their staff in dealing with matters arising in the Administration as set out in the fee estimate dated 2 October 2024.
2. That, in accordance with the provisions of Rule 3.52 of the Insolvency (England and Wales) Rules 2016, the payment of unpaid pre Administration costs as disclosed in the Joint Administrators' statement of expenses and Proposals to creditors can be met as an expense of the Administration.
3. That the category 2 expenses disclosed in the Joint Administrators' statement of expenses and Proposals are permitted to be drawn by the Joint Administrators.

Rule 3.39(4) of the Insolvency (England and Wales) Rules 2016 provides that at any time when an administrator seeks a decision from creditors and a creditors' committee has not already been formed, creditors must be invited to decide whether to establish a creditors' committee if sufficient creditors are willing to be members of the committee. A formal invitation and nomination form is attached.

Creditors wishing to vote on the basis of remuneration, including any creditors who have opted out of receiving notices but nonetheless wish to vote, must complete and return the attached voting form and claim form, and return them to me by post at Ernst & Young LLP, The Paragon, Counterslip, Bristol, BS1 6BX, or email to SGPLCcomms@uk.ey.com to be received no later than 23:59 hours on 24 October 2024 (**the decision date**). Votes in respect of claim forms received after this time will be disregarded.

Creditors whose debts may be treated as small debts in accordance with Rule 14.31(1) of the Insolvency (England and Wales) Rules 2016 must still deliver a claim form if they wish to vote. A creditor may apply to court to appeal a decision on eligibility to vote in the decision procedure. Any appeal must be made no later than 21 days after **the decision date**.

Creditors who meet the thresholds set out in section 246ZE of the Insolvency Act 1986 namely 10% in value of creditors, 10% in number of creditors or 10 creditors) may, within five business days from the date of delivery of this notice, require a physical meeting to be held to consider the proposed resolution(s).

Signed

A handwritten signature in blue ink, appearing to read 'Lucy Winterborne', with a long horizontal flourish extending to the right.

Lucy Winterborne
Joint Administrator

2 October 2024

Saietta Sunderland Plant Limited (in Administration)

Voting form

Resolutions

1. That the Joint Administrators' remuneration be fixed on the basis of time properly given by them and their staff in dealing with matters arising in the Administration as set out in the fee estimate dated 2 October 2024.

FOR/AGAINST

2. That, in accordance with the provisions of Rule 3.52 of the Insolvency (England and Wales) Rules 2016, the payment of unpaid pre Administration costs as disclosed in the Joint Administrators' statement of expenses dated 2 October 2024 and Proposals to creditors can be met as an expense of the Administration.

FOR/AGAINST

3. That the category 2 expenses disclosed in the Joint Administrators' statement of expenses dated 2 October 2024 and Proposals are permitted to be drawn by the Joint Administrators.

FOR/AGAINST

Signature _____

Name of signatory _____

On behalf of
(name of creditor) _____

Date _____

Notice to creditors – invitation to form a creditors’ committee
Rule 3.39, Insolvency (England and Wales) Rules 2016

Name of court:	High Court of Justice, Business and Properties Court, of England and Wales, Insolvency and Companies List (ChD)
Case number:	CR 2024 001342
Registered name of the company:	Saietta Sunderland Plant Limited (in Administration)
Other trading name(s) or style(s) of the company:	None
Any other registered name in the 12 months prior to administration:	N/A
Registered number:	08242130
Registered office address:	c/o Ernst & Young LLP The Paragon Counterslip Bristol BS1 6BX Formerly: Fieldfisher Riverbank House 2 Swan Lane London EC4R 3TT
Principal trading address (if different from above):	Mercantile Road Rainton Bridge Industrial Estate Houghton-le-Spring DH4 5PH
Date on which the company entered administration:	4 March 2024
Date of appointment of Joint Administrators:	4 March 2024

Details of the Joint Administrators

Lucy Winterborne
Ernst & Young LLP
The Paragon
Counterslip
Bristol
BS1 6BX

Daniel Christopher Hurd
Ernst & Young LLP
1 Colmore Square
Birmingham
B4 6HQ

Email: SGPLCcomms@uk.ey.com

Name of alternative person to contact about the Administration: Ayse Hassan

Invitation to form a creditors' committee

Creditors are invited to decide whether a creditors' committee should be formed if sufficient creditors are willing to be members of the committee. Information on the role of committees can be found at <https://www.r3.org.uk/media/documents/publications/professional/R3-Guide-to-Creditors-Committees.pdf>

To be validly established, a committee must have at least three and not more than five members, who must have agreed to act.

Should you wish to form a committee, please follow the instructions in the nomination form attached to this notice and return the completed nomination form, with written agreements to act where appropriate, to me at the above address to arrive no later than 24 October 2024. Nominations can only be accepted if I am satisfied as to the creditor's eligibility under Rule 17.4 of the Insolvency (England and Wales) Rules 2016.



Signed
Lucy Winterborne
Joint Administrator

2 October 2024

Saietta Sunderland Plant Limited (in Administration)

Nominations for creditors’ committee

You may nominate up to five creditors of the Company. Please note that before a person can act as a member of a creditors’ committee that person must agree to do so.

In the event that more than five valid nominations are received, the five receiving the most votes will be appointed.

When you have completed this form, please return it with the creditor’s written agreement to act (unless you are nominating yourself or your own organisation) to Lucy Winterborne at Ernst & Young LLP, The Paragon, Counterslip, Bristol, BS1 6BX to arrive no later than the closing date stated on the notice of invitation to form a committee.

I nominate:

(Name of creditor)_____ of

(Address)_____

(Name of creditor)_____ of

(Address)_____

(Name of creditor)_____ of

(Address) _____

(Name of
creditor) _____ of

(Address) _____

(Name of
creditor) _____ of

(Address) _____

to be appointed as (a) member(s) of the creditors' committee.

Signature _____

Name of signatory _____

On behalf of
(name of creditor) _____

Date _____

The Insolvency Act 1986 and the Insolvency (England and Wales) Rules 2016

Administration Notice of Claim for Voting Purposes

Saietta Sunderland Plant Limited (in Administration)

Date of Administration: 4 March 2024

PLEASE NOTE: Once completed, this form will be used by the Joint Administrators ONLY for the purposes of voting in a creditors' decision procedure or a requisitioned meeting of creditors. The form will not constitute admission of the claim to rank for dividend in this or any subsequent procedure. For further information see Rules 15.28 to 15.35 of the Insolvency (England and Wales) Rules 2016.

Name of creditor

Address

Amount claimed, after deductions for payments made post-Administration or adjustments for set off (see notes overleaf)

Is the claim preferential or secured?

If secured, value of security

If you have made a retention of title claim against the company please attach details (see over)

Signature on behalf of creditor

Date

File with SGPLCcomms@uk.ey.com

Reviewed by

Notes to Administration Notice of Claim for Voting Purposes:

1. Please attach a detailed statement of your account as at the date on which the Company entered administration.
2. If you have claimed retention of title please provide details, including the value of any payments made, or goods returned, to you in respect of your claim.
3. If your claim is preferential (e.g. for wages, holiday pay or certain pension arrears) or secured please give details and attach supporting documentation.
4. VAT bad debt relief may usually be claimed six months after the date of supply.

Extracts from the Insolvency (England and Wales) Rules 2016:

15.31 Calculation of voting rights

- (1) Votes are calculated according to the amount of each creditor's claim -
 - (a) in an Administration, as at the date on which the Company entered Administration, less -
 - (i) any payments that have been made to the creditor after that date in respect of the claim, and
 - (ii) any adjustment by way of set-off which has been made in accordance with rule 14.24 or would have been made if that rule were applied on the date on which the votes are counted; ...
- (4) Where a debt is wholly secured its value for voting purposes is nil.
- (5) Where a debt is partly secured its value for voting purposes is the value of the unsecured part.
- (6) However, the value of the debt for voting purposes is its full value without deduction of the value of the security in the following cases -
 - (a) where the Administrator has made a statement under paragraph 52(1)(b) of Schedule B1 and the administrator has been requested to seek a decision under paragraph 52(2); ...
- (7) No vote may be cast in respect of a claim more than once on any resolution put to the meeting; and for this purpose (where relevant), the claim of a creditor and of any member State liquidator in relation to the same debt are a single claim.
- (8) A vote cast in a decision procedure which is not a meeting may not be changed.
- (9) Paragraph (7) does not prevent a creditor or member State liquidator from -
 - (a) voting in respect of less than the full value of an entitlement to vote; or
 - (b) casting a vote one way in respect of part of the value of an entitlement and another way in respect of some or all of the balance of that value.

15.32 Calculation of voting rights: special cases

- (1) In an Administration, a creditor under a hire-purchase agreement is entitled to vote in respect of the amount of the debt due and payable by the Company on the date on which the Company entered Administration.
- (2) In calculating the amount of any debt for the purpose of paragraph (1), no account is to be taken of any amount attributable to the exercise of any right under the relevant agreement so far as the right has become exercisable solely by virtue of -
 - (a) the making of an Administration application;
 - (b) a notice of intention to appoint an Administrator or any matter arising as a consequence of the notice; or
 - (c) the Company entering Administration.

Saietta Sunderland Plant Limited (in Administration)

Joint Administrators' Summary of Receipts and Payments

Statement of affairs estimated to realise		04 March 2024 to 01 October 2024	Cumulative totals
N/A	Note		
(£)		(£)	(£)
Receipts			
324,181.04		324,181.04	324,181.04
		2,897.84	2,897.84
1.00		1.00	1.00
		1.00	1.00
		1.00	1.00
		1.00	1.00
		1.00	1.00
		1.00	1.00
1.00		1.00	1.00
		1.00	1.00
<u>324,183.04</u>		<u>327,086.88</u>	<u>327,086.88</u>
Payments			
		9,391.72	9,391.72
		1,150.00	1,150.00
		996.13	996.13
		673.20	673.20
		657.42	657.42
		135.00	135.00
		104.30	104.30
		2.40	2.40
		<u>13,110.17</u>	<u>13,110.17</u>
Balances in hand		<u>313,976.71</u>	<u>313,976.71</u>
Represented by:			
		313,565.81	313,565.81
		27.00	27.00
		383.90	383.90
		<u>313,976.71</u>	<u>313,976.71</u>

Notes

1. Receipts and payments are stated net of VAT
2. All funds are held in interest bearing accounts