



For further information, please refer to our guidance at [www.gov.uk/companieshouse](http://www.gov.uk/companieshouse)

### 1 Company details

Company number	F   E   0   0   0   0   0   1	<b>→ Filling in this form</b> Please complete in typescript or in bold black capitals.
Company name in full	West Kent & Ashford College	

### 2 Administrator's name

Full forename(s)	William Matthew	
Surname	Tait	

### 3 Administrator's address

Building name/number	55 Baker Street	
Street	London	
Post town		
County/Region		
Postcode	W   1   U     7   E   U	
Country		

### 4 Administrator's name <sup>①</sup>

Full forename(s)	Francis Graham	<b>① Other administrator</b> Use this section to tell us about another administrator.
Surname	Newton	

### 5 Administrator's address <sup>②</sup>

Building name/number	Central Square	<b>② Other administrator</b> Use this section to tell us about another administrator.
Street	29 Wellington Street	
Post town	Leeds	
County/Region		
Postcode	L   S   1     4   D   L	
Country		

# AM25

## Notice of court order ending administration

### 6 Administration end date

End date 

d	1	d	1	m	0	m	8	y	2	y	0	y	2	y	2
---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---

### 7 Date of court order

Court order date 

d	1	d	1	m	0	m	8	y	2	y	0	y	2	y	2
---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---

### 8 Attachments

- I have attached a copy of the court order
- I have attached a copy of the final progress report

### 9 Sign and date

Administrator's signature

Signature

X



X

Signature date

d	2	d	5	m	1	m	0	y	2	y	0	y	2	y	2
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# AM25

## Notice of court order ending administration

### 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 **James Kershaw**

Company name **BDO LLP**

Address  
**5 Temple Square**  
**Temple Street**

Post town **Liverpool**

Country/Region

Postcode 

L	2		5	R	H	
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Country

DX

Telephone **+44 (0) 1512 374 500**

### 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 all the required documents.
- You have signed the form.

### Important information

**All information on this form will appear on the public record.**

### Where to send

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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](http://www.gov.uk/companieshouse) or email [enquiries@companieshouse.gov.uk](mailto: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](http://www.gov.uk/companieshouse)

# Continuation page

## Name and address of insolvency practitioner

✓ **What this form is for**  
 Use this continuation page to tell us about another insolvency practitioner where more than 2 are already jointly appointed. Attach this to the relevant form. <sup>1</sup>  
 Use extra copies to tell us of additional insolvency practitioners.

✗ **What this form is NOT for**  
 You can't use this continuation page to tell us about an appointment, resignation, removal or vacation of office.

→ **Filling in this form**  
 Please complete in typescript or in bold black capitals.  
 All fields are mandatory unless specified or indicated by \*

### 1 Appointment type

Tick to show the nature of the appointment:

- Administrator
- Administrative receiver
- Receiver
- Manager
- Nominee
- Supervisor
- Liquidator
- Provisional liquidator

<sup>1</sup> You can use this continuation page with the following forms:  
 - VAM1, VAM2, VAM3, VAM4, VAM6, VAM7  
 - CVA1, CVA3, CVA4  
 - AM02, AM03, AM04, AM05, AM06, AM07, AM08, AM09, AM10, AM12, AM13, AM14, AM19, AM20, AM21, AM22, AM23, AM24, AM25  
 - REC1, REC2, REC3  
 - LIQ2, LIQ3, LIQ05, LIQ13, LIQ14,  
 - WU07, WU15  
 - COM1, COM2, COM3, COM4  
 - NDISC

### 2 Insolvency practitioner's name

Full forename(s)	Danny
Surname	Dartnaill

### 3 Insolvency practitioner's address

Building name/number	Thames Tower, Level 12, Station Road
Street	Reading
Post town	Berkshire
County/Region	
Postcode	R G 1 1 L X
Country	

**West Kent & Ashford College Trading As: West Kent & Ashford College**  
**(In Administration)**  
**Joint Education Administrators' Trading Account**

Statement of Affairs £	From 16/02/2022 To 11/08/2022 £	From 16/08/2019 To 11/08/2022 £
<b>POST APPOINTMENT SALES</b>		
ESFA Trading Receipts	NIL	11,723,900.62
Non-ESFA Education Funding	NIL	128,100.25
ESFA - Loan / Grant Funding	NIL	16,850,770.70
Other income	NIL	191,240.00
Student Direct Debits	NIL	432,347.31
Commercial Income	NIL	252,423.60
Income from schools	NIL	430,735.98
Advanced Learner Loan Funding	NIL	336,049.69
GLA Funding	NIL	149,940.00
KCC - High Needs Income	NIL	508,722.40
Higher Education Income	NIL	816,304.76
Non KCC - High Needs Income	NIL	11,737.34
	<u>NIL</u>	<u>31,832,272.65</u>
<b>COST OF SALES</b>		
Payroll Costs	NIL	6,766,259.52
Employee Pensions and Costs	517.28	2,185,191.79
PAYE & NI	3,478.95	1,852,359.46
Subcontractor - Continuity Payments	NIL	268,441.83
Education Related Costs	5,872.45	1,267,059.05
Catering Supplies	NIL	316,087.37
	<u>(9,868.68)</u>	<u>(12,655,399.02)</u>
<b>TRADING EXPENSES</b>		
Leases/HP agreements	NIL	118,030.95
IT Services	12,500.00	327,233.83
Equipment	NIL	97,748.36
Student Refunds	NIL	19,208.67
Consultants Fees	NIL	710,445.94
Utilities	NIL	396,308.70
Storage Costs	NIL	12,576.90
Rent and Rates	NIL	158,537.13
Campus Cleaning Costs	NIL	246,172.51
Continuity Payments	NIL	59,517.01
Insurance	NIL	163,241.52
Professional Services	NIL	79,300.36
Marketing	NIL	40,659.90
Student Bursary Payments	NIL	333,938.81
Printing, Stationery and Postage	NIL	46,157.06
Estates & Maintenance	399.14	639,156.13
Sundry Expenses	NIL	36,201.72
	<u>(12,899.14)</u>	<u>(3,484,435.50)</u>
<b>TRADING SURPLUS/(DEFICIT)</b>	<u><b>(22,767.82)</b></u>	<u><b>15,692,438.13</b></u>





**IN THE HIGH COURT OF JUSTICE  
BUSINESS AND PROPERTY COURTS OF ENGLAND AND WALES**

CR-2019-005255

**INSOLVENCY AND COMPANIES LIST (ChD)**

**IN THE MATTER OF THE CORPORATION OF WEST KENT AND ASHFORD COLLEGE (a further  
education corporation) (in education administration)**

**AND IN THE MATTER OF THE TECHNICAL AND FURTHER EDUCATION ACT 2017**

**AND IN THE MATTER OF THE EDUCATION ADMINISTRATION RULES 2018**

**BEFORE ICC JUDGE JONES**

**11 AUGUST 2022**

**WILLIAM MATTHEW HUMPHRIES TAIT, FRANCIS GRAHAM NEWTON  
and DANNY NICOLAAS WILLIAM DARTNAILL  
(as education administrators of The Corporation of West Kent and Ashford College (in education  
administration))**

**(Applicant)**

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**ORDER**

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**UPON THE APPLICATION** of the above named Applicant dated 28 June 2022 in respect of the Corporation of West Kent and Ashford College of Tonbridge, Kent, TN9 2PW (in education administration) c/o BDO LLP, 55 Baker Street, London W1U 7EU ("**the College**")

**AND UPON HEARING** counsel, Miss Eleanor Temple, for the Applicant

**AND UPON READING** the sixth witness statement of William Matthew Humphries Tait dated 27 June 2022 and exhibit thereto, and the first witness statement of Francis Graham Newton dated 5 August 2022 and exhibit thereto

**AND UPON** reading the letters to all known creditors of the College dated 15 June 2022 and 20 July 2022

**AND UPON** the creditors of the College not objecting to the relief sought or attending or being represented at the hearing

**AND UPON** the Secretary of State ("SoS") confirming by way of a letters dated 20 June 2022 that it does not object to the remuneration application and that the SoS will fund the Remuneration fixed and approved by the court in accordance with the Restated Funding Agreement dated 1 April 2020 amended by letter dated 16 June 2022 and that the SoS consents to the application to end the administration

**IT IS ORDERED THAT:**

1. The Applicants' appointment as joint education administrators shall cease to have effect pursuant to paragraph 79(1) of Schedule B1 to the Insolvency Act 1986 (the "**Act**") (as applied by paragraph 1 of Schedule 3 to the Technical and Further Education Act 2017 ("**TFEA**") and as modified by paragraph 23 of Schedule 3 to TFEA) with immediate effect;
2. The Applicants be discharged from liability in respect of any action as education administrators pursuant to paragraph 98(1) of Schedule B1 to the Act (as applied by paragraph 1 of Schedule 3

to TFEA and as modified by paragraph 30 to Schedule 3 to TFEA) 28 days after filing their final report to creditors;

3. The College is wound up and pursuant to paragraph 79(4)(d) of Schedule B1 to the Act (as applied by paragraph 1 of Schedule 3 to TFEA and as modified by paragraph 23 of Schedule 3), pursuant to the court's inherent jurisdiction and section 140 of the Act (as applied by section 6 of TFEA) , William Matthew Humphries Tait, Mark Patterson and Danny Nicolaas William Dartnaill ("**Joint Liquidators**") are appointed as joint liquidators of the College;
4. Any act required or authorised under any enactment to be done by a liquidator may be done by any or all of the Joint Liquidators pursuant to Section 231 of the Act;
5. The Applicants' remuneration from 24 April 2021 to 11 August 2022 ("**Remuneration**") is fixed and approved for payment pursuant to Rule 6.10(3) of The Education Administration Rules 2018 in the sum of £183,793.45 plus VAT;
6. The Applicants are entitled to receive the Remuneration forthwith.
7. The Applicants' cost of and occasioned by this Application shall be paid as expenses of the education administration pursuant to rule 3.36(1) of the Education Administration Rules 2018 out of the assets of the College.

The applicant's address for service is:

Womble Bond Dickinson (UK) LLP, 6th Floor, 1 Whitehall Riverside, Leeds,  
LS1 4BN, Ref: BDO/2.25.



# **The Corporation of West Kent & Ashford College - In Education Administration**

Joint Education Administrators' final progress report  
from

16 February 2022 to 11 August 2022



IDEAS | PEOPLE | TRUST



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# GLOSSARY OF TERMS

Abbreviation or term	Meaning
'Administration'	Education Administration
'EKCG'	East Kent College Group
'Final Period'	16 February 2022 to 11 August 2022
'HMRC'	HM Revenue & Customs
'JEAs', 'we' or 'us'	William Matthew Humphries Tait, Francis Graham Newton and Danny Nicolaas William Dartnail, the Joint Education Administrators
'Knight Frank'	Knight Frank LLP
'Merger Transactions'	The transfer of certain business and assets, associated with the provision of education services, to East Kent College Group and North Kent College
'net property'	Floating charge realisations after costs and payment of preferential creditors in full
'NKC'	North Kent College
'preferential creditors'	Claims for unpaid wages earned in the four months prior to the Education Administration up to £800, holiday pay and unpaid pension contributions in certain circumstances.
'Proposals'	The JEAs statement of proposals for achieving the purpose of the Education Administration
'QFCH'	Qualifying Floating Charge Holder
'RSCS'	Rosemary Shrager Cookery School
'Sch.B1 to the Act'	Schedule B1 to the Act
'Secured Creditors'	Creditors whose debt is secured, in accordance with section 248 of the Act
'Statutory Objective'	To avoid or minimise disruption to the studies of the existing students of the further education body as a whole and to ensure that it becomes unnecessary for the body to remain in Education Administration for that purpose
'TEAR 2018'	The Education Administration Rules 2018
'TFEA 2017'	Technical and Further Education Act 2017
'the Act'	Insolvency Act 1986 as adopted by TFEA 2017
'the College'	The Corporation of West Kent & Ashford College
'the DfE'	The Department for Education

<b>'the ESFA'</b>	The Education and Skills Funding Agency
<b>'the FEC'</b>	The Further Education Commissioner
<b>'the Final Progress Report'</b>	Prepared in accordance with Rules 3.14 and 3.15 of TEAR 2018
<b>'unsecured creditors'</b>	Creditors who are neither secured nor preferential

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# KEY INFORMATION

## Background

William Matthew Humphries Tait, Francis Graham Newton and Danny Nicolaas William Dartnaill of BDO LLP were appointed JEAs of the College on 16 August 2019.

The affairs, business and property of the College were being managed by the JEAs who acted as agents of the College and without personal liability.

## Purpose of this report

This is the Final Progress Report which provides you with a final update of the implementation of the Proposals and the achievement of the Statutory Objective.

This Final Progress Report can be reviewed in conjunction with all other reports regarding this Administration, on the [brportal.bdo.co.uk](http://brportal.bdo.co.uk) portal.

The table below summarises the anticipated outcome for creditors, based on our current understanding of the case. Please note these figures are subject to change.

Class of creditor	Current estimate	Previous estimate
Secured creditors	Repaid/granted alternative security	N/A
Preferential creditors	N/A	N/A
Unsecured creditors	Nil	Nil

## What you need to do

The purpose of the Final Progress Report is to provide you with an update only. The creditors of the College do not need to take any actions at this time.

## Creditors' rights

An overview of the rights of creditors are detailed in Appendix B.

## Contact details

Contact: Nadine Naylor  
Business Restructuring, BDO LLP, 5 Temple Square, Temple Street, Liverpool, L2 5RH  
Tel: +44(0)7812 466457  
Email: [BRCMTLondonandSouthEast@bdo.co.uk](mailto:BRCMTLondonandSouthEast@bdo.co.uk)  
Reference: WKAAC

# PROGRESS IN THE FINAL PERIOD AND IN THE ADMINISTRATION

## Asset realisations

The receipts and payments account attached at Appendix C details the asset realisations during the Final Period and the cumulative position as at 11 August 2022.

A summary of the assets realised in the Final Period are as follows:

### Book Debts

The College was owed £513,915 from RSCS, by virtue of an inter-company debt.

On 4 September 2019, Mark Newman and Vincent John Green of Crowe U.K. LLP were appointed Joint Liquidators of RSCS.

On the basis a dividend was expected to be paid by the Liquidators of RSCS, we submitted an unsecured claim of £513,915 together with supporting documentation to the Liquidators of RSCS.

A first and second dividend totalling £21,646 was subsequently received from the Liquidators of RSCS in the Final Period.

Based on the latest update from the Liquidators of RSCS, there will be no further dividends and the Liquidation will be closed shortly.

Additional book debts totalling £312 have been realised in the Final Period. This relates to the collection of outstanding student liabilities.

Further book debt realisations are anticipated to be nominal.

### Insurance Refund

We have successfully recovered an insurance refund totalling £8,933.

### Bank Interest

Bank interest of £16 was received in the Final Period.

## Summary of Assets Realised in Previous Reporting Periods

A summary of the assets realised in previous reporting periods, as detailed in our Proposals and previous progress reports, is provided below:

### The Merger Transactions

In accordance with our previous reports, the completion of the Merger Transactions, as recommended by the FEC, completed in the previous reporting periods. This included:

- The Ashford Transaction with EKCG - completed on 1 April 2020; and
- The Hadlow Transaction with NKC - completed on 15 August 2020.
- 

In consideration of the receipt of £1, EKCG and NKC each assumed the obligation for all existing students, students recruited after the appointment of the JEAs, transferring employees, current and historic pensions obligations, the large majority of the trading and other operational post Administration contractual commitments and the large majority of the estate in its current condition.

The JEAs negotiated extensive overage and security provisions over all of the properties included within the Merger Transactions. This safeguards the interests of creditors in the event of a future disposal by each of EKCG or NKC by ensuring funds would flow back to the College.

**Book Debts**

In accordance with the College's books and records, the College was owed approximately £350k in respect of unpaid tuition fees, employee loans and unpaid apprenticeship employer cost contributions.

As reported previously, the majority of these debts had been settled prior to the Administration or are disputed.

Book debts totalling £26,421 were realised in the previous reporting periods.

As referred above, further book debt realisations are expected to be minimal.

**Business Rates**

We successfully recovered business rate refunds from the local authorities totalling £9,355.

**Cash at Bank**

Cash at Bank totalling £189,423 was realised.

**Bank Interest**

Bank interest totalling £4,054 was realised in the previous reporting periods.

**Land & Buildings**

As previously reported, the College's land and property assets at Court Lane, Hadlow ("Court Lane") and the land behind the Tonbridge Campus were excluded from the Merger Transactions to EKCG and NKC.

A sale of the College's interest in a piece of land behind the Tonbridge Campus completed to an unconnected party in November 2020 for £800k plus VAT.

**Division of unsold assets**

There has been no distribution of unsold assets amongst the creditors in accordance with Rule 5.13 of TEAR 2018. Please note that this only applies to property which cannot be readily sold and in this particular matter, no such property exists.

**Outstanding Assets**

A summary of the remaining assets which will likely be realised in the Compulsory Liquidation are summarised as follows:

***Land & Buildings - Court Lane***

Whilst Court Lane was not required for the ongoing provision of education services in the long term, a two-year lease was granted by the College to NKC to allow NKC to continue to occupy and use the site.

The lease is due to expire in September 2022 and we do not expect any extension to be granted. We have therefore engaged property agents, Knight Frank, to provide recommendations and progress the strategy to maximise the potential value of the land.

***Book Debts***

As referred above, we are continuing to collect on-going debtor receipts albeit the amounts are minimal.

***Other Assets***

In addition to the assets detailed above, certain leased assets, legal action and the benefit of any actions or potential claims available to the JEAs have been excluded from the Merger Transactions.

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These investigations are ongoing and the appointed office holders will consider whether there are any claims to pursue for the benefit of the College's creditors.

## **Trading - 16 August 2019 to 15 August 2020**

In order to achieve the Statutory Objective of the Administration, the College continued to operate under the supervision of the JEAs whilst the Merger Transactions completed to EKCG and NKC.

Although trading ceased in August 2020, several operational payments has been made in the Final Period totalling £22,767. These relate primarily to the following:

- Employer incentive payments (employers who employed students at the College under the Employee Incentive Scheme);
- IT costs (this was necessary as part of our statutory requirements);
- Settlement of an underpayment to HMRC; and
- Settlement of outstanding invoices for goods/supplies provided whilst the College was trading under the supervision of the JEAs.

There may be some additional trading expenses which have yet to be paid. These primarily relate to services provided by suppliers in the Administration trading period.

## **Investigations**

The JEAs have a duty to investigate the affairs of the College and conduct of the relevant persons. With respect to the investigation into the conduct of the relevant persons, the JEAs must submit a confidential statutory report to the disqualification unit of the Department for Business, Energy & Industrial Strategy.

As previously advised, we have completed a review of the College's affairs and have submitted our confidential statutory report on the conduct of the relevant persons to the disqualification unit of the Department for Business, Energy & Industrial Strategy.

## **Further investigations and cooperation with the Insolvency Service**

As detailed in our previous progress reports, we are continuing our investigations into the events that led to the failure of the College.

## **Distributions to creditors**

### **Secured creditors**

#### ***Barclays Bank PLC ('the Bank')***

The College granted fixed charges to the Bank over the Tonbridge Campus and the Elwick Road property in Ashford.

As reported previously, to facilitate the Merger Transactions, a settlement was agreed with the Bank. As such, the Bank does not have a charge over the College's assets.

#### ***Ashford Borough Council ('ABC')***

The College granted a second fixed charge over part of the Elwick Road property.

The release of the ABC charge was secured by granting ABC an overage, limited to the equivalent value previously encompassed by the fixed charge, in respect of a future disposal of the property.

#### ***ESFA***

In order to settle the Bank's indebtedness, the ESFA provided funds to repay the Bank. In return, the College, acting by the JEAs, granted security to the ESFA over certain freehold assets owned by the College.

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However, in order for the Tonbridge transaction to proceed, the ESFA released its charge over the land at Tonbridge.

### **Preferential creditors**

There are no preferential creditors in the Administration.

### **Prescribed Part (“the PP”)**

As the status of the College did not allow the College to grant a floating charge, the PP provisions did not apply.

### **Unsecured creditors**

In accordance with the College’s books and records, unsecured creditors’ claims were estimated to total c£108m. This This includes £86 million of deferred capital grants.

To date, we have received 75 unsecured claims totalling c£10.6m.

Based on current information, there is no prospect of a dividend to the College’s unsecured creditors. As such, we have not adjudicated the unsecured claims for dividend purposes.

### **Notice of no dividend**

In accordance with Rule 5.34 of TEAR 2018, notice is given that a dividend was not paid to preferential and unsecured creditors as there were insufficient realisations, after the costs and expenses of the Administration, to enable a dividend to be paid.

## **Joint Education Administrators’ discharge from liability**

As part of our application to court to move the College to Compulsory Liquidation we also obtained court approval for the JEAs to be discharged from liability. In accordance with the court order, the discharge will be effective 28 days after filing our final report to the College’s creditors.

### **Other matters**

In addition to the above matters, we dealt with all statutory matters required by legislation and administrative work incidental to our duties as JEAs of the College.

## **Pre-Administration costs**

### **Fees charged by BDO LLP / the JEAs**

As detailed in our proposals, BDO LLP were engaged by the DfE on 30 April 2019 to evaluate the financial position of the College, observe the FEC options review process, undertake financial and operational planning (contingency planning) and, if necessary, assist with placing the College into Administration.

Pre-Administration costs of £222,997 were incurred in respect of the above work. These costs were paid directly by the DfE and are therefore not shown in the attached Receipts and Payments account.

### **Disbursements and other Expenses**

Pre-appointment professional costs of £35,775 were incurred assisting with planning for the proposed Administration. These costs are summarised as follows:

Supplier	£	Comments
Peter Marsh Consulting Ltd	16,282	Peter Marsh Consulting Ltd was engaged to undertake a review of the education provision, specifically the

curriculum, with a view to identifying potential efficiencies that could be achieved by the use of the Colleges property and assets.

Womble Bond Dickinson (UK)  
LLP

19,493

Womble Bond Dickinson (UK) LLP were engaged to provide legal advice with regards to the proposed appointment and to assist with the preparation the relevant court documents to place the College into Administration.

The pre-appointment costs have been approved in full following an order of the court dated 30 June 2020.

### Joint Education Administrators' remuneration

In accordance with our Proposals, and Rule 6.10(2) of TEAR 2018, our remuneration should be fixed by reference to the time properly spent by us and our staff in attending to matters arising in the Administration.

In addition, the JEAs remuneration must also, on the JEAs application, be fixed by the court.

As at 11 August 2022, time costs of £1,792,601 have been incurred. This represents 9,821 hours at an average rate of £183 per hour.

In accordance with the court orders dated 30 June 2020, 29 April 2021 and 11 August 2022, the JEAs remuneration has been agreed at £1,798,286. This included an estimate of potential future costs to close the Administration. As our actual time costs were less than the fees fixed by court, our remuneration will be capped at our time costs (being £1,792,601).

As at 11 August 2022, the JEAs have been paid £1,614,493 in respect of the remuneration referred above. Outstanding fees will be paid as an expense in the subsequent Liquidation.

A detailed report of the time incurred by the JEAs and their staff and a narrative of the work done is attached in Appendix D.

### Joint Education Administrators' expenses

The JEAs agreed with the DfE that BDO LLP staff related disbursements will not be directly recharged by the JEAs as these costs are included within the agreed hourly charge out rates with the DfE.

Outstanding expenses incurred and paid by BDO LLP on behalf of the College, in respect of storage costs totalling £2,685 have been paid in the Final Period. These expenses, together with outstanding expenses incurred and paid by BDO LLP in previous reporting periods (totalling £12,744), will be repaid to BDO LLP as an expense in the Liquidation.

The JEAs also engaged professionals to provide services to support the College's ongoing operations, the management of the Administration and to assist with the realisation of certain assets (books debts, land and property etc).

As the professional services are classed as category 1 expenses, we are not required to seek approval of the payment of these costs from the court.

Expenses paid during the Administration and in the Final Period are detailed in the receipts and payments account at Appendix C.

A breakdown of expenses incurred is set out in Appendix E.

### Outcome of the Administration

As a result of the successful Merger Transactions, the JEAs have achieved the Statutory Objective of the Administration.

We can also confirm that there have been no major amendments to or deviations from our Proposals.

As such, on 11 August 2022, a court order was obtained ending the Administration. The court order also provided for the College to enter Compulsory Liquidation and for the appointment of Mr Tait, Mr Dartnail and Mr Patterson (replacing Mr Newton who is due to retire imminently) as Joint Liquidators.

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# APPENDIX A

## STATUTORY INFORMATION

### Information

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College name	The Corporation of West Kent & Ashford College
Company registration number	FE000001
UKPRN	10007419
Registered office	West Kent College, Brook Street, Tonbridge, Kent, TN9 2PW
Court name and reference	High Court of Justice, Chancery Division - 005255-2019
Date of appointment	16 August 2019
Appointor	The Secretary of State for Education
Joint Education Administrators	William Matthew Humphries Tait Francis Graham Newton Danny Nicolaas William Dartnaill

*Under the provisions of paragraph 100(2) of Sch.B1 to the Act the Joint Education Administrators carry out their functions jointly and severally meaning any action can be done by one Education Administrator or by all of them.*

Joint Education Administrators' address BDO LLP, 55 Baker Street, London, W1U 7EU

Data Control and GDPR William Matthew Humphries Tait and Danny Nicolaas William Dartnaill are authorised to act as Insolvency Practitioners by the Institute of Chartered Accountants in England and Wales in the UK.

Francis Graham Newton is authorised to act as an Insolvency Practitioner by the Insolvency Practitioners Association in the UK.

The Joint Education Administrators are Data Controllers as defined by the General Data Protection Regulations. BDO LLP will act as Data Processor on the instruction of the Data Controllers. Personal data will be kept secure and processed only for matters relating to the Education Administration of West Kent & Ashford College. Please see the privacy statement at <https://www.bdo.co.uk/en-gb/privacy-notice/insolvencies>

Summary of the Proposals

A. They continue to manage the business, affairs and property of the College to achieve the objective of the Education Administration by either:

a. Rescuing the further education body as a going concern;

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- b. Transferring some or all of its undertaking to another body;
- c. Keeping it going until existing students have completed their studies; or
- d. Making arrangements for existing students to complete their studies at another institution.

Due to the significant levels of liabilities that the College has, it is unlikely the College could be rescued as a going concern.

- B. The JEAs will continue to investigate and, if appropriate, pursue any claims that the JEAs believe that the College may have under all legislation relevant to the management and affairs of the College. In addition, the JEAs shall do all such other things and generally exercise all their powers as JEAs as they in their discretion consider desirable in order to achieve the objective of the Education Administration or to protect and preserve the assets of the College or to maximise their realisations or for any other purpose incidental to these proposals.
  - C. If the JEAs consider that funds will become available in respect to the unsecured claims of creditors, the JEAs may, in accordance with Part 5 of TEAR 2018, at their discretion establish in principle the claims of unsecured creditors for adjudication in the Education Administration or a subsequent liquidation and may apply to Court for the costs of doing so to be met as a cost of the Education Administration.
  - D. If the JEAs consider that sufficient funds will become available to enable a distribution to be made to the unsecured creditors, the JEAs may at their discretion make an application to Court for permission to make a distribution to unsecured creditors under paragraph 65(3) Sch. B1 IA86.
  - E. Once the objective of the Education Administration is achieved, the JEAs will either request of the Secretary of State for Education to petition, or seek the consent of the Secretary of State for Education for the JEAs to petition, the Court for the following orders:
    - a. that the Education Administration be brought to an end and the JEAs be discharged from office on such terms as the Court shall determine; and/or
    - b. either that The Corporation of West Kent & Ashford College be dissolved or, that it be placed into Compulsory Liquidation and, if the Court thinks fit, the former JEAs be appointed as Joint Liquidators.
  - F. The JEAs shall be discharged from liability pursuant to paragraph 98(1) Sch. B1 IA86 in respect of any action of theirs as Education Administrators at a time determined by the Court.
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## APPENDIX B

### CREDITORS' RIGHTS

Creditors may access a copy of BDO LLP's charging and expenses policy at <https://www.bdo.co.uk/en-gb/insights/advisory/business-restructuring/creditors-guides>.

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 the 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 Joint Education Administrators are bound by the Insolvency Code of Ethics when carrying out all professional work relating to this Education Administration. A copy of the code can be found at <https://www.icaew.com/technical/ethics/icaew-code-of-ethics/icaew-code-of-ethics>.

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# APPENDIX C

## RECEIPTS AND PAYMENTS ACCOUNT

**West Kent & Ashford College Trading As: West Kent & Ashford College  
(In Administration)  
Joint Education Administrators' Trading Account**

Statement of Affairs £	From 16/02/2022 To 11/08/2022 £	From 16/08/2019 To 11/08/2022 £
<b>POST APPOINTMENT SALES</b>		
ESFA Trading Receipts	NIL	11,723,900.62
Non-ESFA Education Funding	NIL	128,100.25
ESFA - Loan / Grant Funding	NIL	16,850,770.70
Other income	NIL	191,240.00
Student Direct Debits	NIL	432,347.31
Commercial Income	NIL	252,423.60
Income from schools	NIL	430,735.98
Advanced Learner Loan Funding	NIL	336,049.69
GLA Funding	NIL	149,940.00
KCC - High Needs Income	NIL	508,722.40
Higher Education Income	NIL	816,304.76
Non KCC - High Needs Income	NIL	11,737.34
	<u>NIL</u>	<u>31,832,272.65</u>
<b>COST OF SALES</b>		
Payroll Costs	NIL	6,766,259.52
Employee Pensions and Costs	517.28	2,185,191.79
PAYE & NI	3,478.95	1,852,359.46
Subcontractor - Continuity Payments	NIL	268,441.83
Education Related Costs	5,872.45	1,267,059.05
Catering Supplies	NIL	316,087.37
	<u>(9,868.68)</u>	<u>(12,655,399.02)</u>
<b>TRADING EXPENSES</b>		
Leases/HP agreements	NIL	118,030.95
IT Services	12,500.00	327,233.83
Equipment	NIL	97,748.36
Student Refunds	NIL	19,208.67
Consultants Fees	NIL	710,445.94
Utilities	NIL	396,308.70
Storage Costs	NIL	12,576.90
Rent and Rates	NIL	158,537.13
Campus Cleaning Costs	NIL	246,172.51
Continuity Payments	NIL	59,517.01
Insurance	NIL	163,241.52
Professional Services	NIL	79,300.36
Marketing	NIL	40,659.90
Student Bursary Payments	NIL	333,938.81
Printing, Stationery and Postage	NIL	46,157.06
Estates & Maintenance	399.14	639,156.13
Sundry Expenses	NIL	36,201.72
	<u>(12,899.14)</u>	<u>(3,484,435.50)</u>
<b>TRADING SURPLUS/(DEFICIT)</b>	<u><b>(22,767.82)</b></u>	<u><b>15,692,438.13</b></u>



# APPENDIX D

## JOINT EDUCATION ADMINISTRATORS' REMUNERATION

As at 11 August 2022, the JEAs have incurred time costs of £1,792,601.

A breakdown of the time costs incurred in the Administration is attached in appendix D1.

A summary of the work undertaken in the Administration is detailed below.

### Steps on appointment

- Reviewing appointment and statutory documents;
- Preparing the JEAs' statement of proposals;
- Embedding new financial and managerial controls within pre-existing College procedures and providing consent for the Interim Principal and Interim CFO to continue certain operational powers;
- Holding immediate employee meetings across the College's campuses;
- Implementing our communication strategy with a wide range of key stakeholders;
- Communicating with students and parents/guardians; and,
- Ensuring that it was widely understood that the College would continue to operate as normal.

Due to the complex nature of the Administration, this work was primarily led and implemented by directors, senior managers and managers, with appropriate work delegated to staff below manager level.

### Planning and strategy

- Establishing funding requirements and ensuring stability of operations;
- Liaising with the wider senior management team and devising strategies to deal with the subsidiary company;
- Establishing the Education Administration Advisory Group and Education Administration Working Group to provide educational guidance in the absence of a governing board;
- Liaising with the DfE and the FEC regarding the Proposed Merger Transactions;
- Considering the ongoing asset realisation strategy and statutory requirements such as GDPR data management to evaluate exit routes from Administration;
- Holding team meetings to ensure information, planning and strategy was communicated across the team and to enable the continued development of the overarching strategy and plan (during the early stages of the Administration process); and
- Planning the most efficient manner to progress residual Post Merger Transaction matters including finalising the transition to NKC and asset disposals.

This area of work was led by one of the JEAs in conjunction with directors and senior managers, with some support below manager level where appropriate. This was a critical area of our work and fundamental to achieving the Statutory Objective of the Administration as we were operating against a backdrop of new legislation and a complex sales process that required the knowledge, experience and skill of our wider senior team as we navigated often unprecedented issues and situations.

### General administration

- Reviewing and regularising affairs regarding insurance;
- Preparing and filing the College's VAT returns and reviewing the taxation position;
- Seeking tax clearance from HMRC with regards to the tax position;
- Undertaking investigations regarding the conduct of the former governors and senior post holders and reporting thereon;
- Investigations into the affairs and transactions of the College;
- Recovery and storage of the College's books and records;
- Day to day management of the College's assets;

- Cashiering functions related to the receipts and payments made by the College whilst it continues to operate;
- Complying with statutory and regulatory matters;
- Managing formal contractual matters regarding the College;
- Dealing with court hearings regarding the insolvency (excluding third party litigation);
- Completing insolvency remuneration requirements;
- Dealing with ongoing press enquiries and PR matters;
- Managing general administrative matters/basic enquiries/meetings, etc;
- Correspondence with our solicitors regarding the investigations and general legal advice in connection with the Education Administration; and
- Dealing with ongoing health and safety and insurance related matters.

The majority of this work required a range of insolvency knowledge and experience, balanced with good accounting and administrative skills and was delegated largely to managers and senior administrators with suitable levels of experience, supervised by the JEAs, directors and senior managers.

### **Asset realisation/dealing**

- Liaising with the DfE;
- Liaising with the FEC;
- Liaising with Interested Parties with regards to the proposed sale process, including the negotiation of heads of terms, due diligence, transition planning and communications of transfers to employees, students and stakeholders;
- Completing sales of campuses to acquiring colleges and finalising the transition of students and staff;
- Engaging educational and property specialists to identify non-core realisable assets and to provide guidance on existing property sales;
- Identifying and controlling recorded assets and property;
- Undertaking/managing debt collection and where appropriate engaging and monitoring specialist agents;
- Dealing with equipment, stock and intangible assets including intellectual property and engaging specialist agents and solicitors in respect of this matter;
- Managing third party, HP and leased assets;
- Managing and investigating Retention of Title claims including site inspections and meetings;
- Managing the disposal of residual land not sold as part of the Merger Transactions; and
- Managing the transitional post transfer work and apportionment process with NKC and EKCG following completion of the Merger Transactions.

This area of work required a greater level of commercial experience and insolvency knowledge, than the general administration category of work, together with decision making skills. As such, this was led at director and senior manager level supported by managers and senior administrators with suitable competencies.

### **Trading related matters**

- Embedding and developing further controls into the College's pre-existing procedures;
  - Overlaying specific Administration assumptions in the College's cash flow forecast;
  - Providing a team of insolvency and education specialists on site in the lead up to appointment and in the weeks immediately thereafter;
  - Meeting and communicating with suppliers and guaranteeing continuity of critical services to the College;
  - Supervising trading and liaising with senior management on operations;
  - Attending daily meetings with the senior leadership team following the outbreak in the UK of the Covid-19 pandemic. The purpose of these meetings included the discussion of the significantly reduced opening of the College campuses, the implementation of the remote learning systems and planning the phased wider reopening of the College campuses;
  - Preparing trading accounts and general financial management of the College and its commercial operations and subsidiary;
-

- Making funding requests to the Secretary of State for Education in accordance with the terms of the Grant;
- Providing weekly financial updates to the DfE and responding to their enquiries regarding the same; and
- Managing environmental & HSE matters including consultation with specialists, site inspections and meetings.

The success of keeping the College operating as normal was key to providing stability and achieving the objective of the Education Administration. Consequently, this required the most significant number of hours across all grades of seniority. This work was mainly led at director level, with day to day matters performed at manager level and below.

## Employee matters

- Managing c.440 employees;
- Attending periodic meetings at the College's various campuses;
- Providing an open forum for employees to raise questions about the Administration process and the FEC options review;
- Regular updates/correspondence with the Trade Union representatives both on general operations, Covid-19 planning and the sales processes;
- Dealing with a number of ongoing employee matters and issues with the assistance/support of the College's HR team;
- Understanding the employees' pension position;
- Supporting acquiring colleges with TUPE consultation and the transfer of staff based at the Tonbridge and Ashford Campuses; and
- Ensuring migration of employee information to acquiring colleges and completing the employee transfers.

Given the specialist nature of this work, it has been mainly led by directors and senior managers.

## Creditor claims

- Processing of creditors' claim forms and entering onto IPS;
- Responding to queries from creditors; and
- Identifying any Retention of Title creditors so that these could be dealt with promptly.

Due to the complexities of this assignment, this work has been primarily completed by the assistant managers and support staff with additional support provided by senior managers and/or directors where appropriate.

## Reporting

- Preparing the JEAs' statement of proposals;
- Periodic progress reports to creditors regarding the progress of the Administration, including preparation of Receipts & Payments Accounts, an analysis of time costs accrued and a review of actual costs and accrued costs as compared to this fees and expenses estimate;
- Providing the DfE with a weekly update on the financial position of the College and the forecast future cash flows for the duration of the Administration; and
- Regular reporting to the DfE detailing key matters, an update on JEAs' accrued time costs and other expenses.

A director was responsible for leading the reporting and delegating the production of the accounts, fee analysis and comparison, with estimates, to suitably experienced junior staff. Much of the basic accounting and analysis was conducted by various junior staff.

These activities do not contribute to achieving the objective of the Education Administration or the financial outcome for creditors. They are however statutory duties imposed by the relevant legislation.

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## Distribution and closure

- Managing the release and of the charges with the Bank and ABC;
- Closure planning/consideration of the likely outcome of the Administration, including obtaining approval from discharge from liability;
- Liaising with our solicitors to understand/agree the process for ending the Administration;
- Liaising with the Secretary of State for Education with regards to exiting the Administration and moving the College to Compulsory Liquidation;
- Finalising the court application, Witness Statement and supporting appendices for the application to court;
- Finalising the supplemental court application, Witness Statement and supporting appendices ahead of the court hearing on 11 August 2022;
- Preparing and filing the final progress report and appendices;
- Preparing and filing relevant letters/forms as part of the closure process; and
- Filing the relevant report and sealed court order with the Registrar of Companies, Secretary of State for Education, the Official Receiver etc.

A manager was responsible for leading the reporting and delegating the production of the accounts, fee analysis and comparison, with estimates, to suitably experienced junior staff. Much of the basic accounting and analysis was conducted by various junior staff.

These activities do not contribute to achieving the objective of the Education Administration or the financial outcome for creditors. They are however statutory duties imposed by the relevant legislation.

The current charge out rates per hour of staff within the firm who may be involved in working on the Administration are as follows:

Grade	£
Partner	320
Director	221
Senior Manager	188
Manager	161
Senior Associate	127
Executive	67 - 126

# APPENDIX D1

TIME COSTS INCURRED FOR THE PERIOD 16 AUGUST 2019 TO 11 AUGUST 2022

Activity	Partner	Director	Senior manager	Manager	Senior associate	Total hours	Time costs £	Av. Rate £
Steps on appointment	21	13.50	20.45	18.65	29.80	103.40	19,828.35	191.76
Planning and strategy	136.60	187.90	48.15	36.05	83	491.70	110,635.15	225.01
General administration	129.57	430.85	331.30	274.85	2,203.22	3,369.79	489,384.89	145.23
Asset realisation/dealing	239.60	1,247.40	431.60	148.25	254.85	2,321.70	489,722.40	210.93
Trading related matters	154.30	909.05	112.15	392.25	641.50	2,209.25	415,983	188.29
Employee matters	20.75	32.75	152.20	43.45	46.95	296.10	55,365.45	186.98
Creditors' claims	2.75	32.80	4.20	7.75	53.80	101.30	16,399.55	161.89
Reporting	154.85	334.45	133.90	24	180.30	827.50	174,649.15	211.06
Distribution and closure	22.90	14.60	5.15	53.35	4.15	100.15	20,633.20	206.02
<b>TOTAL</b>	<b>882.32</b>	<b>3,203.30</b>	<b>1,239.10</b>	<b>998.60</b>	<b>3,497.57</b>	<b>9,820.89</b>	<b>1,792,601.14</b>	<b>182.53</b>

# APPENDIX E

## JOINT EDUCATION ADMINISTRATORS' EXPENSES

The Joint Administrators' expenses incurred and paid are detailed below.

			Total Incurred 16/08/2019 to 11/08/2022 £	Total Paid 16/08/2019 to 11/08/2022 £
<b>Category 1</b>				
Cost of Sales	-	-	12,665,399.02	12,655,399.02
Trading Expenses	-	-	3,484,435.50	3,484,435.50
Debt collection fees	-	-	778.78	778.78
ICO Registration Certificate	-	-	60.00	60.00
EA Consulting Costs	-	-	17,060.10	17,060.10
Agents' Fees & Disbs	-	-	68,031.86	68,031.86
Specialist Property Agents' Fees	-	-	14,393.00	14,393.00
Legal Fees & Disbs	-	221,879.06	353,915.95	353,915.95
Counsel Fees	-	5,525.00	8,125.00	8,125.00
Irrecoverable VAT	-	19,213.69	992,165.58	992,15.58
Stationery & Postage	-	-	2,810.40	2,810.40
PR Costs	-	-	15,961.25	15,961.25
*Storage Costs	-	3,153.66	18,558.07	3,129.53
Statutory Advertising	-	-	97.20	97.20
Insurance	-	-	10,000.00	10,000.00
Bank Charges	-	3.16	10,453.18	10,453.18

\*Certain storage costs totalling £15,429 have been paid by BDO LLP on behalf of the College. These are to be repaid to BDO LLP in the Liquidation.

A summary of the professional costs incurred as part of the Administration are summarised as follows:

### ***Debt Collection Fees***

Credebt have been paid £779 plus VAT. Credebt were engaged to assist with the recovery of the outstanding debtor ledger. In accordance with the terms of the engagement, Credebt's fees are based on a percentage of the realisations that they recover.

### ***Agents Fees & Disbursements***

Following a tendering process, Knight Frank were engaged to formulate a marketing strategy and to manage any sale process in relation the College's interest in Court Lane. Initial work has been conducted on a time costs basis, but future costs will be fixed as a percentage of realisations or on a similar basis.

Knight Frank have been paid £2,470 plus VAT.

Lambert Smith Hampton were engaged to complete an inventory and valuation of all non-property assets, which were used for the Merger Transactions.

Lambert Smith Hampton, along with Crossley Consult Limited, were also engaged to assess, arrange and monitor urgent rectification works that were needed to the glass atrium and staircase at the Ashford Campus.

Lambert Smith Hampton have been paid £29,136 plus VAT and Crossley Consult Limited have been paid £1,800 plus VAT in respect of the above.

Savills UK were engaged to value the College's property assets in order to provide an independent view on their potential value and the basis for that value.

Savills UK have been paid £33,498 plus VAT.

On Architecture have been paid £1,805 plus VAT for assisting with the College's ongoing interest in the Court Lane site.

### ***Specialist Property Agents Fees & Disbursements***

Peter Marsh Consulting Limited have been paid £14,393 plus VAT for undertaking a review of the education provision, specifically the curriculum, with a view to identifying potential efficiencies and non-core assets that, subject to negotiation, could be excluded from the Merger Transactions.

### ***Legal Fees and Disbursements***

Womble Bond Dickinson were engaged to provide legal support to the JEAs. This is briefly summarised as follows:

- Providing legal advice with regards to on-going trading matters;
- Reviewing and providing legal advice in connection with certain contracts entered into by the College prior to our appointment;
- Providing legal support with regards to our investigations into the College/relevant persons;
- Assisting and preparing the contract of sale for the land behind the Tonbridge campus;
- Providing advice and assistance with regards to the Witness Statements and court applications for our fees/expenses etc and liaising with Counsel as and when required with regards to the above;
- Providing legal advice in connection with the proposed exit strategy;
- Assisting with the preparation of the Witness Statement/Supplemental Witness Statement and supporting appendices for the court hearing held on 11 August 2022;
- Liaising with counsel with regards to the exit process and the Witness Statement/Supplemental Witness Statement; and
- Providing ad hoc advice as and when required with regards to the Education Administration.

Womble Bond Dickinson have been paid £311,744 plus VAT.

Brown Rudnick were engaged to assist the JEAs in relation to the following matters:

- Advice in relation to certain overage agreements;
- Advice in connection with the security documentation required to conclude the Merger Transactions; and
- Advice in connection with the funding agreements for the Administration and subsequent Liquidation.

Brown Rudnick have been paid £28,321 plus VAT.

Brachers LLP were the College pre-appointment solicitors. Given their historic corporate knowledge, Brachers were retained by the JEAs to assist with certain ongoing legal matters following the appointment.

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Brachers LLP have been paid £21,836 plus VAT.

### ***Counsel Fees***

Erskine Chamber, legal counsel, were engaged to provide advice to the Joint Education Administrators in respect of our ongoing investigations and the court applications.

Erskine Chamber have been paid £8,125 plus VAT.

### ***Other Expenses***

The other expenses referred above are largely self-explanatory.

### ***Transfer of surplus funds to Liquidators***

As the College has moved to Compulsory Liquidation, a Liquidation bank account will need to be opened with the Insolvency Services Account (ISA). Funds held in the Administration bank account will therefore be transferred to the Liquidation bank account once the account with the ISA has been opened.

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# APPENDIX F

## SEALED COURT ORDER



CR-2019-005255

**IN THE HIGH COURT OF JUSTICE  
BUSINESS AND PROPERTY COURTS OF ENGLAND AND WALES**

**INSOLVENCY AND COMPANIES LIST (ChD)**

**IN THE MATTER OF THE CORPORATION OF WEST KENT AND ASHFORD COLLEGE (a further  
education corporation) (in education administration)**

**AND IN THE MATTER OF THE TECHNICAL AND FURTHER EDUCATION ACT 2017**

**AND IN THE MATTER OF THE EDUCATION ADMINISTRATION RULES 2018**

**BEFORE ICC JUDGE JONES**

**11 AUGUST 2022**

**WILLIAM MATTHEW HUMPHRIES TAIT, FRANCIS GRAHAM NEWTON  
and DANNY NICOLAAS WILLIAM DARTNAILL  
(as education administrators of The Corporation of West Kent and Ashford College (in education  
administration))**

**(Applicant)**

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**ORDER**

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**UPON THE APPLICATION** of the above named Applicant dated 28 June 2022 in respect of the Corporation of West Kent and Ashford College of Tonbridge, Kent, TN9 2PW (in education administration) c/o BDO LLP, 55 Baker Street, London W1U 7EU ("**the College**")

**AND UPON HEARING** counsel, Miss Eleanor Temple, for the Applicant

**AND UPON READING** the sixth witness statement of William Matthew Humphries Tait dated 27 June 2022 and exhibit thereto, and the first witness statement of Francis Graham Newton dated 5 August 2022 and exhibit thereto

**AND UPON** reading the letters to all known creditors of the College dated 15 June 2022 and 20 July 2022

**AND UPON** the creditors of the College not objecting to the relief sought or attending or being represented at the hearing

**AND UPON** the Secretary of State ("SoS") confirming by way of a letters dated 20 June 2022 that it does not object to the remuneration application and that the SoS will fund the Remuneration fixed and approved by the court in accordance with the Restated Funding Agreement dated 1 April 2020 amended by letter dated 16 June 2022 and that the SoS consents to the application to end the administration

**IT IS ORDERED THAT:**

1. The Applicants' appointment as joint education administrators shall cease to have effect pursuant to paragraph 79(1) of Schedule B1 to the Insolvency Act 1986 (the "**Act**") (as applied by paragraph 1 of Schedule 3 to the Technical and Further Education Act 2017 ("**TFEA**") and as modified by paragraph 23 of Schedule 3 to TFEA) with immediate effect;
2. The Applicants be discharged from liability in respect of any action as education administrators pursuant to paragraph 98(1) of Schedule B1 to the Act (as applied by paragraph 1 of Schedule 3

to TFEA and as modified by paragraph 30 to Schedule 3 to TFEA) 28 days after filing their final report to creditors;

3. The College is wound up and pursuant to paragraph 79(4)(d) of Schedule B1 to the Act (as applied by paragraph 1 of Schedule 3 to TFEA and as modified by paragraph 23 of Schedule 3), pursuant to the court's inherent jurisdiction and section 140 of the Act (as applied by section 6 of TFEA), William Matthew Humphries Tait, Mark Patterson and Danny Nicolaas William Dartnaill ("**Joint Liquidators**") are appointed as joint liquidators of the College;
4. Any act required or authorised under any enactment to be done by a liquidator may be done by any or all of the Joint Liquidators pursuant to Section 231 of the Act;
5. The Applicants' remuneration from 24 April 2021 to 11 August 2022 ("**Remuneration**") is fixed and approved for payment pursuant to Rule 6.10(3) of The Education Administration Rules 2018 in the sum of £183,793.45 plus VAT;
6. The Applicants are entitled to receive the Remuneration forthwith.
7. The Applicants' cost of and occasioned by this Application shall be paid as expenses of the education administration pursuant to rule 3.36(1) of the Education Administration Rules 2018 out of the assets of the College.

The applicant's address for service is:

Womble Bond Dickinson (UK) LLP, 6th Floor, 1 Whitehall Riverside, Leeds,  
LS1 4BN, Ref: BDO/2.25.

