

AM10

Notice of administrator's progress report



Companies House

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14/09/2019 #2
COMPANIES HOUSE
A19 07/08/2019 #167
COMPANIES HOUSE

1 Company details

Company number	0 9 6 9 4 7 3 4	→ Filing in this form Please complete in typescript or in bold black capitals.
Company name in full	UTM Online Services Limited	

2 Administrator's name

Full forename(s)	Peter
Surname	Kubik

3 Administrator's address

Building name/number	Quadrant House
Street	4 Thomas More Square
Post town	London
County/Region	
Postcode	E 1 W 1 Y W
Country	

4 Administrator's name [Ⓢ]

Full forename(s)		Ⓢ Other administrator Use this section to tell us about another administrator.
Surname		

5 Administrator's address [Ⓢ]

Building name/number		Ⓢ Other administrator Use this section to tell us about another administrator.
Street		
Post town		
County/Region		
Postcode		
Country		

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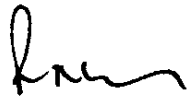
6 Period of progress report

From date	d 2	d 3	m 0	m 7	y 2	y 0	y 1	y 9	
To date	d 2	d 5	m 0	m 7	y 2	y 0	y 1	y 9	

7 Progress report

I attach a copy of the progress report

8 Sign and date

Administrator's signature	Signature X  X								
Signature date	d 0	d 6	m 0	m 8	y 2	y 0	y 1	y 9	

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Notice of administrator's progress report

Presenter information

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

Contact name **Peter Kubik**

Company name **UHY Hacker Young LLP**

Address **Quadrant House**

4 Thomas More Square

Post town **London**

County/Region

Postcode

E	1	W		1	Y	W
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Country

DX

Telephone **020 7216 4885**

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

UTM Online Services Limited – In Administration
The Administrator’s Progress Report

Peter Kubik
UHY Hacker Young LLP
Quadrant House
4 Thomas More Square
London
E1W 1YW
020 7216 4885
s.iacovou@uhy-uk.com

This report has been prepared for the sole purpose of updating the creditors for information purposes. The report is private and confidential and may not be relied upon, referred to, reproduced or quoted from, in whole or in part, by creditors for any purpose other than updating them for information purposes, or by any other person for any purpose whatsoever.

Peter Kubik and Michael Kiely were appointed Joint Administrators of UTM Online Services Limited on 27 March 2018. Michael Kiely was removed as Joint Administrator following a Court Order dated 3 December 2018. The affairs, business and property of the Company are managed by the Administrator. The Administrator acts as agent of the Company and contracts without personal liability.

UTM Online Services Limited – In Administration

**The Administrator’s Progress Report
For the period 23 July 2019 to 25 July 2019**

25 July 2019

Contents

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2. Summary of the Proposals, as approved
3. The Administrator’s receipts and payments account for the period 23 July 2019 to 25 July 2019
4. Comparison of the expenses incurred against the estimated expenses
5. Details of work undertaken
6. The Administrator’s time costs for the entirety of the Administration

1. EXECUTIVE SUMMARY

- 1.1 This report describes the progress of the Administration for the period 23 July 2019 to 25 July 2019 (‘the Review Period’) and should be read in conjunction with previous correspondence to creditors.
- 1.2 Statutory information regarding the Company is at appendix 1.
- 1.3 A summary of key information in this report is detailed below.

Asset realisations	Estimated to realise as per Statement of Affairs £	Total realisations £
Misfeasance	Uncertain	-
Total	Uncertain	-

Expenses	Estimated as per Proposal’s Estimated Outcome Statement £	Total expenses £
Pre Administration fees	3,482.50	3,482.50
Pre investigation funding	54,796.22	54,796.22
Pre appointment legal fees	6,493.00	6,493.00
Administrators’ fees	Uncertain	37,506.00
Legal fees	50,000.00	25,590.00
Investigator’s fees	15,000.00	6,209.00
Expenses and disbursements	2,472.35	549.45
Total	132,244.07	134,626.17

Dividend prospects	Distribution / dividend paid £
Secured creditor	Not applicable
Preferential creditors	Not applicable
Unsecured creditors	Uncertain

Outcome of the Administration

- 1.4 It had been envisaged that the second Administration objective would be achieved, namely that there would be a better result for creditors as a whole than would be likely if the Company were wound up (without first being in Administration) This report explains how this Administration objective was not achieved.
- 1.5 Following a Court hearing on 25 July 2019, it was ordered that:-
- The Company be wound up by the Court under the provisions of the Insolvency Act 1986;

- 2.6 Further information was sought and requests for information sent to a third party who was believed to have information relating to the conduct of the directors. These parties refused to assist in the investigation. A Court order would be required to compel the third party to cooperate. As no funds were available, the Administration was unable to take any further action.
- 2.7 CH sought to obtain funding from creditors and litigation funders, however, unfortunately, they have not been successful in securing any further funding.
- 2.8 Please note that no action has been taken during the Review Period.

Costs and expenses

Legal fees

- 2.9 Howes Percival were instructed on a conditional fee agreement to assist with all aspects of the Administration but, in particular, the misfeasance action. Their time costs in the Administration amounted to £23,090.20 and remain outstanding. No time costs were incurred during the Review Period.
- 2.10 Howes Percival were also instructed to assist with the application for the Compulsory winding up of the Company. CH agreed to pay all legal expenses and time costs of up to £2,000. The sum of £5,858, including VAT where applicable, was paid directly to Howes Percival.

Costs incurred but remaining unpaid

- 2.11 Other than the costs detailed above, I am not aware of any other costs that have been incurred in the Review Period that remain unpaid.
- 2.12 During the Review Period, the Administrator has also incurred time costs and direct expenses, not all of which have yet been discharged. Further details of these costs are set out in Section 3 below.

3. THE ADMINISTRATOR’S FEES AND EXPENSES

Pre appointment remuneration

- 3.1 Included with the Administrator’s Proposals was a statement of pre Administration costs. These costs were approved as follows:-

Cost	Amount (£)
UHY Hacker Young LLP’s time costs	3,482.50
Legal fees (including counsel)	6,213.00
Return of investigation funding	54,796.22
Court fees	280.00
Total	64,771.72

- 3.2 UHY Hacker Young LLP’s time costs remain outstanding and, in the event of any realisations in the Liquidation, these shall be paid in full.

Administrator's remuneration

- 3.3 The basis of the Administrator's remuneration was fixed on 29 May 2018 by the unsecured creditors as 15% of the gross asset realisations.
- 3.4 It has been agreed with the Joint Liquidators that, in the event of any realisations, the Administrator's remuneration shall be capped at the level of the time costs incurred.
- 3.5 The time costs for the Administration as a whole amount to £37,506.00, representing 109.30 hours at an average hourly rate of £343.15. A breakdown is available at appendix 6.
- 3.6 A creditors' guide to Administrators' remuneration is available to download at <http://www.uhy-uk.com/wp-content/uploads/Administration-Creditor-Fee-Guide-April-2017.pdf>. A hard copy is available upon request.

Disbursements

- 3.7 Category 1 disbursements are payments made to independent third parties where there is a specific expenditure directly referable to the appointment in question. These are charge to the estate at cost with no uplift. Category 1 disbursements of £28.00 were incurred during the Review Period. In addition, the sum of £211.45 was previously incurred and remains outstanding.
- 3.8 Category 2 disbursements are also directly referable to the appointment but are not to an independent third party. During the Review Period, no category 2 disbursements were incurred. My total category 2 disbursements amount to £310.00 and remain outstanding.

Creditors' right to request information

- 3.9 Any secured creditor, or unsecured creditor with the support of at least 5% in value of the unsecured creditors or with permission of the Court may request, in writing, the Administrator to provide additional information regarding fees or expenses to that already supplied within this report. Such requests must be made within 21 days of receipt of this report.

Creditors' right to challenge fees and/or expenses

- 3.10 Any secured creditor, or unsecured creditor with the support of at least 10% in value of the unsecured creditors or with permission of the Court, may apply to the Court for one or more orders, reducing the amount or the basis of fees which the Administrator is entitled to charge or otherwise challenging some or all of the expenses incurred.
- 3.11 Such applications must be made within 8 weeks of receipt by the applicant(s) of the progress report detailing the fees and/or expenses being complained of. Please note that such challenges may not disturb fees or expenses (whether or not discharged from the estate) disclosed in prior progress reports.

APPENDIX 1 – STATUTORY INFORMATION

Company Name	UTM Online Services Limited
Previous Names	Not applicable
Proceedings	In Administration
Court	High Court of Justice
Court reference	CR-2018-002421
Date of appointment	27 March 2018
Administrator	Peter Kubik
Registered office address	c/o UHY Hacker Young LLP, Quadrant House, 4 Thomas More Square, London, E1W 1YW
Company number	09694734
Appointment by	Appointed following a creditor’s application to Court
Change in office holder	Michael Kiely resigned as Joint Administrator following a Court Order on 3 December 2018

DEFINITIONS

The Act	Insolvency Act 1986
The Rules	Insolvency Rules 1986 or Insolvency (England & Wales) Rules 2016 (whichever applied at the time of the event)
The Administrator	Peter Kubik of UHY Hacker Young LLP
The Company	UTM Online Services Limited – In Administration
The Court	High Court of Justice
Review Period	Period covered by the report from 23 July 2019 to 25 July 2019

APPENDIX 2 – RECEIPTS AND PAYMENTS ACCOUNT FOR THE REVIEW PERIOD

S of A £	As Previously Reported	23/07/19 to 25/07/19	Total £
RECEIPTS			
Uncertain Misfeasance	NIL	NIL	NIL
Uncertain	NIL	NIL	NIL
PAYMENTS			
	NIL	NIL	NIL
	NIL	NIL	NIL
BALANCE HELD IN INTEREST BEARING ACCOUNT			NIL

APPENDIX 3 - COMPARISON OF THE EXPENSES INCURRED AGAINST THE ESTIMATED EXPENSES

Expenses and category 1 disbursements	Original expenses estimate £	Actual expenses incurred in the Review Period £	Actual expenses incurred to date £	Reason for any excess (if the expenses are likely to, or have, exceeded the original estimate)
Expenses and category 1 disbursements				
Legal fees and expenses	50,000.00	-	23,090.20	
Investigators’ costs	15,000.00	-	6,209.00	
Advertising	232.35	-	77.45	
Bank charges	50.00	-	-	
Bonding	10.00	-	10.00	
Mail redirection	204.00	-	-	
Creditor Gateway	56.00	28.00	42.00	
VisionBlue Solutions	110.00	-	110.00	
Total	65,662.35	28.00	29,538.65	

Expenses	Original expenses estimate £	Actual expenses incurred in the Review Period £	Actual expenses incurred to date £	Reason for any excess (if the expenses are likely to, or have, exceeded the original estimate)
Category 2 disbursements				
Accounting fees	1,500.00	-	-	
External storage of working papers – one off fee	50.00	-	50.00	
Internal meeting room - £65 per hour	260.00	-	260.00	
Total	1,810.00	-	310.00	

APPENDIX 4 - WORK UNDERTAKEN BY THE ADMINISTRATOR DURING THE REVIEW PERIOD

General description	Includes
Administration and planning (including statutory reporting)	
Statutory / advertising	Filing of documents to meet statutory requirements Advertising in accordance with statutory requirements
Document maintenance / file review / checklist	Filing of documents Periodic file reviews Periodic reviews of the application of ethical, anti-money laundering and anti-bribery safeguards Maintenance of statutory and case progression task lists/diaries Updating checklists
Planning / Review	Discussions regarding strategies to be pursued Meetings with team members and independent advisers to consider <i>practical, technical and legal aspects of the case</i>
Change in office holder	Discussions with solicitors regarding the application for the Compulsory winding up Review of the application and witness statement Correspondence to creditors notifying them of the application
Creditors and distributions	
Creditor communication	Receive and follow up creditor enquiries via telephone Review and prepare correspondence to creditors and their representatives via facsimile, email and post
Processing proofs of debt	Preparation of correspondence to potential creditors inviting submission of POD Receipting and filing POD when not related to a dividend

Appendix 6 – The Administrator's time costs for the entirety of the Administration

Classification of work function	Partner Hours £	Director Hours £	Manager Hours £	Asst Manager Hours £	Snr Administrator Hours £	Administrator Hours £	Junior Administrator Hours £	Total Hours	Total Cost £	Avg Hourly Rate £
Administration & Planning										
Administrative Set-up	0.00	0.00	0.00	0.20	0.00	0.00	0.00	0.20	44.00	220.00
Appointment Notification	0.50	0.00	0.00	4.00	0.00	0.00	0.00	4.50	1,147.50	255.00
Case Planning	7.70	0.00	0.60	8.80	0.00	0.00	0.00	17.10	5,511.00	322.28
Maintenance of Records	0.10	0.00	0.00	0.90	0.00	0.00	0.00	1.00	249.50	249.50
Statutory Reporting	10.60	0.00	0.70	20.70	0.00	0.00	0.00	32.00	10,092.50	315.39
Realisation of Assets										
Securing, Insuring Assets	15.00	0.00	0.00	12.50	0.00	0.00	0.00	27.50	10,639.00	386.87
Property, business and asset sales	6.50	0.00	0.00	3.50	0.00	0.00	0.00	10.00	4,247.50	424.75
Creditors										
Communication with Creditors	1.80	0.00	0.00	1.70	0.00	0.00	0.00	3.50	1,337.00	382.00
Creditors' Claims	1.00	0.00	0.00	4.10	0.00	0.00	0.00	5.10	1,437.00	281.76
Investigations										
SIP 2 Review	1.30	0.00	0.00	2.20	0.00	0.00	0.00	3.50	1,137.00	0.00
Antecedent Transactions	2.00	0.00	0.00	0.60	0.00	0.00	0.00	2.60	1,032.00	0.00
CDDA Reports	0.40	0.00	0.00	1.90	0.00	0.00	0.00	2.30	632.00	274.78
Case Specific Matters	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
TOTAL HOURS	46.90	0.00	1.30	61.10	0.00	0.00	0.00	109.30		
TOTAL TIME CHARGED (£)	£23,655.50	£0.00	£905.50	£13,545.00	£0.00	£0.00	£0.00		£37,506.00	
Average hourly cost (£)	504.38	0.00	235.00	221.69	0.00	0.00	0.00			343.15

All figures are shown net of VAT