

The Insolvency Act 1986

**2.23B****Notice of result of meeting of Creditors**

Name of Company

Disability West Midlands

Company number

03022974

In the  
Birmingham District Registry

(full name of court)

Court case number  
2370 of 2005(a) Insert full name(s)  
and address(es) of the  
administrator(s)I  
Andrew Appleyard  
Haines Watts  
Canterbury House  
85 Newhall Street  
Birmingham  
B3 1LH

hereby report that a meeting of the creditors of the above company was held at:

(b) Insert place of  
meeting  
(c) Insert date of meeting5th Floor, Canterbury House, 85 Newhall Street, Birmingham, B3 1LH  
on 30th June 2005 at which:

\*Delete as applicable

Proposals were voted on as per the attached schedule and were approved.



The revised date for automatic end to administration is —

A creditors' committee was not formed

Signed



Administrator

Dated

7 July 2005

\*Delete as applicable

A copy of the original proposals is attached for those who did not receive such documents prior to the meeting

### 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

Andrew Appleyard  
Haines Watts  
Canterbury House  
85 Newhall Street  
Birmingham  
B3 1LH

DX Number

0121 212 4477  
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**

Disability West Midlands  
30-Jun-05

Creditors meeting:


Creditor	value	resolution 1		resolution 2		resolution 3		resolution 4		resolution 5		resolution 6		resolution 7		resolution 8	
		general	for	against	general	for	against	general	for	against	general	for	against	general	for	against	general
1 South Birmingham PCT	341,255.94			341,255.94				341,255.94				341,255.94				341,255.94	
2 Jacqueline Peirn	47.20			47.20				47.20				47.20				47.20	
3 Whampton Unit	524.00			524.00				524.00				524.00				524.00	
4 Cerebral Palsy Midlands	500.00							500.00				500.00				500.00	
5 Jo Matson	877.20			877.20				877.20				877.20				877.20	
total	343,204.34	0.00	1,377.20	341,827.14	0.00	343,204.34	0.00	343,204.34	0.00	343,204.34	0.00	343,204.34	0.00	343,204.34	0.00	343,204.34	0.00
percentage	100	0.00	0.40	99.60	0.00	100.00	0.00	100.00	0.00	100.00	0.00	100.00	0.00	100.00	0.00	100.00	0.00

Comments:

voting summary

value of creditors voting:  
343,204.34

	100%	%
resolution 1	REJECTED	99.60
resolution 2	REJECTED	100
resolution 3	ACCEPTED	100
resolution 4	ACCEPTED	100
resolution 5	ACCEPTED	100
resolution 6	ACCEPTED	100
resolution 7	Andrew Appleyard	100
resolution 8	ACCEPTED	100

Signed:  Andrew Appleyard - Administrator

**TO ALL KNOWN CREDITORS**

7 June 2005

Our Ref: AAVJB

Dear Sirs

**Disability West Midlands Limited (A company limited by guarantee) – In Administration**

Further to my appointment as Administrator of the above company on 18 April 2005, I enclose a notice of my appointment and formal notice of a Meeting of Creditors, pursuant to the Insolvency Act 1986, to be held on 30 June 2005, together with documents as listed below.

- (1) A report prepared in accordance with the Insolvency Act 1986.
- (2) A copy of the notice convening the meeting.
- (3) A Proxy Form and Proof of Debt for your use at the forthcoming Meeting of Creditors.
- (4) A copy of the Administration Order.
- (5) An extract of the rules relating to Administrators remuneration and the drawing of Category 2 disbursements in accordance with Statement of Insolvency Practice 9.

Should you require any further information, please do not hesitate to contact me.

Yours faithfully

  
**Andrew Appleyard**  
**Administrator**

Enc:

*The Administrator is managing the affairs, business and property of the company. Andrew Appleyard of Haines Watts was appointed Administrator of the company on 18 April 2005. The Administrator contracts as agent of the company and without personal liability.*

**2.17B**

The Insolvency Act 1986

**Statement of administrator's proposals**

Name of Company

Disability West Midlands

Company number

03022974

In the  
Birmingham District Registry

(full name of court)

Court case number  
2370 of 2005(a) Insert full  
name(s) and  
address(es) of  
administrator(s)I  
Andrew Appleyard  
Haines Watts  
Canterbury House  
85 Newhall Street  
Birmingham  
B3 1LHRegistered office:  
Prospect Hall  
College Walk  
Bristol Road  
Birmingham\*Delete as  
applicable

attach a copy of my proposals in respect of the administration of the above company.

A copy of these proposals was sent to all known creditors on

7 June 2005

Signed

  
\_\_\_\_\_  
Administrator

Dated

\_\_\_\_\_  
7 June 2005**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 researchers of the public record

Andrew Appleyard  
Haines Watts  
Canterbury House  
85 Newhall Street  
Birmingham  
B3 1LH

DX Number

0121 212 4477

DX Exchange

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Companies House, Crown Way, Cardiff CF14 3UZ DX 33050 Cardiff

copy

## **DISABILITY WEST MIDLANDS "DWM"**

### **Statement of the Administrator's Proposals**

#### **1.0 Introduction**

- 1.1 In accordance with Schedule B1 paragraph 49 of the Insolvency Act 1986, I make the following proposals to the creditors of the Company for achieving the purposes for which my appointment as Administrator was made on the 18 April 2005.

#### **2.0 Background and events leading to the appointment of the Administrator**

- 2.1 The company was incorporated on 16 February 1995 under registration number 03022974. Further statutory information is attached at Appendix II.

- 2.2 DWM was set up to provide assistance and information to disabled people. The charity ran successfully for a number of years and in recent years undertook large grant aided projects which promoted its aims including the New Outlook project funded by the European Social Fund.

To undertake these projects staff numbers were increased and new offices rented. However, as funding has declined, the charity was unable to find replacement projects and was left with a substantial salary and rent bill which it has been unable to pay.

- 2.3 When it became apparent that the charity was unable to pay all of its debts, advice was taken and I was appointed Administrator and have reviewed the best way to protect the interests of creditors.

#### **3.0 Financial position prior to the making of the Administration Order**

##### **Statement of Affairs**

- 3.1 A copy of the company's Statement of Affairs is attached.

#### **4.0 Conduct of Administration to date**

- 4.1 On my appointment I determined that

- (i) There was ongoing grant work which would be prejudiced if DWM ceased to trade and there was a risk that the grant funders would call for a full return of their grant if the projects were not completed. However, if the grants were satisfactorily completed then full funding would be received for the benefit of creditors.
- (ii) Staffing levels were too high to be sustained and hence a programme of redundancies were undertaken in accordance with current employee legislation.
- (iii) DWM was utilising far too much office space. Negotiations have been undertaken with the landlords who have agreed to a substantial reduction in office space
- (iv) DWM has received a grant to provide information services from 1 April 2005 to 31 March 2006. This will fund the charity's continued existence on a reduced basis throughout that period.

Based on present information, I believe that it would be beneficial to make proposals to creditors for a Voluntary Arrangement, as if DWM continues, then four jobs will be saved which in turn will lead to lower redundancy claims which would otherwise dilute the dividend available to other creditors.

**5.0 Matters requiring the continued appointment of the Administrator and future conduct of the Administrator**

- 5.1 Work is continuing to be undertaken to ensure that all historic grants are finalised and monies collected.

**6.0 Conclusion of Administration**

Now that the charity has had its costs substantially reduced and has grand funding to continue throughout the forthcoming ten months, I would intend to propose a Voluntary Arrangement to creditors within the next six weeks as the most efficient way of providing a dividend to them. Based on current estimates, I anticipate that unsecured creditors would receive a dividend of between 50 pence and 60 pence in the pound.

**7.0 Administrator's Proposals**

- 7.1 The meeting to be held on 30 June 2005 will consider my proposals as Administrator. Creditors who do not wish to attend that meeting in person may wish to vote by completing the attached proxy form and proof of debt and indicating their vote on each of the proposals at Appendix 1 and attaching the schedule to their proxy.
- 7.2 It is proposed that my remuneration as Administrator should be fixed by a Creditors Committee if one is appointed, or alternatively, a resolution be passed that the Administrator be allowed to draw his remuneration based on the time costs of himself and his staff incurred in dealing with the Administration, calculated at the normal hourly rates of the staff concerned. Any analysis of our time costs to date is attached at Appendix IV.
- 7.3 It is also proposed that my firm's disbursements (as categorised in the Statement of Insolvency Practice No. 9) be drawn from funds realised in the Administration.
- 7.4 Included within these documents for your reference is a Creditors Guide to Administrator's Fees and information relating to my firm's disbursements recovery policy.

**Disability West Midlands  
In Administration**

The Administrator's proposals for consideration by the creditors on 30 June 2005.

**Please annotate this schedule to record your wishes for voting purposes.**

- 1.0 Consideration given to the establishment of a creditors' committee pursuant to Section 26 of the Insolvency Act 1986.  
**YES/NO**
- 2.0 In the event that a creditors' committee is established I will consult with the said committee at appropriate intervals concerning the conduct of the administration and the timing of any sale of the assets or liquidation that might be proposed.  
**YES/NO**
- 3.0 In absence of a creditors' committee that the following resolution is passed "that the Administrator and any subsequently appointed Liquidator be allowed to draw his remuneration based on the time costs of himself and his staff incurred in dealing with the Administration calculated at the normal hourly rates of the staff concerned".  
**YES/NO**
- 4.0 That the Administrator and any subsequently appointed Liquidator be authorised to draw his firm's disbursements as categorised in the Statement of Insolvency Practice 9, Category 2.  
**YES/NO**
- 5.0 That the Administrator will carry out all acts and generally exercise his powers in a way that he considers to be appropriate and beneficial to the achievement of the purposes for which the administration order was sought including if he believes it to be appropriate to propose a Voluntary Arrangement to creditors.  
**YES/NO**
- 6.0 That should the Administration be concluded and converted to a Liquidation that Andrew Appleyard of Haines Watts be appointed Liquidator.  
**YES/NO**
- 7.0 I propose the nomination \_\_\_\_\_ of  
a licensed Insolvency Practitioner to act as Liquidator should there be cause for a  
Liquidator to be appointed.
- 8.0 That a fee of £2,000 plus VAT be paid to the Michael Duffy Partnership for their assistance in producing the Statement of Affairs.  
**YES/NO**



## Appendix II

### Disability West Midlands

#### Statutory Information

<b>Company Name:</b>	Disability West Midlands
<b>Registered Address:</b>	Prospect Hall College Walk Bristol Road Birmingham B29 6LE
<b>Registered Number:</b>	03022974
<b>Director(s): (Executive)</b>	Lisa Welsh Linda Foxall Mary Scott Caroline Georghiou Clenton Farquerson
<b>Shareholdings:</b>	Disability West Midlands is a company limited by guarantee
<b>Mortgages or charge:</b>	None

## Statement of affairs

Name of Company Disability West Midlands	Company number 03022974
In the Birmingham District Registry [full name of court]	Court case number 2370 of 2005

Statement as to the affairs of (a)

Full name and address of  
office of the company

Disability West Midlands  
Prospect Hall  
College Walk  
Bristol Road  
Selly Oak  
Birmingham  
West Midlands B29 6LE

(b) Insert date

on the (b) 18 April 2005, the date that the company entered administration.

---

### Statement of Truth

I believe that the facts stated in this statement of affairs are a full, true and complete statement of the affairs of the above named company as at (b) 18 April 2005 the date that the company entered administration.

Full name Lisa Welsh

Signed

*L Welsh*

Dated

*7.6.05*





**A - Summary of Assets****Assets**

Book Value £	Estimated to Realise £
	NIL
	8,000
	304,630
	20,000
	4,000
	336,630

Estimated total assets available for preferential creditors

Signature L. Welsh Date 7-6-05

**A1 - Summary of Liabilities**

		Estimated to realise £
<b>Estimated total assets available for preferential Creditors (carried from page A)</b>	£	338,830
<b>Liabilities</b>		
Preferential creditors:- (employee claims)	£	35,000
<b>Estimated deficiency/surplus as regards preferential creditors</b>		£ 301,830
<b>Estimated prescribed part of net property where applicable (to carry forward)</b>		NIL
<b>Estimated prescribed part of net property where applicable (brought down)</b>	£NIL	£NIL
<b>Total assets available to unsecured creditors</b>		£ 301,830
Monies received in advance		11,334
Unsecured non-preferential claims		361,697
Redundancy/ Lieu of Notice		35,000
<b>Estimated deficiency after floating charge where applicable (brought down)</b>		
<b>Estimated deficiency/surplus as regards creditors</b>		(£108,401)
Issued and called up capital		(N/A)
<b>Estimated total deficiency/surplus as regards members</b>		(N/A)
Signature <u>L. Webb</u>	Date	7.6.05

1

1000

## Appendix IV

Hours						Time Cost £	Average hourly rate £
Classification of work function	Partner	Manager	Other Senior Professionals	Assistants & Support Staff	Total Hours		
Administration and statutory compliance		4.00		3.00	7.00	1041.00	148.71
Case Management/ Trading	55.50	1.50			57.00	14167.50	248.55
Investigations					0.00	NIL	N/A
Realisation of assets					0.00	NIL	N/A
Creditors		2.50			2.50	487.50	195.00
Total hours	55.50	7.00		3.00	65.50		239.63
Total fees due (£)						15696.00	



## Rule 2.35

## Notice of a meeting of Creditors

Name of Company

Disability West Midlands

Company number

03022974

In the  
Birmingham District Registry

(full name of court)

Court case number  
2370 of 2005(a) Insert full name(s)  
and address(es) of  
administrator(s)

Notice is hereby given by  
 Andrew Appleyard  
 Haines Watts  
 Canterbury House  
 85 Newhall Street  
 Birmingham  
 B3 1LH

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

that a meeting of creditors of  
 Disability West Midlands  
 Prospect Hall, College Walk  
 Bristol Road, Selly Oak  
 Birmingham  
 West Midlands  
 B29 6LE

(c) Insert details of place  
of meeting

is to be held at  
 5th Floor, Canterbury House, 85 Newhall Street, Birmingham, B3 1LH

(d) Insert date and time  
of meeting

on 30 June 2005 at 11.00

The meeting is:

\*Delete as applicable


An initial creditors' meeting under paragraph 51 of Schedule B1 to the Insolvency Act 1986  
 ('the schedule')

I invite you to attend the above meeting.

**A proxy form is enclosed which should be completed and returned to me by the date  
 of the meeting if you cannot attend and wish to be represented.**

In order to be entitled to vote under Rule 2.38 at the meeting you must give to me, not later  
 than 12.00 hours on the business day before the day fixed for the meeting, details in writing  
 of your claim.

Signed

  
 Administrator

Dated

7/6/05

\*Delete as applicable

A copy of the proposals is attached

## Proxy (Administration)

## Disability West Midlands

Name of Creditor \_\_\_\_\_

Address \_\_\_\_\_

Name of Proxy Holder

Please insert name of person (who must be 18 or over) or the Chairman of the Meeting. If you wish to provide for alternative proxy holders in the circumstances that your first choice is unable to attend please state the name(s) of the alternatives as well

1 \_\_\_\_\_

2 \_\_\_\_\_

3 \_\_\_\_\_

Please delete words in brackets if the proxy holder is only to vote as directed i.e. he has no discretion

I appoint the above person to be my/the creditor's proxy holder at the meeting of creditors to be held on 30 June 2005, or at any adjournment of that meeting. The proxy holder is to propose or vote as instructed below (and in respect of any resolution for which no specific instruction is given, may vote or abstain at his/her discretion).

## Voting Instructions for resolutions

\*Please delete as appropriate

1. For the acceptance/rejection\* of the administrator's proposals\* as circulated

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

2. For the appointment of

\_\_\_\_\_  
 \_\_\_\_\_  
 of \_\_\_\_\_

representing \_\_\_\_\_

as a member of the creditors' committee

This form must be signed

Signature \_\_\_\_\_ Date \_\_\_\_\_

Name in CAPITAL LETTERS \_\_\_\_\_

Only to be completed if the creditor has not signed in person

Position with creditor or relationship to creditor or other authority for signature

\_\_\_\_\_  
 \_\_\_\_\_

Remember: there may be resolutions on the other side of this form

## PROOF OF DEBT - GENERAL FORM

In the matter of Disability West Midlands  
in Administration  
and in the matter of The Insolvency Act 1986

Date of Administration Order: 18 April 2005

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 the company went into liquidation (see note)	£
4.	Details of any document by reference to which the debt can be substantiated. [Note the liquidator may call for any document or evidence to substantiate the claim at his discretion]	
5.	If the total amount shown above includes Value Added Tax, please show:-  (a) amount of Value Added Tax (b) amount of claim NET of Value Added Tax	£ £
6.	If total amount above includes outstanding uncapitalised interest please state amount	£
7.	If you have filled in both box 3 and box 5, please state whether you are claiming the amount shown in box 3 or the amount shown in box 5(b)	
8.	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 £
9.	Particulars of how and when debt incurred.	
10.	Particulars of any security held, the value of the security, and the date it was given	£
11.	Signature of creditor or person authorised to act on his behalf	
	Name in BLOCK LETTERS	
	Position with or relation to creditor	

## PROOF OF DEBT - GENERAL FORM (CONTD...)

Admitted to Vote for

£

Date

Liquidator

---

Admitted preferentially for

£

Date

Liquidator

---

Admitted non-preferentially for

£

Date

Liquidator

**NOTE:** A company goes into liquidation if it passes a resolution for voluntary winding up or an order for its winding up is made by the court at a time when it has not already gone into liquidation by passing such a resolution.

**A CREDITORS' GUIDE TO ADMINISTRATORS' FEES**  
**ENGLAND AND WALES**

**1 Introduction**

- 1.1 When a company goes into administration the costs of the proceedings are paid out of its assets. The creditors, who hope eventually to recover some of their debts out of the assets, therefore have a direct interest in the level of costs, and in particular the remuneration of the insolvency practitioner appointed to act as administrator. The insolvency legislation recognises this interest by providing mechanisms for creditors to determine the basis of the administrator's fees. This guide is intended to help creditors be aware of their rights under the legislation to approve and monitor fees and explains the basis on which fees are fixed.

**2 The nature of administration**

- 2.1 Administration is a procedure which places a company under the control of an insolvency practitioner and the protection of the court in order to achieve one or more of the following statutory purposes:

- the survival of the company and its business in whole or in part;
- the approval of a company voluntary arrangement;
- the sanctioning of a scheme under section 425 of the Companies Act 1985;
- a better realisation of assets than would be possible in a liquidation.

Administration may be followed by a company voluntary arrangement or liquidation.

**3 The creditors' committee**

- 3.1 The creditors have the right to appoint a committee with a minimum of 3 and a maximum of 5 members. One of the functions of the committee is to determine the basis of the administrator's remuneration. The committee is established at the meeting of creditors which the administrator is required to hold within 3 months of the administration order to consider his proposals. The administrator must call the first meeting of the committee within 3 months of its establishment, and subsequent meetings must be held either at specified dates agreed by the committee, or when a member of the committee asks for one, or when the administrator decides he needs to hold one. The committee has power to summon the administrator to attend before it and provide such information as it may require.

**4 Fixing the administrator's fees**

- 4.1 The basis for fixing the administrator's remuneration is set out in Rule 2.47 of the Insolvency Rules 1986, which states that it shall be fixed either:

- as a percentage of the value of the property which the administrator has to deal with, or
- by reference to the time properly given by the administrator and his staff in attending to matters arising in the administration.

It is for the creditors' committee (if there is one) to determine on which of these bases the remuneration is to be fixed, and if it is fixed as a percentage fix the percentage to be

applied. Rule 2.47 says that in arriving at its decision the committee shall have regard to the following matters:

- the complexity (or otherwise) of the case;
- any responsibility of an exceptional kind or degree which falls on the administrator;
- the effectiveness with which the administrator appears to be carrying out, or to have carried out, his duties;
- the value and nature of the property which the administrator has to deal with.

4.2 If there is no creditors' committee, or the committee does not make the requisite determination, the administrator's remuneration may be fixed by a resolution of a meeting of creditors having regard to the same matters as the committee would. If the remuneration is not fixed in any of these ways, it will be fixed by the court on application by the administrator.

## **5 What information should be provided by the administrator?**

### **5.1 When seeking fee approval**

5.1.1 When seeking agreement to his fees the administrator should provide sufficient supporting information to enable the committee or the creditors to form a judgement as to whether the proposed fee is reasonable having regard to all the circumstances of the case. The nature and extent of the supporting information which should be provided will depend on:

- the nature of the approval being sought;
- the stage during the administration of the case at which it is being sought; and
- the size and complexity of the case.

5.1.2 Where, at any creditors' or committee meeting, the administrator seeks agreement to the terms on which he is to be remunerated, he should provide the meeting with details of the charge-out rates of all grades of staff, including principals, which are likely to be involved on the case.

5.1.3 Where the administrator seeks agreement to his fees during the course of the administration, he should always provide an up to date receipts and payments account. Where the proposed fee is based on time costs the administrator should disclose to the committee or the creditors the time spent and the charge-out value in the particular case, together with, where appropriate, such additional information as may reasonably be required having regard to the size and complexity of the case. The additional information should comprise a sufficient explanation of what the administrator has achieved and how it was achieved to enable the value of the exercise to be assessed (whilst recognising that the administrator must fulfil certain statutory obligations that might be seen to bring no added value for creditors) and to establish that the time has been properly spent on the case. That assessment will need to be made having regard to the time spent and the rates at which that time was charged, bearing in mind the factors set out in paragraph 4.1 above. To enable this assessment to be carried out it may be necessary for the administrator to provide an analysis of the time spent on the case by type of activity and grade of staff. The degree of detail will depend on the circumstances of the case, but it will be helpful to be aware of the professional guidance which has been given to insolvency practitioners on this subject. The guidance suggests the following areas of activity as a basis for the analysis of time spent:

- Administration and planning
- Investigations
- Realisation of assets
- Trading
- Creditors
- Any other case-specific matters

The following categories are suggested as a basis for analysis by grade of staff:

- Partner
- Manager
- Other senior professionals
- Assistants and support staff

The explanation of what has been done can be expected to include an outline of the nature of the assignment and the administrator's own initial assessment, including the anticipated return to creditors. To the extent applicable it should also explain:

- Any significant aspects of the case, particularly those that affect the amount of time spent.
- The reasons for subsequent changes in strategy.
- Any comments on any figures in the summary of time spent accompanying the request the administrator wishes to make.
- The steps taken to establish the views of creditors, particularly in relation to agreeing the strategy for the assignment, budgeting, time recording, fee drawing or fee agreement.
- Any existing agreement about fees.
- Details of how other professionals, including subcontractors, were chosen, how they were contracted to be paid, and what steps have been taken to review their fees.

It should be borne in mind that the degree of analysis and form of presentation should be proportionate to the size and complexity of the case. In smaller cases not all categories of activity will always be relevant, whilst further analysis may be necessary in larger cases.

- 5.1.4 Where the fee is charged on a percentage basis the administrator should provide details of any work which has been or is intended to be sub-contracted out which would normally be undertaken directly by an administrator or his staff.

## 5.2 After fee approval

Where a resolution fixing the basis of fees is passed at any creditors' meeting held before he has substantially completed his functions, the administrator should notify the creditors of the details of the resolution in his next report or circular to them. In all subsequent reports to creditors the administrator should specify the amount of remuneration he has drawn in accordance with the resolution. Where the fee is based on time costs he should also provide details of the time spent and charge-out value to date and any material changes in the rates charged for the various grades since the resolution was first passed. He should also provide such additional information as may be required in accordance with the principles set out in paragraph 5.1.3. Where the fee is charged on a percentage basis the administrator should provide the details set out in paragraph 5.1.4 above regarding work which has been sub-contracted out.

Details of the charge out rates of staff employed by Haines Watts are as follows:

STAFF GRADE	CHARGE OUT RATE £ PER HOUR
Partner	220 - 255
Manager	172 - 195
Administrator	120 - 140
Junior Administrator	70
Cashiering	87

### **5.3 Expenses and disbursements**

There is no statutory requirement for the committee or the creditors to approve the drawing of expenses or disbursements. However, professional guidance issued to insolvency practitioners requires that, where the administrator proposes to recover costs which, whilst being in the nature of expenses or disbursements, may include an element of shared or allocated costs (such as room hire, document storage or communication facilities provided by the administrator's own firm), they must be disclosed and be authorised by those responsible for approving his remuneration. Such expenses must be directly incurred on the case and subject to a reasonable method of calculation and allocation.

## **6 What if a creditor is dissatisfied?**

- 6.1 If a creditor believes that the administrator's remuneration is too high he may, if at least 25 per cent in value of the creditors (including himself) agree, apply to the court for an order that it be reduced. If the court does not dismiss the application (which it may if it considers that insufficient cause is shown) the applicant must give the administrator a copy of the application and supporting evidence at least 14 days before the hearing. Unless the court orders otherwise, the costs must be paid by the applicant and not as an expense of the administration.

## **7 What if the administrator is dissatisfied?**

- 7.1 If the administrator considers that the remuneration fixed by the creditors' committee is insufficient he may request that it be increased by resolution of the creditors. If he considers that the remuneration fixed by the committee or the creditors is insufficient, he may apply to the court for it to be increased. If he decides to apply to the court he must give at least 14 days' notice to the members of the creditors' committee and the committee may nominate one or more of its members to appear or be represented on the application. If there is no committee, the administrator's notice of his application must be sent to such of the company's creditors as the court may direct, and they may nominate one or more of their number to appear or be represented. The court may order the costs to be paid as an expense of the administration.



**8 Other matters relating to fees**

- 8.1 Where there are joint administrators it is for them to agree between themselves how the remuneration payable should be apportioned. Any dispute arising between them may be referred to the court, the creditors' committee or a meeting of creditors.
- 8.2 If the administrator is a solicitor and employs his own firm to act on behalf of the company, profit costs may not be paid unless authorised by the creditors' committee, the creditors or the court.

## BRI DISBURSEMENTS RECOVERY POLICY

### Category 1 disbursements

<b>Bordereau/ Insurance</b>	Charged at cost
<b>Case advertising</b>	As per advertisers/ agents invoice
<b>Courier</b>	Charged at cost
<b>DTI IVA registration fee (in relevant cases)</b>	Charged at cost
<b>Fax</b>	£1 per page sent
<b>Land Registry/ Searches</b>	As per Land Registry, agents or Companies House invoice
<b>Postage</b>	Based on current postal charges. All outgoing post to be logged and recorded by case
<b>Post re-direction</b>	Charged at cost
<b>Storage</b>	Pro-rata per number of boxes per storage charge invoice. An external records storage provider provides this facility to the firm. Charges are currently £2.90 for each box and £3 per box per annum storage
<b>Subsistence</b>	Charged at cost
<b>Telephone</b>	No charge
<b>Travel</b>	Charged at cost for public transport and taxis Car travel charged at 39p per mile for staff and 50p per mile for Partners

### Category 2

<b>Photocopying</b>	15p per copy -- irrespective of size
<b>Room hire</b>	£140 for room hire made available in-house for creditors' meetings, based on the external market rate for the provision of appropriate meeting room hire  Charge is only be made when attendance of debtor/ director and/or creditors is likely and a meeting room has been set aside. Where appropriate, external room hire at cost
<b>Stationery</b>	Initial case set-up fee of: £20 per corporate case; £15 per personal case Annual case/ file maintenance charges of £10

## **BRI DISBURSEMENTS RECOVERY POLICY**

These charges are based on the average costs involved in the purchase of files and associated stationery

### **Additional Notes**

Fax charges: based on the average costs involved in the use of fax machine consumables (toner cartridges, maintenance etc), and line costs

Photocopies: based on average costs of machine consumables, paper etc

Room hire: based on estimates provided by four local external providers for meeting room facilities, the average rate arrived at is less than the amount charged by these providers