

The Insolvency Act 1986

**Administrator's progress report**

Name of Company

AGP Energy and Environmental Limited

Company number

06987637

In the

In the High Court of Justice Manchester District  
Registry

(full name of court)

Court case number

2012 of 2015

(a) Insert full  
name(s) and  
address(es) of  
administrator(s)I, Kevin Lucas  
Lucas Johnson Limited  
32 Stamford Street  
Altrincham  
Cheshire  
WA14 1EY

Administrator of the above company attach a progress report for the period

From

To

(b) Insert date

(b) 17 June 2016

(b) 13 July 2016

Signed

Administrator

Dated

19 July 2016

**Contact Details.**You do not have to give any contact  
information in the box opposite but if  
you do, it will help Companies House to  
contact you if there is a query on the  
formKevin Lucas  
Lucas Johnson Limited  
32 Stamford Street  
Altrincham  
Cheshire  
WA14 1EY

DX Number

0161 929 8666  
DX Exchange

\*A5DK58GW\*

A22 17/08/2016 #61

COMPANIES HOUSE

\*A5CMM2WO\*

A10 03/08/2016 #296

COMPANIES HOUSE

When you have completed and signed this form, please send it to the  
Registrar of Companies at -  
**Companies House, Crown Way, Cardiff CF14 3UZ DX 33050 Cardiff**

# **AGP ENERGY AND ENVIRONMENTAL LIMITED - IN ADMINISTRATION**

**Administrator's Final Progress Report pursuant to Rule 2.47 and Rule 2.110 of the Insolvency Rules 1986 for the period from 17 June 2016 to 13 July 2016**

**AGP ENERGY AND ENVIRONMENTAL LIMITED - IN ADMINISTRATION  
FOR THE PERIOD FROM 17 JUNE 2016 TO 13 JULY 2016**

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**AGP ENERGY AND ENVIRONMENTAL LIMITED - IN ADMINISTRATION  
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**1. STATUTORY INFORMATION**

Name of Administrator	Kevin Lucas
Date of appointment	20 January 2015
Appointed by	Director on behalf of the Company
Court reference number	In the High Court of Justice Manchester District Registry 2012 of 2015
Company name	AGP Energy and Environmental Limited
Registered number	06987637
Date of incorporation	11 August 2009
Any other trading name	N/a
Registered office	32 Stamford Street, Altrincham, Cheshire, WA14 1EY

**2. INTRODUCTION**

- 2.1 Kevin Lucas was appointed Administrator of AGP Energy and Environmental Limited ("the Company") on 20 January 2015 by the Director pursuant to Paragraph 22 of Schedule B1 of the Insolvency Act 1986 ("the Act")
- 2.2 This progress report is the final progress report and covers the period from 17 June 2016 to 13 July 2016 and is issued pursuant to Rule 2.47 and Rule 2.110 of the Insolvency Rules 1986 ("the Rules")
- 2.3 The Administrator's proposals ("the Proposals") were approved by creditors on 12 May 2016
- The Administrator continues to manage the business, affairs and property of the Company in such a manner as he considers expedient with a view to achieving the statutory purposes of the Administration, whilst generally exercising his powers as contained in Schedule 1 of the Act
  - That the Administration is concluded at a time the Administrator sees fit by either
    - making of an application under Paragraph 79 of Schedule B1 of the Act, following which the Administrator requests that the Company be placed into compulsory liquidation and Kevin Lucas may be appointed Liquidator, if he so desires, or

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- filing the necessary returns at Court and the Registrar of Companies to place the company into creditors' voluntary liquidation pursuant to paragraph 83 of Schedule B1 of the Act and that Kevin Lucas be appointed Liquidator, or
- filing the necessary returns at Court and with the Registrar of Companies to dissolve the Company pursuant to paragraph 84 of Schedule B1 of the Act
- The Administrator be discharged from all liability pursuant to paragraph 98 of Schedule B1 of the Act upon the Administration ending or the Administrator's appointment ceasing to have effect
- That the Administrator's remuneration be fixed by reference to the time properly given by him and his staff in attending to matters arising in the Administration and that he be allowed to draw such remuneration as and when funds permit without further recourse to the creditors of the Company
- That the Administrator be authorised to charge and draw Category 2 disbursements as and when funds permit without further recourse to creditors of the Company

**3. PROGRESS OF THE ADMINISTRATION**

- 3 1 The Proposals advised that the Administration was being conducted with a view of achieving the second objective of Administration, namely achieving a better result for the Company's creditors as a whole than would be likely if the Company was wound up (without first being in Administration)

*Asset sale*

- 3 2 As previously advised, a pre packaged sale of the business and assets of the Company took place on 20 January 2015
- 3 3 An Asset Sale Agreement was agreed and signed with AGP Enviro Limited for the sum of £11,500 This was to be paid by way of an initial payment of £2,500 followed by nine deferred consideration payments of £1,000 paid monthly, commencing 1 March 2015
- 3 4 As advised in the previous report to creditors, the deferred consideration payments were in arrears and the administration was extended for these payments to be brought up to date During the period of this report, the director of AGP Enviro Limited has been contacted on a regular basis and requests made for these arrears to be rectified However, the current position shows that the balance of £3,000 still remains to be paid Payments received to date total £8,500
- 3 5 In addition to the consideration as outlined in paragraph 3 5 above, the sale agreement also included 20% of the net proceeds of a disputed debt (after the deduction of purchasers costs incurred) The director has contacted the Administrator and advised that this debt has now been collected, the final figures have been sought, but are yet to be provided
- 3 6 As creditors will be aware a notice was issued on 6 July 2016 informing creditors that the Administrator has sent Form 2 348 to Companies House in order to move the Company from Administration into Voluntary Liquidation prior to the automatic end of the Administration on 19

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July 2016 Therefore, the continued collection of these assets will take place by the Liquidator in the Liquidation

- 3 7 This form was registered on 13 July 2016 and the administration was concluded on this date

*Future Realisations*

- 3 8 The assets which remain to be realised are detailed in paragraphs 3 4 and 3 5 above and will be dealt with by the Liquidator

**4 RECEIPTS AND PAYMENTS ACCOUNT**

- 4 1 A receipts and payments account for the period is attached at Appendix 1

**5. ADMINISTRATOR'S REMUNERATION AND DISBURSEMENTS**

- 5 1 On 12 May 2015, creditors approved the drawing of the Administrator's remuneration to be fixed by reference to the time properly given by him and his staff in attending to matters arising in the Administration and that he be allowed to draw such remuneration as and when funds permit without further recourse to the creditors of the Company
- 5 2 The Administrator's time costs incurred during the period of this report £180 and are shown in more detail in Appendix 2 This represents 0 9 hours at an average hourly rate of £200 and has mainly been spent on realisation of assets
- 5 3 The Administrator's total time costs to date are £9,822 50 and are shown in more detail in Appendix 2 This represents 50 5 hours at an average hourly rate of £194 50 and has mainly been spent on administration and planning, investigations and realisation of assets
- 5 4 The total sum of £ has been drawn in respect of Administrator's remuneration of which the sum of £ has been drawn in the reporting period
- 5 5 Disbursements incurred by the Administrator are split into two categories Category 1 disbursements are items of specific expenditure that are directly related to the case and are usually referable to an independent external supplier's invoice All such items are charged to the case as they are incurred Category 2 disbursements are items of incidental expenditure directly incurred on the case which include an element of shared or allocated cost and which are based on a reasonable method of calculation These have been previously approved by creditors at the meeting of creditors and details of rates can be seen at Appendix 3 Category 2 disbursements incurred during the reporting period can be seen at Appendix 2
- 5 6 To date, the sum of £?? have been drawn in respect of Category 2 disbursements
- 5 7 As required by Statement of Insolvency Practice Number 9, a schedule of the Administrator's charge out rates and disbursement charging policies is shown at Appendix 3
- 5 8 A copy of 'A Creditors' Guide to Administrators' Fees' which provides guidance on creditors' rights on how to approve and monitor a Administrator's remuneration and on how the remuneration is set is available at <http://www.lucasjohnson.co.uk/downloads/fee-guides/>

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Alternatively, if you require a hard copy of the Guide, please contact the Administrator's office accordingly

- 5.9 Under Rule 2.47(1)(fa) of the Rules the Administrator is required to draw creditors' attention to Rule 2.109, which provides that any secured creditor, or any unsecured creditor with either the concurrence of at least 10% in value of the unsecured creditors or the permission of the court, may no later than 8 weeks after receipt of the progress report make an application to the court on the grounds that the remuneration charged by the Administrator, the basis fixed for the Administrator's remuneration, or the expenses incurred by the Administrator, are in the circumstances excessive or inappropriate

**6. ADMINISTRATORS EXPENSES**

- 6.1 Details of the Administrator's expenses paid during the reporting period are shown on the receipts and payments account at Appendix 1. There are also various expenses incurred for which payment has not yet been made. For clarity, all expenses incurred are set out below

Expense Incurred	Name of provider	Amount incurred (£)	Amount discharged (£)	Balance Outstanding (£)
Specific Bond	AUA Insolvency Risk Services	60.00	60.00	-
Parking	Manchester City Council	0.42	0.42	-
Company Searches	Companies House Direct	6.00	6.00	-
Statutory Advertising	London Gazette	152.84	152.84	-
Legal Fees	Myerson Solicitors LLP	2,562.50	2,562.50	-

**7. OTHER MATTERS AND INFORMATION TO ASSIST CREDITORS**

*Outcome for Secured Creditors*

- 7.1 There are no secured creditors in this matter

*Outcome for Preferential Creditors*

- 7.2 There are no preferential creditors in this matter

*Prescribed Part pursuant to Section 176A of the Act*

- 7.3 Under Section 176A of the Act a liquidator is required to set aside a proportion of the realisations for unsecured creditors where there is a secured creditor who holds a qualifying floating charge created on or after 15 September 2003. This is known as the Prescribed Part

- 7.4 As there are no qualifying floating charges registered at Companies House, the Prescribed Part does not apply in this matter

*Outcome for Unsecured Creditors*

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7 5 The Estimated financial position detailed unsecured creditors of £279,355.38. Claims received from unsecured creditors' as at the end of the Administration, total £309,120.01. Of the creditors' claims submitted two of these are higher than provided in the estimated financial position provided with the proposals, however, overall creditors' claims have increased by less than 10% and therefore, there are no material omissions to report.

7 6 There have been insufficient realisations to date to enable a distribution to unsecured creditors. However, future realisations anticipated are likely to result in a distribution being made to unsecured creditors.

7 7 Steps will be taken to agree creditor's claims in the Liquidation proceedings.

*Investigations and Directors' conduct reporting*

7 8 The Administrator has completed his duties under the Company Directors Disqualification Act and submitted a confidential report to the Department of Business, Innovation and Skills.

*Exit*

7 9 Creditors will be aware that the Administrator had filed the Notice to move from Administration to Creditors' Voluntary Liquidation with Companies House. This notice was registered on the 13 July 2016. As a consequence the Company moved to Creditors' Voluntary Liquidation on the same day with the former Administrator acting as Liquidator.

*Statement under Rule 2.48A*

7 10 Within 21 days of receipt of this report, a secured creditor, or an unsecured creditor with the concurrence of at least 5% in value of the unsecured creditors, or with the permission of the court upon an application made within that period of 21 days any unsecured creditor, may request in writing that the Administrator provides further information about remuneration or other expenses, as detailed in the progress report.



Kevin Lucas  
Liquidator

19 July 2016

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**APPENDIX 1 – RECEIPTS AND PAYMENTS ACCOUNT**

**AGP Energy and Environmental Limited**  
**(In Administration)**  
**Administrator's Abstract of Receipts & Payments**

Statement of Affairs		From 17/06/2016 To 13/07/2016	From 20/01/2015 To 13/07/2016
	<b>SECURED ASSETS</b>		
1,000 00	Goodwill	NIL	1,000 00
		NIL	1,000 00
	<b>ASSET REALISATIONS</b>		
1,000 00	Plant/Machinery/Office equipment/MV	NIL	1,000 00
NIL	Stock/WIP	NIL	NIL
8,500 00	Retentions	NIL	6,500 00
Uncertain	Book Debts	NIL	NIL
	Bank Interest Gross	0 22	3 13
8,200 00	Disputed debt	NIL	NIL
	Desposit for Court Fee	NIL	50 00
	Telephone charge - refund	NIL	28 41
		0 22	7,581 54
	<b>COST OF REALISATIONS</b>		
	Specific Bond	NIL	60 00
		NIL	(60 00)
	<b>COSTS OF REALISATION</b>		
	Pre Appointment Administrator's Fees	NIL	2,000 00
		NIL	(2,000 00)
	<b>COST OF REALISATIONS</b>		
	Administrators Expenses	NIL	372 26
	Trf funds to Liquidation	2,511 78	2,511 78
	Pre Appointment Legal Fees	NIL	1,075 00
	Legal fees	NIL	2,562 50
		(2,511 78)	(6,521 54)
	<b>UNSECURED CREDITORS</b>		
(65,770 92)	Trade & Expense Creditors	NIL	NIL
(213,584 46)	HM Revenue & Customs	NIL	NIL
		NIL	NIL
	<b>DISTRIBUTIONS</b>		
(100 00)	Ordinary Shareholders	NIL	NIL
		NIL	NIL
<b>(260,755 38)</b>		<b>(2,511 56)</b>	<b>(0.00)</b>

REPRESENTED BY

NIL

  
Kevin Lucas  
Administrator

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**APPENDIX 2 – SIP 9 TIME ANALYSIS**

# Time Entry - SIP9 Time & Cost Summary

A0024 - AGP Energy and Environmental Limited  
Project Code POST  
To 13/07/2016

Classification of Work Function	Partner	Manager	Other Senior Professionals	Assistants & Support Staff	Total Hours	Time Cost (£)	Average Hourly Rate (£)
Admin & Planning	3 20	5 20	20 20	6 90	35 50	6,427 50	181 06
Case Specific Matters	0 00	0 00	0 00	0 00	0 00	0 00	0 00
Creditors	0 00	0 00	0 20	0 00	0 20	35 00	175 00
Investigations	0 00	0 00	6 50	0 00	6 50	1 147 50	176 54
Pre Appointment	0 00	0 00	0 00	0 00	0 00	0 00	0 00
Realisation of Assets	5 20	1 20	1 90	0 00	8 30	2,212 50	268 57
Trading	0 00	0 00	0 00	0 00	0 00	0 00	0 00
<b>Total Hours</b>	<b>8 40</b>	<b>6 40</b>	<b>28 80</b>	<b>6 90</b>	<b>50 50</b>	<b>9,822 50</b>	<b>194 50</b>
<b>Total Fees Claimed</b>						<b>0 00</b>	
<b>Total Disbursements Claimed</b>						<b>318 26</b>	

# Time Entry - SIP9 Time & Cost Summary

## Category 2 Disbursements

A0024 - AGP Energy and Environmental Limited  
Project Code POST  
To 13/07/2016

Other amounts paid or payable to the office holders firm or to party in which the office holder or his firm or any associate has an interest.

Transaction Date	Type and Purpose	Amount
16/03/2015	Stationery Postage & Stationery	80 00
20/01/2015	Mileage Mileage	4 00
18/01/2016	Photocopying and Stationery Postage and Stationery	80 00
Total		164 00

# **AGP ENERGY AND ENVIRONMENTAL LIMITED - IN ADMINISTRATION FOR THE PERIOD FROM 17 JUNE 2016 TO 13 JULY 2016**

## **APPENDIX 3 – ADMINISTRATOR'S CHARGE OUT RATES AND CATEGORY 2 DISBURSEMENTS**

### **Fee Accrual**

The Office Holder is the general name for the Insolvency Practitioner dealing with the case affairs  
In accordance with the Insolvency Act 1986 and Insolvency Rules 1986, the Office Holder shall charge appropriate fees for dealing with the case affairs

It is usual practice for the agreement of fees to be sought on the basis of time properly incurred in dealing with the case  
However on occasion it is necessary to seek agreement of fees as a fixed percentage of assets realised and/or distributions made, or indeed a defined fixed fee

The precise basis of how fees are to be incurred will be formally given to creditors prior to agreement being sought

The legal agreement and basis upon which post appointment fees are agreed is determined by the relevant category of creditors, details of which are explained within the respective independent creditors' guides to fees  
Unless otherwise advised, fees shall be drawn on account from the case funds as and when realisations allow, subject to agreement

### **Estimation of Fees**

Under the Insolvency Rules 2015, where an Office Holder wishes to seek the agreement of fees on a time costs basis, he is required to give creditors full details of not only what he believes such fees to be, but what works shall be done in relation to those fees

Because it is quite difficult to contemplate what a case will involve before appointment, we have gathered information to work out average time required to complete similar work for this type of appointment  
The fee estimate for time costs has been proposed using average data from this review. This forms the basis of our time costs projection

This forecast is based upon the firm's policy in relation to the projection of fees for this type of insolvency. Calculations have been made using specific details of the case such as the type of realisations, number of creditors and the anticipated duration of the case prior to closure

### **Fees Charged on Fixed Fee Basis**

Fixed fees are per matter. For example correspondence with creditors may be charged at a fixed rate of £50 per creditor per annum, similarly employees, directors, shareholders may all be charged on a fixed cost basis per annum. Any costs shown for these fees should not usually change from that guide provided

### **Fees on a Percentage Basis**

Where it is intended that fees be drawn on a percentage basis, for example the realisation of assets, or the distribution of funds, these fees can only be calculated on the amount of funds to be dealt with. This final fee may therefore be lower than that information provided in our guide or indeed not at all

### **Contingent Fees**

Contingent fees (where applicable) are those which are only payable on the recovery of a windfall and the later distribution to creditors where a dividend can be paid. All contingent fees, whether for the recovery of a windfall or contingent asset are fixed at 20%

All future distributions are to be charged at 10%, irrespective of whether the initial forecast shows a distribution to be payable

### **Fee Basis**

In order to simplify information, the basis for post appointment fee shall simply be referred to as our Fee Policy

### **Staff**

Each member of staff involved with the case will time charge on an individual basis. The hourly cost of each member of

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staff shall be calculated in accordance with their experience and resultant grade within the practice

In view of the complexity of the work involved, it is not practice policy to use sub contractors, however we reserve the right to do so should the case require. Details of any sub contractor used and the reasons why shall be provided within the respective statutory report SIP 9 detail

### **VAT**

Services provided by Insolvency practitioners are subject to VAT, except when acting as Nominee or Supervisor of an estate

Our fees will be subject to VAT at the appropriate rate

Where the case is not registered for VAT, VAT shall be shown as an irrecoverable expense of the estate

### **Disbursements**

Every case dealt with will incur expenses in addition to fees

Expenses will cover a number of areas, such as advertising, insolvency practitioner insurance and legal fees

Where the Office Holder or his firm pays these out of their own funds (e.g. the firm's office account) these will be classed as Disbursements. The Office Holder is required to explain the amount and nature of such disbursements whenever a formal abstract of accounts is produced

Regulations require that we separate category 1 and 2 disbursements for your information. An explanation of which is as follows

#### Category 1 Disbursements

Category 1 disbursements are expenses directly attributable to the case, where exact costs can be ascertained and recharged without profit. These can, but are not limited to, include insolvency bonds, advertising, company searches, post redirection orders, postage, external room hire, external storage as well as public transport and accommodation costs incurred by staff whilst attending to the administration of the estate

#### Category 2 Disbursements

Category 2 disbursements are additional overheads that relate to the estate but are either not directly attributable to it, or the exact cost is not ascertainable and therefore cannot be precisely recharged. These expenses include, inter alia, stationery, photocopying and storage costs

Any authorised category 2 disbursements which have been charged shall be shown in the statutory abstract of accounts

The following are a current schedule of category 2 disbursements which may (\*) be charged by Lucas Johnson

- Mileage shall be recharged at 50pence per mile
- Destruction of boxes shall be recovered as a category 1 expense, and
- Storage of books and records at £30 per box per annum
- Fixed charge for the issue of each circular at £10 per relevant party per annum
- Internal meeting room (where required) charged at £50 per hour or part thereof

(\*) Lucas Johnson does not ordinarily recover all category 2 disbursements, but reserves the right to do so, where such disbursements are substantial and appropriate sanction has been obtained

The following items of expenditure will normally be treated as general office overheads by the Office Holder and will not be charged to the case

- Telephone and facsimile
- Printing and photocopying
- Stationery
- Email addresses or telephone numbers set up and used exclusively for the case
- Destruction of boxes

### **Disclosure of Use of Connected Parties**

Please note that where it is necessary to use the services of an external agent who is associated to the Office Holder's business by way of common directors and/or shareholders, it is advised by law, that this shown as a category 2

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disbursement. Kindly note that no additional profit element will be charged in regard to these services, if applicable. At the effective date of this policy, the Office Holder had no connection with any external agent.

### **Charge Out Rates**

A table of current hourly charge out rates are provided below

Charges for usual cases	(£)
Partner/Director/Consultant	350
Manager/Senior Manager	250-275
Assistant Manager	225
Administrator/Senior Administrator	150-200
Cashier <sup>(#)</sup>	100
Junior and Support Staff	100

A table of hourly charge out rates prior to 31 December 2015 provided below

Charges for usual cases	(£)
Partner/Director/Consultant	300
Manager/Senior Manager	200-250
Assistant Manager	190
Administrator/Senior Administrator	125-175
Cashier <sup>(#)</sup>	75
Junior and Support Staff	75

(#) Please note that time charged by our cashiers relates only to accounting matters relevant to the case

The basis upon which the Office Holder determines the appropriate charge out rate on the complexity of the case is detailed in the respective independent creditors' guides to fees, available to download from our company website or by email from this office.

Further, the Office Holder reserves the right to uplift both the hourly rates and category 2 disbursements periodically without further recourse to the creditors. By law, such increases must be disclosed to creditors within each statutory report.

### **Support Staff**

In an effort to minimise costs to the case, it is necessary to use support staff to undertake certain matters. Support staff time is charged in the same manner as technical staff on the rates outlined above.

### **Recording of Fees**

Time is formally recorded in prescribed categories in units of 6 minutes. All units of time properly spent, shall be recorded on a formal time management system and retained throughout appointment, irrespective of the basis of fees.

### **Reporting of Fees**

All reports and correspondence detailing fees incurred and indeed drawn will provide the legal basis upon which fees have been incurred and from whom sanction was given in relation to those fees.

Such information shall be contained within statutory progress reports and be in the prescribed form. When providing such a report, under existing insolvency regulations, creditors are able to request further and better particulars of fees and disbursements where they believe further explanation is required.

The exact basis of how requisite members and creditors may request such information will be attached with each statutory progress report subsequently issued.

### **Code of Ethics**

I am required to advise you at the earliest opportunity, that I am bound by the Code of Ethics of my regulator ICAEW.