

# LIQ14

## Notice of final account prior to dissolution in CVL



Companies House

For further information, please  
refer to our guidance at  
[www.gov.uk/companieshouse](http://www.gov.uk/companieshouse)

### 1 Company details

Company number 0 7 1 7 6 4 0 1

Company name in full Better Energy Supply Ltd

#### → Filling in this form

Please complete in typescript or in  
bold black capitals.

### 2 Liquidator's name

Full forename(s) Richard

Surname Pinder

### 3 Liquidator's address

Building name/number Leonard Curtis

Street 22 Gander Lane

Barlborough

Post town Chesterfield

County/Region

Postcode S 4 3 4 P Z

Country

### 4 Liquidator's name ①

Full forename(s) Sean

Surname Williams

#### ① Other liquidator

Use this section to tell us about  
another liquidator.

### 5 Liquidator's address ②

Building name/number Leonard Curtis

Street 22 Gander Lane

Barlborough

Post town Chesterfield

County/Region

Postcode S 4 3 4 P Z

Country

#### ② Other liquidator

Use this section to tell us about  
another liquidator.

# LIQ14

## Notice of final account prior to dissolution in CVL

### 6 Liquidator's release

☐ Tick if one or more creditors objected to liquidator's release.

:

### 7 Final account

☒ I attach a copy of the final account.

### 8 Sign and date

Liquidator's signature

Signature

X

R C R L

X

Signature date

<sup>d</sup> 1 <sup>d</sup> 1

<sup>m</sup> 0 <sup>m</sup> 5

<sup>y</sup> 2 <sup>y</sup> 0 <sup>y</sup> 2 <sup>y</sup> 3

**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	Charlie Ottewill
Company name	Leonard Curtis
Address	22 Gander Lane
	Barlborough
	Chesterfield
Post town	
County/Region	
Postcode	S 4 3 4 P Z
Country	
DX	
Telephone	01246 385 775

**Checklist**

**We may return forms completed incorrectly or with information missing.**

**Please make sure you have remembered the following:**

- ☒ The company name and number match the information held on the public Register.
- ☒ You have attached the required documents.
- ☒ You have signed the form.

**Important information**

**All information on this form will appear on the public record.**

**Where to send**

**You may return this form to any Companies House address, however for expediency we advise you to return it to the address below:**

The Registrar of Companies, Companies House,  
Crown Way, Cardiff, Wales, CF14 3UZ.  
DX 33050 Cardiff.

**Further information**

For further information please see the guidance notes on the website at [www.gov.uk/companieshouse](http://www.gov.uk/companieshouse) or email [enquiries@companieshouse.gov.uk](mailto: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](http://www.gov.uk/companieshouse)**



**LEONARD CURTIS**  
BUSINESS RESCUE & RECOVERY

**Better Energy Supply Ltd  
(In Creditors' Voluntary Liquidation)**

**Company Number: 07176401**

**Former Registered Office: 10 Castle Quay Castle Boulevard, Nottingham, NG7 1FW**

**Trading Address: 10 Castle Quay Castle Boulevard, Nottingham, NG7 1FW**

**Joint Liquidators' Final Account  
pursuant to Section 106(1) of the Insolvency Act 1986 (as amended)  
and Rule 18.14 of the Insolvency (England and Wales) Rules 2016**

**15 March 2023**

**Leonard Curtis  
22 Gander Lane, Barlborough,  
Chesterfield S43 4PZ  
Tel: 01246 385 775 Fax: 01246 385 776  
recovery@leonardcurtis.co.uk  
Ref: A/45/CO/BC17L/1010**

**CONTENTS**

- 1 Introduction
- 2 Conduct of the Liquidation
- 3 Receipts and Payments Account
- 4 Outcome for Creditors
- 5 Investigations
- 6 Joint Liquidators' Remuneration, Expenses and Creditors' Rights
- 7 Other Matters

**APPENDICES**

- A Summary of Joint Liquidators' Receipts and Payments from 16 March 2021 to 15 March 2023
- B Summary of Joint Liquidators' Time Costs from 16 March 2022 to 5 March 2023
- C Detailed Narrative of Work Performed by the Joint Liquidators and their Staff in the Period
- D Comparison of Categorised Time Costs from 16 March 2021 to 5 March 2023 with Joint Liquidators' Fees Estimate
- E Comparison of Joint Liquidators' Expenses from 16 March 2021 to 15 March 2023 with Statement of Likely Expenses
- F Leonard Curtis Policy Regarding Fees and Expenses
- G Notice of Final Account Prior To Dissolution
- H Privacy Notice

**TO ALL MEMBERS, CREDITORS AND THE REGISTRAR OF COMPANIES**

**1 INTRODUCTION**

- 1.1 Richard Pinder and Sean Williams were appointed as Joint Administrators of Better Energy Supply Ltd ("the Company") on 13 March 2020. Upon conclusion of the Administration, pursuant to Paragraph 83 of Schedule B1 of the Insolvency Act 1986 (as amended) ("the Act"), Richard Pinder and Sean Williams were subsequently appointed as Joint Liquidators of the Company on 16 March 2021.
- 1.2 Richard Pinder and Sean Williams are authorised to act as insolvency practitioners in the UK by the Institute of Chartered Accountants in England and Wales.
- 1.3 There has been no change in office holder since the date of Liquidation.
- 1.4 Pursuant to Section 106(1) of the Insolvency Act 1986 (as amended) ("the Act") and Rule 18.14 of the Insolvency (England and Wales) Rules 2016 (the Rules"), as the Company's affairs have been fully wound up, the Joint Liquidators now present an account of the winding up, showing how the Liquidation has been conducted and the Company's property disposed of, the outcome for creditors and other information that the Joint Liquidators are required to disclose.
- 1.5 All figures are stated net of VAT.

**2 CONDUCT OF THE LIQUIDATION**

- 2.1 The Company's registered office was changed to Leonard Curtis, 22 Gander Lane, Barlborough, Chesterfield S43 4PZ following the appointment of the Joint Administrators, on 8 April 2020.

**Assets Realised**

**Balance from Administration**

- 2.2 The majority of the Company's assets were realised in the Administration and are detailed in the Joint Administrators' proposals and subsequent reports. A balance of £90,765.33 was transferred from the Administration estate to the Liquidation following the move from Administration to Creditors' Voluntary Liquidation.

**VAT Recoverable from Administration**

- 2.3 The former Joint Administrators submitted a final VAT return relating to the preceding Administration, and it was anticipated that the refund totalling £31,236.14 would be received into the Liquidation estate.
- 2.4 During the period of this report, £31,236.14 has been received from HMRC.

**Sundry Refunds**

- 2.5 During the period of this report, a refund totalling £4.62 has been received with regard to a dividend payment received from an insolvent debtor. Sundry refunds totalling £607.87 have been received during the period of the Liquidation. Of this amount, refunds totalling £603.25 have been received from the Company's former energy suppliers.

**Rates Refund**

- 2.6 As reported in their final report, the former Joint Administrators had been in discussions with their appointed agents, CAPA, regarding potential rates refunds due to the estate.

- 2.7 During the period of this report, CAPA advised that no refund is due to the Company in this regard and, therefore, no realisations have been made from this category of asset.

**Debtors and Prepayments**

- 2.8 As detailed in the Joint Administrators' final report to creditors, following their appointment, the Joint Liquidators continued to pursue PFP Energy Limited ("PFP") for the balance outstanding totalling £2,448.06. Shortly following the Joint Liquidators' appointment LC Legal, the Joint Liquidators' in-house solicitors, were instructed to issue demand letters in respect of the outstanding debt.
- 2.9 The full balance of £2,448.06 was received in July 2021.

**Bank Interest**

- 2.10 An amount of £339.93 has been received during the period in respect of bank interest accrued, also being the total bank interest received during the period of the Liquidation.

**3 RECEIPTS AND PAYMENTS ACCOUNT**

- 3.1 A summary of the Joint Liquidators' final receipts and payments for the entire Liquidation, including details of all receipts and payments for the period from 16 March 2022 to 15 March 2023, is attached at Appendix A.

**4 OUTCOME FOR CREDITORS**

**Secured Creditors**

- 4.1 There are no secured creditors in this instance.

**Preferential Creditors**

- 4.2 As detailed in the Joint Administrators' final report, preferential claims in respect of wages and accrued holiday pay had been calculated at £2,335.78, and a notice of intention to pay a dividend was issued to preferential creditors on 5 March 2021, with the last date for proving being 1 April 2021.
- 4.3 The Joint Liquidators subsequently agreed the preferential dividend at £2,335.78 and declared a 100p in the £ dividend to the preferential creditors on 18 May 2021.

**Prescribed Part**

- 4.4 As the Company has no unsatisfied post-Enterprise Act charges, there is no requirement to set aside a prescribed part in this case.

**Ordinary Unsecured Creditors**

- 4.5 As at the date of Liquidation, there were 69 prospective ordinary unsecured creditors, in accordance with the Company's financial records, with estimated claims totalling £1,483,341.68.

4.6 The table below illustrates the position regarding the claims of the ordinary unsecured creditors:

	<b>As at Date of Liquidation</b>	<b>Claims Admitted</b>
	<b>£</b>	<b>£</b>
Trade and Expense	1,311,314	1,051,379
HMRC	20,626	27,424
ERA Claims	128,575	13,491
Director's Claim	22,827	94,824
	<b>1,483,342</b>	<b>1,187,118</b>

4.7 A first and final dividend of approximately 3.13 pence in the pound was declared on 19 December 2022 in favour of ordinary unsecured creditors with admitted claims. No further dividend will be paid as all funds realised have been distributed or used or allocated for paying the expenses of the Liquidation.

## **5 INVESTIGATIONS**

5.1 As previously reported, following the initial assessment, no detailed investigations were considered to be required by the Joint Liquidators. Nothing further has been brought to the attention of the Joint Liquidators during the period of this report.

## **6 JOINT LIQUIDATORS' REMUNERATION, EXPENSES AND CREDITORS' RIGHTS**

### **Remuneration**

6.1 On 30 June 2021, creditors resolved by way of a decision procedure conducted by a decision by correspondence, that the Joint Liquidators' remuneration be payable by reference to time properly given by them and their staff in attending to matters arising in the Liquidation as set out in the fees estimate dated 15 June 2021 (for an amount totalling £65,341.00). The Joint Liquidators' time costs from 16 March 2022 to 5 March 2023 are £38,203.50, which represents 147.4 hours at an average hourly rate of £259.18. Attached at Appendix B is a time analysis which provides details of the activity costs incurred by staff grade during the period from 16 March 2022 to 5 March 2023. Total time costs from the commencement of the Liquidation amount to £79,341.50. Further unposted time has been incurred in the period subsequent to 5 March 2023 tending to matters relating to the finalisation and closure of the Liquidation, including the drafting of this Final Account.

6.2 At Appendix C is a detailed description of work undertaken in the period, attributable to each category of time costs and an explanation of why it was necessary for that work to be performed.

6.3 At Appendix D is a comparison of categorised time costs incurred from the commencement of the Liquidation to 5 March 2023, and the estimated time costs as per the Joint Liquidators' fees estimate. You will note that the categories of time costs incurred do not generally exceed those as set out in the fees estimate. The areas where significant variance has occurred are in respect of Receipts and Payments, Liabilities and Legal Services.

6.4 When preparing the Fees Estimate no provision was made in respect of the category of Legal Services. Due to the difficulties in finalising the remaining debtor collections, Leonard Curtis Legal ("LC Legal") were instructed to assist to provide their expertise in this regard, and as a result time costs of £1,406.00 have been incurred. It was necessary to incur such time in order to realise the outstanding debtor balance due to the Company.

6.5 Time costs have exceeded the original Fees Estimate by £7,888.50 for the time posted to Receipts and Payments. A significant amount of additional time was spent making enquiries with HMRC regarding the VAT refund, being an amount receivable and claimed relating to the period of the Administration. A significant delay was incurred in



the processing of the VAT refund by HMRC. Periodic dialogue was maintained with HMRC seeking an update in this respect. It is understood that the delay was the result of HMRC applying 'Making Tax Digital' status to the Company. Further time was spent liaising with HMRC concerning the VAT 7 form to ensure the de-registration request has been processed. In addition, liaising with HMRC concerning the submission of the VAT 100, VAT 193 and VAT 426 return has incurred further time than originally anticipated when preparing the Fees Estimate.

- 6.6 Time costs have exceeded the original Fees Estimate by £11,078.00 for the time posted to Liabilities. This is due to a significant amount of time, more than anticipated, having been spent reviewing claims and arranging dividend payments for the unsecured distribution to the unsecured creditors. The nature of the claims received and supporting documents required detailed reviews to be undertaken to ensure that the amounts being claimed were accurate. The majority of creditors are in the energy industry and, as such, time was spent ensuring the consumption reconciliations provided were accurate and in line with the amounts being claimed. In addition, Higson & Co Chartered Accountants ("Higson's") were instructed to review the Company's pre-appointment tax record, and as part of this instruction, Higson's submitted the final outstanding pre-appointment VAT returns. This VAT submission resulted in the removal of a VAT assessment which was applied to HMRC's unsecured claim in the sum of £105,997. After the submission, time was spent liaising with and periodically following up with HMRC in order that their claim reflected the removal of this assessment. The first and final distribution to unsecured creditors consisted of reviewing 37 claims in total including an employee claim. Further time was spent that originally anticipated dealing with general queries in relation to the dividend process and following up with creditors where a claim had been received without supporting evidence.
- 6.7 Fees totalling £65,244.68 have been drawn, £25,144.68 of which has been drawn during the period 16 March 2022 to 15 March 2023. No further fees will be drawn in this matter.

### Expenses

- 6.8 A comparison of the Joint Liquidators' expenses from 16 March 2021 to 15 March 2023 and the Joint Liquidators' statement of likely expenses is attached at Appendix E. To assist creditors' understanding of this information, it has been separated into the following two categories:
- *Standard Expenses*: this category includes expenses payable by virtue of the nature of the liquidation process and / or payable to comply with legal or regulatory requirements.
  - *Case Specific Expenses*: this category includes expenses likely to be payable by the Joint Liquidators in carrying out their duties in dealing with issues arising in this particular liquidation. Included within this category are costs that are directly referable to the liquidation but are not paid to an independent third party (and which may include an element of allocated costs). These are known as 'category 2 expenses' and they may not be drawn without creditor approval.

With effect from 1 April 2021, the Joint Liquidators are also required to disclose to those responsible for approving our remuneration whether any payments we intend to make from an insolvency estate are to associates of Leonard Curtis. Payments to associates are subject to the same level of approval as the office holder's fees and category 2 expenses.

- 6.9 On 30 June 2021, creditors resolved that the Joint Liquidators be authorised to draw category 2 expenses and payments to associates.
- 6.10 You will note that, in general, the nature and value of expenses incurred to date fall within those anticipated within the original statement of expenses. The Joint Liquidators have defrayed Debt Collection fees totalling £4,000.00. In addition, agents' fees totalling £200.00 have been incurred in relation to a pension review and arranging the closure of the pension scheme. Further agents' costs from UKELC have been incurred in the sum of £100.00 in relation to the preparation and submission of the RTI report relating to the unsecured dividend paid to the employee.

6.11 Attached at Appendix F is additional information in relation to the firm's policy on staffing, the use of subcontractors, expenses and details of current charge-out rates by staff grade. Please be aware that the firm's charge out rates have been amended with effect from 1 March 2021.

6.12 Since our last report, the following professional advisors ("PA") and / or subcontractors ("S") have been instructed:

<b>Name of Professional Advisor</b>	<b>PA / S</b>	<b>Service Provided</b>	<b>Basis of Fees</b>
Higson & Co Chartered Accountants ("Higson's")	PA	Assistance provided in relation to reviewing the unsecured claim received by the director	Fixed - £750.00

6.13 Accountancy fees have been incurred in the sum of £750.00 from Higson's for work undertaken reviewing files for the period 2017 to 2020 in order to assist with the unsecured claim received from the director. Higson's assisted the Company with their accounting requirements and therefore have knowledge of the Company's financial and asset position. Payroll records, computerised bookkeeping extracts and financial statements were reviewed to ensure that the amount being claimed by the director was accurate. We believe that the fixed fee of £750.00 is fair and reasonable in light of the work undertaken by Higson's. It is considered that had the Joint Liquidators staff completed the work undertaken, the time costs incurred would be significantly higher and as Higson's already have knowledge of the Company's financial records it was deemed appropriate to outsource this work to them.

6.14 In addition to the above instruction, as reported previously, during the Liquidation the following professional advisors ("PA") and / or subcontractors ("S") have been instructed:

<b>Name of Professional Advisor</b>	<b>PA / S</b>	<b>Service Provided</b>	<b>Basis of Fees</b>
Leonard Curtis Legal ("LC Legal")	PA	Assistance with debtor collection	Time costs

6.15 LC Legal were instructed to provide advice and legal assistance in relation to the outstanding debt due to the Company by PFP, following the issuing of demand letters the remaining balance of £2,448.06 was recovered. LC Legal were instructed due to their legal expertise which was required in this matter. Utilising in-house legal services is deemed to be in the best interests of creditors as the costs of instructing an external firm of Solicitors would be significantly higher.

### **Creditors' Rights**

6.16 Under Rule 18.9 of the Rules, within 21 days of receipt of this report, a secured creditor, or an unsecured creditor with either the concurrence of at least five per cent in value of the unsecured creditors (including the creditor in question), or with the permission of the court, may request in writing that the Joint Liquidators provide further information about their remuneration or expenses which have been itemised in this report.

6.17 Under Rule 18.34 of the Rules, any secured creditor, or any unsecured creditor with either the concurrence of at least 10 per cent in value of the unsecured creditors (including that creditor) or the permission of the court, may within eight weeks of receipt of the progress report that first reports the fee basis, the charging of the remuneration or the incurring of the expenses in question, make an application to court on the grounds that, in all the circumstances, the basis fixed for the Joint Liquidators' remuneration is inappropriate and/or the remuneration charged or the expenses incurred by the Joint Liquidators, as set out in the progress report, are excessive.

6.18 Unless the court orders otherwise, the costs of the application shall be paid by the applicant and are not payable as an expense of the Liquidation.

**7 OTHER MATTER**

**Release from Office**

- 7.1 The Joint Liquidators will have their release from office when they have sent to the Registrar of Companies a copy of the final account and a statement of whether any of the Company's creditors objected to the Joint Liquidators' release. Such an objection to the Joint Liquidators' release must be received within eight weeks from the date of receipt of the notice attached at Appendix G. Please note, all objections should be made in writing and sent to Charlie Ottewill at Leonard Curtis, 22 Gander Lane, Barlborough, Chesterfield, S43 4PZ.
- 7.2 In the event that such an objection is received, the Joint Liquidators will apply to the Secretary of State for their release and their release date will be as determined by the Secretary of State.
- 7.3 For your information, Liquidation: A Guide for Creditors on Insolvency Practitioner Fees. Version 1 April 2021 which sets out the rights of creditors and other interested parties under the insolvency legislation, may be accessed via the following link:
- <https://www.r3.org.uk/technical-library/england-wales/technical-guidance/fees/>
- 7.4 If you would prefer this to be sent to you in hard copy form, please contact Charlie Ottewill of this office on 01246 385 775.
- 7.5 Creditors are also encouraged to visit the following website, which provides a step by step guide designed to help creditors navigate through an insolvency process:
- <http://www.creditorinsolvencyguide.co.uk>
- 7.6 The Joint Liquidators are bound by the Insolvency Code of Ethics, which can be found at:
- <https://www.gov.uk/government/publications/insolvency-practitioner-code-of-ethics>

**Data Protection**

- 7.7 Finally, when submitting details of your claim in the liquidation, you may disclose personal data to the Joint Liquidators. The processing of personal data is regulated in the UK by the General Data Protection Regulation EU 2016/679 as supplemented by the Data Protection Act 2018, together with other laws which relate to privacy and electronic communications. The Joint Liquidators act as Data Controllers in respect of personal data they obtain in relation to this liquidation and are therefore responsible for complying with Data Protection Law in respect of any personal data they process. The Joint Liquidators' privacy notice, which is attached to this report at Appendix H, explains how they process your personal data. Terms used in this clause bear the same meanings as are ascribed to them in Data Protection Law.

Yours faithfully



**RICHARD PINDER**  
**JOINT LIQUIDATOR**

Richard Pinder and Sean Williams are authorised to act as insolvency practitioners in the UK by the Institute of Chartered Accountants in England and Wales under office holder numbers 19470 and 11270, respectively

APPENDIX A

SUMMARY OF JOINT LIQUIDATORS' RECEIPTS AND PAYMENTS FROM 16 MARCH 2021 TO 15 MARCH 2023

	Estimated to realise £	Previous period £	This period £	Cumulative £
<b>RECEIPTS</b>				
Sundry Refunds	-	603.25	4.62	607.87
VAT Recoverable from Administration	31,236.14	-	31,236.14	31,236.14
Debtors	2,448.06	2,448.06	-	2,448.06
Balance from Administration	90,765.33	90,765.33	-	90,765.33
Rates Refunds	n/k	-	-	-
Deposit Interest	-	-	339.93	339.93
	<u>124,449.53</u>	<u>93,816.64</u>	<u>31,580.69</u>	<u>125,397.33</u>
<b>PAYMENTS</b>				
Liquidators' Remuneration		(40,100.00)	(25,144.68)	(65,244.68)
Administrators' Disbursements		(32.14)	-	(32.14)
Administrators' Remuneration		(11,071.50)	-	(11,071.50)
Debt Collection Expenses (relating to the preceding Administration)		(4,000.00)	-	(4,000.00)
Other Professional Fees		(400.00)	(4,350.00)	(4,750.00)
Disbursements CAT1		(341.67)	(183.26)	(524.93)
Disbursements CAT2		(101.00)	(7.00)	(108.00)
Legal Fees		-	(85.00)	(85.00)
Corporation Tax		-	(64.59)	(64.59)
		<u>(56,046.31)</u>	<u>(29,834.53)</u>	<u>(85,880.84)</u>
<b>DISTRIBUTIONS</b>				
Amounts paid to preferential creditors - 100p/£		(2,335.78)	-	(2,335.78)
Amount paid to unsecured creditors – c3.13p/£		-	(37,180.71)	(37,180.71)
		<u>(2,335.78)</u>	<u>(37,180.71)</u>	<u>(39,516.49)</u>
<b>BALANCE IN HAND</b>		<u>35,434.55</u>	<u>(35,434.55)</u>	<u>-</u>

SUMMARY OF JOINT LIQUIDATORS' TIME COSTS FROM 16 MARCH 2022 TO 5 MARCH 2023

	Total Units	Cost £	Average Hourly Rate £
Statutory and Review	104	3,154.50	303.32
Receipts and Payments	292	8,293.50	284.02
Insurance	20	507.00	253.50
Assets	5	163.50	327.00
Liabilities	1,050	26,050.00	248.10
General Administration	3	35.00	116.67
<b>Total</b>	<b>1,474</b>	<b>38,203.50</b>	<b>259.18</b>

All Units are 6 Minutes

## APPENDIX C

### DETAILED NARRATIVE OF WORK PERFORMED BY THE JOINT LIQUIDATORS AND THEIR STAFF IN THE PERIOD

#### Statutory and Review

This category of activity encompasses work undertaken for both statutory and case-management purposes. Whilst this work will not directly result in any monetary value for creditors, it will ensure that the case is managed efficiently and resourced appropriately, which will be of benefit to all creditors. The work carried out under this category during the period of this report to 5 March 2023 comprised the following:

- Case management reviews. These have been carried out periodically throughout the life of the case, including during the period of this report, to ensure the case is progressing as planned. The reviews are also conducted to ensure that statutory and regulatory requirements have been adhered to. As part of the closure process a closure review was carried out to identify the outstanding matters on the case and to thus ensure that any such matters have been tended to and finalised prior to the closure of the Liquidation;
- Regular case review meetings between case administrator and case manager to ensure matters are progressed as planned, and that statutory and regulatory requirements are being adhered to;
- Annual review of Anti-Money Laundering Requirements;
- Review and update schedule of professional advisors engaged during the period of the Liquidation and summarise the work conducted and the rationale for their engagement; and
- Completion of case closure procedures at the end of the case, including the drafting and issue of HMRC case closure clearance letters, the determination of advance storage costs, and removing the case bank account from being interest bearing.

#### Receipts and Payments

This category of work will not result in a direct financial benefit for creditors; however, close monitoring of case bank accounts is essential to ensure that bank interest is maximised where possible, estate expenses are properly managed and kept to a minimum and amounts payable to creditors are identified and distributed promptly. The work carried out under this category during the period of this report to 5 March 2023 comprised the following:

- Review and update the Estimated Outcome Statement ("EOS") to ensure that assets have been realised, and costs and expenses have been paid, as required, in advance of the closure of the Liquidation;
- Review of bank reconciliations;
- Liaising with HMRC with regard to PAYE correspondence received;
- Timely completion of all post-appointment tax and VAT returns;
- Liaising with HMRC concerning the VAT 7 form to ensure the VAT de-registration request has been progressed;
- Liaising with HMRC concerning the submission of the VAT 100, VAT 193, VAT 426 and Corporation tax returns;
- Preparing advanced storage billing instruction; and
- Managing estate expenses.

#### Insurance, Bonding and Pensions

Insolvency Practitioners are obliged to comply with certain statutory requirements when conducting their cases. Some of these requirements are in place to protect Company assets (see insurance and bonding matters below), whilst requirements in respect of Company pension schemes are there to protect the pension funds of Company employees. Whilst there is no direct financial benefit to Company creditors in dealing with these, close control of case expenditure is crucial to delivering maximum returns to the appropriate class of creditor. The work carried out under this category during the period of this report to 5 March 2023 comprised the following:

- Periodic review of bonding requirements to ensure that creditors are appropriately protected. The bond is reviewed upon each large receipt of monies into the case and also at three month intervals in accordance with best practice.

### Assets

The work set out in this category may bring a financial benefit for creditors. This may be a distribution to secured creditors of the Company only (from which a Prescribed Part fund may be set aside for the benefit of unsecured creditors) or may, depending on realisations, costs and the extent of any 3<sup>rd</sup> party security, result in a distribution to the preferential and / or unsecured creditors. The work carried out under this category during the period of this report to 5 March 2023 comprised the following:

- Liaising with HMRC with regard to VAT recoverable from the preceding Administration; and
- Reviewing correspondence with regard to a nominal dividend payment received from a debtor of the Company.

### Liabilities

This category of time includes both statutory and non-statutory matters and will not necessarily bring any financial benefit to creditors generally. The more employees and creditors a company has, the more time and cost will be involved in dealing with those claims. The work carried out under this category during the period of this report to 5 March 2023 comprised the following:

#### *Statutory*

- Reviewing and logging of claims from the Company's unsecured creditors. To date a total of 37 creditor claims have been received from the Company's 69 prospective unsecured creditors, in accordance with the records of the Company. Claims received have been of varying degrees of complexity, a number of claims received relate to energy charges and associated contracts and terms and conditions, with those of a more complex nature having been reviewed by more experienced members of staff as a result of them having a greater degree of experience and knowledge with regard to what claims are admissible for dividend purposes. Furthermore, time was spent liaising with employment agents, UKELC, to discuss an employee unsecured claim and clarify any queries relating to which;
- Preparing claim cover sheets for each unsecured creditor claim to outline the facts of each claim and to record the rationale for admitting, or not admitting, the claims received;
- Preparing and issuing the Notice of Intended Dividend ("NOID") to the unsecured creditors and liaising with them with regards to the details of their claim;
- Following up with creditors subsequent to the issue and advertising of the NOID, in response to queries received;
- Review of Connected Company claims and liaising with the directors as appropriate;
- Liaising with Higson's Accountants with regard to HMRC's claim and the Director's claim;
- Liaising with HMRC in relation to their claim;
- The unsecured dividend was subsequently declared and dividend payments and relevant letters were issued to all unsecured creditors with admitted claims on 19 December 2022;
- Re-issuing dividend payments to unsecured creditors where necessary;
- Preparation, review and submission of the Joint Liquidators' First Annual Progress Report to creditors; and
- Drafting of the Joint Liquidators' Final Account.

#### *Non statutory*

- Dealing with general enquiries from the Company's creditors including trade creditors, HMRC and the employee.

**General Administration**

This category of work does not result in a direct financial benefit for creditors; however it is necessary for these tasks to be completed in order to ensure the smooth and efficient progression of the liquidation:

- Dealing with general postal correspondence; and
- Issuing letters and correspondence via the postage system.



## COMPARISON OF CATEGORISED TIME COSTS FROM 16 MARCH 2021 TO 5 MARCH 2023 WITH JOINT LIQUIDATORS' FEES ESTIMATE

	FEES ESTIMATE			INCURRED TO 5 MARCH 2023			VARIANCE
	Total			Total			Cost
	Units	Cost	Average hourly rate	Units	Cost	Average hourly rate	
	No	£	£	No	£	£	£
Statutory and Review	246	9,334.00	379.43	265	9,495.50	358.32	161.50
Receipts and Payments	263	9,329.00	354.71	573	17,217.50	300.48	7,888.50
Insurance	45	1,667.50	370.56	40	1,187.00	296.75	(480.50)
Assets	110	3,925.00	356.82	105	3,737.50	355.95	(187.50)
Liabilities	697	23,947.50	343.58	1,303	35,025.50	268.81	11,078.00
General Administration	95	2,872.50	302.37	28	893.00	318.93	(1,979.50)
Appointment	85	3,157.00	371.41	85	3,157.00	371.41	-
Planning and Strategy	25	950.00	380.00	1	29.50	295.00	(920.50)
Post Appointment Creditors' Decisions	203	7,688.50	378.74	164	6,699.50	408.51	(989.00)
Investigations	65	2,470.00	380.00	15	493.50	329.00	(1,976.50)
Legal Services - Preparation	-	-	-	37	1,167.50	315.54	1,167.50
Legal Services - Letter Out	-	-	-	3	52.50	175.00	52.50
Legal Services - Email Out	-	-	-	4	186.00	465.00	186.00
	1,834	65,341.00	356.28	2,623	79,341.50	302.48	14,000.50

All Units are 6 Minutes

**COMPARISON OF JOINT LIQUIDATORS' EXPENSES FROM 16 MARCH 2021 TO 15 MARCH 2023 WITH  
STATEMENT OF LIKELY EXPENSES**

**Standard Expenses**

Type	Charged by	Description	Estimated Amount £	Total Amount Incurred to Date £	Amount Incurred in This Period £	Amount Paid £	Amount Unpaid £
Document Hosting (Category 2 Disbursement)	Pelstar	Hosting of documents for creditors *	21.00	21.00	7.00	21.00	-
Software Licence Fee (Category 2 Disbursement)	Pelstar	Case management system licence fee *	87.00	87.00	-	87.00	-
Statutory Advertising (Category 1 Disbursement)	Courts Advertising	Advertising	190.80	191.25	95.85	191.25	-
Postage Costs (Category 1 Disbursement)	Postworks	Postage costs	400.00	338.90	92.63	333.68	5.22
		<b>Total standard expenses</b>	<b>698.80</b>	<b>638.15</b>	<b>195.48</b>	<b>632.93</b>	<b>5.22</b>

\* Payment to Associate requiring specific creditor / committee approval from 4 April 2021.

**Case Specific Expenses**

Type	Charged by	Description	Estimated Amount £	Total Amount Incurred to Date £	Amount Incurred in This Period £	Amount Paid £	Amount Unpaid £
Agents' Fees	UKELC	Cost of calculating the Residual taxable element on the employee preferential and unsecured claims and submission of RTI report	200.00	300.00	100.00	300.00	-
Legal Fees	Clarion Solicitors	Cost of Appointed Solicitors	-	85.00	85.00	85.00	-
Accountancy Fees	Higson & Co	Cost of reviewing pre appointment tax affairs of the Company	3,500.00	3,500.00	3,500.00	3,500.00	-
Debt Collection Fees	Martin Thomas	Costs of collection of debts	20% of realisations	4,000.00	-	4,000.00	-
Agents Fees	UKELC	Pension Review and Closure	-	200.00	-	200.00	-
Accountancy Fees	Higson & Co	Assistance provided in relation to reviewing the unsecured claim received by the director	-	750.00	750.00	750.00	-
Corporation Tax	HM Revenue and Customs	Tax payable on interest accrued during the Liquidation period	-	64.59	64.59	64.59	-
		<b>Total case specific expenses</b>	<b>3,700.00</b>	<b>8,899.59</b>	<b>4,499.59</b>	<b>8,899.59</b>	<b>-</b>

## LEONARD CURTIS POLICY REGARDING FEES AND EXPENSES

The following Leonard Curtis policy information is considered to be relevant to creditors:

### Staff Allocation and Charge Out Rates

We take an objective and practical approach to each assignment which includes active director involvement from the outset. Other members of staff will be assigned on the basis of experience and specific skills to match the needs of the case. Time spent by secretarial and other support staff on specific case related matters, e.g. report despatching, is not charged.

Where it has been agreed by the appropriate body of creditors that the office holders’ remuneration will be calculated by reference to the time properly given by the office holders and their staff in attending to matters as set out in a fees estimate, then such remuneration will be calculated in units of 6 minutes at the standard hourly rates given below. In cases of exceptional complexity or risk, the insolvency practitioner reserves the right to request and obtain authority from the appropriate body of creditors that their remuneration on such time shall be charged at the higher complex rates given below.

The following hourly charge out rates apply to all assignments undertaken by Leonard Curtis:

	<b>6 Jan 2014 onwards</b>		<b>1 Aug 2019 onwards</b>		<b>1 March 2021 onwards</b>	
	Standard	Complex	Standard	Complex	Standard	Complex
	£	£	£	£	£	£
Director	450	562	525	656	550	688
Senior Manager	410	512	445	556	465	581
Manager 1	365	456	395	494	415	518
Manager 2	320	400	345	431	365	456
Administrator 1	260	325	280	350	295	369
Administrator 2	230	287	250	313	265	331
Administrator 3	210	262	230	288	245	306
Administrator 4	150	187	165	206	175	219
Support	0	0	0	0	0	0

In respect of assignments pre-dating 1 March 2022, office holders’ remuneration may include costs incurred by the firm’s in-house legal team, which may be used for non-contentious matters pertaining to the insolvency appointment.

### Use of Associates

We are required to disclose to those responsible for approving our remuneration whether any payments we intend to make from an insolvency estate are to Associates of Leonard Curtis (LC). The term “Associate” is defined in s435 of the Insolvency Act 1986, but we are also required to consider the substance or likely perception of any association between the appointed insolvency practitioner, their firm (LC) or an individual within the firm and the recipient of a payment. Payments to Associates are subject to the same level of approval as the office holder’s fees and category 2 expenses (see table on the next page for further details).

Leonard Curtis Legal Limited (LC Legal) are part of the Leonard Curtis group; as such they are an “Associate” of LC. Where LC Legal are instructed to assist an office-holder in a particular matter from 1 March 2022 onwards, details of their proposed costs will be provided to creditors and specific approval for payment will be sought.

Additionally, Pelstar Limited (Pelstar) provides insolvency case management software and document hosting facilities to LC. Until 31 December 2022, LC employed an individual who is married to a director of Pelstar, and as such, whilst not meeting the legal definition of “Associate”, we were aware that there was a perceived association between LC and Pelstar and specific approval of their costs were sought accordingly. As this individual is no longer employed by LC, this is no longer required and Pelstar costs invoiced with effect from 1 January 2023 will be paid without prior approval.

## Better Energy Supply Ltd – In Creditors' Voluntary Liquidation

### Use of Professional Advisors

Details of any professional advisor(s) used will be given in reports to creditors. Unless otherwise indicated the fee arrangement for each is based on hourly charge out rates, which are reviewed on a regular basis, together with the recovery of relevant disbursements.

The choice of professional advisors is based around a number of factors including, but not restricted to, their expertise in a particular field, the complexity or otherwise of the assignment and their geographic location.

### Use of Subcontractors

Where we subcontract out work that could otherwise be carried out by the office holder or his/her staff, this will be drawn to the attention of creditors in any report which incorporates a request for approval of the basis upon which remuneration may be charged. An explanation of why the work has been subcontracted out will also be provided.

### Categorisation of Expenses

We are required to provide creditors with an estimate of the expenses we expect to be incurred in respect of an assignment and report back to them on actual expenses incurred and paid in our periodic progress reports. There are two broad categories of expenses: standard expenses and case specific expenses. These are explained in more detail below:

- a) Standard Expenses – this category includes expenses which are payable in order to comply with legal or regulatory requirements and therefore will generally be incurred on every case. They will include:

Type	Description	Amount																								
AML checks via Smartsearch	Electronic client verification in compliance with the Money Laundering, Terrorist Financing and Transfer of Funds (Information on the Payer) Regulations 2017	£5.00 plus VAT per search  Note that with effect from 1 April 2021, these costs are no longer recovered from the estate.																								
Bond / Bordereau fee via AUA Insolvency Services	Insurance bond to protect the insolvent entity against any losses suffered as a result of the fraud or dishonesty of the IP	£10.00 to £1,200.00 dependent on value of assets within case																								
Company searches via Companies House	Extraction of company information from Companies House	£1.00 per document unless document can be accessed via the free service																								
Document hosting via Pelstar Limited	Hosting of documents via a secure portal for access by creditors/shareholders. Costs are charged per upload plus VAT and are generally dependent upon the number of creditors. The costs are commensurate with those charged by other providers of comparable services.	<table><tr><th>Type</th><th>First 100</th><th>Every addtl 10</th></tr><tr><td>ADM</td><td>£14.00</td><td>£1.40</td></tr><tr><td>CVL</td><td>£7.00</td><td>£0.70</td></tr><tr><td>MVL</td><td>£7.00</td><td>£0.70</td></tr><tr><td>CPL</td><td>£7.00</td><td>£0.70</td></tr><tr><td>CVA</td><td>£10.00</td><td>£1.00</td></tr><tr><td>BKY</td><td>£10.00</td><td>£1.00</td></tr><tr><td>IVA</td><td colspan="2">£10 p.a. or £25 for life of case</td></tr></table>	Type	First 100	Every addtl 10	ADM	£14.00	£1.40	CVL	£7.00	£0.70	MVL	£7.00	£0.70	CPL	£7.00	£0.70	CVA	£10.00	£1.00	BKY	£10.00	£1.00	IVA	£10 p.a. or £25 for life of case	
Type	First 100	Every addtl 10																								
ADM	£14.00	£1.40																								
CVL	£7.00	£0.70																								
MVL	£7.00	£0.70																								
CPL	£7.00	£0.70																								
CVA	£10.00	£1.00																								
BKY	£10.00	£1.00																								
IVA	£10 p.a. or £25 for life of case																									
Software Licence fee hosting via Pelstar Limited	Payable to software provider for use of case management system. The costs are commensurate with those charged by other providers of comparable services.	£87.00 plus VAT per case																								
Postage via Royal Mail or Postworks	Cost of posting documents which are directly attributable to a case to external recipients	Calculated in accordance with applicable supplier rates and dependent on the number of pages and whether the document is sent by international, first or second class post.																								
Post re-direction via Royal Mail	Redirection of post from Company's premises to office-holders' address	0-3 months £216.00 3-6 months £321.00 6-12 months £519.00																								

## Better Energy Supply Ltd – In Creditors' Voluntary Liquidation

Statutory advertising via advertising agents	Advertising of appointment, notice of meetings etc. - London Gazette - Other	£91.80 - £102.00 plus VAT per advert Dependent upon advert and publication
Storage costs	Costs of storage of case books and records	£5.07 plus VAT per box per annum plus handling charges

- b) Case-specific expenses – this category includes expenses (other than office-holders' fees) which are likely to be payable on every case but which will vary depending upon the nature and complexity of the case and the assets to be realised. They will include but may not be restricted to:

Type	Description	Amount
Agents' fees	Costs of appointed agents in valuing and realising assets	Time costs plus disbursements plus VAT
Debt Collection fees	Costs of appointed debt collectors in realising debts	Generally agreed as a % of realisations plus disbursements plus VAT
Legal fees	Costs of appointed solicitors. Will generally comprise advice on validity of appointment, drafting of sale contracts, advice on retention of title issues and advice on any reviewable transactions. Where the solicitor appointed is LC Legal, any fee payable for work completed is classed as a payment to an associate and requires specific creditor / committee approval as detailed above.	Time costs plus disbursements plus VAT
Other expenses	See Category 1 and 2 expenses notes below	See Category 1 and 2 expenses notes below

Please note that expenses are generally categorised as Category 1 or Category 2:

- a) Category 1 expenses: These are payments to independent third parties providing the service to which the expense relate. These may include, for example, advertising, external room hire, storage costs, postage costs, telephone charges, travel expenses (excl. mileage), and equivalent costs reimbursed to the office holder or his or her staff. Category 1 expenses may be paid without prior approval.
- b) Category 2 expenses: These are costs that are directly referable to the appointment in question, but not paid to an independent third party. They may include costs which have an element of shared cost. The following items of expenditure are recharged on this basis and are charged at HMRC approved rates:

Business mileage	45p per mile
------------------	--------------

Payments to Associates (as defined above) are categorised by LC in the same way as Category 2 expenses. Category 2 expenses and payments to Associates may only be drawn if they have been approved in the same manner as an office holder's remuneration.

106(1) INSOLVENCY ACT 1986

R6.28 INSOLVENCY (ENGLAND AND WALES) RULES 2016

**NOTICE OF FINAL ACCOUNT PRIOR TO DISSOLUTION**

**BETTER ENERGY SUPPLY LTD - IN CREDITORS' VOLUNTARY LIQUIDATION ("THE COMPANY")**

**COMPANY NUMBER: 07176401**

**NOTICE IS HEREBY GIVEN THAT**

It appears to Richard Pinder (IP Number 19470) and Sean Williams (IP Number 11270) of Leonard Curtis, 22 Gander Lane, Barlborough, Chesterfield, S43 4PZ ("the Joint Liquidators") that the Company's affairs are fully wound up.

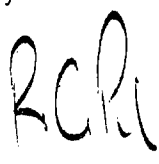
Prescribed Period:	Is the period ending at the later of eight weeks after delivery of this notice or, if any request for information is made by the creditors or any application to the court is made with regard to remuneration and expenses, when that request or application is finally determined.
--------------------	--

Any creditor may object to the release of the Joint Liquidators by giving notice, in writing, to the Joint Liquidators before the end of the Prescribed Period as detailed above. In the event that such an objection is received, the Joint Liquidators will apply to the Secretary of State for their release and their release date will be as determined by the Secretary of State.

Under Rule 18.9 of the Insolvency (England and Wales) Rules 2016 ("the Rules"), within 21 days of receipt of the Joint Liquidators' Final Account, a secured creditor, or an unsecured creditor with either the concurrence of at least five per cent in value of the unsecured creditors (including the creditor in question), or with the permission of the court, may request, in writing, that the joint liquidators provide further information about their remuneration or expenses which have been itemised in their report.

Under Rule 18.34 of the Rules, any secured creditor, or any unsecured creditor with either the concurrence of at least 10 per cent in value of the unsecured creditors (including that creditor) or the permission of the court, may within eight weeks of receipt of the progress report that first reports the fee basis, the charging of the remuneration or the incurring of the expenses in question, make an application to court on the grounds that, in all the circumstances, the basis fixed for the joint liquidators' remuneration is inappropriate and/or the remuneration charged or the expenses incurred by the joint liquidators, as set out in the progress report, are excessive

The Joint Liquidators will vacate office and be released under Sections 171(7) and 173(2)(e) of the Insolvency Act 1986 (as amended) respectively on delivering a copy of the final account to the Registrar of Companies unless any of the Company's creditors object to their release.

Signed: 

Dated: 15 March 2023

**RICHARD PINDER  
JOINT LIQUIDATOR**

Leonard Curtis, 22 Gander Lane, Barlborough, Chesterfield, S43 4PZ  
01246 385 775

**LEONARD CURTIS  
PRIVACY NOTICE FOR CREDITORS**

**Information we collect and hold about you**

By requesting details of your claim in this insolvency, we may collect Personal Data from you, particularly if you are a consumer creditor, a sole trader or are lodging a claim in your personal capacity.

Personal Data is information relating to a living individual. Whenever Personal Data is processed, collected, recorded, stored or disposed of it must be done within the terms of the General Data Protection Regulation ("the GDPR"). Examples of Personal Data include but may not be limited to your name, address, telephone number and email contact details.

If you do not provide us with the information we require, this may adversely affect our ability to deal with your claim, but we would ask you not to submit more Personal Data than we request from you.

**Legal justification for processing your Personal Data**

The processing of your Personal Data by us is necessary to enable us to comply with legal obligations under the Insolvency Act 1986 and associated legislation which we are subject to as Insolvency Practitioners.

**How we use your information**

All information you supply to us is required to enable us to comply with our duties under the Insolvency Act 1986 and associated legislation. It will be used to enable us to assess the extent of the insolvent entity's liabilities, to allow you to vote on any decision procedures, to enable us to communicate with you, to process your claim and to pay any dividends which may be due to you from the insolvent estate.

**Who we share your information with**

We may be required to share some of your Personal Data with other creditors. The data which will be shared with other creditors will be limited to that specifically required to be disclosed under insolvency legislation.

We may share some of your information with our Data Processors. Data Processors include solicitors, accountants and employment law specialists who assist us with our duties where required. We will only share your information with our Data Processors if we require their specialist advice. All of our Data Processors are subject to written contracts with us to ensure that your Personal Data is processed only in accordance with the GDPR.

**How long will we hold your Personal Data for?**

We will need to hold your Personal Data for a period of time after the insolvency has been concluded. This is to enable us to deal with any queries which might arise. Our Records Management Policy requires us to destroy our physical files 6 years after closure of the case. Electronic data files will be removed from our Case Management System 6 years after conclusion of the case but may be held on our server for a longer period of time but with restricted access.

**Your rights in respect of your Personal Data**

You have the right to request access to your Personal Data and to require it to be corrected or erased. You also have the right to request a restriction in the way we process your Personal Data or to object to its processing. You should be aware however that we may not be able to comply with your request if this would affect our ability to comply with our legal obligations.

You have the right to Data Portability. This is a right to have the Personal Data we hold about you to be provided to you in a commonly used and machine-readable format so that you can transfer that Data to another organisation in a way that is not too onerous to upload the Data.

**Your right to complain**

## **Better Energy Supply Ltd – In Creditors' Voluntary Liquidation**

---

You have the right to be confident that we are handling your Personal Data responsibly and in line with good practice. If you have a concern about the way we are handling your Personal Data you should contact our Privacy Manager in the first instance.

If you are unable to resolve your concerns with us, you have the right to complain to the Information Commissioners' Office. The Information Commissioner can be contacted at Wycliffe House, Water Lane, Wilmslow, Cheshire SK6 5AF or on 0303 123 1113.

### **Contacting us**

If you have any questions relating to the processing of your Personal Data, please write to our Privacy Manager at Leonard Curtis, 5<sup>th</sup> Floor, Grove House, 248A Marylebone Road, London NW1 6BB Alternatively our Privacy Manager can be contacted by telephone on 0207 535 7000 or by email: [privacy@leonardcurtis.co.uk](mailto:privacy@leonardcurtis.co.uk).

**Data Controller: LEONARD CURTIS**