

LIQ03

Notice of progress report in voluntary winding up



Companies House

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

1 Company details

Company number	0	2	4	8	4	7	3	6
Company name in full	ATCO Power Generation Ltd.							

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

2 Liquidator's name

Full forename(s)	Malcolm
Surname	Cohen

3 Liquidator's address

Building name/number	55 Baker Street
Street	London
Post town	W1U 7EU
County/Region	
Postcode	
Country	

4 Liquidator's name ①

Full forename(s)	Edward
Surname	Kerr

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

5 Liquidator's address ②

Building name/number	Regent House
Street	Clinton Avenue
Post town	Nottingham
County/Region	
Postcode	N G 5 1 A Z
Country	

② **Other liquidator**
Use this section to tell us about
another liquidator.

LIQ03

Notice of progress report in voluntary winding up


6 Period of progress report

From date	^d 2	^d 6	^m 0	^m 9	^y 2	^y 0	^y 1	^y 9	
To date	^d 2	^d 5	^m 0	^m 9	^y 2	^y 0	^y 2	^y 0	

7 Progress report

<input checked="" type="checkbox"/> The progress report is attached	
---	--

8 Sign and date

Liquidator's signature	Signature X  X								
Signature date	^d 2	^d 1	^m 1	^m 0	^y 2	^y 0	^y 2	^y 0	

LIQ03

Notice of progress report in voluntary winding up



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 **Malcolm Cohen**

Company name **BDO LLP**

Address **55 Baker Street**

London

Post town **W1U 7EU**

County/Region

Postcode

Country

DX

Telephone **020 7486 5888**



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

ATCO Power Generation Ltd.
(In Liquidation)
Joint Liquidators' Summary of Receipts & Payments

Declaration of Solvency £		From 26/09/2019 To 25/09/2020 £	From 26/09/2019 To 25/09/2020 £
	ASSET REALISATIONS		
169.00	Amounts Due from Group Companies	NIL	NIL
	Bank Interest Gross	4,332.18	4,332.18
2,610,609.00	Cash at Bank	2,393,312.16	2,393,312.16
90.00	Shares in Third Party	NIL	NIL
	Sundry Refunds	66,714.95	66,714.95
17,000.00	Trade Debtors	NIL	NIL
40,561.00	VAT Refund	NIL	NIL
		2,464,359.29	2,464,359.29
	COST OF REALISATIONS		
	Bank Charges	30.00	30.00
	Corporation Tax	952,586.00	952,586.00
(50,000.00)	Liquidator's Fees	NIL	NIL
	Tax Advisor's Fees	5,483.75	5,483.75
		(958,099.75)	(958,099.75)
	UNSECURED CREDITORS		
(1,667,755.00)	Accruals	NIL	NIL
(10,963.00)	Amounts due to Group Companies	NIL	NIL
(163,403.00)	Bank	NIL	NIL
(19,567.00)	Trade & Expense Creditors	76,321.77	76,321.77
	Unsecured PAYE	2,129.74	2,129.74
		(78,451.51)	(78,451.51)
756,741.00		1,427,808.03	1,427,808.03
	REPRESENTED BY		
	Bank 2 Current		1,427,203.28
	Vat Input		604.75
			1,427,808.03



Malcolm Cohen
Joint Liquidator

To All Members

21 October 2020

Your Ref «CREF»
Our Ref 7/SMB/ATCO

Please ask for Sharon Bloomfield
Telephone: 020 7893 2905
Email: Sharon.bloomfield@bdo.co.uk

Dear Madams/Sirs

ATCO Power Generation Ltd. - 02484736 ('ATCO')
Thames Power Limited - 02208349 ('TPL')
(together 'the Companies') - Both In Members' Voluntary Liquidation

This is the first annual progress report under Section 92A of the Insolvency Act 1986 (the 'Act') and we are pleased to report on the progress of the liquidations for the period 26 September 2019 to 25 September 2020.

Statutory Information

Malcolm Cohen (officeholder number: 6825) of BDO LLP, 55 Baker Street, London, W1U 7EU and Edward Terence Kerr (officeholder number: 9021) of BDO LLP, Regent House, Clinton Avenue, Nottingham, NG5 1AZ were appointed Joint Liquidators of the Companies on 26 September 2019.

The Companies' registered numbers are detailed above.

Company Name	Date of Incorporation	Nature of Business	Former Names
ATCO Power Generation Ltd.	26/3/1990	Other business support service activities not elsewhere classified	CU Power Generation Limited (27/6/1990-24/4/1999) & Callmain Limited (26/3/1990-27/6/1990)
Thames Power Limited	24/12/1987	Production of electricity	Intercede 514 Limited (24/12/1987-24/2/1988)

The Companies' principal trading address was 2 Queen Anne's Gate Buildings, Dartmouth Street, London, SW1H 9BP, and their former registered office was 10 Norwich Street, London, EC4A 1BD. Their registered office was changed to 55 Baker Street, London, W1U 7EU following the Joint Liquidators' appointment.

TPL is wholly owned by ATCO. Both companies are wholly owned subsidiaries of the ATCO Power group ('the Group').

Receipts and Payments

We enclose receipts and payments accounts for the year under review.

We have realised ATCO's cash at bank and have received a number of sundry refunds.

The corporation tax liability for pre-liquidation periods has been paid, together with numerous final trade creditor claims.

Creditors

Following our appointment as Joint Liquidators, we arranged for statutory advertising to be placed in the London Gazette and Times newspaper, inviting creditors to submit their claims by 4 November 2019.

All claims that have been received have been settled as detailed above.

HM Revenue & Customs ('HMRC')

As a matter of course clearances are required from both the Corporation Tax office, and the Enforcement & Insolvency Service ('EIS') which provides VAT and PAYE clearances, and which also issues HMRC's claim in respect of all taxes.

ATCO was registered for VAT and we made application to cancel the VAT registration. All final VAT returns were submitted In June 2020 and we are expecting a VAT refund of some £51,000. Unfortunately HMRC have advised that they are experiencing delays due to the coronavirus pandemic, and also issues with their internal VAT system so we have yet to receive the refund.

All pre-liquidation corporation tax returns have been submitted for ATCO, and the liabilities paid. However, when HMRC contacted us to advise of the VAT delays, they also mentioned that there is a small amount of interest still outstanding for the 2018 period. We are waiting for confirmation on this point.

TPL was dormant for corporation tax purposes from 31 December 2017, and HMRC were advised of this. The £100 penalty that had been raised for the late submission of the return to 31 December 2018 has been cancelled, and we have received all tax clearances for TPL.

Distributions to Members

A first and final distributions in specie of the intercompany debtor balance owed to TPL will be made to ATCO when we are in a position to close the liquidations.

Subsequent to this, ATCO will make a first and final distribution in cash and in specie to its sole member.

Liquidators' Remuneration

The Insolvency Rules (England and Wales) 2016 (the 'Rules') provide that a Liquidator is obliged to have their remuneration approved on one of the following basis:

- (1) as a percentage of the assets realised and distributed; and/or
- (2) by reference to the time the Liquidator and his staff have spent attending to matters in the liquidation; and/or

- (3) as a set amount; and/or
- (4) as a combination of the above.

The members approved the Liquidators' remuneration on a time costs basis and our time costs for the year are detailed in the attached schedules. Please note that further costs will be incurred until the liquidations are closed.

We and our staff have spent time on matters arising in the normal course of the liquidation. The main areas dealt with include:

- liaising with the Companies and the Group in relation to matters prior to the Joint Liquidators' appointment;
- statutory reporting requirements to members;
- statutory reporting requirements to the Registrar of Companies;
- dealing with statutory advertising requirements;
- dealing with the realisation of sundry refunds;
- various correspondence with creditors, confirming the validity of claims with the Group, and arranging settlement;
- correspondence with HMRC and the Group regarding various tax matters detailed above, and obtaining the necessary clearances to close the liquidations; and
- preparing for this annual progress report.

Disbursements

Where disbursements are recovered in respect of precise sums expended to third parties there is no necessity for these costs to be authorised. These are known as category 1 disbursements.

The sum of £1,346.33 has been incurred in respect of category 1 disbursements for statutory advertising costs and the cost of indemnity bonding.

Liquidation Closure

Once the VAT refund and tax clearances have been received we should be in a position to draft our final report and accounts on the liquidations for the members.

Unless the members have any queries or objections to our release as below, the draft report and accounts will be treated as final and filed at Companies House eight weeks after the report has been delivered to the members.

The liquidations will be closed and we will receive our release from office when the report and accounts are placed on the Companies' file. The Companies will be automatically dissolved three months thereafter.

Members' Rights

Members with the concurrence of at least 5% in value of the members may within 21 days of this report request in writing further information regarding the remuneration and expenses set out in

this report. In accordance with Rule 18.9(3) of the Rules within 14 days of a request, we will provide further information or explain why further information is not being provided.

A member (who need not be the member who asked for the information) may, with the concurrence of at least 5% or more in value of the members (including the member in question), apply to the Court within 21 days of our response or the expiry for the period of our response and the Court may make such order as it thinks fit (Rule 18.9(6)&(7) of the Rules). Members with the concurrence of at least 10% of the members may apply to the Court if they consider that the remuneration of the Liquidators, or the basis fixed for the remuneration of the Liquidators or expenses charged by the Liquidators are excessive (Rule 18.34 of the Rules). Such an application must be made within eight weeks of receiving the draft final report. The text of Rules 18.9 and 18.34 are set out at the end of this report.

Release of Joint Liquidators

The Joint Liquidators will be released from office under Section 173 of the Act at the same time as vacating office, per Section 171(6) of the Act, unless any member objects. A member who wishes to object to the release must deliver a notice in writing to the Liquidators within eight weeks of the draft final report or, if members raise other matters under Rules 18.9 or 18.34 as mentioned above, when those matters are finally determined by the court.

The Insolvency Service has established a central gateway for considering complaints in respect of Insolvency Practitioners. In the event that you make a complaint to us but are not satisfied with our response then you should visit <https://www.gov.uk/complain-about-insolvency-practitioner> where you will find further information on how you may pursue the complaint.

The Liquidators are bound by the Insolvency Code of Ethics when carrying out all professional work relating to this appointment. A copy of the code is at <http://www.icaew.com/en/members/regulations-standards-and-guidance/ethics/code-of-ethics-d>

Members may access information setting out the rights in respect of the approval of Liquidators' remuneration at <https://www.r3.org.uk/what-we-do/publications/professional/fees>

Please contact me or my colleague Sharon Bloomfield if you require further information.

Yours faithfully
for and on behalf of
the Companies



Malcolm Cohen
Joint Liquidator

Authorised by the Institute of Chartered Accountants in England & Wales in the UK
Enc

Statement from the Insolvency (England and Wales) Rules 2016 regarding the rights of members and creditors in respect of the Liquidators' fees and expenses:**Creditors' and members' requests for further information in administration, winding up and bankruptcy**

18.9.—(1) The following may make a written request to the office-holder for further information about remuneration or expenses (other than pre-administration costs in an administration) set out in a progress report under rule 18.4(1)(b), (c) or (d) or a final report under rule 18.14—

- (a) a secured creditor;
 - (b) an unsecured creditor with the concurrence of at least 5% in value of the unsecured creditors (including the creditor in question);
 - (c) members of the company in a members' voluntary winding up with at least 5% of the total voting rights of all the members having the right to vote at general meetings of the company;
 - (d) any unsecured creditor with the permission of the court; or
 - (e) any member of the company in a members' voluntary winding up with the permission of the court.
- (2) A request, or an application to the court for permission, by such a person or persons must be made or filed with the court (as applicable) within 21 days of receipt of the report by the person, or by the last of them in the case of an application by more than one member or creditor.
- (3) The office-holder must, within 14 days of receipt of such a request respond to the person or persons who requested the information by—
- (a) providing all of the information requested;
 - (b) providing some of the information requested; or
 - (c) declining to provide the information requested.
- (4) The office-holder may respond by providing only some of the information requested or decline to provide the information if—
- (a) the time or cost of preparation of the information would be excessive; or
 - (b) disclosure of the information would be prejudicial to the conduct of the proceedings;
 - (c) disclosure of the information might reasonably be expected to lead to violence against any person; or
 - (d) the office-holder is subject to an obligation of confidentiality in relation to the information.
- (5) An office-holder who does not provide all the information or declines to provide the information must inform the person or persons who requested the information of the reasons for so doing.
- (6) A creditor, and a member of the company in a members' voluntary winding up, who need not be the same as the creditor or members who requested the information, may apply to the court within 21 days of—
- (a) the office-holder giving reasons for not providing all of the information requested; or
 - (b) the expiry of the 14 days within which an office-holder must respond to a request.
- (7) The court may make such order as it thinks just on an application under paragraph (6).

Remuneration and expenses: application to court by a creditor or member on grounds that remuneration or expenses are excessive

18.34.—(1) This rule applies to an application in an administration, a winding-up or a bankruptcy made by a person mentioned in paragraph (2) on the grounds that—

- (a) the remuneration charged by the office-holder is in all the circumstances excessive;
 - (b) the basis fixed for the office-holder's remuneration under rules 18.16, 18.18, 18.19, 18.20 and 18.21 (as applicable) is inappropriate; or
 - (c) the expenses incurred by the office-holder are in all the circumstances excessive.
- (2) The following may make such an application for one or more of the orders set out in rule 18.36 or 18.37 as applicable—
- (a) a secured creditor,
 - (b) an unsecured creditor with either—
 - (i) the concurrence of at least 10% in value of the unsecured creditors (including that creditor), or
 - (ii) the permission of the court, or
 - (c) in a members' voluntary winding up—
 - (i) members of the company with at least 10% of the total voting rights of all the members having the right to vote at general meetings of the company, or
 - (ii) a member of the company with the permission of the court.

(3) The application by a creditor or member must be made no later than eight weeks after receipt by the applicant of the progress report under rule 18.3, or final report or account under rule 18.14 which first reports the charging of the remuneration or the incurring of the expenses in question (“the relevant report”).

Applications under rules 18.34 and 18.35 where the court has given permission for the application

18.36.—(1) This rule applies to applications made with permission under rules 18.34 and 18.35.

- (2) Where the court has given permission, it must fix a venue for the application to be heard.
- (3) The applicant must, at least 14 days before the hearing, deliver to the office-holder a notice stating the venue and accompanied by a copy of the application and of any evidence on which the applicant intends to rely.
- (4) If the court considers the application to be well-founded, it must make one or more of the following orders—
- (a) an order reducing the amount of remuneration which the office-holder is entitled to charge;
 - (b) an order reducing any fixed rate or amount;
 - (c) an order changing the basis of remuneration;
 - (d) an order that some or all of the remuneration or expenses in question is not to be treated as expenses of the administration, winding up or bankruptcy;
 - (e) an order for the payment of the amount of the excess of remuneration or expenses or such part of the excess as the court may specify by —
 - (i) the administrator or liquidator or the administrator’s or liquidator’s personal representative to the company, or
 - (ii) the trustee or the trustee’s personal representative to such person as the court may specify as property comprised in the bankrupt’s estate;
 - (f) any other order that it thinks just.
- (5) An order under paragraph (4)(b) or (c) may only be made in respect of periods after the period covered by the relevant report.
- (6) Unless the court orders otherwise the costs of the application must be paid by the applicant, and are not payable as an expense of the administration, winding up or bankruptcy.

Applications under rule 18.34 where the court’s permission is not required for the application

18.37.—(1) On receipt of an application under rule 18.34 for which the court’s permission is not required, the court may, if it is satisfied that no sufficient cause is shown for the application, dismiss it without giving notice to any party other than the applicant.

- (2) Unless the application is dismissed, the court must fix a venue for it to be heard.
- (3) The applicant must, at least 14 days before any hearing, deliver to the office-holder a notice stating the venue with a copy of the application and of any evidence on which the applicant intends to rely.
- (4) If the court considers the application to be well-founded, it must make one or more of the following orders—
- (a) an order reducing the amount of remuneration which the office-holder is entitled to charge;
 - (b) an order reducing any fixed rate or amount;
 - (c) an order changing the basis of remuneration;
 - (d) an order that some or all of the remuneration or expenses in question be treated as not being expenses of the administration or winding up or bankruptcy;
 - (e) an order for the payment of the amount of the excess of remuneration or expenses or such part of the excess as the court may specify by —
 - (i) the administrator or liquidator or the administrator’s or liquidator’s personal representative to the company, or
 - (ii) the trustee or the trustee’s personal representative to such person as the court may specify as property comprised in the bankrupt’s estate;
 - (f) any other order that it thinks just.
- (5) An order under paragraph (4)(b) or (c) may only be made in respect of periods after the period covered by the relevant report.
- (6) Unless the court orders otherwise the costs of the application must be paid by the applicant, and are not payable as an expense of the administration or as winding up or bankruptcy.

ATCO Power Generation Ltd.
(In Liquidation)
Joint Liquidators' Summary of Receipts and Payments
To 25 September 2020

RECEIPTS	Declaration of Solvency (£)	Total (£)
Trade Debtors	17,000.00	0.00
VAT Refund	40,561.00	0.00
Cash at Bank	2,610,609.00	2,393,312.16
Amounts Due from Group Companies	169.00	0.00
Bank Interest Gross		4,332.18
Sundry Refunds		66,714.95
Shares in Third Party	90.00	0.00
Trade & Expense Creditors	(19,567.00)	47.28
		<hr/>
		2,464,406.57
		<hr/>
PAYMENTS		
Liquidator's Fees	(50,000.00)	0.00
Corporation Tax		952,586.00
Tax Advisor's Fees		5,483.75
Bank Charges		30.00
Trade & Expense Creditors	(19,567.00)	76,369.05
Bank	(163,403.00)	0.00
Amounts due to Group Companies	(10,963.00)	0.00
Unsecured PAYE		2,129.74
Accruals	(1,667,755.00)	0.00
Vat Input		604.75
		<hr/>
		1,037,203.29
Net Receipts/(Payments)		<hr/>
		1,427,203.28
		<hr/>

MADE UP AS FOLLOWS

Bank 2 Current	1,427,203.28
	<hr/>
	1,427,203.28
	<hr/>




Malcolm Cohen
Joint Liquidator

Thames Power Limited
(In Liquidation)
Joint Liquidators' Summary of Receipts and Payments
To 25 September 2020

RECEIPTS	Declaration of Solvency (£)	Total (£)
Amounts due from Group Companies	10,499.00	0.00
		<hr/>
		0.00
		<hr/>
PAYMENTS		
		<hr/>
		0.00
Net Receipts/(Payments)		0.00
		<hr/>

MADE UP AS FOLLOWS

	<hr/>
	0.00
	<hr/>
<hr/>	Malcolm Cohen Joint Liquidator

Name of Assignment
ATCO Power Generation Ltd. - in Members' Voluntary Liquidation

Summary of Time Charged and Rates Applicable for the Period From 12/01/2019 to 25/09/2020

Description	PARTNER		MANAGER		ASSISTANT MANAGER		SENIOR ADMINISTRATOR		ADMINISTRATOR		OTHER STAFF		GRAND TOTAL		AV R1
	Hours	Total	Hours	Total	Hours	Total	Hours	Total	Hours	Total	Hours	Total	Hours	Total	
		£		£		£		£		£		£		£	
A. Pre Appointment Matters	2.00	1,520.00	17.65	9,262.70									19.65	10,782.70	548.7
B. Steps on Appointment			3.30	1,788.60									3.30	1,788.60	542.0
D. General Administration	1.15	737.25	11.05	4,313.50	0.45	58.95	3.25	143.00	12.30	837.80	0.10	11.60	28.30	6,102.10	215.6
E. Assets Realisation/Dealing			5.65	3,062.30									5.65	3,062.30	542.0
G. Employee Matters			0.90	487.80									0.90	487.80	542.0
H. Creditor Claims			12.10	6,558.20									12.10	6,558.20	542.0
I. Reporting			1.30	704.60									1.30	704.60	542.0
K. Work									0.40	26.80			0.40	26.80	67.0
	3.15	2,257.25	51.95	26,177.70	0.45	58.95	3.25	143.00	12.70	864.60	0.10	11.60			
Net Total													71.60	29,513.10	
Secretarial Expense														0.00	
Other Disbursements														1,246.33	
Billed														0.00	
Grand Total														30,759.43	

Name of Assignment **Thames Power Limited - in Members' Voluntary Liquidation**

Summary of Time Charged and Rates Applicable for the Period From 14/09/2019 to 25/09/2020

Description	PARTNER		MANAGER		ASSISTANT MANAGER		SENIOR ADMINISTRATOR		ADMINISTRATOR		OTHER STAFF		GRAND TOTAL		AV R1
	Hours	Total	Hours	Total	Hours	Total	Hours	Total	Hours	Total	Hours	Total	Hours	Total	
		£		£		£		£		£		£			£
A. Pre Appointment Matters			2.25	1,219.50									2.25	1,219.50	542.0
B. Steps on Appointment			2.00	1,084.00									2.00	1,084.00	542.0
D. General Administration			2.70	1,463.40	0.35	45.85							3.05	1,509.25	494.8
I. Reporting			0.50	271.00									0.50	271.00	542.0
	0.00	0.00	7.45	4,037.90	0.35	45.85	0.00	0.00	0.00	0.00	0.00	0.00			
													Net Total		7.80 4,083.75
													Secretarial Expense		0.00
													Other Disbursements		100.00
													Billed		0.00
													Grand Total		4,183.75