

## Administrator's progress report

Name of Company Coull Limited	Company number 03523419
In the Bristol District Registry [full name of court]	Court case number 183 AA 08

(a) Insert full name(s) and  
address(es) of  
administrator(s)

We Timothy Colin Hamilton Ball and Roderick John Weston of Mazars LLP, Clifton Down House,  
Beaufort Buildings, Clifton, Bristol, BS8 4AN

administrators of the above company attach a progress report for the period

from	to
1 October 2008	31 March 2009

(b) Insert dates

Signed

Joint Administrator

Dated 28 April 2009

### Contact Details:

You do not have to give any contact information in the box opposite but if you do, it will help Companies House to contact you if there is a query on the form. The contact information that you give will be visible to searchers of the public record

Wesley Depass Mazars LLP	
Clifton Down House Beaufort Buildings	
Bristol, BS8 4AN	Tel 0117 973 4481
DX Number	DX Exchange

When you have completed and signed this form please send it to the Registrar of Companies at:

Companies House, Crown Way, Cardiff, CF14 3UZ

DX 33050 Cardiff



FRIDAY

**Coull Limited - In Administration (the "Company")**  
Administrators' progress report covering the period 1 October 2008  
to 31 March 2009

To all known creditors

**1. Statutory information**

- 1.1. I was appointed Joint Administrator of the Company together with Mr Roderick Weston on 1 October 2008 in the Bristol District Registry under Court reference 183 AA of 2008. My address is Clifton Down House, Beaufort Buildings, Clifton, Bristol, BS8 4AN. The application for the appointment of an Administrator was made by the Directors.
- 1.2. My partner and I are both authorised to act as Insolvency Practitioners by the Institute of Chartered Accountants in England and Wales.
- 1.3. The trading address of the Company was The Television Centre, Bath Road, Bristol, BS4 3HG. The business traded under the name Coull Limited.
- 1.4. The registered office of the Company is Mazars LLP, Clifton Down House, Beaufort Buildings, Clifton, Bristol, BS8 4AN, having previously been The Television Centre, Bath Road, Bristol, BS4 3HG. The Company's registered number is 03523419.
- 1.5. All acts required to be done by the Joint Administrators, may be done by either or both, acting jointly or alone.

**2. Details of progress**

- 2.1. To date, I have complied with my statutory obligations and filed my proposals and the appropriate notices at Companies House.

***Sale of Business and Assets***

- 2.2. As reported previously in my proposals, dated 25 November 2008, the business and assets of the Company were sold to Couller Limited for £50,000 on 1 October 2008. Full details in respect of this sale were reported previously, but creditors may recall that the agreement provided an element of the sale price to be deferred. Following the completion of the sale an initial sum of £36,000 was paid by the purchaser, with the remaining £14,000, in respect of the goodwill element of the sale, payable by way of five monthly payments.
- 2.3. Initially the deferred payments due from Couller Limited were, due to various reasons, not forthcoming. With the assistance of solicitors, however, I have now recovered all monies due under the sale of business contract. Furthermore, the purchaser has made a contribution to my legal costs of £527.56. No further realisations are anticipated in this respect.

*Leasehold premises*

- 2.4. The Company traded from leasehold premises. Prior to my appointment, the Company had fallen into rent arrears, and had vacated the premises in breach of the lease agreement. As a result of this the Company was deemed to have surrendered the lease to the Landlord. Accordingly, the Company had no formal interest in the property from which it traded.

As a result, no realisations have been possible in this regard.

*Other Matters*

- 2.5. It is possible that the Company may be due a refund in respect of VAT of some £3,700. The appropriate final pre-Administration VAT returns have been submitted to HM Revenue & Customs ("HMRC"). It is possible, however, that HMRC may set off the refund due against other Crown debts.
- 2.6. I have complied with the statutory and other duties placed upon me as Administrator, including submitting a return as a report to the Department for Business Enterprise & Regulatory Reform in respect of the conduct of the Company's directors. I am unable, however, to comment on the contents of these returns or reports.
- 2.7. I have secured and taken possession of the Company's books and records.

### **3. Administrators' receipts and payments**

- 3.1. A summary of receipts and payments covering the period from the 1 October 2008 to 31 March 2008 is attached at *Appendix A*.

### **4. Assets still to be realised**

- 4.1. As noted above, a pre-Administration VAT refund of some £3,700 may be recoverable.
- 4.2. My solicitors, Thing Townsend, currently hold £10,000 being a contribution, by Couller Limited, to the pre-Administration costs. It is anticipated that this sum will be paid to me shortly.

### **5. Liabilities**

#### **5.1. Secured Creditors**

HSBC Bank Plc ("the Bank") has the benefit of a legal debenture dated 28 July 2004 and registered on 29 July 2004, conveying fixed and floating charges over the Company's assets.

At the date of my appointment the Bank was owed some £36,445 in respect of the Company's overdrawn bank account and £52,954 in respect of a DTI guaranteed loan.

Realisations in respect of the Company's goodwill, of £13,999, are caught under the Bank's fixed charge, and a dividend is due to be paid to the Bank in the near future.

**5.2. Preferential Creditors**

At the date of my appointment, preferential creditors' claims were anticipated to amount to approximately £5,833. This is in respect of claims for arrears of wages and unpaid holiday pay from certain former employees, who were made redundant in August 2008.

Regrettably, it currently appears that there will be insufficient funds available to enable a dividend to be paid to preferential creditors.

**5.3. Unsecured Creditors**

At the date of my appointment, I was advised that unsecured creditors' claims amounted to approximately £374,050, inclusive of employees' unsecured claims.

It is currently anticipated that there will not be sufficient funds available in the Administration to allow a dividend to be paid to unsecured creditors, following payment of the costs of the Administration and after allowing for the claims of the Company's preferential and secured creditors.

**6. Prescribed Part**

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

6.2 I do not currently anticipate that there will be any funds available in relation to the prescribed part in this case, due to the fact that there are unlikely to be any funds available for the Company's floating charge holder, after the costs of the Administration and payment of the prior claims of the Company's preferential creditors.

**7. Administrators' remuneration**

7.1. The sale agreement for the Company's business and assets included a provision that, in addition to the £50,000 being paid, an additional £10,000 be made available to cover the pre-appointment costs of Mazars LLP and solicitors, Thring Townsend LLP. My pre-appointment costs amount to £7,641 plus VAT which represents some 34 hours of time at an average hourly charge out rate of £222. Only £5,139 of these fees can be paid, however, due to the fact that the fees of Mazars LLP and the solicitors combined exceeded the agreed sum of £10,000.

To date, £5,139 of these time costs have been paid to my firm, relating to my firms pre-Administration appraisal of the proposed sale of the business referred to previously.

- 7.2. The Company's preferential creditors have approved, by correspondence, a resolution that I should charge my remuneration on the basis of the time properly given by me and my staff in attending to matters arising in the Administration and that I may draw my fees as and when funds are available. The Company's preferential creditors also authorised that I may charge my allocated disbursements in line with the method and quantum set out in my proposals. I am currently awaiting confirmation from the Company's secured creditor that it also agrees to above and, accordingly, to date no post-Administration fees or disbursements have been drawn.
- 7.3. For creditors' convenience, my firm's latest charge out rates that are applicable to the grades of staff involved with this case are set out at *Appendix B*. In addition, the bases of charging allocated disbursements, previously agreed by creditors, is also set out again at *Appendix B*.
- 7.4. My firm's time costs to date for dealing with matters arising in the Administration amount to £19,266, which represents some 134 hours of my time and my staffs' time which has been incurred in dealing with this case, at an average hourly rate of £143. As at 31 March 2009, no fees have yet been drawn in this respect.
- 7.5. An analysis of the time costs incurred by my staff and I is attached at *Appendix C*, analysed by reference to the grade of staff involved with the case and type of work undertaken.
- 7.6. The Administrators' disbursements to date total £394. No disbursements have been repaid to my firm, as at 31 March 2009. My disbursements comprise of the following:-

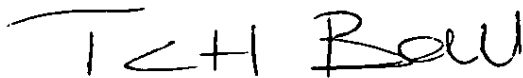
	£
Statutory Advertising	176
Postage	120
Administrators' specific insurance bond	98
Total	<u>394</u>

## 8. Estimated outcome

- 8.1. Based on my current estimates of asset realisations and costs, I envisage that some £13,999 will be paid to HSBC Bank Plc in respect of the realisation of assets caught under its fixed charge.
- 8.2. Regrettably, it would currently appear unlikely that there will be sufficient funds available to enable a dividend to be paid to the Company's preferential creditors, its floating charge creditor or its unsecured, non-preferential, creditors.

## **9. Ending the administration**

- 9.1. The Administration is due to come to an automatic end on 30 September 2009. In the event that the Administration is required to continue beyond this date, the sanction of creditors or the Court will be sought in respect of an extension.
- 9.2. As above, it is currently not thought possible that there will be sufficient funds in the Administration to allow a dividend to be paid to unsecured creditors.
- 9.3. In the event that there are sufficient funds to appoint a Liquidator to pay a dividend to unsecured creditors, then the exit route from Administration will be by placing the Company into Creditors' Voluntary Liquidation. If this is the case, and as agreed by the Company's creditors when the Administrators' proposals were approved, T C H Ball is to be appointed as Liquidator.
- 9.4. If, however, there are insufficient funds to allow a dividend to be paid to the unsecured creditors, the exit route from the Administration will be by way of the dissolution of the Company.
- 9.5. In accordance with Para 98(2) of Schedule B1 of the Insolvency Act 1986, I am seeking a resolution that I be discharged from liability 14 days after my final report is issued.



**T C H Ball**  
Joint Administrator

**Dated 28 April 2009**

*Authorised to act as an Insolvency Practitioner by the Institute of Chartered Accountants in England and Wales*

*The affairs, business and property of the Company are being managed by the Joint Administrators.  
The Joint Administrators act as agents of the Company and without personal liability*

## Coull Limited – In Administration

**Joint Administrators' Summarised Receipts & Payments  
for the period from 1 October 2008 to 31 March 2009**

	Estimated to realise per Directors' Statement of Affairs	Receipts/ Payments from 26 November 2008 to 31 March 2009	Total Receipts/ Payments to date
	£	£	£
<b>RECEIPTS</b>			
Book debts	18,253	18,250	18,250
IT and office furniture etc	16,000	16,000	16,000
Goodwill (incl. intellectual Property)	13,996	13,999	13,999
Stock/WIP	1,750	1,750	1,750
Contribution from Couller Ltd towards legal costs incurred in relation to deferred consideration	-	528	528
Customer contracts	1	1	1
	<u>50,000</u>	<u>50,528</u>	<u>50,528</u>
<b>PAYMENTS</b>			
Legal fees			5,580
Mazars LLP's pre appointment costs			5,139
Agents' fees			950
Statutory advertising			176
Insurance of assets			105
Bank charges			62
VAT receivable			1,821
			<u>13,833</u>
<b>Balances in hand (held on interest bearing account)</b>			<u><b>36,695</b></u>

**Coull Limited – In Administration**

**Guidance for creditors on charge out rates and allocated disbursements**

**Charge out rates**

The following grades of personnel have worked on this case. Their current charge-out rates are set out below (effective from September 2008).

<b>Grade of personnel</b>	<b>Hourly charge out rate (£)</b>
Partner	320
Assistant Manager/Senior Manager	180-250
Administrators	60-130
Cashier	75
Secretary	90

In common with other professional firms, my firm's charge out rates increase from time to time over the period of the administration of the case.

**Allocated disbursements**

At a meeting of the company's creditors, held on 13 August 2008, the charging of the following allocated expenses was approved.

- Meeting room charge for statutory meetings, charged at £60 per meeting summoned (members' and creditors' meetings on the same day treated as one meeting)
- Document storage – £3.53 per box per annum, based on the cost charged by the storage company for storage of boxes and files of records and allocated on the basis of the number of boxes per case and a one-off cost of £2.62 per box for the acquisition of the storage boxes. The cost of destroying the records is currently £1.60 per box.
- Facsimiles are charged at £1 per page and photocopying is charged at a cost of 5p per page.
- Business rate mileage, at a cost of between 40p and 80p per mile in relation to the running costs of different classes of vehicle.

It should be noted that the above costs might increase from time to time. However, this would only be as a result of inflationary increases or in line with increases from my suppliers.



**Coull Limited – In Administration**  
**Estimated Outcome Statement as at 31 March 2009**

	<b>Total Receipts/ Payments to date £'000</b>
<b>CASH IN HAND AS AT 25 NOVEMBER 2008</b> <b>(balance per attached Receipts &amp; Payment a/c)</b>	<b>36.7</b>
Tax refund	3.7
	<u>40.4</u>
Less amounts due to fixed charge creditor re. Goodwill - HSBC Bank Plc	(14.0)
Joint Administrators' outstanding remuneration on a time cost basis and disbursements	(19.5)
Joint Administrators' estimated future remuneration on a time cost basis and disbursements	(5.5)
Estimated sundry other costs (i.e. statutory advertising, bank charges etc)	(1.0)
Estimated funds available for preferential creditors	<u>0</u>
Estimated preferential creditors' claims	(5.8)
Estimated funds available for floating charge creditor	<u>(5.8)</u>
Estimated floating charge creditor's claim	(75.4)
Estimated funds available for unsecured creditors	<u>(81.2)</u>
Estimated non-preferential, unsecured claims including trade and expense creditors, employees claims and HM Revenue & Customs PAYE and NIC claims	(374.0)
<b>Estimated shortfall for non-preferential, unsecured creditors</b>	<u><b>(455.2)</b></u>

# Notice of conduct of business by correspondence

Name of Company Coull Limited	Company number 03523419
In the Bristol District Registry [full name of Court]	Court case number 183 AA 2008

(a) Insert full name(s) and address(es) of the administrator(s)

Notice is hereby given by Timothy Colin Hamilton Ball and Roderick John Weston of Mazars LLP, Clifton Down House, Beaufort Buildings, Clifton, Bristol, BS8 4AN

(b) Insert full name and address of registered office of the company

to the creditors of Coull Limited

that, pursuant to paragraph 58 of Schedule B1 to the Insolvency Act 1986, enclosed is one resolution for your consideration. Please indicate below whether you are in favour or against the resolution.

(c) Insert number of resolutions enclosed

This form must be received at Mazars LLP, Clifton Down House, Beaufort Buildings, Clifton, Bristol, BS8 4AN

(d) Insert address to which form is to be delivered

by 12.00 hours on 15 May 2009 in order to be counted. It must be accompanied by details in writing of your claim. Failure to do so will lead to your being disregarded.

Resolution (1)

(e) Insert closing date

"THAT the Joint Administrators be discharged from liability 14 days after they are released from office in respect of any action of theirs as Administrators, in accordance with Para 98(2)(b) of Schedule B1 of the Insolvency Act 1986"

Repeat as necessary for the number of resolutions attached

I am \*in Favour /Against

If you require any further details or clarification prior to returning your votes, please contact me / us at the address above.

Signature: \_\_\_\_\_

Print name: \_\_\_\_\_

On behalf of: \_\_\_\_\_

Date: \_\_\_\_\_

<b>Rule 6.96</b>	<b>Proof of Debt - General Form</b>	<b>Form 6.37</b>
	<b>Coull Limited – In Administration</b>	
	Date of Administration: 1 October 2008	

1.	Name of Creditor	
2.	Address of Creditor	
3.	Total amount of claim, including any Value Added Tax and outstanding uncapitalised interest as at the date of the bankruptcy order	£
4.	Details of any documents by reference to which the debt can be substantiated. [Note: the official receiver or trustee may call for any document or evidence to substantiate the claim at his discretion]	
5.	If total amount above includes outstanding uncapitalised interest, please state amount	£
6.	Give details of whether the whole or any part of the debt falls within any (and if so which) of the categories of preferential debts under section 386 of, and schedule 6 to, the Insolvency Act 1986 (as read with Schedule 3 to the Social Security Pensions Act 1975)	Category  Amount(s) claimed as preferential £
7.	Particulars of how and when debt was incurred	
8.	Particulars of any security held, the value of the security, and the date it was given	
9.	Particulars of any reservation of title claimed, including details of goods supplied, their value and when supplied.	
10.	Signature of creditor or person authorised to act on his behalf	
	Name in BLOCK LETTERS	
	Position with or relation to creditor	

COUL/TCHB/NJC/WGD