

2.17B

The Insolvency Act 1986

Statement of administrator's proposals

Name of Company Torbay Hotels Limited	Company number 4690061
In the High Court of Justice (full name of court)	Court case number 15857/2009

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

I/We (a)
Simon Thomas
RSM Bentley Jennison & Co LLP
45 Moorfields
London
EC2Y 9AE

Fred Satow
RSM Bentley Jennison & Co LLP
45 Moorfields
London
EC2Y 9AE

*Delete as
applicable

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

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

(b) 26 August 2009

Signed


Joint Administrator(s)

Dated

26/8/09

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

Simon Thomas
RSM Bentley Jennison & Co
45 Moorfields
London
EC2Y 9AE

DX Number

0207 920 3200
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

THURSDAY



PC5

27/08/2009

17

COMPANIES HOUSE

CONTENTS

1. Introduction
2. Events leading up to Administration
3. Statement of affairs and statutory information
4. Prescribed part
5. Achieving the purpose of the Administration
6. Management of Company's affairs since the Joint Administrators' appointment
7. EC Regulations on Insolvency Proceedings
8. Joint Administrators' remuneration
9. Possible outcomes for the Company and creditors
10. Statement of proposals under Paragraph 49 of Schedule B1 of the Insolvency Act 1986
11. Creditors Meeting
12. Other Matters

APPENDICES

1. Statutory information and Form 2.17B
2. Statement of Affairs at 17 July 2009 and schedule of creditors
3. Summary of Receipts & Payments
4. Summary of time costs and RSM Bentley Jennison & Co LLP Remuneration and Disbursement Policy
5. The Joint Administrators Proposals
6. Proof of Debt Form, Creditors Questionnaire and Form 2.21B

1. INTRODUCTION

- 1.1 This report is addressed to the creditors of Torbay Hotels Limited ("the Company") and incorporates the Joint Administrators' proposals.
- 1.2 Creditors may approve the proposals with or without modifications subject to the Joint Administrators' agreement to any such modifications. If the creditors reject the Joint Administrators' proposals a report will be sent to High Court of Justice confirming that the creditors have rejected the proposals. The Court may then discharge the Administration and make consequential directions. Alternatively, it may adjourn the hearing or make some other Order as it thinks fit.
- 1.3 If the Joint Administrators' proposals are agreed by the secured and preferential creditors the Joint Administrators will continue to control the business of the Company to the extent that it has not been sold. The Joint Administrators would at some later date arrange for the Company to exit from the Administration, as agreed by the creditors. Based on information presently available and the current situation the Joint Administrators' proposal is that the Company will move from Administration to Creditors' Voluntary Liquidation ("CVL") or should there be insufficient funds available for a dividend to be paid to the unsecured creditors the Company may be dissolved once the Administration is complete.
- 1.4 The Company's principal business interest is that of operating an hotel.
- 1.5 Statutory information on the Company and Form 2.17B are attached at Appendix 1.
- 1.6 The Company was incorporated on 7 March 2003 as Lincombe Hall Hotel and trades from Lincombe Hall Hotel, Meadfoot Road, Torquay, TQ1 2JX.

2. EVENTS LEADING UP TO THE APPOINTMENT OF THE JOINT ADMINISTRATORS

- 2.1 The failure of the business was attributed by the Director to the downturn in the economy and two other nearby hotels starting to directly compete in the same market.
- 2.2 The business was experiencing pressure from creditors and was at risk of enforcement action which could have resulted in a large number of items being removed from the hotel, leaving it unable to trade.
- 2.3 Abbey National PLC ('Abbey') submitted an Administration application on 1 July 2009.

3. STATEMENT OF AFFAIRS AND STATUTORY INFORMATION

- 3.1 I attach at Appendix 2 to this report a copy of the Statement of Affairs of the Company prepared by the Director, as of the date of Administration. The Joint Administrators have reviewed the Statement of Affairs but have not carried out any audit or detailed verification work on this document.

- 3.2 The Director's statement of affairs estimates the realisable value of the property to be £1.7million. My agents have advised me that due to the current condition of the building it is highly unlikely to achieve this value. There is likely to be a substantial shortfall to the fixed charge creditor.
- 3.3 I have instructed agents to prepare an inventory and valuation of the furniture, fixtures and equipment within the property. Title of these items is currently under review and I will comment further once I have concluded further investigations.

4. PRESCRIBED PART

- 4.1 Under the provisions of Section 176A of the Insolvency Act 1986 the Joint Administrators must state the amount of funds available to unsecured creditors in respect of the prescribed part. This provision only applies where the company has granted a floating charge to a creditor after 15 September 2003.
- 4.2 A floating charge was granted in favour of Abbey National Plc on 15 June 2005. The prescribed part would therefore ordinarily apply.
- 4.3 Based on current information and realisations to date we consider that there will be a deficit to Abbey National Plc under its fixed charge, and therefore the prescribed part may apply. At present it is unclear whether the Company's net assets available under the floating charge will be in excess of £10,000, the minimum sum required for the prescribed part to apply.

5. ACHIEVING THE PURPOSE OF THE ADMINISTRATION

- 5.1 The statutory purposes of an administration consist of three hierarchical objectives:
- (a) The first objective is rescuing the Company as a going concern;
 - (b) With regard to the second objective of achieving a better result for the Company's creditors as a whole than would be likely if the Company were wound up (without first being in administration), the position is that the sale likely of the business will result in greater realisations than would have been achieved on a forced sale basis; or
 - (c) The final objective is realising property in order to make a distribution to one or more secured or preferential creditors. I can advise that the prospective sale of business and assets should result in secured creditors being repaid in full. Should a sale not be achieved, Administration will result in increased realisations compared to those that would have been achieved if the Company had been wound up.
- 5.2 In summary, should the sale of business as a going concern be concluded, objective 2) will be achieved, failing which objective 3) will be pursued.

6. MANAGEMENT OF THE COMPANY'S AFFAIRS SINCE THE JOINT ADMINISTRATORS' APPOINTMENT

6.1 Initial actions

6.1.1 I attended site on the date of my appointment with a member of my staff and my agent Asset Manager Solutions Limited 'AMS'. We reviewed the situation of the business and a decision was taken to continue trading the business in its entirety with a view to undertaking an immediate marketing exercise to sell the business and assets as a going concern.

6.1.2 The Director, Mr W James and the Hotel Manager Ms M Lungley were made redundant on 1 July 2009.

6.2 Assets

6.2.1 To date I have received one offer for the business and assets of the company which my property agent Colliers Robert Barry has recommended for acceptance. This offer is being pursued and other interested parties are being contacted.

6.2.2 The book debt ledger at appointment was £6,500. To date our agents have received £2,500 which is not reflected in the Receipts and Payments account attached at Appendix 3. I am continuing to collect the outstanding amounts.

6.3 Trading during the Administration

6.3.1 The hotel has continues to trade as normal under the operation of my agent, AMS. A summary of the trading receipts and payments for July 2009 is attached at Appendix 3. As certain costs have not yet been paid this position is subject to change.

6.3.2 On the date of the appointment the hotel was fully booked and I have continued to take bookings.

6.3.3 As a result of the Administration one of the booking agents for the business removed the hotel from its listings. This has now been resolved, the hotel has been relisted and bookings have increased.

6.3.4 Since the hotel is worth more as a going concern, Abbey was willing to fund continued trading during Administration.

6.4 Creditors' Claims

6.4.1 No agreement of creditor claims has been undertaken to date. The list of creditors attached to the Statement of Affairs has been provided by the Director in accordance with the Company records.

6.4.2 A dividend to preferential and unsecured creditors may be paid in due course, although this will be dependant upon the level of realisations achieved from the sale of floating charge assets, as discussed above.

7. EC REGULATIONS ON INSOLVENCY PROCEEDINGS

I am required under the Insolvency Rules 1986 to state whether, and if so to what extent, the above regulations will apply in respect of this administration. In this particular case the EC Regulation will apply in respect of this administration and these proceedings will be the main proceedings as provided by Article 3 of the aforesaid Regulation.

8. JOINT ADMINISTRATORS' REMUNERATION

In accordance with Rule 2.106 of the Insolvency (Amendment) Rules 2003, it is proposed that the basis upon which the Joint Administrators' remuneration should be fixed, is by reference to the time properly spent by themselves and their staff in attending to matters arising in the Administration.

The Joint Administrators' will be seeking the approval of the secured and preferential creditors in respect of their remuneration pursuant to Rule 2.106(9) of the Insolvency Rules 1986.

The Joint Administrators' time costs for the period 1 July 2009 up to and including 25 August 2009 totals £14,376.19. A schedule of these time costs and a detailed explanation is set out in Appendix 4, along with our Remuneration and Disbursement Policy.

For your information, a Creditors Guide to Administrators' fees can be found on the following website: <http://www.insolvency-practitioners.org.uk/uploads/Admin.pdf>

9. POSSIBLE OUTCOMES FOR THE COMPANY AND CREDITORS

The Insolvency Act 1986 and Insolvency Rules 1986 provide a variety of options regarding the possible exit routes for the company from the Administration, being primarily a Company Voluntary Arrangement, Liquidation or dissolution of the Company. It is the Joint Administrators' recommendation and proposal, as detailed below, that once realisations are sufficiently completed the Company should move from Administration to CVL or dissolution. Should the CVL route be taken it is proposed that Simon Thomas and I be appointed Joint Liquidators. Creditors may nominate a different person as the proposed liquidator provided that the nomination is made after the receipt of the proposals and before the proposals are approved.

10. STATEMENT OF PROPOSALS UNDER PARAGRAPH 49 OF SCHEDULE B1 OF THE INSOLVENCY ACT 1986

In accordance with Paragraph 49 of Schedule B1 of the Insolvency Act 1986 the Joint Administrators make the proposals, attached at Appendix 5, for achieving the purpose of the Administration. Approval of these proposals will be considered by the preferential and secured creditors via a postal vote.

11. CREDITORS' MEETING

The Joint Administrators do not propose to call a meeting of creditors to consider their proposals, as there will be insufficient assets to enable a distribution to unsecured creditors.

Under Paragraph 52 of Schedule B1 of the Insolvency Act 1986, if at least 10% of the creditors of the company by value require me to call a meeting they must notify me using Form 2.21B within 12 days from the date of this report. Form 2.21B is attached at Appendix 5 for this purpose.

Please note that before such a meeting can be held I will require a deposit towards the cost of convening the meeting. Such a deposit may be repaid subject to the approval of the other creditors. Where no creditors' meeting is held to consider the Joint Administrators' proposals, the proposals will be deemed to be passed.

Creditors are invited to submit details of their claims to this office using the Proof of Debt Form attached at Appendix 6.

12. OTHER MATTERS

If any creditor has any information concerning the Company's affairs that they would like to bring to my attention, then I should be pleased to hear from them. A creditor's questionnaire is enclosed for this purpose at Appendix 6.

Dated: 26 August 2009



.....
Fred Satow
Joint Administrator

TORBAY HOTELS LIMITED TORBAY HOTELS LIMITED - IN ADMINISTRATION

STATUTORY INFORMATION

Registered Number 4690061

Date of Incorporation 7 March 2003

Registered Office

Current:

45 Moorfields
London
EC2Y 9AE

Formerly:

Lincombe Hall
Meadfoot Hall Hotel
Torquay
TQ1 2JX

Director(s) William James

Company Secretary Eveline James

Nominal Share Capital

Registered Shareholders	William James	333 - Ordinary 10p shares held
	Eveline James	333 - Ordinary 10p shares held

Financial Information

Details of the Company's trading results are not available as the Company had a small company exemption for filing of accounts at Companies House.

Fixed Assets	2008 £'000	2007 £'000
Intangible Assets	502	536
Tangible Assets	1,380	1,395
Current Assets		
Stocks	15	15
Debtors	74	41
Cash at Bank and in Hand	5	4
Creditors Falling due within one Year	(285)	(223)
Net Assets	76	166

2.17B

The Insolvency Act 1986

Statement of administrator's proposals

Name of Company Torbay Hotels Limited	Company number 4690061
In the High Court of Justice (full name of court)	Court case number 15857/2009

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

I/We (a)
Simon Thomas
RSM Bentley Jennison & Co LLP
45 Moorfields
London
EC2Y 9AE

Fred Satow
RSM Bentley Jennison & Co LLP
45 Moorfields
London
EC2Y 9AE

*Delete as
applicable

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

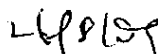
A copy of these proposals was sent to all known creditors on

(b) 26 August 2009

Signed


Joint Administrator(s)

Dated


26/8/09

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

Simon Thomas
RSM Bentley Jennison & Co
45 Moorfields
London
EC2Y 9AE

DX Number

0207 920 3200
DX Exchange

Companies House receipt date barcode

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

Statement of affairs

Name of Company

Torbay Hotels Limited

Company number

4690061

In the High Court of Justice

Court case number

15857 of 2009

(a) Insert name and
address of registered
office of the company

Statement as to the affairs of (a) Torbay Hotels Limited , Lincombe Hall Hotel ,
Meadfoot Road, Torquay, TQ1 2JX

(b) Insert date


on the (b) 1 July 2009, 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) 1 July 2009 the date that the company entered administration.

Full name WILLIAM OLIVER JAMES

Signed



Dated

17-7-09

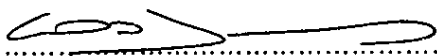
Assets	Book Value £	Estimated to Realise £
Assets subject to fixed charge:		
Freehold Property/Goodwill	1,883,209	1,700,000
<u>Less Abbey Mortgage</u>	<u>-1,650,000</u>	<u>-1,650,000</u>
	233,209	<u>50,000</u>
Assets subject to floating charge;		
Fixtures & Fittings		25,000
<u>Less Armada Finance</u>		<u>-65,000</u>
		<u>-40,000</u>
Debtors	24,000	0
Uncharged assets:		
Estimated total assets available for preferential creditors	<u>257,209</u>	<u>50,000</u>

Signature

Date 11-7-05

A1 - Summary of Liabilities

	Estimated to Realise £
Estimated total assets available for preferential creditors (carried from page A)	50,000
Liabilities	
Preferential creditors:-	
Employees Arrears of Wages/Holiday Pay	<u>-7,825</u>
Estimated deficiency/surplus as regards preferential creditors	42,175
Estimated prescribed part of net property where applicable (to carry forward)	<u>0</u>
Estimated total assets available for floating charge holders	42,175
Debts secured by floating charges	<u>0</u>
Estimated surplus of assets after floating charges	<u>42,175</u>
Estimated prescribed part of net property where applicable (brought down)	0
Surplus of Assets after Floating Charges brought down	<u>42,175</u>
Total assets available to unsecured creditors	42,175
Unsecured non-preferential claims (excluding any shortfall to floating charge holders)	
Trade & Expense - as per schedule	-333,631
Armada Finance Shortfall	-40,000
Employees Redundancy & Pay in Lieu	<u>-39,150</u>
Estimated deficiency as regards non-preferential creditors	-370,606
Issued and called up capital	<u>-67</u>
Estimated total deficiency as regards members	<u>-370,673</u>

Signed 

Date 17-7-09

**Torbay Hotels Limited
B - Company Creditors**

Note: You must include all creditors and identify all creditors under hire-purchase, chattel leasing or conditional sale agreements *and* customers claiming amounts paid in advance of the supply of goods or services *and* creditors claiming retention of title over property in the company's possession.

[illegible]

Signature [Signature] Date 17-7-09

TORBAY HOTELS LIMITED

SCHEDULE OF CREDITORS

Creditor Name	Address	Amount
3663	Black Moss Lane Scarisbrick Omskirk L40 9RW	11730.85
AA Hotel Services Accounts	Fanum House Basingstoke RG21 4EA	458.27
B & P Buswell Limited	Compton Barn Compton Marlton Paignton TQ3 1TA	1586.92
Bay News	76 Belgrave Road Torquay TQ2 5HY	545.33
Bbartlett Refrigeration	280 Torquay Road Paignton TQ3 2EU	257.81
BCG (Retail) Limited	95 St Marychurch Road Torquay TQ1 3HL	39.10
BOSS	57 Palace Avenue Paignton TQ3 3EN	343.06
British Lead Mills	c/o HRJ Law LLP 7/8 Portmill Lane Hitchin SQ5 1AS	11351.96
C & S Warren Limited	Upcott Farm Bicknoller Taunton TA4 4EY	7276.01
Chemex	Springfield Exeter Road Ivybridge PL21 0DN	132.45
Choice Inks	57d Queen Street Newton Abbot TQ12 2AU	140.02
Chris Baker	Glenmoor Nut Bush Lane Torquay	25.00
Coffee Works Limited	5 Cofton Road Marsh Barton Exeter EX2 8QW	540.26
Combined Linen Service	Kingskerswell Road Newton Abbot TQ12 5JU	1861.96
Dairy Crest Limited	Parkfield Road Torquay TQ1 4BH	1569.03
Dart Fire Protection	Plymouth Road Totnes TQ9 5PH	111.56
Data Basis	Penmorvah Manor Falmouth TR11 5ED	292.10
David Connelly Plumbing	50 Sherwell Hill Torquay TQ2 6LS	114.00
Decorating Supplies	Woodland Close Torquay TQ2 7BD	23.91
Draincare	12 Norman Road Paignton TQ3 2BE	161.00
EDF Energy 1 Limited	Gadeon House Exeter EX1 3UT	6528.41
Hewett Electrical Supplies Limited	Woodlands Business Park Woodlands Road Torquay TQ2 7AT	111.95
HM Revenue & Customs (PAYE)	Durrington Bridge House Barrington Road Worthing BN12 4SE	64109.46
HM Revenue & Customs (VAT)	Durrington Bridge House Barrington Road Worthing BN12 4SE	106121.11
Hobart UK	51 The Bourne Southgate London N14 6RT	196.36
HSBC Bank Plc		42883.99
J & A Gibbons	Unit 4 Exhibition Way Pinhoe Exeter EX4 8HX	156.42
Jefferys Energy Limited	Station Yard St Johns Lane Bovey Tracey TQ13 9AL	129.40
Kingfisher (Brixham) Limited	Unit 4-5 Torbay Business Park Woodview Road Paignton TQ4 7HP	484.97
Komet Karpets	Kingsteignton Trading Estate Newton Abbot TQ12 3BN	293.50
Matthew Clark Wholesale	Whitchurch Lane Bristol BS14 0JZ	2681.51
Merchant Cash Express Limited	20 Mortlake High Street London SW14 8JN	15914.20

Milne Friend & Partners	Renslade House Bonhay Road Exeter EX4 3AY	3710.63
Mrs S J Nuttall	33 Barcombe Heights Paignton TQ3 1PU	800.00
Oil Master (DDC) Limited	King Charles Business Park Old Newton Road Bovey Tracey TQ12 6UT	297.80
PCS Torbay Limited (In Liquidation)	J P Associates PO Box No 57 Market Harborough Leicestershire LE16 7ZJ	1369.60
Phoenix SW Catering Supplies	147 St Marychurch Road Torquay TQ1 3HW	1222.50
PIRA	9 The White House 40-42 The Terrace Torquay TQ1 1DE	330.47
PJ & SB Vinnicombe Limited (The Wine Merchants)	RBS Invoice Finance Limited c/o Johnsons Solicitors, Citygate Bus. Ctre Southampton Street Reading RG1 2QW	6117.19
Pro-Electric Limited	Ponderosa Colborne Avenue Illogan Redruth TR16 4EB	258.75
Sage UK Limited	Worthing	333.50
Sedgemoor Drinks	Unit 25 Blake Mill Business Park Colley Lane Bridgwater TA6 5LT	1184.31
Shell Gas Direct Limited	1-3 Strand London WC2N 5EJ	19715.12
Sooty the Sweep	Holywell Combeinteignhead TQ12 4RE	25.00
South West Water	PO Box 4762 Worthing BN11 9NT	14665.67
Staples	PO Box 720 Camberley GU15 3WT	55.25
Steers The Greengrocers	International House Heathfield Industrial Estate Newton Abbot TQ12 6RY	2483.60
The Flower Corner	45 Ilsham Road Torquay TQ1 2JG	45.00
Torbay Council	Town Hall Castle Circus Torquay TQ1 3DS	2050.25
Torbay Hotel Buying Consortium	Torquay	374.75
Viking Direct	PO Box 279 Leicester LE3 1YU	118.34
Viridor	Great Western House Station Approach Taunton TA1 1QW	301.19
		<u>£333,630.80</u>

Torbay Hotels Limited

Name of Shareholder	Address (with postcode)	No. of shares held	Nominal Value	Details of Shares held
WILLIAM OLIVER JAMES	42 KILMOREAC LISHAM MARINE DRIVE TORQUAY TA1 2HU	333	£33.30	£0.10 ORDINARY
EUGENE MARGEC JAMES	S BISHOPSTOWN ALMONDSBURY BRISTOL BS32 4HN	333	£33.30	£0.10 ORDINARY
	TOTALS	666	£66.60	

Signature _____ Date 17-7-09

Appendix 3

Summary of Receipts & Payments

The amount available to be paid to unsecured creditors by virtue of section 176A (prescribed part) is unclear at this stage.

**Torbay Hotels Limited
(In Administration)**

**Summary of Receipts & Payments
01 July 2009 to 25 August 2009**

RECEIPTS	Total (£)
Sales	67,292.00
	<hr/>
	67,292.00
	<hr/>
PAYMENTS	
Direct Labour	24,573.00
Direct Expenses	10,175.00
Rates	1,660.00
Insurance	415.00
Bank Charges	225.00
	<hr/>
	37,048.00
Balance In Hand	30,244.00
	<hr/>
	67,292.00
	<hr/>

Appendix 4

Summary of time costs and RSM Bentley Jennison & Co LLP Remuneration and Disbursement Policy

**TORBAY HOTELS LIMITED
IN ADMINISTRATION**

TIME & CHARGEOUT SUMMARIES
1 July 2009 to 25 August 2009

Classification of Work Function	Partner	Manager	Assistant Manager	Senior Administrator	Administrator	Cashier	Total Hours	Time Cost £	Average Hourly Rate £
Administration and planning	9.00	6.92	0.00	0.00	35.67	1.25	52.83	£11,724.52	£221.92
Realisation of Assets	0.00	1.17	0.00	0.00	1.50	0.00	2.67	£592.50	£222.19
Creditors	1.00	0.42	0.00	0.00	4.25	0.00	5.67	£1,399.17	£246.91
Investigations / Comms	0.00	0.00	0.00	0.00	0.00	0.00	0.00	£0.00	£0.00
Trading	1.25	0.42	0.00	0.00	0.00	0.00	1.67	£660.00	£396.00
Other	0.00	0.00	0.00	0.00	0.00	0.00	0.00	£0.00	£0.00
Total Hours	11.25	8.92	0.00	0.00	41.42	1.25	62.83	£14,376.19	£228.80

RSM Bentley Jennison & Co. LLP Remuneration and Disbursements Policy

In accordance with best practice I provide below details of policies of RSM Bentley Jennison & Co LLP, in respect of fees and disbursements for work in relation to the above insolvency.

The current charge out rates per hour of staff within the firm who may be involved in working on the insolvency follows: this in no way implies that staff at all such grades will work on the case.

GRADE

	£
Partner	420
Senior Manager	310
Manager	275-300
Assistant Manager	225
Senior Administrator	180
Administrator	125-165
Cashier	125

The rates charged by RSM Bentley Jennison & Co LLP, 45 Moorfields, London, EC2Y 9AE are reviewed periodically in January & July each year and are adjusted to take account of inflation and the firm's overheads.

Time spent on casework is recorded directly to the relevant case using a computerised time recording system and the nature of the work undertaken is recorded at that time. Units of time can be as small as 5 minutes.

Where an officeholder's remuneration is approved on a time cost basis the time invoiced to the case will be subject to VAT at the prevailing rate.

Where remuneration has been approved on a time cost basis the time invoiced will be provided to any committee appointed by the creditors or in the absence of a committee to the creditors. The report will provide a breakdown of the remuneration drawn and will enable the recipients to see the average rates of such costs.

OTHER COSTS

Where expenses are incurred in respect of the insolvent estate they will be recharged. Such expenses can be divided into two categories.

Category 1

This heading covers expenses where RSM Bentley Jennison & Co LLP has met a specific cost in respect of the insolvent estate where payment has been made to a third party. Such expenses may include items such as advertising, travel (by public transport), couriers, searches at company house, land registry searches, fees in respecting swearing legal documents, external printing costs etc. In each case the recharge will be reimbursement of a specific expense incurred.

A further disbursement under this heading is the cost of travel where staff use their own vehicles or company cars in travelling connected with the insolvency. In these cases a charge of 40p per mile is raised which is in line with the Inland Revenue

Approved Mileage Rates (median – less than 10,000 miles per annum) which is the amount the firm pays to staff.

Where applicable, disbursements will be subject to VAT at the prevailing rate.

Category 2

Allocated disbursements

It is proposed that the following allocated expenses of administering the case be charged:-

- Company searches. Searches are obtained by the firm's company secretarial department and are charged at the cost of the search plus an administration charge, which is currently 25% of cost, subject to a minimum administration charge of £5.00.
- Meeting room charge for statutory meetings, charged at £100 per meeting summoned.
- Document storage - £25.70 per box
- Mileage allowances are paid at Inland Revenue approved rates. For personnel using their own vehicles these are currently 40p per mile for the first 10,000 miles and 25p per mile thereafter.
- Stationery and postage charge for sending out circulars - £35.00 for the first 25 creditors and £20.00 for the next ten creditors or part thereof.

It should be noted that disbursement costs might increase from time to time, however, increases would only be in line with inflation or increases from our suppliers.

PROOF OF DEBT - GENERAL FORM

**In the matter of Torbay Hotels Limited
In Administration
and in the matter of The Insolvency Act 1986**

Appointment Date: 1 July 2009

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	
	Date:	

CREDITORS QUESTIONNAIRE
INVESTIGATION INTO THE AFFAIRS OF
TORBAY HOTELS LIMITED
IN ADMINISTRATION

Creditor's name and address	
1	Estimated Claim
2	If the estimated claim exceeds the credit limit, on what basis or terms was the additional credit allowed?
3	Please provide details of any comfort, security or assurance given to you to allow continuance of credit.
4	When were you first aware that there were difficulties in getting payment and what was the evidence of this? e.g. extended credit, lump sum payments, dishonoured cheques.

5	Please provide details of any cheques which were dishonoured, including dates and amounts.
6	Please provide details, including dates, of any writs, summons, decrees or other legal action you took to recover your debt.
7	Are there any particular matters you feel should be reviewed? If so, please provide brief details.
Name	
Signature	
Position	
Date	

Should there be insufficient space on this form, please use a separate piece of paper clearly indicating which question the continuation sheet refers to

Rule 2.37

Creditor's request for a meeting

Name of Company

Torbay Hotels Limited

Company number

4690061

In the
High Court of Justice

(full name of court)

Court case number
15857/2009(a) Insert full name and
address of the creditor
making the request

I (a)

(b) Insert full name and
address of registered
office of the companyrequest a meeting of the creditors of (b)
Torbay Hotels LimitedC/o RSM Bentley Jennison & CO LLP
45 Moorfields
London
EC2Y 9AE

(c) Insert amount of claim

My claim in the administration is (c)

(d) Insert full name(s) and
address(es) of creditors
concurring with the
request (if any) and their
claims in the
administration if the
requesting creditor's
claim
is below the required 10%

(d)

concur with the above request, and I attach copies of their written confirmation of
concurrence.(e) Insert details of the
purpose of the meeting

The purpose of the meeting is (e)

Signed

Dated

The Joint Administrators propose the following:

1. The Joint Administrators continue the Administration to deal with such outstanding matters in relation to the Company as the Joint Administrators consider necessary until such time as the Administration ceases to have effect.
2. The Joint Administrators do all such other things and generally exercise all of their powers as contained in Schedule 1 of the Insolvency Act 1986, as they, in their sole and absolute discretion consider desirable or expedient in order to achieve the purpose of the Administration.
3. When it is anticipated that no better realisations will be made in the Administration than would be available in a winding up, to take the necessary steps to put the Company into either Creditors' Voluntary Liquidation, Company Voluntary Arrangement or into compulsory liquidation as deemed appropriate by the Joint Administrators. Simon Thomas and Frederick Satow would be appointed as Joint Liquidators.
4. In accordance with Paragraph 83(7) of Schedule B1 of the Insolvency act 1986 and Rule 2.117(3) creditors may nominate a different person as the proposed liquidator, provided the nomination is received at this office prior to the approval of the revised proposals. In the absence of such nomination, the Joint Administrators will be appointed joint liquidators.
5. In the event that the Joint Administrators form the view that the exit options identified in proposal 3 above is inappropriate, then, in due course, they take the necessary steps to give notice to the Registrar of Companies to dissolve the Company.
6. That the Joint Administrators be discharged from all liability pursuant to paragraph 98 of Schedule B1 to the Insolvency Act 1986, upon filing the end of the Administration.
7. That the Joint Administrators' remuneration be fixed by reference to the time properly spent by them and their staff in attending to matters arising in the administration.
8. That the Joint Administrators be authorised to draw their firm's internal costs and expenses in dealing with the administration ("Category 2 Disbursements"), if any.