In accordance with Rule 18.8 of the Insolvency (England & Wales) Rules 2016.

WU07

Notice of progress report in a winding-up by the court

Companies House

For further information, please refer to our guidance at www.gov.uk/companieshouse

1 Company details

Company number	0 9 4 1 6 4 1 9
Company name in full	Energy Partners Limited

→ **Filling in this form**
Please complete in typescript or in bold black capitals.

2 Liquidator's name

Full forename(s)	Michael
Surname	Pallott

3 Liquidator's address

Building name/number	30 Old Bailey
Street	
Post town	London
County/Region	
Postcode	E C 4 M 7 A U
Country	

4 Liquidator's name ❶

Full forename(s)	Adam
Surname	Harris

❶ **Other liquidator**
Use this section to tell us about another liquidator.

5 Liquidator's address ❷

Building name/number	30 Old Bailey
Street	
Post town	London
County/Region	
Postcode	E C 4 M 7 A U
Country	

❷ **Other liquidator**
Use this section to tell us about another liquidator.

WU07
Notice of progress report in a winding-up by the court

6 Period of progress report

	d	d	m	m	y	y	y	y
From date	1	2	0	5	2	0	2	1
To date	1	1	0	5	2	0	2	2

7 Progress report

☑ The progress report is attached

8 Sign and date

Liquidator's signature

Signature

X

X

	d	d	m	m	y	y	y	y
Signature date	0	8	0	7	2	0	2	2

WU07
Notice of progress report in a winding-up by the court

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	Hannah Milton
Company name	Mazars LLP
Address	30 Old Bailey
Post town	London
County/Region	
Postcode	E C 4 M 7 A U
Country	
DX	
Telephone	+44 (0)207 063 4000

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 or email enquiries@companieshouse.gov.uk

This form is available in an alternative format. Please visit the forms page on the website at www.gov.uk/companieshouse

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Energy Partners Limited - In Liquidation

Liquidators' Progress report covering the period from 12 May 2021 to 11 May 2022

Contents

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B	Liquidators' Receipts and Payments Account
C	Expenses Statement
D	Analysis of the Liquidators' remuneration
D1	Narrative Summary of work undertaken in the current period
D2	Rates and Expenses policy

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Energy Partners Limited - In Liquidation **("the Company")**

Progress Report to Creditors & Members

1. Introduction

1.1. This report is prepared pursuant to Rules 18.3 and 18.7 of the Insolvency (England and Wales) Rules 2016, the purpose of which is to provide creditors with details of the progress of the Liquidation during the 12 months to 11 May 2022.

1.2. I was appointed Joint Liquidator Joint Liquidator of the Company by the Secretaory fo State on 20 March 2018. The winding-up order was made on 4 March 2020 in the High Court of Justice under reference no 000274 of 2020.

1.3. Mr N Mather was removed as Joint Liquidator and Mr A Harris was appointed in his place by way of a Block Transfer Order dated 15 February 2022. We are both authorised to act as Insolvency Practitioners in the UK by the Institute of Chartered Accountants in England and Wales.

1.4. Identification details relating to the Company and the Liquidators are attached at Appendix A.

2. Liquidators' Receipts and Payments

2.1. A summary of receipts and payments covering the period from 12 May 2021 to 11 May 2022 is attached at Appendix B.

2.2. The receipts and payments account confirms that there is currently a balance in hand of £17.77.

2.3. An explanation of the assets realised, and the expenses paid, is provided below.

3. Asset Realisations and Details of Progress

Connected Party Transactions:

3.1. In accordance with Statement of Insolvency Practice 13, I would advise you that there have been no transactions with connected parties.

Unconnected Party Transactions:

3.2. During the reporting period the only receipt has been gross bank interest of 32 pence.

4. Assets still to be realised

4.1. Assets still to be realised comprise:

Dividend from Breeze Energy Supply Limited ("Breeze") (In Administration)

4.2. As discussed in the previous report, upon our appointment, we identified that the Company used a loan, which was provided via a Facility Agreement with the Company's sole creditor, to fund the working capital of its connected company, Breeze.

4.3. Breeze has been in administration since 3 January 2020 and during the period we submitted an amended claim in the amount of £1,350,848.70

4.4. The Administrator's latest report to creditors indicates that there will be a first and final dividend distribution to unsecured creditors in accordance with the prescribed part. However, due to ongoing legal action, the dividend declaration has been delayed but we understand that the Administrators are now looking to issue an interim dividend in the coming months.

5. Estimated Outcome Statement

5.1. An estimated outcome statement has not been included with this report due to the uncertain level of any dividend distribution to be made from the Breeze administration and the ongoing investigations, discussed later in this report.

6. Liabilities

6.1. Secured Creditors

6.1.1. The Company had no secured creditors.

6.2. Preferential Creditors

6.2.1. Preferential claims arise from arrears of wages and accrued, unpaid holiday pay due to the former employees of the Company who did not receive their full entitlements on redundancy, prior to the liquidation.

6.2.2. There are no preferential creditors in this case.

6.3. Unsecured Creditors

6.3.1. According to the directors' Statement of Affairs, the Company had one unsecured creditor with a debt of £1,350,849 and a claim for this sum has been received.

6.3.2. Due to the uncertain nature of recoveries at this stage, I am unable to comment on the likelihood of a distribution to unsecured creditors.

7. Prescribed Part

7.1. In accordance with Section 176A of the Insolvency Act 1986, a proportion of the Company's net assets are to be set aside for the benefit of the Company's unsecured creditors where the Company has granted a floating charge after 15 September 2003. This is calculated as being 50% of the first £10,000 of net property and 20% of net property thereafter subject to a maximum fund of £600,000. Net property is defined as being the realisations from assets subject to the floating charge after costs and after settlement of the preferential creditors' claims.

7.2. As there is no floating charge, the Prescribed Part does not apply in this instance.

8. Liquidators' Remuneration

8.1. On 5 July 2021, a decision was made by the creditors following a decision procedure by a decision by correspondence, enabling the Joint Liquidators to draw remuneration on the basis of a fixed fee in the sum of £55,000, plus VAT.

8.2. During the period to 11 May 2022, the Joint Liquidators have not drawn any remuneration against the agreed fixed fee.

8.3. Details of the work carried out during the current reporting period is attached in the narrative summary at Appendix D1.

9. Expenses

9.1. Expenses are any payments from the estate which are neither an office holder's remuneration nor a distribution to a creditor or a member. Expenses also include disbursements. Disbursements are payments which are first met by the office holder, and then reimbursed to the office holder from the estate.

9.2. Expenses are divided into those that do not need approval before they are charged to the estate (category 1) and those that do (category 2).

- Category 1 expenses: These are payments to persons providing the service to which the expense relates who are not an associate of the office holder. Category 1 expenses can be paid without prior approval.
- Category 2 expenses: These are payments to associates or which have an element of shared costs. Before being paid, category 2 expenses require approval in the same manner as an office holder's remuneration. Category 2 expenses require approval whether paid directly from the estate or as a disbursement.

9.3. Details of all expenses incurred during the period of the report and likely future expenses are provided in the Expenses Statement attached at Appendix C, together with an explanation as to why the expenses have been or will be incurred.

9.4. Further details of expenses paid during the period of the report are shown in the receipts and payments account at Appendix B.

9.5. I have reviewed the expenses incurred to date and I am satisfied that they are fair and reasonable and proportionate in the circumstances of the case.

9.6. **Category 2 Expenses**

9.6.1. As noted above, Category 2 Expenses require approval in the same manner as an office holder's remuneration before being paid.

9.6.2. There have been no Category 2 expenses incurred or paid during the current reporting period.

10. Investigations

10.1. As previously reported, we instructed solicitors to advise on potential claims that may arise in the liquidation.

10.2. During the period covered under this report, counsel were also instructed by our solicitors to provide further advice in respect of our initial findings. Based on their advice, we established that further enquiries needed to be undertaken to understand the circumstance regarding the loan to the connected company. As such, an interview was conducted with Mr James Platania, one of the Company's directors.

10.3. In addition, due to an initial lack of co-operation from Ms Kelly Hughes, another Company director, it was necessary to issue a court application pursuant to Section 236 of the Insolvency Act 1986 and this has resulted in her co-operation.

10.4. Further enquiries were also made with third parties, including the Company's major creditor. Due to the possibility of a conflict of interest in respect of our retained solicitors, Brachers LLP, it was necessary to engage a second firm of solicitors, Moore Barlow LLP, in order to recover the information required from the creditor as they failed to respond to our initial correspondence.

10.5. The additional information recovered is currently being considered and an appropriate next course of action will soon be determined with our solicitors. Due to the confidential nature of the ongoing investigations, I am unable to provide any further details at this stage so as to not prejudice any potential future litigation.

10.6. Both solicitor firms, Moore Barlow LLP and Brachers LLP, are instructed to act on a 'subject to recoveries basis' and as such, payment of their fees is contingent on there being future realisations in the liquidation estate.

10.7. Should creditors have any information which they consider may assist us in carrying out our investigations or be aware of any matters which they believe should be brought to our attention, please provide details in writing to this office. This request for information forms part of our usual investigation procedures and does not imply that there may be any cause of action lying against any person concerned in the Company's affairs.

10.8. Creditors are reminded that the statutory obligation to consider the directors' conduct and to submit a return / report to the Insolvency Service under the Company Directors' Disqualification Act 1986 remains with the Official Receiver. A liquidator is obliged to report any matters of unfit conduct to the Official Receiver where identified and I can confirm that this obligation has been complied with.

11. Matters outstanding

11.1. The outstanding matters relate to the expected dividend from the Breeze administration and the ongoing investigations discussed in section 10.

12. Creditors' Rights

12.1. Further information

12.1.1. I would advise you that pursuant to Rule 18.9 of the Insolvency (England and Wales) Rules 2016, a secured creditor or an unsecured creditor with concurrence of at least 5% in value of the unsecured creditors or an unsecured creditor with permission of the court, may, within 21 days of receipt of this progress report, ask the Liquidators for further information about the remuneration and expenses set out in this progress report.

12.2. Apply to Court

12.2.1. Additionally, pursuant to Rule 18.34 of the Insolvency (England and Wales) Rules 2016, a secured creditor or an unsecured creditor with concurrence of at least 10% in value of the unsecured creditors or an unsecured creditor with the permission of the court may, within 8 weeks of the receipt of this progress report, apply to the court on one or more of the following grounds:

a. That the remuneration charged by the Liquidators , or
b. That the basis fixed for the Joint Liquidators' remuneration, or
c. That the expenses incurred by the Liquidators ,

is in all of the circumstances, excessive or inappropriate.

12.3. Further guidance

12.3.1. Creditors can find additional information on their rights relating to Liquidators' fees in a copy of the publication "Guide to Liquidators Fees" which is available to download from https://www.r3.org.uk/technical-library/england-wales/technical-guidance/fees/more/29114/page/1/guide-to-liquidators-fees/

12.3.2. For further general information regarding a creditor's role throughout an insolvency process, creditors are reminded that they can also visit www.creditorinsolvencyguide.co.uk.

M Pallott Dated 8 July 2022
Joint Liquidator

Authorised to act as an insolvency practitioner in the UK by the Institute of Chartered Accountants in England and Wales and bound by the Insolvency Code of Ethics. Where personal data is required to be processed, this will be dealt with in accordance with the Mazars LLP Insolvency Services Privacy Statement which can be accessed at: www.mazars.co.uk/Legal-and-privacy.

APPENDIX A

Energy Partners Limited

In Liquidation

Identification Details

Details relating to the Company

Company name	**Energy Partners Limited**
Previous names	None
Trading name	As above
Company number	09416419
Registered office	30 Old Bailey, London, EC4M 7AU
Trading address	Dobson House Regent Centre, Gosforth, Newcastle Upon Tyne, NE3 3PF

Details relating to the Liquidators

Date of appointment	12 May 2020
Liquidators	M Pallott and A Harris IP No(s) 023650 and 015454
Liquidators' address	30 Old Bailey, London, EC4M 7AU
Liquidators' **contact telephone number**	020 7063 4000
Previous Liquidators	N Mather IP No 008747

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Energy Partners Limited (In Liquidation)

JOINT LIQUIDATORS RECEIPTS AND PAYMENTS ACCOUNT

Statement of Affairs £		From 12/05/2021 To 11/05/2022 £	From 12/05/2020 To 11/05/2022 £
	ASSET REALISATIONS		
	Bank Interest Gross	0.32	1.10
	Cash at Bank	NIL	13,193.44
	Deposit on Creditor's Petition	NIL	1,600.00
		0.32	14,794.54
	COST OF REALISATIONS		
	Agents Fees	400.00	400.00
	Bank Charges	44.00	132.00
	Corporation Tax	0.06	0.22
	DTI Cheque Fees	0.15	0.45
	DTI Unclaimed Dividends	22.00	22.00
	Legal disbursements	NIL	35.00
	Liquidation Admin Fee	NIL	5,000.00
	OR Balance	NIL	6,000.00
	Petitioning Creditor's costs	NIL	3,100.10
	VAT Irrecoverable	80.00	87.00
		-546.21	-14,776.77
	UNSECURED CREDITORS		
-1,350,849.00	Trade & Expense Creditors	NIL	NIL
	DISTRIBUTIONS		
-9,950.00	Ordinary Shareholders	NIL	NIL
-1,360,799.00		-545.89	17.77
	REPRESENTED BY		
	ISA IB		17.77
			17.77

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APPENDIX C

Energy Partners Limited (In Liquidation)

EXPENSES STATEMENT

Type of Expenditure	Who expense incurred by and nature of expense	Incurred in previous period (£)	Incurred in current period (£)	Likely future expenses (£)	Expenses estimate (£)
Category 1 Expenses					
Professional advisors' costs					
Legal fees and disbursements	Moore Barlow LLP were instructed to provide legal advice on a 'subject to recoveries basis'. They were chosen based on their experience in insolvency matters.	-	571.00	Uncertain	571.00
Legal fees and disbursements	Brachers LLP were instructed to provide legal advice on a 'subject to recoveries basis'. They were chosen based on their experience in insolvency matters. The amount incurred in the current period includes disbursments totalling £2,494.85.	4,390.92	8,142.35	Uncertain	12,533.27
Other expenses					
Secretary of State Bank Charges	All funds collected in a compulsory winding up must be banked with The Insolvency Service at the Bank of England. A breakdown of the fees charged is as follows: Fee — £ Quarterly Banking Fee — 22 BACS Payment — 0.15 Cheque Fee — 1.1 CHAPS Payment — 10.3 Unclaimed Dividend Fee — 25.75 Fee — 25.75	88.30	44.00	44.00	176.30
Official Receiver's general fee	A fixed fee of £6,000 is levied by the Secretary of State on all cases where the winding up petition was presented after 21 July 2016. The fee contributes towards the costs of administering the cases by the Official Receiver/Insolvency Service.	6,000.00	-	-	6,000.00
Official Receiver's Costs	The Official Receiver's initial costs of administration must be paid as a priority in all cases. In this case the sum of £5,000 has been charged.	5,000.00	-	-	5,000.00
Petitioning Creditor's Costs	The petitioning creditor is entitled to receive their costs in presenting a petition and obtaining a winding up order as a priority after the Official Receiver's costs. The petitioning creditor has confirmed that their outstanding costs are £1,600.	1,600.00	-	-	1,600.00
Total Category 1 Expenses		17,079.22	8,757.35	44.00	25,880.57

Mazars LLP Remuneration					
Liquidators' Remuneration	To project manage the orderly winding up of the Company's affairs, and to perform those tasks required as dictated by statute, best practice and ethical requirements.	-	-	55,000.00	55,000.00
Liquidators' Disbursements	Disbursements are expenses paid by this firm in the first instance and subsequently re-charged to the estate when there are sufficient funds. A further breakdown of the disbursements is included below.	409.50	1,567.17	3,094.42	5,071.09
	These costs have been incurred but not yet paid.				
	- Statutory advertising	94.50		-	
	- Specific bond	315.00		-	
	- Transcription services	-	270.67	-	
	- Solcitors fees	-	1,296.50	3,094.42	
Total Mazars LLP Remuneration		409.50	1,567.17	58,094.42	60,071.09
Total		17,488.72	10,324.52	58,138.42	85,951.66

<u>Notes</u>

1. Professional advisors

The office holder's choice of the professional advisors listed above was based on their perception of the advisors' experience and ability to perform this type of work, the complexity and nature of the assignment and the basis of the fee arrangement with them.

The office holders have reviewed the costs incurred to date and are satisfied that they are reasonable in the circumstances of the case.

2. Category 2 Expenses

The office holders have reviewed the expenses which have been or are likely to be incurred in this matter and do not consider that there are any instances where payments could reasonably be perceived as presenting a threat to the office holders' objectivity or independence by virtue of a professional or personal relationship, including to an associate, and which require approval as a Category 2 Expense, other than those listed above.

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APPENDIX D1

Energy Partners Limited (In Liquidation)

NARRATIVE SUMMARY OF WORK UNDERTAKEN AND WORK STILL TO BE UNDERTAKEN

Introduction

The summary provides a proportionate overview of the work carried out in light of the specific circumstances of the case and includes details of the work that has been done during the period, why it was done and whether the work provides a financial benefit to creditors.

Work carried out in the current period

Administration and planning

The following work has been undertaken and will continue to be undertaken:

- Holding strategy meetings.
- Preparing case strategy notes.
- Managing and maintaining the case on the Firm's client systems and our specialist insolvency software system.

The majority of this work derived no financial benefit for creditors. However, appropriate case administration and planning ensures that the case is managed coherently and efficiently, with minimisation of costs and avoidance of duplication of work. A clear case strategy and strong internal processes aid to add value through the efficient management of the case. This work is also required in order to appropriately document and record how the case has been administered in accordance with regulatory requirements.

Taxation

The following activities were undertaken and will continue to be undertaken in order to ensure the Company is compliant with tax requirements:

- Continue to submit VAT and Corporation Tax returns as required.

The majority of this work derived no financial benefit for creditors, however, it is required in accordance with tax legislation.

Realisation of assets:

The work undertaken in respect of the realisation of the Company's assets is detailed in Section 4 of the report.
The main assets comprise cash at back and a dividend from a connected company.

- Corresponding with the Administrators of Breeze Energy Supply Limited ("Breeze") (In Administration) to obtain updates on likely dividend prospects.
- Reviewing 'Breeze' annual reports for updates.
- Reworking calculations and submitting an updated Proof of Debt form in the Administration.

The work undertaken has added value for the benefit of creditors by enabling the realisation of funds in the estate. The costs associated with the recovery are considered appropriate in the circumstances.

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APPENDIX D1

Energy Partners Limited (In Liquidation)

NARRATIVE SUMMARY OF WORK UNDERTAKEN AND WORK STILL TO BE UNDERTAKEN

Investigations

Further details of the investigation required to be carried out is provided within Section 10 of the report.

A summary of the work undertaken during the reporting period is as follows:
- Issuing correspondence to Mr Platania regarding the interview.
- Liaising with solicitors in respect of the preparation for the interview.
- Preparing interview questions.
- Interviewing Mr Platania and issuing follow up correspondence.
- Issuing further reminders to Ms Hughes in respect of questionnaires issued and other enquiries.
- Liaising with solicitors in respect of the Section 236 proceedings against Ms Hughes.
- Reviewing information recovered from each director.
- Making further enquiries with the Company's sole creditor and pursuing information required.
- Instructing second solicitor firm to deal with recovery of information from the Company's creditor.
- Reviewing information recovered.
- Liaising with solicitors in respect of the information and documents recovered to date.

A summary of the future work required is as follows:
- Continuing to liaise with solicitors/counsel to progress any potential claims.

The majority of this work derived no financial benefit for creditors. However, it is required in order to ensure compliance with statutory duties. Due to the ongoing investigations, I am unable to confirm whether this work will result in a financial benefit to creditors.

Creditors

There is one unsecured creditor. In order to ensure that creditors are dealt with appropriately, the following work has been undertaken and will continue to be undertaken:
- Agreeing and filing proof of debt forms and correspondence from the creditor
- Updating IPS with claim details

The majority of work in this category is required for statutory purposes and so does not provide a direct financial benefit to creditors, however, as it is expected that a dividend will be paid to unsecured creditors, work undertaken in dealing with creditor claims does have a financial benefit in enabling the correct adjudication of claims (as detailed further below).

Reporting

Reporting requirements during the period as prescribed by statute have included the following:
- Annual Progress Reports
- SIP 9 report

Work to be undertaken:
- Closure reporting

The majority of this work derived no financial benefit for creditors. However, it is required in order to ensure that the case has been administered in line with regulatory requirements.

Cashiering

Cashiering work undertaken to date and which will continue to be undertaken includes:
- Bank account maintenance, including periodic reconciliations.
- Issuing payments and banking receipts and preparing the appropriate paperwork for such transactions.

The majority of this work derived no financial benefit for creditors. However, it is required in order to ensure that the estate bank account is operated in accordance with guidance issued by my regulatory body.

Statutory and Compliance

The work undertaken and which will continue to be undertaken as required by statute and our internal procedures involves:
- Case monitoring and statutory compliance, including internal case reviews.

The majority of this work derived no financial benefit for creditors. However, this work is required in order to ensure that the case has been administered in accordance with regulatory requirements.

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APPENDIX D2

Energy Partners Limited (In Liquidation)

RATES AND EXPENSES POLICY

Charge-out rates

Details of the current charge-out rates of the personnel working on this case are set out below:

	Partner	Director	Associate Director / Manager	Senior Executive / Executive	Cashier	Support staff
Current charge out rate per hour effective from 1 September 2020 - Range (£)	455 - 605	405 - 495	250 - 440	110 - 255	110 - 250	110 - 155

Charge-out rates are reviewed annually on 1 September and in common with other professional firms, may increase over the period of the administration of a case. The rates are appropriate to the skills and experience of the team member and the work that they perform. Time is recorded in 6 minute units with supporting narrative to explain the work undertaken.

Specialist departments within our Firm, (Tax and VAT) may charge a number of hours if and when their expert advice is required. The rate ranges above incorporate these different rates.

Expenses

Expenses are any payments from the estate which are neither an office holder's remuneration nor a distribution to a creditor or a member. Expenses also include disbursements.

Disbursements are payments which are first met by the office holder, and then reimbursed to the office holder from the estate.

Expenses are divided into those that do not need approval before they are charged to the estate (category 1) and those that do (category 2).

- Category 1 expenses: These are payments to persons providing the service to which the expense relates who are not an associate of the office holder. Category 1 expenses can be paid without prior approval.

- Category 2 expenses: These are payments to associates or which have an element of shared costs. Before being paid, category 2 expenses require approval in the same manner as an office holder's remuneration. Category 2 expenses require approval whether paid directly from the estate or as a disbursement.

It is proposed that the following Category 2 expenses incurred in administering the case be charged:

- Mileage will be charged at relevant HM Revenue & Customs prevailing rates, currently 45p per mile.

The Joint Liquidators reserve the right to increase the charges applicable to mileage in accordance with any increases in the prevailing rate set by HM Revenue & Customs. Any material amendments will be advised to creditors in the next statutory report.