

AM10

Notice of administrator's progress report



Companies House

TUESDAY



A23 *A7DS51LL* #164
04/09/2018
COMPANIES HOUSE

1 Company details

Company number 0 9 4 6 2 4 6 3
Company name in full Coal Intelligent Technology Limited

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

2 Administrator's name

Full forename(s) Simon Franklin
Surname Plant

3 Administrator's address

Building name/number 9 Ensign House
Street Admirals Way
Post town Marsh Wall
County/Region London
Postcode E 1 4 9 X Q
Country

4 Administrator's name ①

Full forename(s) Daniel
Surname Plant

① Other administrator
Use this section to tell us about
another administrator.

5 Administrator's address ②

Building name/number 9 Ensign House
Street Admirals Way
Post town Marsh Wall
County/Region London
Postcode E 1 4 9 X Q
Country

② Other administrator
Use this section to tell us about
another administrator.

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6 Period of progress report

From date	d	1	d	0	m	0	m	2	y	2	y	0	y	1	y	8
To date	d	0	d	9	m	0	m	8	y	2	y	0	y	1	y	8

7 Progress report

☒ I attach a copy of the progress report

8 Sign and date

Administrator's
signature

Signature

X



X

Signature date

d	0	d	3	m	0	m	9	y	2	y	0	y	1	y	8
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AM10

Notice of administrator's progress report



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 **Simon Franklin Plant**

Company name **S F P**

Address **9 Ensign House**

Admirals Way

Post town **Marsh Wall**

County/Region **London**

Postcode **E 1 4 9 X Q**

Country

DX

Telephone **020 7538 2222**



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

Strictly Private and Confidential

Coal Intelligent Technology Limited (In Administration)

Progress Report to Creditors

**Simon Franklin Plant
MIPA FABRP**

**Daniel Plant
MIPA FABRP**

**SFP
9 Ensign House
Admirals Way
Marsh Wall
London
E14 9XQ**

Tel: +44 (207) 5382222

Fax: +44 (207) 5383322

This report has been written and presented for the sole purpose of complying with the relevant provisions of the Insolvency Act 1986. It may not be disclosed, disseminated or copied without our prior written permission, other than to those entitled under statute or otherwise as ordered by the Court, and no liability will be accepted to any other person or party who acts or refrains from acting on its contents.

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1. Introduction

- 1.1 This report is prepared pursuant to the Rules in relation to the Company. The Rules provide that a progress report is issued every six months from the date of the last progress report to inter alia all creditors within one month of the end of the period covered by the report.
- 1.2 This report provides details of the progress made since the Second Report to 9 August 2018 and of matters that are yet to be concluded. Attached at **Appendix I** are definitions of terms used in this report and at **Appendix II** is a summary of statutory information on the administration.
- 1.3 As agreed by the Company's creditors, as set out in the Act, the period of the administration has been extended to 9 February 2019.

2. Progress of the Administration / Asset Realisations

- 2.1 Attached at **Appendix III** is the Joint Administrators' Receipts and Payments Account, which details the realisations achieved and costs paid for the Review Period and for the administration as a whole. An update of the progress made since the Second Report is detailed below.

Other Assets / Issues

- 2.2 As previously advised, a claim was identified against a finance company. Given the lack of funds available to pursue the claim, it was assigned to Mr Downie and Mr Flatman.
- 2.3 To date, no realisations have been received from the claim. Given the lack of progression of the claim to date, the Joint Administrators have looked to conclude their involvement in this matter.
- 2.4 Efforts were made to maximise realisations net of costs. The ultimate financial benefit achieved for creditors from these efforts is dependent upon the dividend prospects, which are explained further below.

3. Statutory and General Administration

- 3.1 Throughout the Review Period, the Joint Administrators have carried out the following material tasks in this category:
 - 3.1.1 drafting this progress report;
 - 3.1.2 consulting with and instructing staff and independent advisers as regards practical, technical and legal aspects of the case to ensure efficient progress;
 - 3.1.3 consulting with staff, SFP Property and external agents to receive updates on their progress and to agree strategies;
 - 3.1.4 maintaining case files, which must include records to show and explain the administration and any decisions made by the Joint Administrators that materially affect the administration;
 - 3.1.5 conducting periodic case and bond reviews to ensure that the administration is progressing efficiently, effectively and in line with the statutory requirements;
 - 3.1.6 maintaining and updating the estate cash book and bank account, including regular bank reconciliations and processing receipts and payments; and
 - 3.1.7 completing periodic tax returns and settling any associated liabilities.

4. Creditors

4.1 During the Review Period, the following main tasks in this category have been carried out:

- 4.1.1 responding to creditors' queries and logging their claims and supporting information; and
- 4.1.2 maintaining the database as regards creditors' contact details and claims.

Employees' Claims

4.2 The employees of the Company were all made redundant on 15 February 2017. Employees have submitted applications to the RPO in order to receive their entitlements.

Anticipated Outcome

4.3 On present information, it looks unlikely that there will be sufficient funds to pay a dividend to preferential or non-preferential unsecured creditors.

5. The Joint Administrators' Costs

5.1 At **Appendix III** is a breakdown of the time costs incurred by the Joint Administrators' firm over the Review Period, totalling £4,025, a summary of the time costs for the administration period as a whole, and the total fees drawn. A Guide to Administrators' Fees is available from <http://panel.sfggroup.com> or a hard copy will be provided on request.

5.2 A contribution to the costs incurred by the Joint Administrators was received from Bibby. This totalled £50,000 and was paid to SFP directly.

5.3 The attached breakdown shows that a significant proportion of the time costs incurred in the Review Period relate to statutory and general administration. Whilst these tasks have not had a direct benefit in enhancing realisations for the insolvent estate, they have assisted in the efficient and compliant progressing of the administration, which has ensured that the Joint Administrators and their staff have carried out their work to high professional standards.

5.4 The remuneration anticipated to be charged by the Joint Administrators (i.e. the total time costs anticipated to be incurred by the Joint Administrators and their staff to conclusion of the administration) has exceeded the fees estimate. The main reason for this is the fees estimate had been drafted on the basis that the Administration would be completed within one year, but an extension has proved necessary in view of the claim that arose, as explained above. In addition, significant time was spent in assisting Bibby in collecting the sales ledger. In view of the limited realisations, the Joint Administrators do not propose to draw fees in excess of the estimate.

5.5 **Appendix V** provides a breakdown of the time costs incurred by SFP Property over the Review Period to date, a summary of the time costs for the administration period as a whole, and the total fees paid from the insolvent estate.

5.6 At **Appendix VI** is a schedule of SFP's charge-out rates and bases of disbursements. The bases of these costs and disbursements are subject to approval in the same manner as the Joint Administrators' fees, as detailed in **Appendix II**.

5.7 In addition, the Joint Administrators' Receipts and Payments Account attached at **Appendix III** provides a summary of the expenses incurred by the Joint Administrators, whether directly or by reason of their instructions to other parties.

- 5.8 The following expenses are likely to exceed the details given to creditors along with the Joint Administrators' Proposal:

Party / description	Current estimate (total to conclusion of administration)	Explanation
SFP Property Fees and Expenses	£4,995	Additional time spent in dealing with the surrender of the lease which was not previously estimated.
Other Property Expenses	£502.86	CAPA's costs incurred for recovery of business rates which was not previously anticipated. This resulted in a recovery of £2,011.43.
Insurance of Assets	£1,155	Costs incurred in relation to the insurance of assets previously under estimated.
Storage/Destruction costs	£951.64	Costs incurred in relation to storage and eventual destruction of the books and records previously under estimated.
Category 1 Disbursements	£1,661.61	Costs have exceeded due to the volume of postage which was previously underestimated.

- 5.9 In view of the limited realisations, it is not anticipated that these expenses will be paid in full from the administration estate.

6. Conclusion

- 6.1 At present, the main activities remaining to be done are:

- 6.1.1 conclusion of claims against the finance company, as explained in this report;
- 6.1.2 pursuit of clearance from the relevant government departments; and
- 6.1.3 conclusion of the administration, likely by filing notice of the move from administration to dissolution.

- 6.2 Should any creditor have any questions or queries in relation to the above, please contact either the Administrator dealing with this matter, Ibeth Coox, or the Joint Administrator on 020 7538 2222 or by email to enquiries@sfggroup.com.

Dated this 3 September 2018


Simon Plant
Joint Administrator

In accordance with paragraph 45 of Schedule B1 of the Insolvency Act 1986, notice is hereby given that the affairs, business and property of Coal Intelligent Technology Limited (in Administration) are being managed by Simon Franklin Plant and Daniel Plant of SFP, acting as Joint Administrators. Pursuant to paragraph 69 of Schedule B1 of the Insolvency Act 1986, the Joint Administrators act as agents of the company and without personal liability.

DEFINITIONS

Independent Parties instructed to assist with the Administration

LSH	Lambert Smith Hampton LLP
FWJ	Francis Wilks & Jones LLP
Trethowans	Trethowans LLP

Terms associated with SFP

SFP Property	SFP Property Limited
The Team	Any of the Joint Administrators, their staff members and members of staff of SFP Property
The ERA Department	The Employment Rights Act department

Other Parties

The Company	Coal Intelligent Technology Limited
The Directors	Michael Flatman, Nicola Jenkins and Andrew Wood
Mr Flatman	Michael Flatman
Ms Jenkins	Nicola Jenkins
Mr Wood	Andrew Wood
Mr Downie	James Downie
The Joint Administrators	Simon Franklin Plant and Daniel Plant
Bibby	Bibby Financial Services Limited
LTF	LTF3 Limited
Jade	Jade Global Group Limited
CIS	C.O.A.L IT Services Limited (in Liquidation)
The Trading Premises	Boundary House, 7-17 Jewry Street, London, EC3N 2EX
The Court	High Court of Justice
RPO	Redundancy Payments Office
HMRC	HM Revenue & Customs

References to Statutory and other Regulatory Provisions and Documents

The Act	The Insolvency Act 1986
The Rules	The Insolvency Rules 1986 or the Insolvency (England & Wales) Rules 2016 (whichever applied at the time of the event described)
ERA	Employment Rights Act 1996
TUPE	The Transfer of Undertakings (Protection of Employment) Regulations
ETO	Economic, technical or organisational
CDDA	Company Directors Disqualification Act 1986
SIP	Statement of Insolvency Practice
Notice of Intention	Notice of Intention to Appoint an Administrator
Notice of Appointment	Notice of Appointment of an Administrator by Holder of a Qualifying Floating Charge
CVA	Company Voluntary Arrangement
CVL	Creditors' Voluntary Liquidation
The Proposals	Statement of the Joint Administrators' Proposals
The Statement of Affairs	Estimated Statement of Affairs as at the date that the Company was placed into Administration
The First Report	The Joint Administrators' progress report for the first six month period from the date that the Company was placed into Administration
The Second Report	The Joint Administrators' progress report for the period from six months after appointment to the date specified in the report
The Last Report	The most recent progress report issued by the Joint Administrators
Review Period	Period covered by the Joint Administrators' progress report
NDA	Non-disclosure agreement
SPA	Sale and purchase agreement
The Release	Deed of release of the secured creditor's security
IPR	Intellectual property rights
A Connected Party/Connected	As defined by Section 249 of the Act (a copy of the statutory definition is overleaf)

Statutory Definition of a Connected Party

Section 249 of the Act states:

A person is connected with a company if:

- (a) he is a director or shadow director of the company or an associate of such a director or shadow director, or
- (b) he is an associate of the company;

and "associate" has the meaning given by Section 435 of the Act.

Section 435 of the Act states:

(2) A person is an associate of an individual if that person is:

- (a) the individual's husband or wife or civil partner,
- (b) a relative of
 - (i) the individual, or
 - (ii) the individual's husband or wife or civil partner, or
- (c) the husband or wife or civil partner of a relative of
 - (i) the individual, or
 - (ii) the individual's husband or wife or civil partner.

(3) A person is an associate of any person with whom he is in partnership, and of the husband or wife or civil partner or a relative of any individual with whom he is in partnership; and a Scottish firm is an associate of any person who is a member of the firm.

(4) A person is an associate of any person whom he employs or by whom he is employed.

(5) A person in his capacity as trustee of a trust other than

- (a) a trust arising under any of the second Group of Parts or the Bankruptcy (Scotland) Act 1985, or
 - (b) a pension scheme or an employees' share scheme,
- is an associate of another person if the beneficiaries of the trust include, or the terms of the trust confer a power that may be exercised for the benefit of, that other person or an associate of that other person.

(6) A company is an associate of another company

- (a) if the same person has control of both, or a person has control of one and persons who are his associates, or he and persons who are his associates, have control of the other, or
- (b) if a group of two or more persons has control of each company, and the groups either consist of the same persons or could be regarded as consisting of the same persons by treating (in one or more cases) a member of either group as replaced by a person of whom he is an associate.

(7) A company is an associate of another person if that person has control of it or if that person and persons who are his associates together have control of it.

(8) For the purposes of this section a person is a relative of an individual if he is that individual's brother, sister, uncle, aunt, nephew, niece, lineal ancestor, or lineal descendant, treating

- (a) any relationship of the half blood as a relationship of the whole blood and the stepchild or adopted child of any person as his child, and
- (b) an illegitimate child as the illegitimate child of his mother and reputed father;

and references in this section to a husband or wife include a former husband or wife and a reputed husband or wife and references to a civil partner include a former civil partner and a reputed civil partner.

(9) For the purposes of this section any director or other officer of a company is to be treated as employed by that company.

(10) For the purposes of this section a person is to be taken as having control of a company if

- (a) the directors of the company or of another company which has control of it (or any of them) are accustomed to act in accordance with his directions or instructions, or
- (b) he is entitled to exercise, or control the exercise of, one third or more of the voting power at any general meeting of the company or of another company which has the control of it;

and where two or more persons together satisfy either of the above conditions, they are to be taken as having control of the company.

(11) In this section "company" includes anybody corporate (whether incorporated in Great Britain or elsewhere); and references to directors and other officers of a company and to voting power at any general meeting of a company have effect with any necessary modifications.

Coal Intelligent Technology Limited (In Administration)

In the High Court of Justice no. 1127 of 2017

Statutory Information for Progress Report

Company Number: 09462463

Registered Office: 9 Ensign House
Admirals Way
Marsh Wall
Docklands
London E14 9XQ

Joint Administrators appointed on: 10 February 2017

Joint Administrators' functions: May be exercised by either of the Joint Administrators

Extensions to Administration period:

A twelve-month extension was granted by the secured creditor creditors on 3 January 2018.

Basis of the Joint Administrators' fees and certain expenses:

The Joint Administrators' fees were fixed by reference to the time properly given by the Joint Administrators and their staff in attending to matters arising in the administration. This basis was approved by the secured creditor on 7 June 2017. The bases of the Joint Administrators' Category 2 disbursements, including the costs of SFP Property, similarly were approved by this creditor. In addition, the unpaid pre-administration costs, as set out below, were approved by this creditor on 7 June 2017:

SFP's time costs	£3,602
SFP Property	£105

Creditors' rights to further information and challenge:

Rule 18.9 of the Insolvency (England & Wales) Rules 2016: Within 21 days of receipt of a progress report, a creditor may request the Administrator to provide further information about the remuneration and expenses set out in the report. A request must be made in writing and may be made by either a secured creditor or by an unsecured creditor with the concurrence of at least 5% in value of unsecured creditors or by any unsecured creditor with the permission of the court.

Rule 18.34 of the Insolvency (England & Wales) Rules 2016: 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 apply to the Court on the grounds that the remuneration or other expenses are excessive. Any such application must be made no later than 8 weeks after receipt of the relevant report.

Coal Intelligent Technology Limited (in Administration)

Progress Report to Creditors

APPENDIX III

- **The Joint Administrators' Receipts and Payments Account**

COAL INTELLIGENT TECHNOLOGY LIMITED
(IN ADMINISTRATION)

THE JOINT ADMINISTRATORS' RECEIPTS AND PAYMENTS ACCOUNT
FROM 10 FEBRUARY 2018 TO 9 AUGUST 2018

	Notes	Statement of Affairs £		From 10 Feb 18 to 9 Aug 18 £	From 10 Feb 17 to 9 Aug 18 £
RECEIPTS					
Sale of Assets		2,500.00		-	2,000.00
Cash at bank		13,009.00		-	13,098.95
Miscellaneous refund		-		-	5,304.75
Bank Interest Gross		-		-	2.68
TOTAL RECEIPTS		<u>15,509.00</u>		<u>-</u>	<u>20,406.38</u>
			Expenses incurred (whether or not paid)	Payments made	
		Joint Administrators' Fees and Expenses Estimate £	From 10 Feb 18 to 9 Aug 18 £	From 10 Feb 17 to 9 Aug 18 £	From 10 Feb 18 to 9 Aug 18 £
PAYMENTS / EXPENSES					
Joint Administrators' Remuneration		99,625.00	4,025.00	105,913.50	-
Joint Administrators' Category 1 Disbursements	1	1,492.05	2.99	1,697.64	-
Joint Administrators' Category 2 Disbursements		379.52	-	191.52	-
SFP Property Fees and Expenses		4,306.00	-	4,995.00	3,006.00
Other Property Expenses		-	-	502.86	502.86
Agents' / Valuers' Fees and Disbursements		10,190.00	-	9,190.00	5,204.56
Legal Fees and Disbursements		5,026.00	-	4,276.00	1,000.00
Statutory Advertising		85.00	-	84.60	84.60
Insurance of Assets		1,000.00	-	1,155.00	1,155.00
Storage/Destruction costs		418.84	224.96	951.64	224.96
Mail Redirection		260.00	-	185.00	185.00
TOTAL PAYMENTS / EXPENSES		<u>122,782.41</u>	<u>4,252.95</u>	<u>129,142.76</u>	<u>3,230.96</u>
BALANCE IN HAND					<u>7,816.72</u>
REPRESENTED BY					
Interest Bearing Current Account					7,771.73
VAT Receivable					44.99
BALANCE IN HAND					<u>7,816.72</u>

NOTES TO THE JOINT ADMINISTRATORS' RECEIPTS AND PAYMENTS ACCOUNT

Notes

1 Further details of material disbursements/expenses incurred in the period are as follows:

Postage	£2.99
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Coal Intelligent Technology Limited (in Administration)

Progress Report to Creditors

APPENDIX IV

- **Breakdown of the Joint Administrators' Fees**

SUMMARY OF TIME INCURRED FOR THE PERIOD 10 FEBRUARY 2018 TO 09 AUGUST 2018

See Appendix for Summary Charge Out Rates for staff

Coal Intelligent Technology Limited (in Administration)

Progress Report to Creditors

APPENDIX V

- **Breakdown of SFP Property Limited Fees**

SUMMARY OF TIME INCURRED FOR THE PERIOD 10 FEBRUARY 2018 TO 09 AUGUST 2018

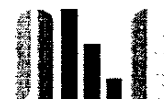
See Appendix for Summary Charge Out Rates for staff

Coal Intelligent Technology Limited (in Administration)

Progress Report to Creditors

APPENDIX VI

- **SFP's Charge-out rates and Bases of Disbursements**



Charge-out rates for office holders and their staff and bases of calculation of disbursements

Time costs of office holders and their staff are recorded in 6-minute units at the charge-out rates shown.

These rates are reviewed periodically and are subject to inflationary or other adjustments. Up-to-date schedules of charge-out rates will be provided in all future reports.

For further information regarding fees, please download the relevant Guide at <http://panel.sfpgroup.com/> or a hard copy will be provided on request.

Further information regarding insolvency processes in general is available at www.creditorinsolvencyguide.co.uk

SFP Restructuring Limited	
Grade	Rate £/hr
Director 2	500
Director 1	450
Senior Manager 2	350
Senior Manager 1	325
Manager 2	300
Manager 1	275
Assistant Manager	260
Senior Administrator 2	250
Senior Administrator 1	225
Administrator 2	175
Administrator 1	150
Assistant	100
Data Store Administrator	75

Category 1 Disbursements

Category 1 disbursements are costs that can be specifically identified as relating to the administration of the case. These are charged to the estate at cost, with no uplift. These include, but are not limited to, such items as advertising, bonding and other insurance premiums, and properly reimbursed expenses. Postage directly incurred on the case is also charged at cost as at Category 1 disbursement. Legislation provides that office holders may discharge Category 1 disbursements from the funds held in the insolvent estate without further recourse to creditors.

Category 2 Disbursements

Category 2 disbursements are costs that are also directly referable to the appointment in question but not to a payment to an independent third party. Payments may only be made in relation to Category 2 disbursements after the relevant creditors (or committee) have approved the bases of their calculation. Set out below are the bases of the office holder's disbursements in this category.

Stationery / Photocopying – standard charge

A single charge will be made based upon the number of circulars expected to be sent to creditors and members. The charge therefore is dependent upon the type of insolvency and the number of creditors and members.

	Charge per creditor / member (£)
Administration ("ADM")	1.00
CVL (following ADM)	0.60
CVL (not following ADM)	0.50
CVA (one year duration)	0.60
CVA (each additional year)	0.40
Compulsory Liquidation	0.50
(note: only creditors charged)	
Bankruptcy	0.50

Stationery / Photocopying – exceptional charge

In the event that an exceptional circular (i.e. not including expected circulars such as notices of appointment) is sent to at least 100 recipients, it will be charged on the following basis.

	Per page / envelope (£)
1 page of headed paper	0.12
1 page of continuation paper	0.10
1 page of photocopying paper	0.02
Envelopes (all sizes)	0.10

Mileage

(Note: if, as an alternative to using the pool or personal car, public transport is used, the costs will be charged as a Category 1 disbursement.)

	Per mile (£)
Pool car	1.10
Director's / staff's personal car	0.45
Additional cost for each passenger in colleague's personal car	0.05

Sep-16