

# Notice to creditors seeking decisions by correspondence

Name of Company

**Utility Professional Business Operations Limited  
– in administration (“UPBOL”)**

Company Number

**08656255**

**In the High Court of Justice, Business and  
Property Courts in Birmingham Insolvency &  
Companies List (ChD)**

Court case number

**8340 of 2018**

(a) Insert full names of  
administrators

We Michael Thomas Denny, David Matthew Hammond and Ian David Green joint administrators of the company give notice to creditors that we are seeking a decision by correspondence on the following resolutions:

(b) Insert resolutions

- THAT the unpaid pre-administration costs detailed at Appendix B of the administrators’ proposals dated 28 January 2019 are approved for payment as expenses of the administration. These consist of the following amounts:
  - £12,639.80 – Administrators’ unpaid fees; and
  - £574.81 – Expenses incurred as administrators-in-waiting.
- THAT the administrators’ fees be fixed by reference to the time properly given by the administrators and the various grades of their staff according to their firm’s usual charge out rates for work of this nature and that the administrators be authorised to draw such fees from time to time.
- THAT the administrators be authorised to draw disbursements for services provided by their own firm (Category 2 disbursements) from time to time as follows:
  - Photocopying - charged for circulars to creditors and other bulk copying only at 10p per sheet;
  - Mileage - at a maximum of 71p per mile (up to 2,000 cc) or 93p per mile (over 2,000cc).

These rates may periodically rise (for example to cover annual inflationary cost increases) over the period of the administration. All other disbursements to be charged at cost.
- THAT the administrators be discharged from liability pursuant to Paragraph 98(1) of Schedule B1 to the Insolvency Act 1986 in respect of any action of theirs as administrators 14 days after they cease to be joint administrators of UPBOL.
- AND as to whether a creditors’ committee should be established if sufficient creditors are willing to be members. Information on the formation, rights, duties and functions of a committee can be found in the attached guide for creditors.

We are also inviting creditors to make nominations for membership of the creditors committee, if one is established.

(c) Insert date

We therefore invite you to vote on the above. To submit your vote please indicate below whether you are voting for or against each resolution and whether or not you want a committee to be established and return this notice to us by post at the address below, **to be received by us by 23.59 hrs on (c) 15 August 2019** (the decision date).

In order to be entitled to vote we **must receive from you by 23.59 hrs on the decision date of 15 August 2019, a proof in respect of your claim** in accordance with the Insolvency (England and Wales) Rules 2016 (IR16), failing which your vote will be disregarded. A proof of debt form which you can use is available at <https://www.pwc.co.uk/extraenergy>.

If your debt is treated as a small debt in accordance with rule 14.31(1) IR16 (creditors with claims of £1,000 or less), you must still deliver a proof to us by 23.59 hrs on the decision date if you wish to vote.

If you have opted out from receiving notices you may nevertheless vote if you provide a proof as set out above.

Creditors who meet one of the thresholds in section 246ZE of the Insolvency Act 1986 may, within five business days from the date of delivery of this notice, require a physical meeting to be held to consider the matters set out above. The relevant thresholds are 10% in value of creditors, 10% in number of creditors, or 10 creditors.

If you wish to nominate any creditor(s) to be members of a creditors' committee if creditors decide that a committee should be established, you must deliver your nomination to us by **15 August 2019**. A nomination can only be accepted if we are satisfied as to the creditor's eligibility under rule 17.4 IR16.

A creditor may appeal a decision in accordance with rule 15.35 IR16 by applying to court not later than 21 days after the decision date.



Signed \_\_\_\_\_  
Joint administrator

Dated 23 July 2019

Administrators' postal address:

Address for correspondence **PwC, 8th Floor, Central Square, 29 Wellington Street, Leeds, LS1 4DL**

Administrators' contact telephone number:

0113 289 4000

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## To be completed by creditor and returned to the postal address above if you wish to vote

Insert creditor's name  
and address, and  
registered number if a  
company

I/We

Company number (if creditor is a company) \_\_\_\_\_

of \_\_\_\_\_

vote as follows:

	Delete as applicable *
<b>Resolution (1)</b> THAT the unpaid pre-administration costs detailed at Appendix B of the administrators' proposals dated 28 January 2019 are approved for payment as expenses of the administration as follows:  <ul style="list-style-type: none"> <li>• £12,639.80 – Administrators' unpaid fees; and</li> <li>• £574.81 – Expenses incurred as administrators-in-waiting.</li> </ul>	<b>* for / against</b>
<b>Resolution (2)</b> THAT the administrators' fees be fixed by reference to the time properly given by the administrators and the various grades of their staff according to their firm's usual charge out rates for work of this nature and that the administrators be authorised to draw such fees from time to time.	<b>* for / against</b>
<b>Resolution (3)</b> THAT the administrators be authorised to draw disbursements for services provided by their own firm (Category 2 disbursements) from time to time as follows:  <p><i>Photocopying</i> - charged for circulars to creditors and other bulk copying only at 10p per sheet;</p> <p><i>Mileage</i> - at a maximum of 71p per mile (up to 2,000 cc) or 93p per mile (over 2,000cc).</p> <p>These rates may periodically rise (for example to cover annual inflationary cost increases) over the period of the administration. All other disbursements to be charged at cost.</p>	<b>* for / against</b>

<b>Resolution (4)</b> THAT the administrators be discharged from liability pursuant to Paragraph 98(1) of Schedule B1 to the Insolvency Act 1986 in respect of any action of theirs as administrators 14 days after they cease to be joint administrators of UPBOL.	<b>* for / against</b>
<b>Decision whether a creditors' committee should be established</b>  I/we want a creditors' committee to be established if sufficient creditors are willing to be members.* <b>OR</b>  I/we do not want a creditors' committee to be established.* <b>*Delete as applicable</b>	
<b>Committee member:</b> I/we nominate [creditor to insert name of creditor*] _____ to be a member of the committee if one is established. <small>*If you wish to nominate a creditor to be a member of a committee if one is established, please insert here the name of that creditor. A creditor can nominate themselves or another creditor. If the creditor is a company you must insert the company's name</small>	
<b>Committee member's consent to act and representative:</b> I/we consent to act as a member of the committee and authorise [insert representative's name here*] _____ to represent me/us on the committee with authority to act generally. <small>* A creditor which is a company or other body corporate must be represented by an individual. A creditor who is an individual can be represented by another individual but does not need to be. If you don't insert the name of a representative, the nominated creditor can still be represented on any committee, but may need to provide a letter of authority to the representative before they can act. A representative may be authorised to act either generally or specifically. If you wish to authorise your representative to act specifically, please amend the authority above and state in what respect they are authorised to act.</small>	

I/we enclose my/our proof of debt (if not previously submitted).

Signature of creditor or person authorised to act on behalf of the creditor:

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Name in block capitals:

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Position with or relation to the creditor (e.g. director, company secretary, solicitor):

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