



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

1 Company details

Company number 03064440

Company name in full Sutton Bridge Power Systems (London) Limited

→ Filling in this form

Please complete in typescript or in
bold black capitals.

2 Administrator's name

Full forename(s) James Robert

Surname Tucker

3 Administrator's address

Building name/number 10 Fleet Place

Street

Post town

London

County/Region

Postcode

EC4M7RB

Country

4 Administrator's name ①

Full forename(s) David John

Surname Pike

① Other administrator

Use this section to tell us about
another administrator.

5 Administrator's address ②

Building name/number 10 Fleet Place

Street

Post town

London

County/Region

Postcode

EC4M7RB

Country

② Other administrator

Use this section to tell us about
another administrator.

AM10

Notice of administrator's progress report

6 Period of progress report

From date	^d 2	^d 5	^m 0	^m 8	^y 2	^y 0	^y 2	^y 2
To date	^d 2	^d 4	^m 0	^m 2	^y 2	^y 0	^y 2	^y 3

7 Progress report

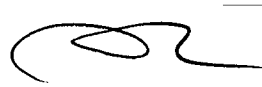
☒ I attach a copy of the progress report

8 Sign and date

Administrator's
signature

Signature

X



X

Signature date

^d 2	^d 1	^m 0	^m 3	^y 2	^y 0	^y 2	^y 3
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**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 **Deborah Bain**

Company name **Interpath Ltd**

Address **5th Floor, 130 St Vincent Street
Glasgow**

Post town **G2 5HF**

County/Region

Postcode

Country

DX

Telephone **Tel +44 (0) 203 989 2800**

**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

Joint Administrators' progress report for the period 25 August 2022 to 24 February 2023

Sutton Bridge Power Systems (London)
Limited - in Administration

21 March 2023

Deemed delivered: 21 March 2023

Notice to creditors

This progress report provides an update on the administration of the Company.

We have included (Appendix 2) an account of all amounts received and payments made since the date of our appointment.

We have also explained our future strategy for the administration and how likely it is that we will be able to pay each class of creditor.

You will find other important information in this progress report such as the costs which we have incurred to date.

A glossary of the abbreviations used throughout this document is attached (Appendix 5).

Finally, we have provided answers to frequently asked questions and a glossary of insolvency terms on the following website, www.ia-insolv.com/case+INTERPATH+SK82463345.html.

We hope this is helpful to you.

Please also note that an important legal notice about this progress report is attached (Appendix 6).

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1 Executive summary

This progress report covers the period from 25 August 2022 to 24 February 2023.

The Directors appointed us, James Tucker and David Pike, as Joint Administrators of the Company on 25 August 2020. As stated in our previous reports the key asset of the Company is its investment in Sutton Bridge Power Generation ("SBPG"), an operating entity within the Group which was previously in administration. The assets of SBPG were being preserved in a dormant state while the Joint Administrators of SBPG assessed the potential options to maximise returns to its creditors. (Section 2 - Progress to date).

The Directors of SBPG will progress the strategy for the Operating assets, which could include the sale of the shares which the Company holds in SBPG and will need the support of the Administrators to execute any transaction. As Administrators of the holding company our key role is to continue to preserve optionality for maximising the value of the assets in the subsidiaries for the creditors. The Administrators will work with the Directors and other stakeholders to deliver this transaction along the timeline which is currently being further developed with the key stakeholders. (Section 3 - Dividend prospects).

At this time, it is not possible to comment on the likely ultimate outcome to the Secured Lender as this will be dependent on the realisation of the assets and the structure of any acquisition. The outcome from previous M&A processes suggested a significant shortfall to the Secured Lender. (Section 3 - Dividend prospects).

The Company did not have any employees, accordingly we are not aware of any preferential creditors. (Section 3 - Dividend prospects).

We are not aware of any unsecured creditor claims against the Company. (Section 3 - Dividend prospects).

The administration is currently due to end on 24 August 2024.

Please note: you should read this progress report in conjunction with our previous progress reports and proposals issued to the Company's creditors which can be found at www.ia-insolv.com/case+INTERPATH+SK82463345.html. Unless stated otherwise, all amounts in this progress report and appendices are stated net of VAT.



pp David Pike
Joint Administrator

2 Progress to date

This section updates you on our strategy for the administration and on our progress to date. It follows the information provided in our previous progress report.

2.1 Strategy and progress to date

Strategy

Once it became clear that the Group would not be able to avoid administration, the strategy, at first for the Company and subsequently for us, has been to protect the assets such that future value could be preserved, with the key asset of the Company being its investment in SBPG.

Due to the status of the Company i.e. it is a holding company within the Group, the primary focus of our work since appointment relates to fulfilling statutory duties and ongoing discussions with the directors of SBPG and certain other stakeholders.

Investment in SBPG

As previously advised, we are working with the stakeholders, including CLMG and the Secured Lender to agree the form of transaction that will be implemented to realise the underlying assets.–This will likely be implemented in the next few months and enable the Company to exit Administration by way of dissolution in due course.

Intercompany loans

Intercompany loan balances are due from various companies that are in insolvency and those would rank as unsecured creditor claims against those estates. Intercompany claims and balances around the various entities will be collected to the extent realisations are available in those entities.

2.2 Asset realisations

Realisations during the period are set out in the attached receipts and payments account (Appendix 2).

Summaries of the most significant realisations during the period are provided below.

Bank Interest

During the period we received £4,000 which related to bank interest.

Investigations

We have continued to review the affairs of the Company to find out if there are any actions which can be taken against third parties to increase recoveries for creditors.

We have complied with the relevant statutory requirements by submitting the online director conduct assessment to the Department for Business, Energy and Industrial Strategy. The contents of our submission are confidential.

2.3 Costs

Payments made in this period are set out in the attached receipts and payments account (Appendix 2).

There were no significant payments made during the period.

2.4 Schedule of expenses

We have detailed the costs incurred during the period, whether paid or unpaid, in the schedule of expenses attached (Appendix 3).

Summaries of the most significant payments made during the period are provided below.

Administrator's fees

During the period, £7,817 has been incurred but not yet paid which relate to our fees.

3 Dividend prospects

3.1 Secured creditors

The Company's primary Secured Lender is Beal Bank USA who holds fixed and floating charges over the Group and its assets.

At the time of appointment, their secured indebtedness, excluding interest, totalled approximately \$430 million (c.£330 million) consisting of a combination of loans, cash collateral and a revolving credit facility, all of which were fully drawn.

There were no balances due to FX or commodity hedge counterparties under the Intercreditor Deed ranking as Senior Creditors on appointment of Administrators at the Company and as such were not included on the directors Statement of Affairs. However, by virtue of claims arising under certain Gas Supply Agreements and the Company being party to the Intercreditor Deed, Macquarie Bank Limited (MBL) are a senior secured creditor of the Company in respect of liabilities falling due since the appointment of Administrators. As at the date of this report, amounts fallen due to MBL across the group are approximately £6 million.

Pinsent Masons LLP, solicitors, have been engaged to complete a validity of security review including an analysis on each respective security. The security review has confirmed the validity of the security granted in favour of the Secured Lender.

The return to the Secured Lender will be dependent on the sale of business process and the structure of any sale of the Company's and the Group's assets. This will, amongst other factors, be further impacted by whether a CVA is implemented. We do not expect there to be sufficient asset realisations to allow the Secured Lender to be paid in full.

3.2 Preferential creditors

We are not aware of any preferential claims against the Company.

3.3 Unsecured creditors

We are not aware of any unsecured claims against the Company.

4 Joint Administrators' remuneration, expenses and pre-administration costs

4.1 Joint Administrators' remuneration and expenses

As previously reported, the Secured Lender provided approval that:

our remuneration will be drawn on the basis of time properly given by us and the various grades of our staff in accordance with the fees estimate provided with the proposal and Interpath's usual charge-out rates for work of this nature.

Category 2 expenses (as defined in Statement of Insolvency Practice 9) will be charged and drawn in accordance with Interpath Advisory's policy as set out in Appendix 4.

Time costs

From 25 August 2022 to 24 February 2023, we have incurred time costs of £7,817. These represent 17 hours at an average rate of £457 per hour.

From the date of our appointment to 24 February 2023, we have incurred time costs of £74,449. These represent 159 hours at an average rate of £466 per hour.

Please see detailed analysis of the time spent and a narrative description of the work performed (Appendix 4) and in our previous progress reports.

Remuneration

During the period, we have not drawn any remuneration.

Administrators' Expenses

No expenses have been incurred in the period.

Additional information

We have attached (Appendix 4) an analysis of the time spent, the charge-out rates for each grade of staff and the expenses paid directly by Interpath for the period from 25 August 2022 to 24 February 2023. We have also attached our charging and expenses policy.

4.2 Pre-administration costs

We disclosed the following pre-administration costs, which were unpaid at the date of our appointment, in our proposals. We have approval from the Secured Lender to pay these pre-administration costs as an expense of the administration:

Legal fees	-	19,712.65	4,712.65	4,569.17	10,430.83
Total	-	19,712.65	4,712.65	4,569.17	10,430.83

We are not aware that any further pre-administration costs are due.

5 Future strategy

5.1 Future conduct of the administration

We will continue to manage the affairs, the business and the property of the Company in order to achieve the purpose of the administration. This will include but not be limited to:

- Review the structure of any transactions with the key stakeholders;
- Completing administration Corporation tax returns and VAT returns and identify opportunities to utilise any tax losses to reduce the Company and the wider Group's tax liability;
- Paying of the costs of the administration, including the Joint Administrators' remuneration and expenses;
- Completing all statutory and compliance matters; and
- Seek exit of the Company via a dissolution.

5.2 Future reporting

We will provide a further progress report within one month of 23 August 2023 or earlier if the administration has been completed prior to that time.

Appendix 1 Statutory information

Company name	Sutton Bridge Power Systems (London) Limited
Date of incorporation	5 June 1995
Company registration number	03064440
Present registered office	10 Fleet Place, London, EC4M 7RB
Administration appointment	The administration appointment granted in High Court of Justice Business & Property Courts of England & Wales Insolvency & Companies List(ChD), 3525 of 2020
Appointor	Directors
Date of appointment	25 August 2020
Joint Administrators' details	Jim Tucker and David Pike
Estimated values of the Net Property and Prescribed Part	Estimated Net Property is £UNKNOWN. Estimated Prescribed Part is £UNKNOWN.
Prescribed Part distribution	<p>The Prescribed Part has been taken into account when determining the dividend prospects for unsecured creditors (Section 74).</p> <p>The Joint Administrators do not intend to apply to Court to obtain an order that the Prescribed Part shall not apply.</p> <p>This is because it is anticipated that the Prescribed Part will be automatically disapplied given that the estimated Net Property is less than £10,000 and the costs of making a distribution are anticipated to be disproportionate to the benefits.</p> <p>However, if the circumstances of the administration change, the Joint Administrators may make a distribution to the unsecured creditors; or if appropriate, may apply to the Court to obtain an order that the Prescribed Part shall not apply on the grounds that the cost of making a distribution to the unsecured creditors would be disproportionate to the benefits.</p>
Functions	The functions of the Joint Administrators are being exercised by them individually or together in accordance with Paragraph 100(2)
Current administration expiry date	24 August 2024

Appendix 2

Joint Administrators' receipts and payments account

Sutton Bridge Power Systems (London) Limited – in Administration			
Abstract of receipts & payments			
Statement of affairs (£)		From 25/08/2022 To 24/02/2023 (£)	From 25/08/2020 To 24/02/2023 (£)
FIXED CHARGE CREDITORS			
(346,174,804.00)	Fixed charge creditor	NIL	NIL
		NIL	NIL
OTHER REALISATIONS			
	Bank interest, gross	3,999.92	5,318.21
	Beal contribution to costs	NIL	101,887.94
	Non-CVA company transfer	NIL	240,000.00
		3,999.92	347,206.15
COST OF REALISATIONS			
	Legal fees	NIL	(9,806.80)
	Legal fees, pre-administration	(4,569.17)	(9,281.82)
	Statutory advertising	NIL	(79.00)
		(4,569.17)	(19,167.62)
DISTRIBUTIONS			
(45,600,008.00)	Ordinary shareholders	NIL	NIL
		NIL	NIL
(391,774,812.00)		(569.25)	328,038.53
REPRESENTED BY			
	Floating ch. VAT rec'able		3,813.72
	Floating charge current		324,224.81
			328,038.53

Appendix 3 Schedule of expenses

Cost of realisations

Legal fees	4,569.17	0.00	4,569.17
Administrator's fees	0.00	7,817.00	7,817.00
TOTAL	4,569.17	7,817.00	12,386.17

Please note that the accrual for our remuneration has been based on time costs. This will be adjusted, where appropriate, when the basis of our remuneration is approved.

Requests for further information and right to challenge our remuneration and expenses

Creditors' requests for further information

If you would like to request more information about our remuneration and expenses disclosed in this progress report, you must do so in writing within 21 days of receiving this progress report.

Requests from unsecured creditors must be made with the concurrence of at least 5% in value of unsecured creditors (including, the unsecured creditor making the request) or with the permission of the Court.

Creditors' right to challenge our remuneration and expenses

If you wish to challenge the basis of our remuneration, the remuneration charged, or the expenses incurred during the period covered by this progress report, you must do so by making an application to Court within eight weeks of receiving this progress report.

Applications by unsecured creditors must be made with concurrence of at least 10% in value of unsecured creditors (including the unsecured creditor making the challenge) or with the permission of the Court.

The full text of the relevant rules can be provided on request by writing to Joanne Lawlor at 10 Fleet Place, London, EC4M 7RB.

Appendix 4 Joint Administrators' charging and expenses policy

Joint Administrators' charging policy

The time charged to the administration is by reference to the time properly given by us and our staff in attending to matters arising in the administration. This includes work undertaken in respect of in-house Interpath Advisory tax, VAT and employee specialists.

Our policy is to delegate tasks in the administration to appropriate members of staff considering their level of experience and requisite specialist knowledge, supervised accordingly, so as to maximise the cost effectiveness of the work performed. Matters of particular complexity or significance requiring more exceptional responsibility are dealt with by senior staff or us.

A copy of "A Creditors' Guide to Joint Administrators Fees" from Statement of Insolvency Practice 9 ('SIP 9') produced by the Association of Business Recovery Professionals is available at:

<https://www.r3.org.uk/technical-library/england-wales/technical-guidance/fees/more/29113/page/1/guide-to-administrators-fees/>

If you are unable to access this guide and would like a copy, please contact Joanne Lawlor on 0203 989 2768.

Hourly rates

Set out below are the relevant hourly charge-out rates for the grades of our staff actually or likely to be involved on this administration. Time is charged by reference to actual work carried out on the administration; using a minimum time unit of six minutes.

All staff who have worked on the administration, including cashiers and secretarial staff, have charged time directly to the administration and are included in the analysis of time spent. The cost of staff employed in central administration functions is not charged directly to the administration but is reflected in the general level of charge-out rates.

Partner	985
Director	910
Senior Manager	810
Manager	650
Senior Administrator	475
Administrator	350
Support	165

Table of charge-out rates

The charge-out rates used by us might periodically rise (for example to cover annual inflationary cost increases) over the period of the administration. In our next statutory report, we will inform creditors of any material amendments to these rates.

Policy for the recovery of expenses

Where funds permit the officeholders will seek to recover both Category 1 and Category 2 expenses from the estate. For the avoidance of doubt, such expenses are defined within SIP 9 as follows:

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

Category 1 expenses: These are payments to persons providing the service to which the expense relates who are not an associate of the office holder. These may include, for example, advertising, room hire, storage, postage, telephone charges, travel expenses, and equivalent costs reimbursed to the officeholder or his or her staff.

Category 2 expenses: These are payments to associates or which have an element of shared costs. They may include shared or allocated costs that can be allocated to the appointment on a proper and reasonable basis, for example, business mileage.

Associates: are defined in the insolvency legislation but also extends to parties where a reasonable and informed third party might consider there would be an association between the third party and the office holder or their firm.

Category 2 expenses charged by Interpath Restructuring include mileage. This is calculated as follows:

Mileage claims fall into three categories:

- Use of privately-owned vehicle or car cash alternative – 45p per mile.

- Use of company car – 60p per mile.

- Use of partner's car – 60p per mile.

For all of the above car types, when carrying Interpath passengers an additional 5p per mile per passenger will also be charged where appropriate.

We have not incurred any expenses during the period 25 August 2022 to 24 February 2023.

We have the authority to pay Category 1 expenses without the need for any prior approval from the creditors of the Company.

Narrative of work carried out for the period 25 August 2022 to 24 February 2023

The key areas of work have been:

Statutory and compliance	preparing statutory receipts and payments accounts; ensuring compliance with all statutory obligations within the relevant timescales.
Strategy documents, Checklist and reviews	regular case management and reviewing of progress, including regular team update meetings and calls; meeting with management to review and update strategy and monitor progress; dealing with queries arising during the appointment; reviewing matters affecting the outcome of the administration; allocating and managing staff/case resourcing and budgeting exercises and reviews; complying with internal filing and information recording practices, including documenting strategy decisions.
Cashiering	preparing and processing vouchers for the payment of post-appointment invoices; reconciling post-appointment bank accounts to internal systems; ensuring compliance with appropriate risk management procedures in respect of receipts and payments.
Tax	submitting relevant initial notifications to HM Revenue and Customs; reviewing the Company's pre-appointment corporation tax and VAT position; working initially on tax returns relating to the periods affected by the administration; analysing VAT related transactions; reviewing the Company's duty position to ensure compliance with duty requirements; dealing with post appointment tax compliance.
General	reviewing time costs data and producing analysis of time incurred which is compliant with Statement of Insolvency Practice 9.
Creditors and claims	creating and updating the list of unsecured creditors; responding to enquiries from creditors regarding the administration and submission of their claims; reviewing completed forms submitted by creditors, recording claim amounts and maintaining claim records; drafting our progress report.

Time costs

General (Cashiering)	1.20	557.50	464.58
Reconciliations (& IPS accounting reviews)	2.00	1,090.00	545.00
Fees and WIP	0.90	375.00	416.67
Checklist & reviews	3.70	1,445.00	390.54
Post appointment corporation tax	0.90	637.00	707.78

SIP 9 –Time costs analysis (25/08/2022 to 24/02/2023)

	Hours	Time Cost (£)	Average Hourly Rate (£)
General correspondence	0.30	105.00	350.00
Statutory reports	8.10	3,607.50	445.37
Total in period	17.10	7,817.00	457.13

Brought forward time (appointment date to SIP 9 period start date)	142.60	66,632.40
SIP 9 period time (SIP 9 period start date to SIP 9 period end date)	17.10	7,817.00
Carry forward time (appointment date to SIP 9 period end date)	159.70	74,449.40

Pre-administration costs**Pre-administration costs**

	Disclosed unpaid costs (£)	Approved (£)	Paid in the previous period (£)	Paid in the period (£)	Outstanding (£)
Legal fees	-	19,712.65	4,712.65	4,569.17	10,430.83
Total	-	19,712.65	4,712.65	4,569.17	10,430.83

Appendix 5 Glossary

Company / SBPSL	Sutton Bridge Power Systems (London) Limited - in Administration
CCGT	Combined Cycle Gas Turbines
CEL	Calon Energy Limited
CLMG	CLMG Corp. is the Administrative Agent under the facilities agreement between, amongst others, the Company as borrower and Beal Bank USA and Beal Bank SSB as the Secured Creditor / the Lender
CVA	Company Voluntary Arrangement
Directors	Michael David Higginbotham (resigned 9 February 2021) Jeffrey James Holder Scott McNally Magie Kevin McCullough (resigned 25 November 2020)
Group	The Company together with; Calon Energy (Baglan Bay) Limited Calon Energy (Sutton Bridge) Limited Calon Energy (Severn) Limited Willington Power Limited Baglan Operations Limited Sutton Bridge Power Generation

Joint Administrators/we/our/us

Jim Tucker and David Pike

Interpath/Interpath Advisory

Interpath Ltd

KPMG

KPMG LLP

Secured Lender

CLMG Corp. is the Administrative Agent under the facilities agreement between, amongst others, the Company as borrower and Beal Bank USA and Beal Bank SSB as the Secured Lender

Any references in this progress report to sections, paragraphs and rules are to Sections, Paragraphs and Rules in the Insolvency Act 1986, Schedule B1 of the Insolvency Act 1986 and the Insolvency Rules (England and Wales) 2016 respectively.

Appendix 6 Notice: About this report

This report has been prepared by Jim Tucker and David Pike, the Joint Administrators of Sutton Bridge Power Systems (London) Limited – in Administration (the ‘Company’), solely to comply with their statutory duty to report to creditors under the Insolvency Rules (England and Wales) 2016 on the progress of the administration, and for no other purpose. It is not suitable to be relied upon by any other person, or for any other purpose, or in any other context.

This report has not been prepared in contemplation of it being used, and is not suitable to be used, to inform any investment decision in relation to the debt of or any financial interest in the Company or any other company in the Group.

Any estimated outcomes for creditors included in this report are illustrative only and cannot be relied upon as guidance as to the actual outcomes for creditors.

Any person that chooses to rely on this report for any purpose or in any context other than under the Insolvency Rules (England and Wales) 2016 does so at its own risk. To the fullest extent permitted by law, the Joint Administrators do not assume any responsibility and will not accept any liability in respect of this report to any such person.

James Robert Tucker and David John Pike are authorised to act as insolvency practitioners by the Institute of Chartered Accountants in England & Wales.

We are bound by the Insolvency Code of Ethics.

The Officeholders are Data Controllers of personal data as defined by the Data Protection Act 2018. Personal data will be kept secure and processed only for matters relating to the appointment. For further information, please see our Privacy policy at – www.interpathadvisory.com/privacy-insolvency.

The Joint Administrators act as agents for the Company and contract without personal liability. The appointments of the Joint Administrators are personal to them and, to the fullest extent permitted by law, Interpath Ltd does not assume any responsibility and will not accept any liability to any person in respect of this report or the conduct of the administration.

www.interpathadvisory.com

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