

Registrar of Companies
Companies House
Crown Way
Maindy
Cardiff
CF14 3UZ

25 November 2022
Reference: CH/SK/20221124/CE07

Dear Sir or Madam,

Climate Energy Limited – in Liquidation (“the Company”)

I refer to the appointment as Liquidator of the Company on 29 September 2016.

I am now able to conclude the winding up of the affairs of the Company and have prepared the attached final account. Please note that no objections to the liquidator’s release were received by creditors of the Company.

Should you have any queries regarding this letter, please contact one of the liquidation team by email at climateenergy@fticonsulting.com.

Yours faithfully,
For and on behalf of the Company



Simon Ian Kirkhope
Liquidator

The affairs, business and property of the Company are being managed by the Liquidator. The Liquidator acts as agent of the Company and without personal liability. Simon Kirkhope is licensed in the United Kingdom to act as insolvency practitioners by the Institute of Chartered Accountants in England and Wales, under section 390A(2)(a) of the Insolvency Act 1986. The Liquidator is bound by the Insolvency Code of Ethics which can be found at: <https://www.gov.uk/government/publications/insolvencypractitioner-code-of-ethics>.

FTI Consulting LLP (“FTI”) uses personal information in order to fulfil the legal obligations of our Insolvency Practitioners under the Insolvency Act and other relevant legislation, and also to fulfil the legitimate interests of keeping creditors and others informed about the insolvency proceedings. You can find more information on how FTI uses your personal information on our website at <https://www.fticonsulting-emea.com/~media/Files/emea--files/creditors-portal/cip-emea-forms-info/cip-data-privacy.pdf>

LIQ14

Notice of final account prior to dissolution in CVL



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

1 Company details

Company number 0 5 3 1 0 5 6 4

Company name in full Climate Energy Limited

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

2 Liquidator's name

Full forename(s) Simon Ian

Surname Kirkhope

3 Liquidator's address

Building name/number 200 Aldersgate

Street Aldersgate Street

Post town London

County/Region Greater London

Postcode E C 1 A 4 H D

Country United Kingdom

4 Liquidator's name ①

Full forename(s)

Surname

① **Other liquidator**
Use this section to tell us about another liquidator.

5 Liquidator's address ②

Building name/number

Street

Post town

County/Region

Postcode

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



X

Signature date

^d 2 ^d 5

^m 1 ^m 1

^y 2 ^y 0 ^y 2 ^y 2

LIQ14

Notice of final account prior to dissolution in CVL



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 Calvin Hung

Company name FTI Consulting

Address 200 Aldersgate

Post town London

County/Region Greater London

Postcode E C 1 A 4 H D

Country

DX

Telephone



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

25 November 2022



**Climate Energy Limited –
Final Account for the
Liquidation, made up to 25
November 2022**

COMPANY NUMBER: 05310564

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Glossary

Abbreviation / Term	Meaning / Definition
The Act	Insolvency Act 1986 (as amended)
Administrators / Liquidator(s) or Joint Administrators / Joint Liquidators	Chad Griffin and Simon Kirkhope for the period to 23 April 2020, Simon Kirkhope thereafter
CEL or the Company	Climate Energy Limited
CEN	CEN (Holdings) Limited
The Companies	CEL, Consulting, NFP, Services
NFP	Climate Energy (NFP) Limited
Consulting	Climate Consulting Limited
CVL	Creditors' Voluntary Liquidation
The Group	CEL, CEN, Consulting, NFP, Services, Solutions
HMRC	HM Revenue and Customs
HSBC / The Bank / The Secured Creditor	HSBC Bank Plc
The Period	29 September 2021 to 25 November 2022
The Previous Reports	Previous progress reports
The Proposals	The Joint Administrators' proposals dated 30 November 2015
The Rules	Insolvency (England & Wales) Rules 2016
Services	Climate Energy Services Limited
SIP	Statement of Insolvency Practice
Solutions	Climate Energy Solutions Limited
WIP	Work in progress

1. Introduction

- 1.1 Chad Griffin and Simon Kirkhope were appointed as joint administrators of CEL on 9 October 2015.
- 1.2 The Administration of the Company was converted to a CVL on 29 September 2016. The conversion to CVL took place pursuant to Paragraph 83 of Schedule B1 to the Act and Rule 3.60 of the Rules, and in accordance with the Proposals, Chad Griffin and Simon Kirkhope were appointed as joint liquidators of CEL.
- 1.3 On 23 April 2020, Chad Griffin gave notice of his resignation as joint liquidator of the Company to the Registrar of Companies under Section 171 of the Act. Pursuant to Rule 6.25 of the Rules, a decision procedure for a replacement liquidator was not sought and Chad Griffin ceased to act as joint liquidator of the Company. Following a period of 21 days, Chad Griffin was released as joint liquidator of the Company on 14 May 2020.
- 1.4 Full details of the statutory information relating to the appointment are set out in Appendix A.
- 1.5 Further details in respect of both the Administration and Liquidation processes can be found in the Administrators' Proposals or the Administrators' and Liquidators' Previous Reports.
- 1.6 No creditors committee has been formed in either the Administration or subsequent Liquidation.
- 1.7 This final account on the Liquidation is prepared pursuant to Section 106 of the Act. The purpose of this report is to provide creditors with an update on the progress of the Liquidation during the period from 29 September 2021 to 25 November 2022 ("the Period"), and the winding down of the Company leading to the end of the Liquidation.
- 1.8 A creditors' guide to insolvency can be found here: <http://www.creditorinsolvencyguide.co.uk/>.
- 1.9 As disclosed in our Previous Reports, Chad Griffin and Simon Kirkhope were appointed as joint administrators of NFP and Services on 7 October 2015; and Consulting on 6 November 2015. The administrations of the companies were converted to CVLs on 29 September 2016 in respect of Consulting and NFP, with Services converting on 30 September 2016. The conversions to CVLs took place pursuant to Paragraph 83 of Schedule B1 of the Act and Rule 3.60 of the Rules. This report does not cover the affairs of NFP, Services or Consulting as the liquidators have received their release from office and each company has now been dissolved. Please contact our office if you require information in relation to these entities.
- 1.10 Chad Griffin and Simon Kirkhope were also appointed as joint administrators of CEN and Solutions on 19 October 2015 and 7 October 2015 respectively. This report does not cover the affairs of CEN or Solutions as both companies have been dissolved.
- 1.11 Two further group companies, Climate Energy Holdings Limited and Climate Energy Homes Limited, were in liquidation and administration respectively, and have subsequently been dissolved. Separate liquidators and administrators were appointed in respect of these two companies.
- 1.12 During the Period, a final dividend was paid to the unsecured creditors of the Company, and all final matters to complete the CEL Liquidation have been concluded.

2. Progress of the Liquidation

Background Information and Initial Actions

- 2.1 A full background to the administration appointments together with details of the steps taken to pursue a sale of all or part of the businesses, and the actions taken during the wind down of trading was provided in the Administrators' Proposals and the Previous Reports provided to creditors during both the Administration and Liquidation.

Receipts and Payments During the Period

- 2.2 A full account of the receipts and payments is provided at Appendix B.
- 2.3 No further asset realisations were made in the Period, and consequently no new monies were received by the Company. Before issuing this report, all remaining VAT receivable was assigned to FTI Consulting LLP in part settlement of the final invoice for acting as liquidator, enabling the Liquidation to be concluded without unnecessary delay.
- 2.4 Payments made during the Period include:
- Office holder's fees;
 - Data compliance costs;
 - Unsecured creditor dividend payments;
 - Costs and taxes relative to employee payments made as a consequence of the unsecured creditor dividend payments; and
 - A processing fee to the Insolvency Service relating to the transfer of unclaimed dividends into the Insolvency Services Account ("ISA").

Asset Realisations

- 2.5 Asset realisations in prior periods have been discussed in the Previous Reports.
- 2.6 As stated in our progress report for the period ending the 28 September 2021, proceeds of £94,011.60 were received from the Crown Prosecution Service in relation to an enforcement action brought against a former employee who had stolen significant amounts from the Company prior to the appointment of the Joint Administrators.
- 2.7 These legal proceedings were delayed as a consequence of the COVID-19 pandemic and liaison with Essex Police and HM Courts and Tribunal Services was required to pursue and realise the compensation payment. Receipt of these funds was necessary to enable the final dividend to be paid to unsecured creditors during the Period.
- 2.8 I am not aware of any further realisations that can be made for the benefit of creditors.

Intercompany Balances

- 2.9 There were several intercompany balances across the Companies. These were treated as unsecured claims in the relevant insolvency estates. The Company submitted a claim against NFP (£102,639) and Consulting (£692,572) and Services submitted a claim against the Company totaling £1,688,007.
- 2.10 As the claims could not be directly offset, each of the Companies received funds from distributions from one or more of the other Companies.
- 2.11 An assessment was made of the Company's potential realisations from the above mentioned legal proceedings, and the associated costs of dealing with such realisations. Given the circularity of intercompany balances and costs likely to be incurred, any realisations would have provided negligible value to third party creditors of Services, Consulting and NFP. The decision was therefore taken to conclude each of the liquidations of Services, Consulting and NFP.

Taxation

- 2.12 During the Period, corporation tax returns were not required for the Company. After receipt of the above proceeds, I contacted HMRC regarding the appropriate tax treatment and sought clearance from HMRC. HMRC confirmed that the Company has been marked as dormant and that no matters remain outstanding.
- 2.13 In respect of VAT, CEL was deregistered for VAT purposes, with all subsequent input VAT recovered via a Form VAT 427. This amounted to £12,372.62 and was assigned to FTI in part settlement of the final invoice for acting as liquidator, enabling us to conclude the Liquidation without unnecessary delay.

Statutory Investigations

- 2.14 During the Administration, the Administrators undertook investigation work in accordance with SIP2, including a review of the books and records of the Company, to identify realisable assets which were then compared to the values in the directors' statement of affairs.
- 2.15 The data gathered from our investigations assisted with our statutory duties, pursuant to the Company Directors Disqualification Act 1986, to review the conduct of all directors who served in respect of the Company in the three-year period prior to the date of the Administration.
- 2.16 The Administrators concluded the review and submitted final returns to the Department for Business, Energy and Industrial Strategy during the Administration. The content of that report in relation to this is confidential.
- 2.17 As the Liquidation appointment date pre-dated the Rules, which changed with effect from 6 April 2017, there was no requirement to also report on the directors' conduct in the Liquidation.
- 2.18 No further relevant information has arisen during the Liquidation of the Company and therefore further reports to the Department for Business, Energy and Industrial Strategy have not been required.
- 2.19 For the avoidance of doubt, the recovery of stolen funds previously detailed is with reference to a former employee of the Company and not a Company director.

Liquidators' Remuneration

- 2.20 At the initial meetings of creditors held by correspondence on 16 December 2015, the Administrators' remuneration was fixed by reference to the time properly given by the Administrators and their staff. Details of the rules in relation to the Administrators'/Liquidators' remuneration, together with details of the Liquidators' time costs to date and the Administrators'/Liquidators' revised fees estimates are set out at Appendix C.
- 2.21 Following the Administration, and with consideration given to the additional work required, revised fees estimates were approved by creditors of CEL at meetings held by correspondence on 17 November 2016. Subsequently, on 20 December 2021, a further increase of the Liquidator's fees by £20,000 was approved, as a consequence of the additional work required to complete a second distribution to the Company's unsecured creditors.
- 2.22 To date, actual time costs have exceeded the fees estimate. This is largely as a result of the creditor adjudication and distribution process being more complicated than initially anticipated, as the case is closing no further fees will be drawn.

Summary of Fees Paid & Approved		(£)
Administration Fees Estimate		536,629
Liquidation Fees Estimate		155,000
Total Fees Approved		691,629
Administration fees paid during the Administration		433,965
Administration fees paid during the Liquidation		102,664
Liquidation fees paid during the liquidation		154,999
Total Fees Paid		691,628

Breakdown Of Fees Approved as at 25 November 2022			
Task	Total Office Holders' Fees		
	Hr	£	£/hr
Administration and Planning	846	206,658	244
Investigations	223	46,631	209
Realisation of assets	309	93,975	304
Trading	26	9,513	366
Creditors	692	186,857	270
Tax	106	36,822	348
Reporting	182	52,413	288
Other	27	7,566	280
Fixed charge-related	154	51,195	332
Total	2,565	691,629	271

2.23 Remuneration for undertaking the work in relation to the Administration and Liquidation was approved on a time cost basis with a combined fees estimate of £691,629. The fees estimate acted as a cap on remuneration and an officeholder is unable to draw remuneration in excess of the fees estimate even if time costs exceed it. Time costs have exceeded the fees estimates provided to creditors, with the sum of time costs for the combined Administration and Liquidation periods totaling £1,077,102.

2.24 A creditors' guide to liquidators' fees setting out creditors' rights to further information and how fees are approved can be found here: <https://www.fticonsulting.com/emea/cip/forms-and-information>.

2.25 If creditors wish to be supplied with a hard copy of this guidance, they should contact a member of the Liquidator's staff using the details set out at the end of this report.

2.26 Additional information in relation to the Administrators' / Liquidator's staffing policies can be found in Appendix E.

Creditors' Right to Challenge Remuneration and / or Expenses

2.27 In accordance with 18.34 of the Rules, any secured creditor or unsecured creditor with the support of at least 10% in value of the unsecured creditors of the relevant entity, or with leave of the Court, may apply to the Court for one or more orders, challenging the amount or the basis of the remuneration which the Liquidators are entitled to charge or otherwise challenging some or all of the expenses incurred. Such applications must be made within eight weeks of receipt by the applicant(s) of the report detailing the remuneration and / or expenses in question.

Creditors' Right to Request Information

2.28 Any secured creditor or unsecured creditor with the support of at least 5% in value of the unsecured creditors of the Company or, with leave of the Court, may, in writing, request the Liquidator of the Company to provide additional information regarding remuneration or expenses to that already supplied with this document. Such requests must be made within 21 days of receipt of this report, in accordance with rule 18.9 of the Rules.

3. Summary of Creditor Returns

3.1 Please see below a table detailing the total return to the different Group's of creditors:

Creditor Dividend Summary				
	Secured Creditors	Preferential Creditors	Unsecured Creditors	Shareholders
Estimated debt (£)	524k	100k	9,710k	100
Total Dividend Distributions (£)	524k	100k	628k	Nil
Total Level of Return (p/£)	100	100	6.5	Nil

3.2 Unsecured creditors rank behind both secured and preferential creditors, whilst shareholders rank behind all classes of creditor; as such, shareholders have received no distributions through the Administration and Liquidation.

Secured Creditors

3.3 As previously reported, the Secured Creditor was repaid in full from the fixed asset realisations in the CEL Administration.

Preferential Creditors

3.4 Under the Act, the main classes of preferential creditor are employees (for arrears of wages, holiday pay and pension contributions).

3.5 On 27 September 2017, the Joint Liquidators wrote to all employees of the Company giving notice of an intended dividend to all preferential creditors of 100 pence in the pound. The notice set a last date for proving of 24 October 2017.

3.6 In the directors' statement of affairs, the Company's records had detailed pension contributions as outstanding. Agents were instructed to review the position and liaise with all the pension providers to whom the Company had historically made contributions. The agents were informed that neither employee nor employer contributions remained outstanding and as such, no preferential payments have been made to pension providers.

3.7 Claims totalling £100k were received from preferential creditors of the Company and these were paid a dividend of 100p in the pound on 17 November 2018.

Unsecured Creditors

3.8 The Liquidators issued a notice to submit claims to all the Company's known unsecured creditors on 11 October 2016.

3.9 Pursuant to Rule 14.29 of the Rules, the Liquidators issued a notice of intended dividend to all known creditors on 19 December 2018. Given the lapse in time from October 2016, creditors who had not yet proved their debts were given notice that the last date for proving was the 25 January 2019. If the unsecured creditors of the Company failed to prove their debts by this date, their claims would not be considered for dividend purposes.

3.10 A first dividend to the Company's unsecured creditors of £557,429.72 was issued on 20 March 2019, with a return to unsecured creditors of 5.7p in the £. Please see the Previous Reports for additional details.

3.11 As a result of the proceeds received from the CPS, a second and final distribution was made to the Company's non-preferential unsecured creditors of £70,704.21, bringing the total return to unsecured creditors to 6.5p in the £.

3.12 The Notice of Intention to Declare a Dividend was sent by post only to creditors who had not proven their claims, with the Notice otherwise displayed on the Creditor Portal (<https://www.fticonsulting.com/emea/cip/climate-energy>). Creditors who had not proven had until 20 December 2021, the last date for proving, to do so. No further action was required from creditors

who participated in the previous unsecured distribution in March 2019. However, I requested that creditors inform me of any changes in the particulars of their claim.

3.13 The final dividend was issued on the 9 February 2022.

3.14 Details of the second and final distribution to unsecured creditors are set out below.

Final Dividend			
Entity	Value (£)	Rate (p in £)	Date Paid
CEL	70,704.21	0.73	9 th February 2022

3.15 After six months had elapsed, unclaimed dividends in the sum of £25,279.32 (excluding ISA fees) relating to both the 1st and 2nd distribution were paid over to the Insolvency Services' Unclaimed Dividend Account (ISA).

3.16 There will not be any further dividend to non-preferential unsecured creditors as all available funds have now been utilised in meeting the expenses of the Liquidation with all surplus funds distributed to the relevant classes of creditors.

4. Final Account

4.1 The Company's affairs are now fully wound up and the Liquidator is seeking his release.

4.2 A 'Notice of Final Account' is set out in Appendix F. The Notice sets out creditors' rights to request information, challenge remuneration and/or expenses, and how to object to the Liquidator's release.

4.3 Creditors should note that provided no objections to release are received, Simon Kirkhope shall obtain his release as liquidator following the delivery of the final report to the Registrar of Companies. Please note that, as previously disclosed, Chad Griffin resigned as joint liquidator and received his release on 23 April 2020.

4.4 It is anticipated that this report will be the final communication to creditors.

4.5 Should you have any queries in the meantime or wish to be sent a hard copy of this report please contact a member of the Liquidator's staff at climateenergy@fticonsulting.com or on 020 3727 1019.

For and on behalf of the Company,



Simon Kirkhope
Liquidator

Simon Kirkhope is licensed in the United Kingdom to act as an insolvency practitioner by the Institute of Chartered Accountants in England and Wales, under section 390A(2)(a) of the Insolvency Act 1986.

The Liquidator is bound by the Insolvency Code of Ethics which can be found at: <https://www.gov.uk/government/publications/insolvencypractitioner-code-of-ethics>.

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Appendix A – Statutory Information

Company and Appointment Information

Trading names	Climate Energy Limited
Registered number	05310564
Registered office	C/O FTI Consulting LLP, 200 Aldersgate Street, London EC1A 4HD
Director(s)	Mr Mizanal Choudhury, Mr Andrew Holmes
Company secretary	N/A
Shareholdings	Climate Energy Holdings Limited (100%)
Administration Court reference	6593/2015
Court	High Court of Justice Chancery Division Companies Court
Administration appointment date	9 October 2015
Appointer	Company Directors
Liquidation appointment date	29 September 2016

Liquidator's Information

Name	Simon Kirkhope*
Address	200 Aldersgate Street, London EC1A 4HD
Authorising body	The Institute of Chartered Accountants in England and Wales

*Chad Griffin resigned as one of the joint liquidators on 23 April 2020 receiving his release on 14 May 2020. No replacement was sought.

The appointments of the Administrators were made by the directors of the Company pursuant to Paragraph 22 of Schedule B1 of the Act. We also received written consent to the appointments from the holder of a qualifying floating charge over the assets of the Company along with the necessary consents under the Consumer Credit Act. The validity of the appointments was confirmed by our former legal advisors, King & Wood Mallesons LLP.

The Administration of the Company was converted to Creditors' Voluntary Liquidations on 29 September 2016. The conversion to CVL took place in accordance with Rule 3.60 of the Rules and in accordance with the Proposals, Simon Kirkhope and Chad Griffin were appointed as joint liquidators of the Company.

Prior to the resignation of Chad Griffin and pursuant to Paragraph 100 of Schedule B1 of the Act, any function of the Liquidators was exercised by any or both of the Liquidators named above. Since Mr Griffin's release, Mr Kirkhope has acted as the sole Liquidator of the Company.

The centre of main interest of the Company is the United Kingdom. Therefore, the EC Regulations on Insolvency Proceedings 2000 apply to the insolvency appointments. The proceedings are main proceedings as defined by Article 3 of those regulations.

Appendix B – Liquidators' Receipts and Payments Account

Climate Energy Limited - Liquidators' Receipts and Payments for the period 29 September 2016 to Closing			
£	From To	29 Sep 2021 Closing	Full Liquidation Period to Closing
Floating charge receipts			
Book Debts		-	9,474.83
Electricity Refund		-	3,470.40
Bank Interest		-	35.24
Proceeds from CPS enforcement		-	94,011.60
Specific Bond		-	158.00
Transfer of Surplus Cash from Administration		-	932,865.00
Rates		-	216.48
Total		-	1,040,231.55
Floating charge payments			
Postage & Stationary		1,818.65	6,713.40
Legal Fees		-	7,929.74
Statutory Advertising		-	308.01
Administrators' Fees		-	102,664.29
Liquidators' Fees	1	29,999.07	154,999.07
Liquidators Disbursements		593.57	593.57
Sundry Expenses		25.75	4,356.75
Data Compliance Costs		40.00	160.00
Agents/Valuers Fees		-	2,000.00
Insurance of Assets		-	8,509.45
VAT - Irrecoverable		176.57	19,287.18
Employee Related Costs		255.00	4,525.00
Bank Charges		-	34.71
Total		-	312,081.17
Current Surplus / (Deficit)		-	728,150.38
Preferential Distribution	2	-	100,034.29
Unsecured Distribution	3 - 4	70,704.21	628,116.09
Total distribution		70,704.21	728,150.38
Represented by			
VAT Receivable	5	6,548.02	12,372.62
Floating Charge Account	6	(110,160.84)	(12,372.62)
Total		(103,612.82)	-

Notes

- Liquidator Fees were invoiced for a net amount of £29,999.07 - of this amount, £24,300.27 has been paid. The remaining amount (including VAT) will be settled by receipt of the awaited VAT receivable. There will be a small shortfall to FTI of c£40.
- Preferential dividend paid to preferential creditors of CEL on 17 Nov 2017 at 100p in the £.
- Unsecured first and second (final) dividend paid to unsecured creditors of CEL, on 20 March 21 for 5.7p in the £ and 9 February 22 for 0.73p in the £. There has been a small variation in the unsecured distribution since our previous report totalling <£20 which has arisen as a consequence of one creditor having informed us they do not have a claim.
- Note that the dividends have been paid both via BACS and cheques. The proportion of the cheques remaining uncashed was transferred to the ISA which will hold all unclaimed dividends and make payments to creditors where these amounts are claimed.
- The remaining VAT receivable amount of £12,372.62 was assigned to FTI when submitting the VAT Return - this allowed the case to be closed through the initial part payment of the fees as per above.
- No more funds were held in the Company's accounts at the end of the Liquidation.

Appendix C – Liquidators' Time Costs and Expenses

Liquidator's fees

Pursuant to Rule 18.16 of the Rules, the remuneration of the Administrators/Liquidators can be fixed on the basis of one of the following:

- as a percentage of the value of property with which they have to deal;
- by reference to time properly given by the Administrator/Liquidator and his staff attending to matters arising in the administration/liquidation; or
- a set amount.

As approved by the creditors of the Company by meeting by correspondence held on 16 December 2015, the Administrators/Liquidators were to be remunerated by reference to time properly given by the Administrators/Liquidator and his staff attending to matters arising in the administration/liquidation. The basis of my remuneration for acting as Liquidator is the same as that approved in the preceding Administration.

Liquidator's fee estimate

A breakdown of the actual time incurred to closure (including during the Administration) and the fees estimates previously approved are shown below. All amounts shown are exclusive of VAT.

	Total Office Holders' Fees Approved			Total Office Holders' Fees Incurred		
	Hr	£	£/hr			£/hr
Administration and Planning	846	206,658	244	963	284,599	296
Investigations	223	46,631	209	435	50,586	116
Realisation of assets	309	93,975	304	636	92,147	145
Trading	26	9,513	366	272	23,454	86
Creditors	692	186,857	270	759	418,359	551
Tax	106	36,822	348	368	44,607	121
Reporting	182	52,413	288	410	101,367	247
Other	27	7,566	280	212	8,029	38
Fixed charge-related	154	51,195	332	210	62,392	297
Total	2,565	691,629	271	4,265	1,085,538	255

Our current fees estimate of £691,629 was approved by the creditors of the Company at a decision convened by the Liquidator and held by correspondence on 29 September 2021. The fees estimate acts as a cap, covering both the Administration and Liquidation periods, and the office holder could not draw remuneration in excess of the estimate without first seeking approval from the creditors.

As previously reported, the Administrators incurred total time costs of £536,629 (plus VAT) during the Administration of the Company, of which £433,965 was paid in the Administration. As covered in previous reports, the balance in relation to the Administration of £102,664 was subsequently paid during the Liquidation. The fees estimate in relation to the Administration has therefore been fully drawn.

As set out earlier in this report, the fees estimate for the Liquidation totalled £155k (plus VAT). Total fees of £154,999 have been drawn. The table above (together with the detailed information in Appendix D) illustrates that the actual costs incurred have significantly exceeded the previous fees estimate, largely due to the creditor adjudication process and first distribution being more complicated than originally anticipated.

Certain additional work was not envisaged when fee approval was sought, this included corresponding with Essex Police and HM Courts and Tribunal Services regarding the fraud case brought against a former employee, who had stolen significant amounts from the Company prior to the appointment of the Joint Administrators.

These legal proceedings were delayed as a consequence of the COVID-19 pandemic and there was a further delay in the receipt of funds after the individual was found guilty and compensation award made. After liaison with HM Courts and Tribunal Services, £94,011.60 was realised. Consequently, the Liquidator's staff were able to begin the process of paying an additional dividend to

unsecured creditors, which had been unforeseen. That distribution required extensive work in cashiering, reconciliation and administration, given the volume of creditors and complexity of the distribution.

A breakdown of previous fees estimate revisions can be found in the preceding progress report. The hourly rates charged by the Administrators, and the subsequent Liquidators, are provided at Appendix E.

Post-appointment time costs and expenses

An analysis of the Liquidator's/ Joint Liquidators' time in accordance with the provisions of SIP9, which provides details of the activity costs incurred by staff grade to date, is enclosed at Appendix D.

The main areas of our work in the Liquidation during the Period have been as follows. All of these workstreams will be completed or will shortly be finalised (i.e. final filings with Companies House).

Category	Description	Rationale
Administration & Planning	<ul style="list-style-type: none"> • Cashiering and reconciliation of bank accounts. • Complying with statutory formalities include relevant filings and statutory communications. • Maintaining the Liquidation record. 	Statutory / compliance requirement; to ensure efficient project management
Realisation of Assets	<ul style="list-style-type: none"> • Looking at the Estimated Outcomes for CEL on receipt of the above funds. 	Identify, assess and seek to realise potential value
Creditors & Shareholders	<ul style="list-style-type: none"> • Responding to creditor queries. • Updating creditors on case progression. • Payment of final unsecured dividend, including issuing Notice of Intention to Declare Dividend, reviewing additional proof of debts, adjudicating additional claims, and calculation and payment of dividend. • Addressing queries in relation to the leasehold properties of the Company. 	Statutory requirements; required for orderly case management
Tax / VAT	<ul style="list-style-type: none"> • Notifications sent to relevant tax authorities. • Filing relevant corporation tax returns. • Recovering VAT due to the Company through the submission of VAT 427 forms. 	Statutory requirement as 'proper officer' for tax purposes.
Reporting & other matters	<ul style="list-style-type: none"> • Preparing, reviewing and issuing the annual progress report to creditors, members and Companies House. • Preparing, reviewing and issuing a final account of the Liquidation to creditors, members and Companies House. 	Required by statute and to inform creditors.

Creditors should be made aware that a certain of the work performed by the Liquidator and his staff during the period, involved work that did not provide a financial benefit to the estate, for example the statutory formalities to report to the Company's creditors.

All fees and out-of-pocket expenses incurred and paid are detailed in Appendix D.

Category 1 expenses are not subject to creditor approval. Approval to draw Category 2 expenses was given at initial meetings of creditors held by correspondence on 16 December 2015 and relate to costs which are apportioned overheads such as mileage and data storage. Further details in relation to this can be found at Appendix E together with additional information in relation to our policy on staffing, the use of subcontractors, and details of our current charge out rates by staff grade.

Expenses incurred in the Liquidation

The table below details the expenses incurred during the liquidation.

Liquidation Expenses Incurred				
Type of Expense	Overview of Cost Incurred	Incurred in Prior Periods	Incurred in Period	Total Incurred
Expenses Relative to Liquidation Period				
Postage & Stationary	Costs incurred re mail sent to creditors, including issuance of cheques for unsecured distribution	4,894.75	1,818.65	6,713.40
Statutory Advertising	Costs of advertisements placed on London Gazettes, including Notices in relation to appointment, dividend, and meetings	308.01	-	308.01
Data Compliance	Annual Information Commissioner's Office fee	120.00	40.00	160.00
Employee Related Costs	Costs due to ERA solutions regarding dividend distribution to employees	4,270.00	255.00	4,525.00
Bank Charges	Incurred through Barclays for urgent payments and to place stops on original cheques ahead of second dividend	34.71	-	34.71
Sundry Expenses	Expenses incurred for taxis, transfers and other Liquidator disbursements	4,331.00	795.89	5,126.89
Total		13,958.47	2,909.54	16,868.01

Appendix D – Time Cost Analysis

Time cost analysis in compliance with SIP9 for the Company for the reporting Period

Climate Energy Limited - Analysis of Time Costs In Accordance with SIP9 for the period 29 September 2021 to 25 November 2022

Task	Senior Managing Director	Managing Director / Director	Senior Consultant / Consultant	Associate	Total Time	Total Cost	Average Cost
Administration and Planning							
Strategy and planning	-	0.5	-	0.5	1.0	245.0	245.0
Appointment and related formalities	-	4.0	-	1.0	5.0	2,975.0	595.0
Receipts and payments accounts	-	-	-	7.3	7.3	1,780.5	243.9
Checklist and reviews	-	2.7	-	3.5	6.2	1,660.0	267.7
Cashiering and reconciliations	-	0.6	-	5.8	6.4	1,898.0	296.6
Bonding and IPS maintenance	-	-	-	1.0	1.0	235.0	235.0
Case Admin	-	2.0	-	4.8	6.8	2,175.0	319.9
Subtotal	-	9.8	0.0	23.9	33.7	10,968.5	
Investigations							
Reports of Directors' conduct	-	-	-	-	-	-	-
Books and records	-	0.3	-	-	0.3	238.5	795.0
Electronic records	-	-	-	-	-	-	-
Other investigations	-	-	-	-	-	-	-
Subtotal	-	0.3	0.0	0.0	0.3	238.5	
Creditors (correspondence and claims)							
Unsecured creditors	-	28.1	-	95.2	123.3	44,481.0	360.8
Pensions	-	-	-	-	-	-	-
Employees	-	-	-	-	-	-	-
Lease creditors	-	-	-	-	-	-	-
Subtotal	-	28.1	0.0	95.2	123.3	44,481.0	
Tax							
Initial reviews CT and VAT	-	-	-	-	-	-	-
Post appointment CT	-	-	-	-	-	-	-
Post appointment VAT	-	5.5	-	-	5.5	3,903.0	709.6
Tax advice on transactions	-	-	-	-	-	-	-
Other post appointment tax	-	-	-	-	-	-	-
Subtotal	0.0	5.5	0.0	0.0	5.5	3,903.0	
Reporting							
Other statutory reports/meetings	-	5.4	-	36.7	42.1	10,487.5	249.1
Closure of Trading	-	-	-	52.5	52.5	12,862.5	245.0
Subtotal	-	5.4	-	89.2	94.6	23,350.0	
Total Time by Grade	0.0	49.1	0.0	208.3	257.4		
Total Cost by Grade	0.0	29,652.0	0.0	53,289.0	82,941.0		
Average by Grade		603.9		255.8	322.2		

	Time Costs	Category 1*	Category 2	Total
Total Costs to Date	82,941.0	465.0		82,941.0
Amount Billed	(29,999.1)			
Total WIP	52,491.9	465.0		82,941.0

*Category 1 disbursements include ICO and posting fees paid via officeholder funds

Time cost analysis in compliance with SIP9 for the Company for the full Liquidation Period

Climate Energy Limited - Analysis of Time Costs In Accordance with SIP9 for the period 29 September 2016 to 25 November 2022

Task	Senior Managing Director	Managing Director / Director	Senior Consultant / Consultant	Associate	Total Time	Total Cost	Average Cost
Administration and Planning							
Strategy and planning	-	11.2	17.7	7.0	35.9	12,653.5	352.5
Appointment and related formalities	-	5.2	12.0	1.0	18.2	8,135.0	447.0
Receipts and payments accounts	-	0.6	2.8	16.5	19.9	4,559.5	229.1
Checklist and reviews	-	29.8	8.7	161.5	200.0	44,263.0	221.3
Cashiering and reconciliations	-	2.1	6.9	166.3	175.3	35,505.5	202.5
Bonding and IPS maintenance	-	1.5	0.2	3.0	4.7	1,190.0	253.2
Case Admin	-	2.8	11.8	18.0	32.6	8,984.0	275.6
Subtotal	-	53.2	60.1	373.3	486.6	115,290.5	
Investigations							
Reports of Directors' conduct	1.5	-	-	0.6	2.1	778.5	370.7
Books and records	-	0.3	-	5.4	5.7	1,237.5	217.1
Electronic records	-	-	-	1.2	1.2	222.0	185.0
Other investigations	-	-	0.8	8.0	8.8	1,716.0	195.0
Subtotal	1.5	0.3	0.8	15.2	17.8	3,954.0	
Realisation of assets							
Sale of business	-	-	0.3	-	0.3	88.5	295.0
Book debts	-	10.0	1.0	-	11.0	4,229.0	384.5
Property, plant and vehicles	-	-	2.0	1.6	3.6	854.0	237.2
Other assets	-	0.5	-	-	0.5	197.5	395.0
Health & Safety/Insurance	-	0.6	0.4	-	1.0	355.0	355.0
Legal issues/litigation	-	0.6	-	-	0.6	237.0	395.0
Subtotal	-	11.7	3.7	1.6	17.0	5,961.0	
Trading							
Ongoing trading / monitoring	-	0.2	-	5.0	5.2	1,004.0	193.1
Employees - recruitment	-	-	-	0.4	0.4	74.0	185.0
Subtotal	-	0.2	0.0	5.4	5.6	1,078.0	
Creditors (correspondence and claims)							
Unsecured creditors	-	57.9	187.4	985.5	1,230.8	291,690.0	237.0
Pensions	-	-	1.3	-	1.3	513.5	395.0
Employees	-	1.7	43.6	17.1	62.4	16,676.0	267.2
Lease creditors	-	-	3.3	-	3.3	1,163.5	352.6
Subtotal	-	59.6	235.6	1,002.6	1,297.8	310,043.0	
Tax							
Initial reviews CT and VAT	-	-	2.0	-	2.0	790.0	395.0
Post appointment CT	0.7	13.5	-	12.5	26.7	10,041.5	376.1
Post appointment VAT	-	7.2	1.4	27.2	35.8	10,590.5	295.8
Tax advice on transactions	-	-	-	0.7	0.7	129.5	185.0
Other post appointment tax	-	0.3	-	-	0.3	118.5	395.0
Subtotal	0.7	21.0	3.4	40.4	65.5	21,670.0	
Reporting							
Other statutory reports/meetings	-	35.1	61.6	180.0	276.7	69,151.5	249.9
Closure of trading	-	-	-	52.5	52.5	12,862.5	245.0
Subtotal	0.0	35.1	61.6	232.5	329.2	82,014.0	
Other							
Other	-	-	-	2.5	2.5	462.5	185.0
Subtotal	-	-	-	2.5	2.5	462.5	
Total Time by Grade	2.2	181.1	365.2	1,671.0	2,219.5		
Total Cost by Grade	1,014.0	81,818.0	128,231.0	329,410.0	540,473.0		
Average by Grade							
Cost check							
Time check							
	Time Costs	Category 1	Category 2	Total			
Total Costs to Date	540,473.0	610.8		540,473.0			
Amount Billed	(154,999.1)						
Total WIP	540,473.0			540,473.0			

Time cost analysis in compliance with SIP9 for the Companies for the Administration Period

Climate Energy Limited - Analysis of Administrators' Time Costs In Accordance with SIP9 for the period 9 October 2015 to 29 September 2016

Task	Senior Managing Director	Managing Director / Sr Director / Director	Senior Consultant / Consultant	Associate	Total Time	Total Cost (£)	Average Cost (£)
Administration and Planning							
Strategy and planning	5.0	15.3	23.4	2.7	46.4	16,927.5	364.8
Initial actions	3.0	15.3	15.3	26.2	59.8	17,662.0	295.4
Appointment and related formalities	1.0	26.0	28.6	389.4	445.0	81,194.5	182.5
Receipts and payments accounts	-	-	28.8	46.7	75.5	15,423.0	204.3
Checklist and reviews	-	1.0	33.0	10.3	44.3	12,894.5	291.1
Cashiering and reconciliations	-	-	5.6	5.1	10.7	2,364.0	220.9
Bonding and IPS maintenance	-	0.2	2.7	0.2	3.1	857.0	276.5
Case management	-	-	58.2	0.2	58.4	22,621.0	387.3
Fixed Charge cashiering / funding	-	15.9	3.3	-	19.2	8,320.5	433.4
Subtotal	9.0	57.8	195.6	480.8	743.2	178,264.0	
Investigations							
Correspondence with directors	-	-	-	0.4	0.4	64.0	160.0
Directors questionnaire/checklists	-	1.8	-	-	1.8	801.0	445.0
Statement of affairs	-	-	-	0.7	0.7	112.0	160.0
Reports of Directors' conduct	-	-	-	0.7	0.7	129.5	185.0
Books and records	-	3.9	1.2	65.1	70.2	12,532.5	178.5
Electronic records	-	5.7	106.2	37.1	149.0	32,992.3	221.4
Subtotal	-	11.4	107.4	104.0	222.8	46,631.3	
Realisation of assets							
Cash and investments	3.0	11.7	-	-	14.7	6,541.5	445.0
Sale of business	2.0	23.8	-	-	25.8	11,481.0	445.0
Book debts	1.0	15.4	114.5	0.4	131.3	47,447.0	361.4
Property, plant and vehicles	-	9.4	-	61.3	70.7	13,991.0	197.9
Other assets	-	5.7	8.7	21.9	36.3	9,120.5	251.3
Health & Safety/Insurance	-	-	2.2	16.2	18.4	3,160.5	171.8
Legal issues/litigation	2.0	-	-	0.6	2.6	986.0	379.2
Fixed charge property	-	2.2	31.2	43.9	77.3	19,688.0	254.7
Subtotal	8.0	68.2	156.6	144.3	377.1	112,415.5	
Trading							
Initial control of operations	-	12.7	-	-	12.7	5,651.5	445.0
Ongoing trading / monitoring	-	6.3	-	0.7	7.0	2,933.0	419.0
Closure of trading	-	-	-	5.8	5.8	928.0	160.0
Subtotal	-	19.0	-	6.5	25.5	9,512.5	
Creditors (correspondence and claims)							
Unsecured creditors	-	25.6	89.7	144.1	259.4	65,845.0	253.8
Pensions	-	8.1	-	1.2	9.3	3,796.5	408.2
Employees	-	30.4	94.8	15.3	140.5	40,182.5	286.0
Lease creditors	-	-	-	2.5	2.5	400.0	160.0
Subtotal	-	64.1	184.5	163.1	411.7	110,224.0	
Tax							
Initial reviews CT and VAT	-	2.0	-	-	2.0	890.0	445.0
Pre-appointment CT	-	10.0	-	18.9	28.9	7,474.0	258.6
Pre-appointment VAT	-	1.0	-	3.0	4.0	925.0	231.3
Post appointment CT	-	4.0	0.5	5.4	9.9	3,106.5	313.8
Post appointment VAT	-	5.8	-	9.4	15.2	8,249.0	542.7
Tax advice on transactions	-	4.5	-	1.0	5.5	2,292.5	416.8
Subtotal	-	27.3	0.5	37.7	65.5	22,937.0	
Reporting							
Proposals	0.8	4.6	10.7	23.2	39.3	9,860.0	250.9
Other statutory reports/meetings	-	-	43.8	36.1	79.9	22,574.0	282.5
Secured creditor reports	3.0	7.9	32.4	-	43.3	16,645.5	384.4
Subtotal	3.8	12.5	86.9	59.3	162.5	49,079.5	
Other							
Other	-	11.5	-	15.3	26.8	7,565.5	282.3
Subtotal	-	11.5	-	15.3	26.8	7,565.5	282.3
Total Time by Grade	20.8	271.8	731.5	1,011.0	2,035.1		
Total Cost by Grade (£)	9,256.0	129,954.5	230,858.8	166,560.0	536,629.3		
Average by Grade (£)	445.0	478.1	315.6	164.7	263.7		
	Fixed charge time cost	Floating charge time cost	Total Time Costs	Category 1	Category 2	Total	
Total Costs to Date (£)	51,195.5	485,433.8	536,629.3	8,760.0	5,115.0	550,504.3	
Amount Billed (£)	(51,195.5)	(485,433.8)	(536,629.3)	(8,760.0)	(5,115.0)	(550,504.3)	
WIP (£)	-	-	-	-	-	-	

Appendix E – Additional Information in Relation to Liquidators' Fees Pursuant to SIP9

Detailed below is FTI's policy in relation to:

- staff allocation and the use of sub-contractors;
- professional advisors; and
- disbursements.

Staff Allocation and the Use of Subcontractors

Our general approach to resourcing our assignments is to allocate staff with the skills and experience to meet the specific requirements of the case.

The constitution of the case team will draw from a Senior Managing Director, Managing Director, Senior Director, Director, Senior Consultant, Consultant and Associate. The exact constitution of the case team will depend on the anticipated size and complexity of the assignment.

Regarding support staff, we would advise that time spent by cashiers in relation to specific tasks on an assignment is charged. Only if there is a large block of time incurred by a member of the secretarial team, e.g., report compilation and distribution, do we seek to charge and recover our time in this regard. All time incurred by the Administrators/Liquidator(s) and their staff is recorded in six-minute increments.

Professional Advisors

Fees paid to professional advisors during the Liquidation are shown below. We have also indicated alongside the basis of our fee arrangements, which are subject to review on a regular basis. Details of fees paid to professional advisors during the Administration of the Company are included in the Previous Reports.

Professional Advisor Fees		
Name of professional advisor	Basis of fee arrangement	Fees paid to date (excluding VAT) (£)
King & Wood Mallesons LLP (former legal advisors)	Hourly rates and disbursements	7,010.00
JP Associates (book debt collectors)	20% of recoveries	2,000.00
ERA (employee advice and claims processing)	Hourly rates and disbursements	4,525.00
Brodies LLP (legal advisors re Scottish lease)	Hourly rates and disbursements	920.00

Note: Fees paid in the liquidations may relate to the administration period.

Our choice was based on our view of their experience and ability to perform this type of work, the complexity and nature of the assignment and the basis of our fee arrangement with them.

We have utilised the services of other teams within FTI Consulting LLP to assist with the insolvency processes. The fees of our tax, technology and strategic communications teams have been included in our SIP9 analysis provided to creditors of the Company and allocated to the work streams to which their work related, for approval by those parties approving our fees.

We consider that the rates chargeable for these services are in line with general market practice and that the service is comparable to similar firms of professional advisors. In addition, by working closely with our internal teams, we believe a more coordinated and cost-effective approach to the administration work streams has been possible.

Expenses

Category 1 expenses do not require approval by creditors. The type of expenses that may be charged as a Category 1 expenses to a case generally comprise of external supplies of incidental services specifically identifiable to the case, such as postage, case advertising, invoiced travel and external printing, room hire and document storage. Also, chargeable will be any properly reimbursed expenses incurred by personnel in connection with the case.

Category 2 expenses do require approval from creditors which was given at the initial meetings of creditors held by correspondence on 16 December 2015. These expenses can include costs incurred which relate to payments due to associated companies for the provision of services to the office holder.

In the previous Administration, the Administrators incurred a number of Category 2 expenses but there have been none in the Liquidation.

Disbursements

Type of Expense	Basis of Incurring Cost
Postage and fulfilment by Williams Lea or Mail & Print	Cost incurred based on number of letters printed
IT equipment ordered internally	Cost price
Subsistence for meetings	Charged based on number of attendees per meeting
Data management (10 units)	£25 per unit per month – only relative to the previous period of the Liquidation

Category 2 expenses of £5,115 were billed and paid in CEL during the Administration period.

Charge-Out Rates

A schedule of the FTI charge-out rates is as follows. We note that this represents a discount against FTI's standard charge-out rates.

FTI Consulting LLP: Summary of Charge-Out Rates		
Grade	2015 (£ per Hour)	2016-2022 (£ per Hour)
Senior Managing Director	445	495
Managing Director	445	495
Senior Director	350	395
Director	350	395
Senior Consultant	350	395
Consultant	255	295
Associate	160	185

Appendix F – Notice of Final Account

Notice relative to closure of Liquidation and release of office holders

Private and Confidential

25 November 2022

To All Creditors

Our ref:

SK/DM/NR/MM/OP

Dear Sir/Madam,

NOTICE IS GIVEN by Simon Ian Kirkhope to the creditors of Climate Energy Limited – In Liquidation under rule 6.28(2) of the insolvency (England and Wales) Rules 2016 that:

1. The Company's affairs are fully wound up;
2. Creditors have the right under rule 18.9 of The Insolvency (England and Wales) Rules 2016 to request further details of the Liquidator's remuneration and expenses. That request must be made to the Liquidator within 21 days of receipt of the final account, and with either the permission of the Court, or with the concurrence of 5% in value of the unsecured creditors (including the creditor in question). Secured creditors may also request further details;
2. Creditors have the right under rule 18.34 of The Insolvency (England and Wales) Rules 2016 to apply to Court to challenge the amount and/or basis of the Liquidator's fees, and/or the amount of any expenses incurred. That application must be made within 8 weeks of receipt of the final account, and with either the permission of the Court, or with the concurrence of 10% in value of the creditors (including the creditor in question). Secured creditors may also make an application;
4. Creditors may object to the release of the Liquidator by giving notice in writing to the Liquidator at the address given below before the end of the prescribed period. The prescribed period will end at the later of: 8 weeks after delivery of this notice; or, if any request for information regarding the Liquidator's remuneration and/or expenses is made under rule 18.9, or if any application is made to Court to challenge the Liquidator's fees and/or expenses under rules 18.34 or 18.35, when that request or application is finally determined;
5. The Liquidator will vacate office under section 171 of the Insolvency Act 1986 upon expiry of the prescribed period that creditors have to object to their release;
6. The Liquidator will be released under section 173 of the Insolvency Act 1986 at the same time as vacating office, unless any creditors objected to his release;

Creditors requiring further information regarding the above, should either contact the Liquidator's staff via email at climateenergy@fticonsulting.com, or by telephone at 020 3727 1019.

DATED THIS 25th DAY OF NOVEMBER 2022



Simon Ian Kirkhope
LIQUIDATOR

The affairs, business and property of the Company are being managed by the Liquidator. The Liquidator acts as agent of the Company and without personal liability. Simon Kirkhope is licensed in the United Kingdom to act as insolvency practitioners by the Institute of Chartered Accountants in England and Wales, under section 390A(2)(a) of the Insolvency Act 1986. The Liquidator is bound by the Insolvency Code of Ethics which can be found at: <https://www.gov.uk/government/publications/insolvencypractitioner-code-of-ethics>.

FTI Consulting LLP ("FTI") uses personal information in order to fulfil the legal obligations of our Insolvency Practitioners under the Insolvency Act and other relevant legislation, and also to fulfil the legitimate interests of keeping creditors and others informed about the insolvency proceedings. You can find more information on how FTI uses your personal information on our website at

<https://www.fticonsulting-emea.com/~media/Files/emea--files/creditors-portal/cip-emea-forms-info/cip-data-privacy.pdf>