

The Insolvency Act 1986

Administrators' progress report

Name of Company
Castlebeck Group Limited

Company number
04450369

In the
High Court of Justice, Chancery Division, Companies Court
(full name of court)

Court case number
1622 of 2013

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

We (a)
Joseph P McLean
Grant Thornton UK LLP
Earl Grey House
75-85 Grey Street
Newcastle Upon Tyne
NE1 6EF

Daniel Smith
Grant Thornton UK LLP
30 Finsbury Square
London
EC2P 2YU

David J Dunckley
Grant Thornton UK LLP
30 Finsbury Square
London
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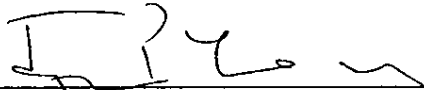
administrators of the above company attach a progress report for the period

(b) Insert date

From
(b) 13 February 2014

To
(b) 21 July 2014

Signed


 Joint Administrator

Dated

14/8/14

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

Grant Thornton UK LLP
Earl Grey House
75-85 Grey Street
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SATURDAY



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COMPANIES HOUSE

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

Our Ref JMcI /PWS/SB/C01678/PT7

To the Creditors

21 July 2014

Dear Sirs

Advisory

Grant Thornton UK LLP
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NE1 6EF

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CB Care Limited
Castlebeck Care (Teesdale) Limited
Castlebeck Care Holdings Limited
Castlebeck Property Holdings Limited
Castlebeck Group Limited
All in Administration (together 'the Group')
High Court of Justice, Chancery Division, Companies Court
Nos 1621, 1618, 1619, 1620 and 1622 of 2013

1 Introduction

- 1.1 Following the appointment of my partners, Daniel Smith, David J Dunckley, and I, as Joint Administrators of the Group by the directors on 5 March 2013, I now report on the progress of the Administrations to 21 July 2014 and attach
- Appendix A Forms 2.24B, together with an account of our receipts and payments for the period from 13 February 2014 to 21 July 2014 and also for the whole Administrations to date
 - Appendix B a statement of the remuneration charged by the Joint Administrators in the period 13 February 2014 to 21 July 2014 and a statement of expenses incurred in the period
 - Appendix C an analysis of our firm's time costs as required by Statement of Insolvency Practice 9
 - Appendix D an extract from the Insolvency Rules 1986 relating to creditors' rights to request additional information from the Administrator (Rule 2.48A)
 - Appendix E an extract from the Insolvency Rules 1986 relating to creditors' rights to challenge the Administrator's remuneration or expenses, if excessive (Rule 2.109)
- 1.2 Daniel Smith and David J Dunckley are authorised by the Insolvency Practitioners Association and I am authorised by The Institute of Chartered Accountants of Scotland to act as insolvency practitioners
- 1.3 In accordance with paragraph 100(2) of Schedule B1 to the Insolvency Act 1986, the functions of the Joint Administrators are to be exercised by any or all of them

Chartered Accountants

Grant Thornton UK LLP is a limited liability partnership registered in England and Wales No OC307742 Registered office: Grant Thornton House, Nelson Street, Euston Square, London NW1 2LP
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2 Statutory information

2 1 The Group's statutory details are as follows

Registered number	
CB Care Limited("CB Care")	05843078
Castlebeck Care (Teesdale) Limited ("Teesdale")	02050483
Castlebeck Care Holdings Limited ("CBCH")	03540515
Castlebeck Property Holdings Limited ("CBPH")	05887272
Castlebeck Group Limited ("CBG")	04450369
Registered office	c/o Grant Thornton UK LLP 4 Hardman Square Spinningfields Manchester M3 3EB

3 Pre-appointment expenses

In our proposals dated 26 April 2013 we advised that time costs of £36,500 had been incurred with the view to the Group entering Administration and the planning of the Administrations to ensure that the care to patients and residents would not be interrupted. These time costs were discussed with the secured creditors and on 18 December 2013 we obtained approval for the payment of these time costs.

4 Progress of the Administrations

4 1 The objective of the Administrations, as set out in the Joint Administrators' proposals dated 26 April 2013, was to pursue the objective of realising assets for the benefit of the secured creditors.

4 2 Our strategy for achieving these objectives was to continue to manage the business of the Group for so long as we believed it appropriate in attempting the more advantageous realisation of assets.

4 3 As advised in our proposals CB Care, CBCH and CBG are intermediate holding companies and do not trade.

Assets

Property portfolio

4 4 As advised in our report dated 4 October 2013, the business and assets of the Group were sold to Danshell Healthcare Limited (Danshell) on 3 September 2013. In addition to the sales proceeds, deferred consideration of £250,000 was due within three months of completion and further consideration of between £250,000 and £1 million is due within 16 months of completion depending on the occupancy levels at one of the homes.

4 5 We can advise that the first payment of deferred consideration of £250,000 has been received.

Book debts

- 4 6 At the date of our appointment Teesdale had book debts of £561,000. To date £514,132 has been collected. The remaining book debts continue to be subject to collection activity by the Administrators but further realisations are considered unlikely.
- 4 7 We have also identified that the Group may be able to obtain a VAT refund on part of the VAT incurred during the period January 1993 to March 2002 (referred to as a Kingcrest VAT refund). We have reviewed the Group's portfolio and there are four homes for which a possible refund could be obtained. We are currently in negotiations with the Local Authorities (which have to recognise the output VAT) and HMRC on this matter, and estimate that a recovery of circa £100,000 may be received.

Prescribed Part

- 4 8 Due to the expected quantum of trading losses, which has been funded with the agreement of the secured creditors from fixed charge realisations, it is not anticipated that there will be any return to the unsecured creditors in any of the Group companies by virtue of the Prescribed Part payment.

Liabilities

Secured creditors

- 4 9 As previously advised the whole Group provided security to the Group's lenders.
- 4 10 The directors' statement of affairs indicate a debt due to the Lenders at the date of appointment of £217 million. There is, therefore, no prospect of the Lenders being repaid in full.
- 4 11 To date £20 million has been paid to the Lenders on account (under their fixed charge security).

Preferential creditors

- 4 12 As previously advised, as part of the sale process all 835 members of Teesdale staff transferred under TUPE regulations to Danshell. There are, therefore, no preferential creditor claims in this regard. However, we are aware that there are a number of Employment Tribunal cases which may result in preferential claims being received. These cases are ongoing and, due to the level of trading losses, the claimants have been advised that there is no prospect of a dividend to preferential creditors in this matter.

Unsecured creditors

- 4 13 As advised above, no Prescribed Part payment to the unsecured creditors in any of the Group companies is currently anticipated. There will, therefore, be no dividend available to be paid to any unsecured creditors within the Group.

Other matters

- 4 14 There are over 25 ongoing insurance claims against the Group, which relate both prior to our appointment, and during the Administrations. These claims include some sensitive issues but in the main we are content for them to be processed by insurers, with assistance being provided as required. In addition, the position in relation to the Winterbourne View matter has still not been resolved fully.

5 Extension of the Administrations

5 1 The Administrators are seeking an extension of the Administration as there are outstanding matters, detailed below, that may not be finalised before the Administrations would ordinarily terminate on 4 September 2014. I can advise that extensions to the Administrations are, therefore, required for the following reasons

- to allow time for the Kingcrest VAT claim to be fully explored and any refund collected for the benefit of the creditors
- to collect the deferred consideration due from the purchaser in January 2015 (realisation of between £250,000 and £1 million)
- to ensure that the ongoing insurance matters and the Winterbourne View matter are resolved appropriately

5 2 These matters are expected to produce further realisations for the creditors and, therefore, in view of the above factors, I intend to seek a further extension of the Administrations. I am, therefore, applying to Court for a 12 month extension to allow sufficient time to resolve the above matters

5 3 Once the remaining assets have been realised the Administrations will be terminated and the Companies will be dissolved

6 Joint Administrators' remuneration and expenses

6 1 Ordinarily the legislation provides that the creditors' committee, if appointed, should determine the basis of the Joint Administrators' remuneration, and if no committee is appointed, a resolution of creditors is required. In these Administrations, however, as no committee was appointed and, as we are of the opinion that there will be no funds available for the unsecured creditors, responsibility for the agreement of the Joint Administrators' remuneration and expenses falls upon the secured creditor. That is because it is this class of creditor that ultimately will bear these costs

6 2 In accordance with Statement of Insolvency Practice (SIP 9), I attach at Appendix C a summary of the Administrators' time costs to 21 July 2014 by grade of staff and type of work. This shows total time costs as follows

Company	Time costs to date
	£
CB Care Limited	119,705 75
Castlebeck Care Holdings Limited	17,159 50
Castlebeck Care (Teesdale) Limited	2,158,619 70
Castlebeck Group Limited	77,394 50
Castlebeck Property Holdings Limited	22,373 25
Total	2,395,252 70

6 3 I can advise that Administrators' remuneration of £350,000 has been taken in the period as indicated in Appendix A

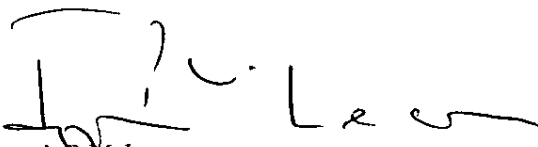
- 6 4 Time costs of £131,117 incurred in the period but not drawn to date are disclosed in Appendix B
- 6 5 In addition to our firm's time costs relating to the Administrations, £220,000 (plus VAT) was due to Grant Thornton UK LLP Corporate Finance in relation to its contingency commission fee on the sale of the business and assets. This has also been approved by the secured creditors and paid
- 6 6 Background information regarding the fees of Administrators can be found at www.insolvency-practitioners.org.uk (navigate via 'Regulation and Guidance' to 'Creditors Guides to Fees'). Alternatively, we will supply this information by post on request. Time is charged in 6 minute units

7 Other expenses incurred by the Joint Administrators

Details of other expenses incurred in the period to 21 July 2014 are disclosed at Appendix B. You will note that these primarily relate to legal fees and consultancy fees relating to employment tribunal matters.

I trust that the above will be of assistance to you but should you require any clarification please contact my colleague Philip Stephenson (T 0191 203 7791)

Yours faithfully
for and on behalf of
CB Care Limited
Castlebeck Care (Teesdale) Limited
Castlebeck Care Holdings Limited
Castlebeck Property Holdings Limited
Castlebeck Group Limited



Joseph P McLean
Joint Administrator

The affairs, business and property of the Group are being managed by Daniel Smith, David J Dunckley and Joseph P McLean, appointed as Joint Administrators on 5 March 2013

Enc

A Abstract of the Administrators' receipts and payments

Castlebeck Care (Teesdale) Limited - In Administration

Receipts and payments account as at 21 July 2014

	Statement of affairs / £	Fixed Charge / £	Floating Charge / £	Total / £
RECEIPTS				
Realisations				
Freehold properties	18 825 000	10 302 199		10,302 199
Goodwill / intellectual property		13 458 161		13 458 161
Chattels	140 000		447 373	447,373
Stock			15 000	15 000
Motor vehicles	140 000		312 831	312,831
Book Debts	505 000		514 132	514 132
Other	29 000			
Trading				
Sales			14 260 464	14 260 464
Cash at Bank			100 000	100 000
Bank Interest		5 921		5 921
Resident Monies			151 350	151 350
Sundries			16 332	16 332
Loan from Fixed account			3 650 000	3 650 000
	19 639 000	23 766 281	19 467 482	43 233 763
PAYMENTS				
Trading				
Purchases			726 702	726 702
Subscriptions			13 941	13 941
Client/Resident Contribution			783	783
Rents			68 200	68,200
Council Tax & Rates			50 403	50 403
Heat & Light			250 926	250 926
Accommodation & Travel			62 199	62 199
Telephone			69 586	69,586
Employment Agencies			1 510 324	1 510 324
Insurance			294 238	294 238
Interim management / Professional Fees			1 197 792	1 197 792
Bank charges / interest			118 691	118 691
Training			155 154	155 154
Rental/Lease/HP Payments			17,391	17 391
Rental to CBPH			1 080 000	1 080 000
IT Services & Support			100 999	100 999
Repairs & Maintenance			366 657	366 657
Petty Cash			388 131	388 131
Property Expenses			257 249	257 249
Vehicle Running Costs			84 724	84 724
Resident Activities			16 752	16 752
Stationery			3 050	3 050
Postages			7 368	7 368
PAYE/NI			2 508 602	2 508 602
Net Wages			7 402 496	7 402 496
Other Payroll Deductions			397 685	397 685
Licenses			1 738	1 738
Pre Appointment Trading Costs			606 966	606 966
Sundry Trading Costs			8 277	8 277
Trading Costs (To Be Reallocated)				
Trading Creditors (To Be Reallocated)				
Loan to Floating account		3 650 000		3 650 000
Other				
Joint Administrators Fees		2,260 023		2 260 023
Joint Administrators Expenses			16 280	16,280
Grant Thornton UK LLP CF		220 214		220 214
Agent's Fees			7 025	7 025
Legal Fees		179 274	339 293	518 567
Agent on behalf of the Lenders		15 752 675		15 752 675
Statutory Advertising			254	254
Storage costs			2 880	2 880
VAT Irrecoverable		531 902	689 779	1 221 681
		22 594 088	18 822 534	41 416 622
Balances		1 172,193	644,948	1,817 141

Notes Sales Includes receipts of £87 000 which are overpayments from the funding party

Castlebeck Care (Teesdale) Limited - In Administration

Receipts and payments account 13 February 2014 to 21 July 2014

	Statement of affairs / £	Fixed Charge / £	Floating Charge / £	Total / £
RECEIPTS				
Realisations				
Freehold properties	18 825 000	-	-	-
Goodwill / intellectual property	-	-	-	-
Chattels	140 000	-	-	-
Stock	-	-	-	-
Motor vehicles	140 000	-	-	-
Book Debts	505 000	-	-	-
Other	29 000	-	-	-
Trading	-	-	-	-
Sales	-	-	(32 930)	(32 930)
Cash at Bank	-	-	-	-
Bank Interest	-	2 045	-	2,045
Resident Monies	-	-	836	836
Sundries	-	-	1 340	1 340
Loan from Fixed account	-	-	400 000	400 000
	19 639 000	2,045	369 246	371 291
PAYMENTS				
Trading	-	-	-	-
Purchases	-	-	31 405	31 405
Subscriptions	-	-	-	-
Client/Resident Contribution	-	-	-	-
Rents	-	-	(10 820)	(10 820)
Council Tax & Rates	-	-	1,085	1,085
Heat & Light	-	-	(665)	(665)
Accommodation & Travel	-	-	-	-
Telephone	-	-	66	66
Employment Agencies	-	-	3 260	3 260
Insurance	-	-	(66 848)	(66 848)
Interim management / Professional Fees	-	-	52 975	52,975
Bank charges / interest	-	-	73	73
Training	-	-	8 079	8,079
Rental/Lease/HP Payments	-	-	-	-
Rental to CBPH	-	-	-	-
IT Services & Support	-	-	2 100	2,100
Repairs & Maintenance	-	-	10 042	10 042
Petty Cash	-	-	(98 749)	(98,749)
Property Expenses	-	-	1 402	1 402
Vehicle Running Costs	-	-	-	-
Resident Activities	-	-	-	-
Stationery	-	-	-	-
Postages	-	-	-	-
PAYE/NI	-	-	9 711	9 711
Net Wages	-	-	-	-
Other Payroll Deductions	-	-	-	-
Licenses	-	-	-	-
Pre Appointment Trading Costs	-	-	7 135	7 135
Sundry Trading Costs	-	-	(1 275)	(1 275)
Trading Costs (To Be Reallocated)	-	-	-	-
Trading Creditors (To Be Reallocated)	-	-	(38 212)	(38,212)
Loan to Floating account	-	400 000	-	400 000
Other	-	-	-	-
Joint Administrators Fees	-	350 000	-	350,000
Joint Administrators Expenses	-	-	-	-
Grant Thornton UK LLP CF	-	-	-	-
Agent's Fees	-	-	-	-
Legal Fees	-	-	32 114	32,114
Agent on behalf of the Lenders	-	-	-	-
Statutory Advertising	-	-	-	-
Storage costs	-	-	1 665	1 665
VAT irrecoverable	-	70 000	14 365	84 365
	-	820 000	(41 092)	778,908
Balances		(817,955)	410,338	(407,617)

Notes The reduction of sales follows the refund of overpayments
 The movement on petty cash relates to the repayment of petty cash used by Danshell
 The reduction in insurance is due to a refund following the completion of the sale of the business and assets in September 2013

Castlebeck Property Holdings Limited - In Administration
 Receipts and payments account as at 21 July 2014

Statement of affairs / £	13 February 2014 to 18 July 2014			As at 18 July 2014		
	Fixed Charge / £	Floating Charge / £	Total / £	Fixed Charge / £	Floating Charge / £	Total / £
RECEIPTS						
Realisations						
Freehold properties	7 600 000			2 200 490		2 200 490
Chattels	20 000				32 635	32 635
Rentall income				1 080 000		1 080 000
Bank interest		303	303	445		445
				3 280 935	32 635	3 313 570
PAYMENTS						
Agent for the secured creditors	1 000 000		1 000 000	3 000 000		3 000 000
	1 000 000		1 000 000	3 000 000		3 000 000
Balances	1 000 303		1 000 303	280 935	32 635	313 570

Castlebeck Care Holdings Limited - In Administration
 Receipts and payments account as at 21 July 2014

Statement of affairs / £	13 February 2014 to 18 July 2014			As at 18 July 2014		
	Fixed Charge / £	Floating Charge / £	Total / £	Fixed Charge / £	Floating Charge / £	Total / £
RECEIPTS						
Realisations						
Freehold properties				1 247 311		1 247 311
Bank interest				14		14
				1 247 325		1 247 325
PAYMENTS						
Agent for the secured creditors				1 247 325		1 247 325
				1 247 325		1 247 325
Balances						

B Remuneration charged and expenses incurred by the Administrators in the period (net of irrecoverable VAT)

	Charged/incurred in period 13/02/2014 to 21/07/2014	Cumulative charged/incurred to 21/07/2014	Of which paid to 21/07/2014
	£'000	£'000	£'000
Trading expenses			
Joint Administrators' fees			
Time costs	131	2,395	2,260
Expenses	-	26	16
Professional fees			
Piele Consulting	-	46	46
KPMG	-	18	18
Des Winchester	5	5	-
Legal fees			
Denton UKMEA LLP	42	326	316
Brodies LLP	-	10	10
Bond Dickinson LLP	-	98	98
Radcliffes Le Brasseur	-	48	47
Burness Paul & Williamson LLP	-	17	17
Agents/valuers			
GVA	-	7	7
Insurance	(67)	294	294

C SIP 9 information

Introduction

The following information is provided in connection with the Administrators' remuneration and disbursements in accordance with SIP 9

Explanation of Grant Thornton UK LLP charging and disbursement recovery policies

Time costs

All partners and staff are charged out at hourly rates appropriate to their grade, as shown on the attached schedule. Details of the hourly charge-out rates are made available to creditors or committees at the time of fixing the basis of our fees. Support staff (ie secretaries, cashiers and filing clerks) are charged to the case for the time they work on it

	From 5 March 2013
	£
Partners up to	655
Managers up to	455
Administrators up to	320
Assistants and support staff up to	275

Disbursements

Out of pocket expenses are charged at cost. Mileage is charged at standard rates used from time to time by Grant Thornton UK LLP

Castlebeck Care (Teesdale) Limited - In Admin - C30201678 - SIP 9 TIME COST

Transaction period All transactions

	Partner			Manager			Administrator/Support Staff			Total		
	Hrs	£	Avg Hly Rate	Hrs	£	Avg Hly Rate	Hrs	£	Avg Hly Rate	Hrs	£	Avg Hly Rate
Administration and Planning	266.24	174,387.20	655.00	967.47	410,190.00	423.98	558.80	153,670.00	275.00	1,792.51	738,247.20	411.85
Creditors	6.00	3,930.00	655.00	70.25	29,856.25	425.00	75.71	20,820.25	275.00	151.96	54,606.50	359.35
Hiatus period												
Investigations	7.00	4,585.00	655.00	15.08	6,409.00	425.00	15.85	4,358.75	275.00	37.93	15,352.75	404.77
Realisation of Assets	98.55	64,550.25	655.00	93.84	37,704.50	401.80	488.85	134,433.75	275.00	681.24	236,688.50	347.44
Trading	315.00	206,325.00	655.00	473.01	199,778.00	422.35	2,573.17	707,621.75	275.00	3,361.18	1,113,724.75	331.35
Total	692.79	453,777.45	655.00	1,619.65	687,413.95	424.42	3,712.38	1,020,904.50	275.00	6,024.82	2,158,619.70	358.29

Castlebeck Group Limited - In Administration - C30201680 - SIP 9 TIME COST

Transaction period All transactions

	Partner			Manager			Administrator/Support Staff			Total		
	Hrs	£	Avg Hly Rate	Hrs	£	Avg Hly Rate	Hrs	£	Avg Hly Rate	Hrs	£	Avg Hly Rate
Administration and Planning	66.40	43,492.00	655.00	22.40	8,187.50	365.51	35.92	9,878.00	275.00	124.72	61,557.50	493.57
Creditors												
Hiatus period												
Investigations				2.58	1,096.50	425.00	25	68.75	275.00	2.83	1,165.25	411.75
Realisation of Assets	5.35	3,504.25	655.00				2.50	687.50	275.00	7.85	4,191.75	533.98
Trading	16.00	10,480.00	655.00							16.00	10,480.00	655.00
Total	87.75	57,476.25	655.00	24.98	9,284.00	371.66	38.67	10,634.25	275.00	151.40	77,394.50	511.19

Castlebeck Property Holdings Limited - In Adm - C30201681 - SIP 9 TIME COST

Transaction period All transactions

	Partner			Manager			Administrator/Support Staff			Total		
	Hrs	£	Avg. Hrry Rate	Hrs	£	Avg. Hrry Rate	Hrs	£	Avg Hrry Rate	Hrs	£	Avg Hrry Rate
Administration and Planning	14.90	9,759.50	655.00	7.56	3,096.00	409.52	34.36	9,449.00	275.00	56.82	22,304.50	392.55
Creditors												
Hiatus period												
Investigations							25	68.75	275.00	25	68.75	275.00
Realisation of Assets												
Trading												
Total	14.90	9,759.50	655.00	7.56	3,096.00	409.52	34.61	9,517.75	275.00	57.07	22,373.25	392.03

CB Care Limited - In Administration - C30201683 - SIP 9 TIME COST ANALYSIS

Transaction period All transactions

	Partner			Manager			Administrator/Support Staff			Total		
	Hrs	£	Avg. Hrry Rate	Hrs	£	Avg. Hrry Rate	Hrs	£	Avg Hrry Rate	Hrs	£	Avg Hrry Rate
Administration and Planning	68.95	45,162.25	655.00	125.74	44,933.25	357.35	35.64	9,801.00	275.00	230.33	99,896.50	433.71
Creditors				14.17	6,022.25	425.00				14.17	6,022.25	425.00
Hiatus period												
Investigations				5.50	2,337.50	425.00	75	206.25	275.00	6.25	2,543.75	407.00
Realisation of Assets	45	294.75	655.00	19.17	8,147.25	425.00	9.80	2,695.00	275.00	29.42	11,137.00	378.55
Trading				25	106.25	425.00				25	106.25	425.00
Total	69.40	45,457.00	655.00	164.83	61,546.50	373.39	46.19	12,702.25	275.00	280.42	119,705.75	426.88

Castlebeck Care Holdings Limited _ In Adminis - C30201679 - SIP 9 TIME COST

Transaction period All transactions

	Partner			Manager			Administrator/Support Staff			Total		
	Hrs	£	Avg. Hry Rate	Hrs	£	Avg. Hry Rate	Hrs	£	Avg. Hry Rate	Hrs	£	Avg. Hry Rate
Administration and Planning	8 65	5,665 75	655 00	3 57	1,439 25	403 15	24 02	6,605 50	275 00	36 24	13,710 50	378 33
Creditors												
Hiatus period												
Investigations				3 33	1,415 25	425 00	25	68 75	275 00	3 58	1,484 00	414 53
Realisation of Assets												
Trading	3 00	1,965 00	655 00							3 00	1,965 00	655 00
Total	11 65	7,630.75	655 00	6 90	2,854 50	425 00	24 27	6,674 25	275 00	42 82	17,159 50	316.77

D An extract from the Insolvency Rules 1986 relating to creditors' rights to request additional information from the administrator

Rule 2 48A

- (1) If
 - (a) within 21 days of receipt of a progress report under Rule 2 47 -
 - (i) a secured creditor, or
 - (ii) an unsecured creditor with the concurrence of at least 5% in value of the unsecured creditors (including the creditor in question), or
 - (b) with the permission of the court upon an application made within that period of 21 days, any unsecured creditor makes a request in writing to the administrator for further information about remuneration or expenses (other than pre-administration costs) set out in a statement required by Rule 2 47(1)(db) or (dc), the administrator must, within 14 days of receipt of the request, comply with paragraph (2)
- (2) The administrator complies with this paragraph by either -
 - (a) providing all of the information asked for, or
 - (b) so far as the administrator considers that
 - (i) the time or cost of preparation of the information would be excessive, or
 - (ii) disclosure of the information would be prejudicial to the conduct of the administration or might reasonably be expected to lead to violence against any person, or
 - (iii) the administrator is subject to an obligation of confidentiality in respect of the information,
 giving reasons for not providing all of the information
- (3) Any creditor, who need not be the same as the creditor who requested further information under paragraph (1), may apply to the court within 21 days of -
 - (a) the giving by the administrator of reasons for not providing all of the information asked for, or
 - (b) the expiry of the 14 days provided for in paragraph (1),
 and the court may make such order as it thinks just
- (4) Without prejudice to the generality of paragraph (3), the order of the court under that paragraph may extend the period of 8 weeks provided for in Rule 2 109(1B) by such further period as the court thinks just

E An extract from the Insolvency Rules 1986 relating to creditors' rights to challenge the administrator's remuneration or expenses if excessive

Rule 2 109

- (1) Any secured creditor, or any unsecured creditor with either the concurrence of at least 10% in value of the unsecured creditors (including that creditor) or the permission of the court, may apply to the court for one or more of the orders in paragraph (4)
- (1A) Application may be made on the grounds that -
 - (a) the remuneration charged by the administrator,
 - (b) the basis fixed for the administrator's remuneration under Rule 2 106, or
 - (c) expenses incurred by the administrator,
 is or are, in all the circumstances, excessive or, in the case of an application under sub-paragraph (b), inappropriate
- (1B) The application must, subject to any order of the court under Rule 2 48A(4), be made no later than 8 weeks after receipt by the applicant of the progress report which first reports the charging of the remuneration or the incurring of the expenses in question ("the relevant report")
- (2) The court may, if it thinks that no cause is shown for a reduction, dismiss it without a hearing but it shall not do so without giving the applicant at least 5 business days' notice, upon receipt of which the applicant may require the court to list the application for a without notice hearing. If the application is not dismissed, the court shall fix a venue for it to be heard, and give notice to the applicant accordingly
- (3) The applicant shall, at least 14 days before the hearing, send to the administrator a notice stating the venue and accompanied by a copy of the application, and of any evidence which the applicant intends to adduce in support of it
- (4) If the court considers the application to be well-founded, it must make one or more of the following orders -
 - (a) an order reducing the amount of remuneration which the administrator was entitled to charge
 - (b) an order fixing the basis of remuneration at a reduced rate or amount
 - (c) an order changing the basis of remuneration
 - (d) an order that some or all of the remuneration or expenses in question be treated as not being expenses of the administration
 - (e) an order that the administrator or the administrator's personal representative pay to the company the amount of the excess of remuneration or expenses or such part of the excess as the court may specify
 and may make any other order that it thinks just, but an order under sub-paragraph (b) or (c) may be made only in respect of periods after the period covered by the relevant report
- (5) Unless the court orders otherwise, the costs of the application shall be paid by the applicant, and are not payable as an expense of the administration