

The Insolvency Act 1986

**Administrator's progress report**

Name of Company

Colliers International UK Plc

Company number

4195561

In the

High Court of Justice, Chancery Division

(full name of court)

Court case number

2747 of 2012

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

I/We (a)

Lee Antony Manning

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London

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administrator(s) of the above company attach a progress report for the period

From

To

(b) Insert date

(b) 28 March 2012

(b) 27 September 2012

Signed

Joint Administrator(s)

Dated

**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

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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

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## **NOTICE TO CREDITORS**

**Due to the possible distribution to unsecured creditors under the PP in CIUK and DE, a Proof of Debt form is enclosed at the end of this report. If you have NOT already submitted a form and are a creditor of either of these companies, you are requested to submit the claim form to the address on the front of this report, marked for the attention of Brad Jagger. Please do NOT submit a form if you have been subsequently been paid in full by CIPCL.**

## **ABBREVIATIONS**

For the purpose of this report the following abbreviations shall be used

"the Act"	Insolvency Act 1986 (as amended)
"the Administrators"	Lee Antony Manning and Nicholas Guy Edwards of Deloitte
"AIM"	Alternative Investment Market
"the Bank" / "Secured Creditor"	Barclays Bank plc
"CCUK"	Colliers Capital UK Limited (in Administration)
"CIPCL"	Colliers International Property Consultants Limited (formerly FS 123 Ltd)
"CGVL"	Colliers Godfrey Vaughn Limited
"CIUK"	Colliers International UK plc (in Administration)
"the Companies"	Colliers International UK Plc, Colliers Capital UK Limited and Deanwater Estates Limited (All in Administration)
"the Court"	High Court of Justice
"CVL"	Creditors Voluntary Liquidation
"DE"	Deanwater Estates Limited (in Administration)
"Deloitte"	Deloitte LLP
"EOS"	Estimated Outcome Statement
"EBIT"	Earnings Before Interest and Tax
"FSA"	Financial Services Authority
"FSC"	First Service Corporation, a 29.6% shareholder of CIUK
"the Group"	Colliers International UK plc and all its subsidiaries
"NOMAD"	The Nominated Adviser
"PP"	The Prescribed Part of the Company's net property subject to Section 176A of the Insolvency Act 1986 (as amended)
"RICS"	Royal Institution of Chartered Surveyors
"SIP 7 (E&W)"	Statement of Insolvency Practice 7 – Presentation of financial information in insolvency proceedings
"SIP 9 (E&W)"	Statement of Insolvency Practice 9 – Remuneration of insolvency office holders
"SPA"	Sale & Purchase Agreement
"QFCH"	Qualifying Floating Charge Holder
"Section 75 deficit"	Buyout pension scheme liability pursuant to Section 75 Pensions Act 1995
"SIP 13 (E&W)"	Statement of Insolvency Practice 13 (England & Wales)
"the Rules"	Insolvency Rules 1986 and the Insolvency (Amendment) Rules 2010

## **1. INTRODUCTION**

### **1.1 Introduction**

This report has been prepared in accordance with Rule 2.47 of the Rules to provide creditors with an update on the progress of the Administrations of the Companies since the Administrators' Proposals dated 23 May 2012.

Given the information previously provided to creditors in the Proposals, we have not included detailed background information in respect of the Companies and have focused on progress of the Administrations subsequent to that report.

The Administrators' proposals, which were deemed approved on 4 June 2012 following the issue of a notice under Paragraph 52(1) of Schedule B1 of the Act on 23 May 2012 and the expiry of 8 business days thereafter, are detailed in section 2.1 below.

A schedule of statutory information in respect of each Company is attached at Appendix 1.

### **1.2 Details of the appointment of the Administrators**

Lee Antony Manning and Nicholas Guy Edwards of Deloitte were appointed Administrators of the Companies by Barclays Bank plc, 1 Churchill Place, London, E14 5HP on 28 March 2012, following the filing of a Notice of Appointment of Administrators by the QFCH.

The Court having conduct of the proceedings is the High Court of Justice, Chancery Division, Companies Court (case numbers CIUK (2747 of 2012), CCUK (2748 of 2012) and DE (2749 of 2012)).

For the purposes of Paragraph 100(2) of Schedule B1 of the Act, the Administrators confirm that they are authorised to carry out all functions, duties and powers by either of them jointly and severally.

### **1.3 Electronic communication with creditors**

In an effort to reduce the costs of the Administrations, all communications with creditors, including updates and progress reports, will be posted onto a website, which has been set up specifically for this purpose.

The web address is [www.deloitte.com/uk/colliersinternational](http://www.deloitte.com/uk/colliersinternational).

A letter will be issued to all creditors each time the website is updated with a statutory notice or report. All creditors' statutory notices will be retained on the website for 3 months after being uploaded to the site.

## **2. ADMINISTRATORS' PROPOSALS**

### **2.1 Introduction**

As previously reported to creditors, the Administrators concluded that a pre-pack administration was the best option to realise value from the Companies. It was concluded that, due to the value of ongoing customer contracts and the potential brand damage caused by an Administration, it would not be possible to trade the business profitably within the constraints of an Administration process and that funding to cover any trading shortfall could not be sourced.

Consideration of the above meant that trading the Companies in Administration whilst a purchaser for the business was sought was not an option. This was especially true due to the need to reassure those customers for whom the Companies operated client accounts that there would not be any disruption.

Instead, the best course of action and method of maximising value for all creditors was determined to be a pre-packaged sale of the businesses. The approach would provide continuity of trading, preserve any goodwill and maintain the Companies' ongoing relationships with customers and suppliers.

Consequently, the Administrators have performed their functions in relation to the Companies with the objective set out in Paragraph 3(b) of Schedule B1 of the Act, which is to achieve a better result for the company's creditors as a whole than would be likely if the Companies were wound up immediately.

The Administrators' proposals in order to achieve this objective, which, as noted above, were deemed approved on 4 June 2012, are as follows:

- 1 the Administrators continue to manage the affairs and any remaining assets of the Companies and the settlement of all Administration expenses,
- 2 the Administrators continue with their enquiries into the conduct of the Directors of the Companies and continue to assist any regulatory authorities with their investigations into the affairs of the Companies,
- 3 the Administrators be authorised to agree the claims of the secured, preferential (to the extent they exist) and unsecured creditors against each of the Companies unless the Administrators conclude, in their reasonable opinion, that each of the Companies will have no assets available for distribution,
- 4 the Administrators be authorised to distribute funds to the secured and preferential (to the extent they exist) creditors of each company as and when claims are agreed and funds permit and, in relation to distributions to unsecured creditors, if the Court gives permission following an appropriate application,
- 5 that, in the event the creditors of each Company so determine, at meetings of creditors, a Creditors' Committee be appointed in respect of each Company comprising of not more than five and not less than three creditors of that Company,

- 6 that, if a Creditors' Committee is not appointed, the secured and preferential (to the extent they exist) creditors of each Company shall be asked to fix the basis of the Administrators' remuneration in accordance with Rule 2.106(5A)(b), by reference to the time properly given by the Administrators' and their staff in attending to matters arising in the Administrations, calculated at the prevailing standard hourly charge out rates used by Deloitte at the time when the work is performed, plus VAT. In addition those creditors shall also be asked to agree the Administrators' expenses of which the Administrators' expenses for mileage be calculated by reference to mileage properly incurred by the Administrators and their staff in attending to matters arising in the Administrations, at the prevailing standard mileage rate used by Deloitte at the time when the mileage is incurred (presently up to 40p per mile), plus VAT where applicable,
- 7 that, if a Creditors' Committee is not appointed, the Pre Administration Costs, as detailed in Appendix 4 of the Administrators' Proposals, be approved and that the Administrators be authorised to pay their Pre-Administration Costs plus VAT in addition to the costs incurred post-appointment plus VAT from the Administration estate,
- 8 that, following the realisation of assets and resolution of all matters in the Administrations, and as quickly and efficiently as is reasonably practicable, the Administrators implement the most cost effective steps to formally conclude the Administrations. This may include the distribution of funds to unsecured creditors (provided Court permission is obtained) and then the dissolution of the Companies or alternatively, seeking to put each or any of the Companies into Creditors' Voluntary Liquidation ("CVL") or Compulsory Liquidation, depending on which option will result in a better realisation for creditors,
- 9 that, if each or any of the Companies were to be placed into CVL, the Administrators propose to be appointed Liquidators and any Creditors' Committee appointed will become the Liquidation Committee pursuant to Rule 4.174A of the Rules and that the basis of the Liquidators' remuneration be fixed by reference to the time given in attending to matters arising in the subsequent Liquidations. As per Paragraph 83(7) of Schedule B1 of the Act and Rule 2.117A(2)(b) of the Rules, the creditors may nominate a different person to be Liquidator(s) provided the nomination is made before the proposals are approved by creditors. For the purposes of Section 231 of the Act the Liquidators will each be authorised to carry out all functions, duties and powers either jointly or severally, and
- 10 in the absence of Creditors' Committees, the secured and preferential (to the extent that they exist) creditors of each Company agree that the Administrators be discharged from liability per Paragraphs 98 and 99 of Schedule B1 of the Act immediately upon the Administrators' filing their final report to creditors and vacating office.

## **2.2 Progress on and achievement of the approved proposals**

We have summarised below the progress and current status in respect of each of the approved proposals

<b>Proposal</b>	<b>Current status</b>
1	The Administrators have continued to manage the affairs of the Companies as detailed in the Administrators' Proposals dated 23 May 2012
2	The Administrators have concluded their initial investigations into the conduct of the directors and their confidential report was submitted to the Insolvency Service on 29 August 2012
3	The Administrators have agreed the claim of the Secured Creditor
4	To date, £6.5m has been distributed to the Secured Creditor by way of a fixed charge distribution from the sale of the business and assets to CIPCL. There may be a further second and final distribution subject to the extent of costs incurred in attending to property and other final administrative matters
5	A Creditors' Committee was not formed
6	As no Creditors' Committee was formed and there are no Preferential Creditors, the Administrators requested that the Secured Creditor fix the basis of their remuneration. This was fixed on 26 July 2012 and is detailed in section 7.1.1 of this report
7	As no Creditors' Committee was formed and there are no Preferential Creditors, the Administrators requested that the Secured Creditor approve the Pre-Administration costs plus VAT in addition to the costs incurred post-appointment plus VAT
8	There will be a distribution to unsecured creditors from CIUK and DE by way of the PP fund. The gross amounts available to distribute are anticipated to be £600,000 and £150,388 respectively, less costs incurred in paying the dividend. There will be no such distribution from CCUK. We are shortly to make an application to court for permission to pay the PP dividends from the Administration to avoid the need to enter into CVL.
9	No nominations for alternative Liquidators were received in the relevant period
10	In the absence of a Creditors' meeting being held, and as no Creditors' Committee was formed, the Administrators will seek their discharge from the Secured Creditor

Further information in respect of the realisation of assets, the status of liabilities and the estimated outcome for Creditors is contained in the following sections of this report



### **3. ADMINISTRATORS' RECEIPTS AND PAYMENTS ACCOUNT AND ESTIMATED OUTCOME STATEMENT**

#### **3.1 Introduction**

Attached at Appendix 2 is an abstract Receipts and Payments account for each of the Companies covering the period from 28 March 2012 to 27 September 2012 in accordance with SIP7 (E&W)

In this section, we have summarised the main asset realisations during the six month period and an estimation of those assets yet to be realised, together with details of costs incurred but as yet unpaid

#### **3.2 Asset realisations**

The businesses and assets of the Companies, including the "Colliers" brand, were sold to CIPCL (which is a 100% subsidiary of FSC) for £8m on 28 March 2012. Of this amount, £6.5m was used to partly settle the debts due to the Secured Creditor and £1.5m has been retained to pay the PP and professional fees.

There have been no further realisations made in the six month period.

#### **3.3 Estimated future realisations**

There are two sums of money that were held in the client accounts operated by CIUK that, on investigation, related to corporate monies totalling £160k. We are currently determining whether these sums belong to CIUK (and would fall under the Bank's security) or form part of the assets sold.

A further subsidiary of CIUK, called CGVL, that was previously anticipated to be struck-off as a dormant company, was actually found to have a number of debtor balances as some invoicing had been done at CGVL rather than CIUK level. This subsidiary will be liquidated and the Secured Creditor has agreed for the proceeds that are not available to the unsecured creditors under the PP (namely HMRC under the Group VAT Registration as otherwise CGVL had no creditors bar those under guarantee arrangements with the Secured Creditor) to be paid to CIPCL.

#### **3.4 Estimated outcome for creditors**

Of the £8m consideration received for the sale of business and assets of the Companies, £6.5m was paid to the Secured Creditor, with the bank taking a write down of approximately £11m.

There are sufficient net floating charge realisations in CIUK and DE to enable a distribution to unsecured creditors under the Prescribed Part. It is anticipated that, before costs associated with the distribution, £600,000 will be made available for distribution from CIUK and £157,401 from DE.

#### **4. DISTRIBUTIONS TO CREDITORS**

##### **4.1 Secured creditors**

The Companies' bank debt at the date of the appointment of Administrators, and as set out in the Statement of Affairs, was £18m. Under the terms of the facilities, cross-guarantees had been granted to the Bank across the Companies.

Upon the sale of the businesses and assets of the Companies, £6.5m was paid to the Secured Creditor by way of a fixed charge distribution.

##### **4.2 Preferential creditors**

All employees of CIUK were transferred under TUPE as part of the sale of the businesses and assets. There were no employees in CCUK or DE. As a result, there are no preferential claims relating to employee deductions to be submitted to the RPO.

##### **4.3 Prescribed Part**

The Prescribed Part (section 176A of the Insolvency Act 1986 (Prescribed Part) Order 2003) applies where there are floating charge realisations, net of costs to be set aside for unsecured creditors. This equates to

- 50% of net property up to £10,000,
- Plus, 20% of net property in excess of £10,000
- Subject to a maximum of £600,000

Based on the expected floating charge realisations made from the assets of CIUK and DE, the PP available (before costs) for distribution between unsecured creditors of each company will be as follows

<u>CIUK</u>	<u>DE</u>
£600,000	£150,388

Please also note that the net property figures can only be estimated at this stage and therefore the value of the PP for each company is also only an estimate and is subject to change (once creditor claims and the Administrators' costs and expenses have been finalised).

Due to the possible distribution to unsecured creditors under the PP in CIUK and DE, a Proof of Debt form is enclosed at the end of this report. If you have **NOT** already submitted a form and are a creditor of either of these companies, you are requested to submit the claim form to the address on the front of this report, marked for the attention of Brad Jagger. Please do **NOT** submit a form if you have been subsequently paid in full by CIPCL.

#### 4.4 Unsecured creditors

There have been no material changes in the position of unsecured creditors in the last six months. The unsecured creditors' position as at 28 March 2012 per the Directors' Statements of Affairs (excluding any shortfall to floating charge holders) is summarised in the table below

<b><u>CIUK</u></b>		
Conrad Ritblat Pension Scheme	67,700,000	
(Section 75 deficit)		
Inter-company creditors	41,939,352	
Landlords	6,752,591	
Motor car hire agreements	1,158,319	
Other operating lease agreements	120,541	
Trade creditors	2,863,429	
HMRC – VAT	2,558,853	
HMRC – PAYE/NI	2,576,915	
Irish VAT	12,752	
Pension contributions	205,378	
Staff expenses	28,564	
TOTAL		125,916,694
<b><u>CCUK</u></b>		
Colliers Godfrey Vaughan Ltd	199,447	
HMRC – VAT	2,558,853	
TOTAL		2,758,300
<b><u>DE</u></b>		
HMRC – VAT	2,558,853	
TOTAL		2,558,853

Since the date of the Administrators' proposals, the claim made by HMRC in respect of VAT has been updated and finalised at the figure shown above by way of the submission of a Proof of Debt form. This amount has been applied to all of the Companies due to the cross-guarantee provided by the Group VAT arrangement.

Based on expected realisations, we do not expect any funds to be available to pay a dividend to the unsecured creditors of any of the Companies other than a distribution under the PP as noted above.

## **5. OTHER MATTERS AND INFORMATION TO ASSIST CREDITORS**

### **5.1 Extensions to the initial appointment period**

Please be advised that the Administrators will apply to extend the Administration by six months beyond the initial twelve months, giving an effective termination date of 27 September 2013

The extension will be sought in order to provide time to attend to the assignment of leases to CIPCL and also to make the PP distributions from CIUK and DE, thereby avoiding the administrative costs associated with otherwise placing the Companies into CVL

### **5.2 Investigations**

As part of the Administrators' statutory duties, an investigation into the conduct of the Companies' Directors was completed

In this regard, a confidential report was submitted to The Insolvency Service on 29 August 2012

### **5.3 SIP2 – Initial Assessment of Potential Recoveries**

As part of our duties as Administrators, we are obliged shortly after our appointment to review all of the information available to us and to conduct an initial assessment of whether there are any matters that might lead to a recovery for the benefit of creditors. This initial assessment included enquiries into any potential claims that may be brought against parties either connected to or who have had past dealings with the Companies

Having completed this review, we have identified no further avenues of recovery

If you have any information that you feel we should be made aware of in relation to the above, please contact us as a matter of urgency

### **5.4 Exit**

It is anticipated that the Administrations will be extended for six months beyond the initial twelve month period. This is to allow sufficient time to adjudicate and agree the claims of unsecured creditors before making the PP distributions from CIUK and DE without necessitating the administrative burden of placing the Companies into CVL. It will also allow for a number of other tax and administrative matters to be completed before the Companies exit Administration by dissolution

### **5.5 SIP13 (E&W) – Transactions with connected parties**

In accordance with the guidance given in SIP13 (E&W), details of the Companies' transactions with connected parties during the period of this report and the two years prior to our appointment are provided below

Date	Details of transaction	Sales / (Purchases) (£)	Name of counterparty	Connection
28/03/12	Purchase of trade and	£8m	CIPCL	Common

	assets			shareholder
	Intercompany loan	£1 7m	CIPCL and CCUK	Parent/Subsidiary
	Intercompany loan	£4 8m	CIPCL and DE	Parent/Subsidiary

We have reviewed these transactions and are of the opinion that all transactions were made in the ordinary course of business without detriment or preference to any class of creditor

#### **5.6 EC Regulations**

As stated in the Administration Order in respect of the Companies, Council Regulation (EU) No 1346/2000 applies and these are the main proceedings as defined in Article 3(1) of that regulation

## 6. PRE-ADMINISTRATION COSTS

Included within the Administrators' Report and Proposals dated 23 May 2012 was a Statement of Pre-Administration Costs, in accordance with rule 2 33(2)(ka) of the Rules

Time costs totalling £176,257 were incurred in making the decision to go into administration, especially in considering the best method of insolvency. Additionally, time was also spent trying to locate a buyer for the businesses and to enable an effective and efficient pre-pack administration. A substantial amount of time was spent in negotiations with the PPF and its Trustees in an attempt to try and achieve a consensual solution.

These costs were approved as detailed below

Insolvency Practitioner	Amount approved (£)	Date approved	Date paid
Lee Antony Manning	176,257	26/07/2012	03/09/2012
<b>TOTAL APPROVED AND PAID</b>	<b>£176,257</b>		

## **7. ADMINISTRATORS' REMUNERATION AND EXPENSES**

### **7.1 Administrators' Remuneration**

#### **7.1.1 Basis of Remuneration**

The basis of the Administrators' remuneration was fixed on 26 July 2012 by the secured creditor as follows

- (i) By reference to the time properly given by the Administrators and their staff in attending to matters arising in the Administrations calculated at the prevailing standard hourly charge out rates used by Deloitte at the time when the work is performed, plus VAT

#### **7.1.2 Remuneration**

During the past 6 month period the Administrators have incurred gross time costs of £354,620 made up of 741 hours across the three Companies (per Appendix 3) as follows

The Administrators have incurred £300,209 of gross time costs in respect of CIUK. This is made up of 624 hours at an average charge out rate of £481 across all grades of staff

Of this amount, £10,900 is in respect of work relating to a legacy client account containing c £1.6m of funds belonging to beneficiaries that the company has been unable to contact. The costs incurred by the Administrators establishing the rightful owners of these funds will be sought from the legacy client account funds held through an application to Court. Current legal advice is that should the beneficiaries not be located then the funds will be paid into Court (in case claims are subsequently made) and will not form part of the Company's estate

The Administrators have incurred £27,446 of gross time costs in respect of CCUK. This is made up of 58 hours at an average charge out rate of £470 across all grades of staff

The Administrators have incurred £26,965 of gross time costs in respect of DE. This is made up of 59 hours at an average charge out rate of £459 across all grades of staff

The actual fees drawn from the Administration estate are summarised in the table below and reflect the Receipts and Payments accounts at Appendix 2

	CIUK	CCUK	DE	Total
Fees drawn in respect of pre-appointment costs	£176,257	-	-	£176,257
Fees drawn in the Administration (post-appointment)	£35,498	£16,891	£16,701	£69,090
<b>Total fees drawn</b>	<b>£211,755</b>	<b>£16,891</b>	<b>£16,701</b>	<b>£245,347</b>

Additionally, under the terms of the Transitional Service Agreement, the Administrators have continued to retain control of the client accounts operated by CIUK whilst CIPCL secured FSA consent to their transfer and the consent of the underlying clients. As a consequence, £182,301 has been billed to CIPCL for the period to 30 September 2012. This has no impact on the estate of the Company available for distribution to creditors as these fees are met in full by CIPCL.

The work has been categorised into the following task headings and sub categories

- **Administration and planning** includes case planning, case set-up, notification of appointment, maintenance of our case files and insolvency case record, statutory reporting, compliance, cashiering and accounting
- **Investigations** includes investigating the Companies' affairs and in particular any antecedent transactions and also reporting on the conduct of its directors
- **Realisation of Assets** includes identifying, securing and insuring assets, sale of business, transition of contracts, property issues and VAT and taxation matters
- **Trading** includes closure of trade in CCUK and DE, transfer of trade to CIPCL, payment of rents and other expenses due to leases not yet being assigned and dealing with day to day business matters that have been affected by Administration proceedings. This also includes certain communications with the FSA and RICS
- **Creditors** includes set-up of creditor records, creditor communications, preferential claims, unsecured claims, secured and employee claims

"A Creditors' Guide to Remuneration" is available for download at [www.deloitte.com/uk/sip-9-england-and-wales](http://www.deloitte.com/uk/sip-9-england-and-wales)

Should you require a paper copy, please send your request in writing to the Administrators at the address on the front of this report and this will be provided to you at no cost

#### Expenses

The Administrators' direct expenses for the period of this report are as follows

Nature of expenses	Total Incurred £	Paid £
Subsistence and travel	37 66	37 66
Telephone Usage	83 33	83 33
<b>Total</b>	<b>120 99</b>	<b>120 99</b>

Mileage is calculated at the prevailing standard mileage rate of up to 45p used by Deloitte at the time when the mileage is incurred



## 7.2 Charge out rates

The range of charge out rates for the separate categories of staff is based on our 2012 charge out rates as summarised below. Manager rates include all grades of assistant manager.

Grade	£ 2012 (Jan-Aug)	£ 2012 / 2013 (Sept-Aug 2013)
Partners/Directors	585 to 920	605 to 950
Managers	295 to 700	305 to 720
Assistants and Support Staff	150 to 295	155 to 305

The above bands are specific to the Restructuring Services department partners and staff. In certain circumstances the use of specialists from other Deloitte departments such as Tax/VAT, Corporate Finance or Drivers Jonas Deloitte may be required on the case. These departments may charge rates that fall outside the Restructuring Services department bands quoted above so, where such specialists have performed work on the case, average rates may also fall outside the Restructuring Services department bands.

All partners and technical staff (including cashiers) assigned to the case recorded their time spent working on the case on a computerised time recording system. Time spent by secretarial staff working on the assignment has not been recorded or recovered. The appropriate staff have been assigned to work on each aspect of the case based upon their seniority and experience, having regard to the complexity of the relevant work, the financial value of the assets being realised and/or claims agreed.

With effect from 1 September 2012, charge out rates were increased by an average 3% and the charge out rate bandings have been amended, where applicable, to reflect this change.

## 7.3 Other professional costs

As previously advised, SJ Berwin were instructed by the Administrators to advise on appropriate legal matters. The professional costs to date are summarised in the table below. All professional costs are reviewed and analysed before payment is approved.

	NET (£)	VAT (£)	TOTAL (£)
SJ Berwin	110,574 96	22,093 56	132,668 52
<b>Total</b>	<b>110,574 96</b>	<b>22,093 56</b>	<b>132,668 52</b>

#### **7.4 Creditors' right to request information**

Any secured creditor or, unsecured creditor with the support of at least 5% in value of the unsecured creditors or, with leave of the Court, may, in writing, request the Administrators to provide additional information regarding remuneration or expenses to that already supplied within this report. Such requests must be made within 21 days of receipt of this report, in accordance with Rule 2.47(1)(fa) and 2.48A of the Rules.

#### **7.5 Creditors' right to challenge Remuneration and/or Expenses**

Any secured creditor or, unsecured creditor with the support of at least 10% in value of the unsecured creditors or, with leave of the Court, may apply to the Court for one or more orders (in accordance with Rule 2.109(4) of the Rules), reducing the amount or the basis of remuneration which the Administrators are entitled to charge or otherwise challenging some or all of the expenses incurred.

Such applications must be made within 8 weeks of receipt by the applicant(s) of the progress report detailing the remuneration and/or expenses being complained of, in accordance with Rule 2.109 of the Rules.

Please note that such challenges may not disturb remuneration or expenses approved or deemed to be approved under prior progress reports.

**COLLIERS INTERNATIONAL UK PLC, COLLIERS CAPITAL UK LIMITED AND DEANWATER ESTATES LIMITED (ALL IN ADMINISTRATION)**

**STATUTORY INFORMATION**

<b>Company Name</b>	<b>Colliers International UK plc</b>	<b>Colliers Capital UK Limited</b>	<b>Deanwater Estates Limited</b>
<b>Previous Names</b>			
<b>Proceedings</b>	In Administration	In Administration	In Administration
<b>Court</b>	High Court of Justice, Chancery Division	High Court of Justice, Chancery Division	High Court of Justice, Chancery Division
<b>Court Reference</b>	2747 of 2012	2748 of 2012	2749 of 2012
<b>Date of Appointment</b>	28 March 2012	28 March 2012	28 March 2012
<b>Joint Administrators</b>	L A Manning and N G Edwards Deloitte LLP PO Box 810 66 Shoe Lane London EC4A 3WA	L A Manning and N G Edwards Deloitte LLP PO Box 810 66 Shoe Lane London EC4A 3WA	L A Manning and N G Edwards Deloitte LLP PO Box 810 66 Shoe Lane London EC4A 3WA
<b>Registered office Address</b>	c/o Deloitte LLP Hill House 1 Little New Street London EC4A 3TR	c/o Deloitte LLP Hill House 1 Little New Street London EC4A 3TR	c/o Deloitte LLP Hill House 1 Little New Street London EC4A 3TR
<b>Company Number</b>	4195561	4438904	3065400
<b>Incorporation Date</b>	6 April 2001	15 May 2002	7 June 1995
<b>Company Secretary</b>	Howard Goldsobel	Howard Goldsobel	Howard Goldsobel
<b>Bankers</b>	Barclays Bank plc	Barclays Bank plc	Barclays Bank plc
<b>Auditors</b>	Baker Tilly	Baker Tilly	Baker Tilly
<b>Appointment by</b>	The QFCH – under Paragraph 14 of Schedule B1 of the Insolvency Act 1986	The QFCH – under Paragraph 14 of Schedule B1 of the Insolvency Act 1986	The QFCH – under Paragraph 14 of Schedule B1 of the Insolvency Act 1986
<b>Directors at date of Appointment</b>	Douglas Frye Geoffrey Bledin Anthony Horrell Gareth Jones Christopher McLemon Sir John Ritblat Colin Wagman	Nigel Holroyd Mark Sample	Andrew McFarlane Mark Sample
<b>Directors' Shareholdings</b>	None	None	None

**Colliers International UK Plc**  
**(In Administration)**

**Joint Administrators' Abstract of Receipts and Payments**  
**To 27 September 2012**

<b>Statement of Affairs (£)</b>	<b>RECEIPTS</b>	<b>Total (£)</b>
	919,036 Sale of company - fixed charge	1,219,018
	5,953,961 Sale of company - floating charge	5,953,973
	- Bank Interest Gross	413
	- Rent	36,200
	- Bank Interest Gross	1,973
	- Rent Overpayment from CIPCL	25
	- VAT Payable	312,228
	<hr/>	<hr/>
	6,872,997	7,523,829
	<b>PAYMENTS</b>	
	Legal fees on behalf of Colliers Capital	13,038
	Statutory advertising - CCUK	51
	Postage & Redirection	3,727
	Administrators' Fees - re fixed charges	7,500
	Administrators' Fees - re floating charges	27,998
	Pre-Administration costs	176,257
	Administrators' Expenses	788
	Registrar's fees	1,513
	Legal Fees	1,125
	Statutory Advertising - CCUK	51
	Bank Charges	63
	Distribution to secured creditor	5,880,396
	VAT Receivable	396,189
		<hr/>
		6,508,695
		<hr/>
	Balance in hand	1,015,134
		<hr/>

**Colliers International UK Plc  
(In Administration)**

**Joint Administrators' Abstract of Receipts and Payments on non-estate accounts  
To 27 September 2012**

<b>RECEIPTS</b>	<b>Total (£)</b>
Third Party Funds Account "222" Opening Balance	18,061,846
Third Party Funds Account "223" Opening Balance	13,369,232
Third Party Funds Account "224" Opening Balance	922,829
Third Party Funds Account "222" Receipts	165,822,487
Third Party Funds Account "223" Receipts	19,266,569
Third Party Funds Account "224" Receipts	5,785,889
	<u>190,874,944</u>
<b>PAYMENTS</b>	
Third Party Funds Account "222" Payments	183,638,301
Third Party Funds Account "223" Payments	26,375,849
Third Party Funds Account "224" Payments	7,488,684
	<u>217,502,835</u>
Balance	5,726,017
Third Party Funds Account "222" Closing Balance	246,032
Third Party Funds Account "223" Closing Balance	6,259,952
Third Party Funds Account "224" Closing Balance	3,118,230

Note: CIUK undertook property management functions and as a consequence would receive rental monies on behalf of its clients and use these sums to make necessary payments. During the Administration, these accounts are being novated to CIPCL once regulatory and client consent is obtained. The funds held do not form part of the Estate of the CIUK available to its creditors.

**Colliers Capital UK Limited  
(In Administration)**

**Joint Administrators' Abstract Of Receipts And Payments  
To 27 September 2012**

<b>Statement of Affairs (£) RECEIPTS</b>		<b>Total (£)</b>
25,002	Sale of company	25,004
-	Bank Interest Gross	35
175,000	Trade Receivables	-
<u>200,002</u>		<u>25,038 69</u>
<b>PAYMENTS</b>		
	Administrators' Fees	16,891
	Administrators' Expenses	80
	VAT Receivable	3,394
		<u>20,365</u>
	Balance	<u>4,673</u>
		25,039

**Deanwater Estates Limited  
(In Administration)**

**Joint Administrators' Abstract Of Receipts And Payments  
To 27 September 2012**

<b>Statement of Affairs (£) RECEIPTS</b>		<b>Total (£)</b>
30,001	Sale of company - shares	30,001
772,004	Sale of company - receivables	772,004
-	Bank Interest Gross	251
<hr/>		<hr/>
802,005		802,256
<b>PAYMENTS</b>		
	Postage & Redirection	455
	Administrators' Fees - re fixed charges	5,001
	Administrators' Fees - re floating charges	11,700
	Administrators' Expenses	420
	Legal Fees	8,715
	Statutory Advertising	51
	Distribution to secured creditor	619,604
	VAT Receivable	3,567
		<hr/>
		649,514
	 Balances in Hand	 <hr/>
		152,743
		<hr/>
		802,256

**COLLIERS INTERNATIONAL UK PLC  
(IN ADMINISTRATION)  
JOINT ADMINISTRATORS' TIME COSTS FOR THE PERIOD FROM 28 MARCH 2012 TO 27 SEPTEMBER 2012**

	Partners & Directors		Managers		Assistants & Support		TOTAL		AVOIDED Equity Ratio Cost (£)
	Hours	Cost (£)	Hours	Cost (£)	Hours	Cost (£)	Hours	Cost (£)	
<b>Administration and Planning</b>									
Cashiering and Statutory Filing	4 00	3,300 00	21 60	9,354 50	8 10	2,359 50	29 70	11,714 00	394 41
Case Supervision, Management and Closure	28 00	20,875 00	35 25	15,210 00	1 00	221 50	18 05	9,308 60	515 60
Initial Actions (e.g. Modification of Appointment, Securing Assets)	7 20	5,940 00	17 40	8,100 50	25 45	5,980 75	61 25	36,068 00	669 14
General Reporting	37 20	30,115 00	67 30	39,450 00	34 55	6,961 75	60 05	20,021 25	400 02
							159 05	77,126 75	464 92
<b>Investigations</b>									
Reports on Directors' Conduct	-	-	2 25	1,080 00	-	-	2 25	1,080 00	480 00
	-	-	2 25	1,080 00	-	-	2 25	1,080 00	480 00
<b>Trading</b>									
Ongoing Trading	8 00	6,400 00	17 70	8,562 75	-	-	25 70	14,962 75	582 21
Monitoring Trading	-	-	7 60	3,172 00	58 20	13,677 00	65 60	16,849 00	256 06
Closure of Trade	49 00	39,450 00	-	-	-	-	49 00	39,450 00	805 10
	57 00	45,850 00	25 30	11,734 75	58 20	13,677 00	140 50	71,261 75	607 20
<b>Realisation of Assets</b>									
Book Debts	-	-	10 00	4,815 00	-	-	10 00	4,815 00	481 50
Other Assets (e.g. Stock)	4 00	3,200 00	-	-	-	-	4 00	3,200 00	800 00
Property - Freehold and Leasehold	-	-	33 90	16,308 00	-	-	33 90	16,308 00	481 06
Sale of Business / Assets	-	-	38 45	18,466 50	-	-	38 45	18,466 50	480 27
Third Party Assets	4 00	3,200 00	82 35	39,589 50	-	-	86 35	42,789 50	485 54
<b>Creditors</b>									
Employees	-	-	35 10	13,193 50	-	-	35 10	13,193 50	375 88
Secured	-	-	148 50	57,577 50	-	-	148 50	57,577 50	387 73
Shareholders	-	-	-	-	1 40	329 00	1 40	329 00	235 00
Unsecured	-	-	-	-	6 10	1,433 50	6 10	1,433 50	235 00
	-	-	183 60	70,771 00	7 50	1,762 50	191 10	72,633 50	379 56
<b>Other Matters Include</b>									
Litigation	-	-	3 50	1,732 50	-	-	3 50	1,732 50	486 00
Pensions	4 00	3,516 00	13 00	7,718 00	-	-	17 00	11,234 00	640 82
Tax and VAT	19 60	20,261 00	4 50	2,190 00	-	-	24 10	22,451 00	931 58
	23 60	23,777 00	21 00	11,640 50	-	-	44 60	35,417 50	794 11
<b>TOTAL HOURS &amp; COST</b>	121 80	102,943 90	401 80	173,265 75	100 25	24,001 25	623 85	300,209 00	481 22
<b>TOTAL FEES DRAWN TO DATE (POST-APPOINTMENT)</b>									36,498 00



**COLLIERS CAPITAL LIMITED  
(IN ADMINISTRATION)  
JOINT ADMINISTRATORS' TIME COSTS FOR THE PERIOD FROM 28 MARCH 2012 TO 27 SEPTEMBER 2012**

	Priority's Director		Tudor's		Assisted Support		Total		Average Hourly Rate £/hr
	Hours	Cost (£)	Hours	Cost (£)	Hours	Cost (£)	Hours	Cost (£)	
<b>Administration and Planning</b>									
Cashiering and Statutory Filing	-	-	2 80	1 119 00	1 10	319 50	3 90	1 438 50	368 85
Case Supervision, Management and Closure	-	-	6 25	3 215 50	0 30	87 50	6 55	3 303 00	504 27
Initial Actions (e.g. Notification of Appointment, Securing Assets)	-	-	18 00	6 930 00	-	-	18 00	6 930 00	385 00
General Reporting	-	-	3 30	1 293 50	3 50	822 50	6 80	2 116 00	311 18
	-	-	30 35	12 558 00	4 90	1 229 50	35 25	13 787 50	391 13
<b>Investigations</b>									
Reports on Directors' Conduct	-	-	-	-	4 10	963 50	4 10	963 50	235 00
	-	-	-	-	4 10	963 50	4 10	963 50	235 00
<b>Trading</b>									
Day 1 Control of Trading	-	-	1 50	720 00	-	-	1 50	720 00	480 00
Closure of Trade	2 00	1 600 00	-	-	-	-	2 00	1 600 00	800 00
	2 00	1 600 00	1 50	720 00	-	-	3 50	2 320 00	682 88
<b>Realisation of Assets</b>									
Book Debts	-	-	1 50	720 00	-	-	1 50	720 00	480 00
Other Assets (e.g. Stock)	11 00	8 875 00	-	-	-	-	11 00	8 875 00	806 82
	11 00	8 875 00	1 50	720 00	-	-	12 50	9 595 00	787 60
<b>Creditors</b>									
Employees	-	-	0 50	192 50	-	-	0 50	192 50	383 00
Unsecured	-	-	-	-	2 50	587 50	2 50	587 50	235 00
	-	-	0 50	192 50	2 50	587 50	3 00	780 00	260 00
<b>TOTAL HOURS &amp; COST</b>	13 00	10 475 00	33 85	14 190 50	11 50	2 780 50	58 35	27 446 00	470 37
<b>TOTAL FEES DRAWN TO DATE</b>									
									16,891 00



## PROOF OF DEBT - GENERAL FORM

**In the matter of Colliers Capital UK Limited  
In Administration  
and in the matter of The Insolvency Act 1986**

Date of Administration 28 March 2012

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

In the matter of Colliers International UK Plc  
In Administration  
and in the matter of The Insolvency Act 1986

Date of Administration 28 March 2012

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**

**In the matter of Deanwater Estates Limited  
In Administration  
and in the matter of The Insolvency Act 1986**

**Date of Administration 28 March 2012**

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	

The Insolvency Act 1986

**Administrator's progress report**

Name of Company

Colliers International UK Plc

Company number

4195561

In the  
High Court of Justice, Chancery Division  
(full name of court)Court case number  
2747 of 2012(a) Insert full  
name(s) and  
address(es) of  
administrator(s)I/We (a)  
Lee Antony Manning  
Deloitte LLP  
PO Box 810  
66 Shoe Lane  
London  
EC4A 3WANicholas Guy Edwards  
Deloitte LLP  
PO Box 810  
66 Shoe Lane  
London  
EC4A 3WA

administrator(s) of the above company attach a progress report for the period

From

To

(b) Insert date

(b) 28 March 2012

(b) 27 September 2012

Signed

  
Joint Administrator(s)

Dated

**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

Lee Antony Manning  
Deloitte LLP  
PO Box 810  
66 Shoe Lane  
London  
EC4A 3WA

DX Number LDE DX599

Tel 020 7936 3000  
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**

A50

27/10/2012  
COMPANIES HOUSE

#168

**Colliers International UK plc**

**Colliers Capital UK Limited**

**Deanwater Estates Limited**

**(ALL IN ADMINISTRATION)  
("the Companies")**

**Court No. 2747, 2748 and 2749 of 2012**

**SIX MONTHLY PROGRESS REPORT TO CREDITORS  
PURSUANT TO RULE 2.47 OF THE INSOLVENCY RULES 1986 AND THE INSOLVENCY  
(AMENDMENT) RULES 2010**

**26 October 2012**

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

Lee Antony Manning and Nicholas Guy Edwards were appointed Joint Administrators of the Companies on 28 March 2012. The affairs, business and property of the Companies are managed by the Joint Administrators. The Joint Administrators act as agents of the Companies and contract without personal liability.

All licensed Insolvency Practitioners of Deloitte LLP are licensed in the UK to act as Insolvency Practitioners.

**L. A. Manning and N. G. Edwards  
Deloitte LLP  
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66 Shoe Lane  
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Tel +44 (0) 20 7936 3000  
Fax +44 (0) 20 7007 3442**