In accordance with
• Rule 18.6 of the Insolvency (England & Wales) Rules 2016.

AM10
Notice of administrator's progress report

Companies House

WEDNESDAY

A709XOS2
A26 21/02/2018 #183
COMPANIES HOUSE

1 Company details

Company number	0 5 6 3 6 1 4 9
Company name in full	Amos Commercial Limited

→ **Filling in this form**
Please complete in typescript or in bold black capitals.

2 Administrator's name

Full forename(s)	Paul
Surname	Boyle

3 Administrator's address

Building name/number	102 Sunlight House
Street	Quay Street
Post town	Manchester
County/Region	
Postcode	M 3 3 J Z
Country	

4 Administrator's name ●

Full forename(s)	David
Surname	Clements

● **Other administrator**
Use this section to tell us about another administrator.

5 Administrator's address ●

Building name/number	102 Sunlight House
Street	Quay Street
Post town	Manchester
County/Region	
Postcode	M 3 3 J Z
Country	

● **Other administrator**
Use this section to tell us about another administrator.

6 Period of progress report

From date	d 3 d 1	m 0 m 7	y 2 y 0 y 1 y 7
To date	d 3 d 0	m 0 m 1	y 2 y 0 y 1 y 8

7 Progress report

☑ I attach a copy of the progress report

8 Sign and date

Administrator's signature	Signature X		X
Signature date	d 2 d 0	m 0 m 2	y 2 y 0 y 1 y 8

AM10

Notice of administrator's progress report

Presenter information

You do not have to give any contact information, but if you do it will help Companies House if there is a query on the form. The contact information you give will be visible to searchers of the public record.

Contact name	Julian Moules
Company name	Harrisons Business Recovery and Insolvency Limited
Address	102 Sunlight House
	Quay Street
Post town	Manchester
County/Region	
Postcode	M 3 3 J Z
Country	
DX	
Telephone	0161 876 4567

Checklist

We may return forms completed incorrectly or with information missing.

Please make sure you have remembered the following:

- ☐ The company name and number match the information held on the public Register.
- ☐ You have attached the required documents.
- ☐ You have signed the form.

Important information

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

Where to send

You may send this form to any Companies House address, however for expediency we advise you to return it to the address below:

The Registrar of Companies, Companies House,
Crown Way, Cardiff, Wales, CF14 3UZ.
DX 33050 Cardiff.

Further information

For further information please see the guidance notes on the website at www.gov.uk/companieshouse or email enquiries@companieshouse.gov.uk

This form is available in an alternative format. Please visit the forms page on the website at www.gov.uk/companieshouse

Amos Commercial Limited
- *In Administration*

Joint Administrators' Progress Report
for the period from 31 July 2017 to 30 January 2018

30 January 2018

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APPENDICES

A Receipts and Payments Account for the period from 31 July 2017 to 30 January 2018

B Cumulative Receipts and Payments Account for the period from 24 March 2015 to 30 January 2018

C Time Analysis for the period from 31 July 2017 to 30 January 2018

D Cumulative Time Analysis for the period from 24 March 2015 to 30 January 2018

E Additional Information in Relation to the Joint Administrators' Fees, Expenses and Disbursements

F Form AM10

1 Introduction

1.1 I, Paul Boyle, together with my partner David Clements, was appointed Joint Administrator of Amos Commercial Limited ('the Company') on 24 March 2015. The appointment was made by Sterling Property Developments Limited ('Sterling') of 26 Alma Square, London NW8 9PY.

1.2 This Administration is being handled by Harrisons Business Recovery and Insolvency Limited at 102 Sunlight House, Quay Street, Manchester M3 3JZ. The Joint Administrators' contact details are by telephone on 0161 876 4567 or via e-mail at Manchester@harrisons.uk.com . The Administration is registered in the High Court of Justice, Chancery Division, Leeds District Registry under reference number 275 of 2015.

1.3 The trading address of the Company was Alexandra House, Queen Street, Leek, Staffordshire ST13 6LP.

1.4 The registered office of the Company has been changed to 102 Sunlight House, Quay Street, Manchester M3 3JZ and its registered number is 05636149.

1.5 As Joint Administrator, I am required to provide a progress report covering the period of six months commencing from the date the Company entered Administration and every subsequent period of six months. This progress report covers the period from 31 July 2017 to 30 January 2018 ('the Period').

This progress report should be read in conjunction with my earlier proposals report and the previous progress reports which have been issued.

2 Progress of the Administration

2.1 You may recall that the statutory objective being pursued in the Administration in accordance with Paragraph 3(1)(c) of Schedule B1 of the Insolvency Act 1986 was to realise property to make a distribution to one or more secured or preferential creditor. In addition to the pursuance of this statutory objective, the Joint Administrators have duties imposed by insolvency and other legislation, some of which may not provide any financial benefit to creditors.

2.2 This section of the report provides creditors with an update on the progress made in the period from 31 July 2017 to 30 January 2018, both in terms of the achievement of the statutory objective, but also work which is required of the Joint Administrators under other related legislation.

2.3 At Appendix A is my Receipts and Payments Account covering the period of this report from 31 July 2017 to 30 January 2018. Attached at Appendix B is a cumulative Receipts and Payments Account from the date of my appointment as Joint Administrator on 24 March 2015 to 30 January 2018.

2.4 At Appendix C is a Time Analysis outlining the time spent by the Joint Administrators and their staff during the period of this report from 31 July 2017 to 30 January 2018. Attached at Appendix D is a cumulative Time Analysis from the date of my appointment as Joint Administrator on 24 March 2015 to 30 January 2018.

2.5 Further information about the basis of remuneration agreed in this case can be found in section 5 of this report.

Administration (including statutory compliance and reporting)

2.6 As noted above, the Joint Administrators must comply with certain statutory obligations under the Insolvency Act 1986 and other related legislation. This work includes dealing with the Company's creditors and employees together with administrative tasks associated with the appointment, such as agreeing the strategy for the Administration, filing notices of appointment, statutory advertising, opening and maintaining the estate cash book and bank accounts and reporting periodically to creditors, HMRC and the Registrar of Companies.

2.7 Creditors should note that this work will not necessarily bring any financial benefit to creditors, but is required on every case by statute.

Realisation of Assets

2.8 As previously reported, all properties owned by the Company are subject to the mortgage debenture of Sterling Property Developments Limited ('Sterling') which had the sum of £5177167.01 outstanding as at 23 March 2015, immediately prior to the appointment of the Joint Administrators.

2.9 Asset Realisations – Ramshorn Estate Holiday Lodges

As advised in previous progress reports, the property at Ramshorn Estate Holiday Lodges, the Woodlands, north side of Ramshorn Road, Ramshorn Common, Oakamoor, Stoke on Trent ST10 3BZ (Land Registry title numbers SF483138, SF272063 and SF574276) was professionally valued by Linda McPartland FNAEA MRICS, formerly of Winterhill Largo Property Limited, ('Winterhill'), property consultants and valuers, at the outset of the Administration with a total open market value of £1600000 and a total forced sale value of £1300000.

In accordance with professional advice and after obtaining the consent of chargeholder Sterling, the property was sold to associated company Ramshorn Investments Limited, company number 0996922, on 31 March 2016 for the sum of £1680000 including VAT.

2.10 Asset Realisations – Garden House, Tongue Lane, Buxton, Derbyshire SK17 7PA

As advised in previous progress reports, the property at Garden House, Tongue Lane, Buxton, Derbyshire SK17 7PA (Land Registry title numbers DY410695 and DY384646) had been valued by Winterhill at the outset of the Administration with an open market value of £500000 and a forced sale value of £400000 subject to the successful resolution of ongoing planning consent issues.

The property was subject to a first charge held by former owner Mrs Glynis Plant with the sum of approximately £160000 outstanding.

In accordance with professional advice, after obtaining the consent of chargeholder Sterling and after Mrs Plant had agreed to novate her charge, the property was sold to associated company Amos Homes (Buxton) Limited ('Buxton'), company number 09676617, on 13 July 2016 for the sum of £300000 which was paid to the administration estate.

2.11 Asset Realisations – Tissington Ford Barn Bradbourne Mill, Mill Lane, Bradbourne, Ashbourne, Derbyshire DE6 1NP

As advised in my previous progress reports, the property at Tissington Ford Barn, Bradbourne Mill, Mill Lane, Bradbourne, Ashbourne, Derbyshire DE6 1NP (Land Registry title numbers DY428237 and DY394922) had been valued by Winterhill at the outset of the Administration with an open market value of £400000 and a forced sale value of £375000.

In accordance with professional advice and after obtaining the consent of chargeholder Sterling, the property was sold to a Mr and Mrs Potter on 29 March 2016 for the sum of £390000.

2.12 Asset Realisations – Flat 2, 137 Park Road, Buxton, Derbyshire SK17 6NS

At the appointment of the Joint Administrators on 24 March 2015, the property at Flat 2, 137 Park Road, Buxton, Derbyshire SK17 6NS (Land Registry Title number DY404023) was being actively marketed with an asking price of £169950 although Winterhill considered that this was too high and that a more realistic market for the property would be the sum of £150000.

The property is currently being transferred to the 'hive down' company as outlined in sections 2.13 and 2.14 of this report below and creditors will be kept advised of developments in this regard in my next progress report.

2.13 Asset Realisations – St Mary's Mount and Birchwood, Ramshorn Road, Oakamoor, Stoke on Trent ST10 3BZ (Land Registry title numbers SF490143 and SF442075)

Winterhill valued these adjoining properties on 27 March 2015 with a total open market value of £400000 and a total forced sale value of £360000.

Although an offer of £400000 was accepted for both of these properties, the offer subsequently fell through as noted in my most recent progress report dated 22 September 2016.

In order to maximise realisations from these properties, the Joint Administrators have carried out a 'hive down' procedure whereby St Mary's Mount and Birchwood were transferred on 29 November 2016 for the full value of £360000 as listed above to a wholly–owned subsidiary company as an easier means of obtaining a sale in order to discharge principal chargeholder Sterling's liability. The subsidiary company, namely Amos Homes Commercial (Number 1) Limited, company number 10238728, was specifically incorporated for this purpose. The property is being actively marketed for sale. Creditors will be kept advised of developments in this regard in future progress reports in the Administration.

2.14 Asset Realisations – Valley View Barn, Bradbourne Mill, Mill Lane, Bradbourne, Ashbourne, Derbyshire DE6 1NP (Land Registry title number DY428223)

Winterhill valued this property on 27 March 2015 with an open market value of £750000 and a forced sale value of £725000 based on having full residential status.

In order to maximise realisations, the Joint Administrators have carried out a 'hive down' procedure for Valley View Barn as detailed in point 2.13 above. On 29 November 2016, Valley View Barn was transferred for the sum of £375000 reflecting its condition and the lack of full residential status to a wholly–owned subsidiary company as an easier means of obtaining a sale in order to discharge principal chargeholder Sterling's liability. The subsidiary company, namely Amos Homes Commercial (Number 1) Limited, company number 10238728, was specifically incorporated for this purpose. Creditors will be kept advised of developments at the property in future progress reports.

2.15 Asset Realisations – Land at Leek Road, Warslow, Staffordshire SK17 0JW (Land Registry title number SF560225)

This property comprises a development of six terraced houses, all of which have been completed. At the commencement of the administration, the property was subject to a restrictive S106 planning permission agreement necessitating sale to a Registered Social Landlord or Housing Association.

If the planning permission restrictions could be overcome, Winterhill valued this property in its then partially developed condition on 27 March 2015 with an open market value of £1200000 and a forced sale value of £1080000.

In order not to invalidate the amended planning consent, it has not been considered appropriate to carry out the 'hive down' procedure and transfer the properties to the hive down company Amos Homes Commercial (Number 1) Limited. Alternatively, John Kevin Farrell of Sterling, the chargeholder, was appointed Law of Property Act Receiver over these properties on 9 June 2017 as an organisational means of realising them.

As at the date of this report, the renovations to the properties have been completed and building certification has been granted to enable the properties to be sold. Four of the six properties have been sold for the total net sum of £656870.00 which has been distributed to SPD under the LPA Receivership.

The remaining two properties are being actively marketed and it is anticipated that sales may well be completed in early course. Creditors will be kept advised of developments with regard to all of these properties in my next progress report.

2.16 Holiday Lettings

As advised in previous progress reports, numerous future holiday bookings which had been arranged through holiday rental agent Sykes Cottages Limited ('Sykes') at the date of appointment were honoured in order to maximise realisations in the administration. The holiday agent released funds on a monthly basis and trading costs were met.

After Sykes cancelled all post-31 October 2015 bookings and withdrew from the letting agreement, the Joint Administrators expressed concerns about the final charges levied by Sykes and have instructed solicitors to investigate the validity of these deductions. The Joint Administrators' enquiries are ongoing in this regard and creditors will be advised of developments in future progress reports.

2.17 Rental Income from Flat 2, 137 Park Road, Buxton, Derbyshire SK17 6NS

The sum of £17000 plus VAT has been received in rental income from Flat 2, 137 Park Road, Buxton, Derbyshire SK17 6NS which is paid on a monthly basis.

2.18 Cash at Bank

At the date of appointment, the sum of £984.88 was held in the Company's bank account with Barclays Bank Plc and has been recovered for the benefit of creditors.

2.19 Other Assets

The sum of £99.81 has been received in bank interest on the monies held in the administration bank account and the sum of £1328.61 has been received from a business rates refund.

2.20 It is considered that the work the Joint Administrators and their staff have undertaken to date will bring a financial benefit to creditors. This may be a distribution to secured creditors of the Company only (from which a Prescribed Part fund may be derived for the benefit of unsecured creditors) or may, depending on realisations and the extent of any 3rd party security, result in a distribution to the preferential and unsecured creditors of the Company.

Creditors (claims and distributions)

2.21 Further information on the anticipated outcome for creditors in this case can be found at section 6 of this report. The Joint Administrators are not only required to deal with correspondence and claims from unsecured creditors (which may include retention of title claims), but also those of any secured and preferential creditors of the Company. This may involve separate reporting to any secured creditor and dealing with distributions from asset realisations caught under their security, most typically a debenture.

2.22 The above work will not necessarily bring any financial benefit to creditors generally, however the Joint Administrators are required by statute to undertake this work. Similarly, if a distribution is to be paid to any class of creditor, work will be required to agree those claims and process the dividend payments to each relevant class of creditor. The more creditors a company has, the more time and cost will be involved by the Joint Administrators in dealing with those claims.

Investigations

2.23 Some of the work the Joint Administrators are required to undertake is to comply with legislation such as the Company Directors' Disqualification Act 1986 (**CDDA 1986**) and Statement of Insolvency Practice 2 – Investigations by Office Holders in Administration and Insolvent Liquidations and may not necessarily bring any financial benefit to creditors, unless these investigations reveal potential asset recoveries that the Joint Administrators can pursue for the benefit of creditors.

2.24 My report on the conduct of the Directors of the Company to the Department for Business, Energy and Industrial Strategy under the CDDA 1986 was submitted during the first period of the Administration and is confidential.

2.25 Following our investigations and information received from chargeholder Sterling, there are a number of issues to explore further which may lead to additional recoveries as noted in the previous progress reports. The Joint Administrators are particularly concerned about the pre-appointment purchase and subsequent sale by the Company of two properties at The Drying Mill (HM Land Registry number DY430178) and The Water Mill (HM Land Registry number DY430177) at Bradbourne Mill, Bradbourne, Ashbourne, Derbyshire DE6 1NP. It is unclear whether the purchase and sales have been handled correctly and the net sales proceeds payable to the Company do not appear to have been allocated to the Company's bank account. The Joint Administrators' investigations into this matter are ongoing.

2.26 Additionally, as described in 2.16 above, the Joint Administrators are taking legal advice in respect of the holiday let income retained by Sykes in October 2015.

2.27 Since my last progress report, I would advise that no further potential asset realisations have come to light that may be pursued by me for the benefit of creditors other than those in sections 2.25 and 2.26 which have already been identified.

3. Extension of Administration

3.1 On 6 March 2017, an order at the High Court of Justice, Leeds District Registry, Chancery Division was made extending the term of the administration by a period of twelve months from the automatic end date of 23 March 2017 to 23 March 2018.

3.2 The Joint Administrators have instructed their solicitors to seek a further twelve-month extension to the term of the Administration in accordance with Paragraph 76(2)(b) of Schedule B1 of the Insolvency Act 1986 in order to deal with the investigation matters as outlined at Section 2.25 above.

4 Pre-administration Costs

4.1 The pre-administration costs were reported in my proposals dated 15 May 2015:

Company	Brief description of services provided	Total amount approved
Harrisons Business Recovery and Insolvency Limited	Advice on the financial position of the company and consideration of available options	3843.50
Walker Morris LLP	Legal advice with appointment application	3000.00

4.2 The payment of unpaid pre-administration costs set out above as an expense of the Administration is subject to the approval of the secured creditors to whom a full breakdown has been provided.

As the Joint Administrators estimate that the company has insufficient property to enable a distribution to be made to the unsecured creditors and there are no preferential creditors, fee approval has been obtained from the secured creditors in accordance with R2.67A, the relevant legislation at that time.

5 Joint Administrators' Remuneration

5.1 The Joint Administrators have sought approval for their remuneration by reference to the time properly spent by them and their staff in managing the Administration. As there are no preferential creditors and there is no prospect of distribution to unsecured creditors, the remuneration and disbursements of the Joint Administrators have been fixed by agreement with the secured creditors in accordance with R2.106 of the Insolvency Rules 1986 which was the relevant legislation at the time. The Joint Administrators have also obtained approval for any unpaid pre-administration costs detailed in this report and their discharge from liability in the same manner.

5.2 My time costs for the period from 31 July 2017 to 30 January 2018 are £9852.00. This represents 42.6 hours at an average rate of £231.27 per hour. Attached at Appendix C is a Time Analysis which provides details of the activity costs incurred by staff grade during this period in respect of the costs fixed by reference to time properly spent in managing the Administration. The largest element of this time in the sum of £7752.00 or the equivalent of 34.2 hours relates to general case administration including the issue of the previous progress report and the current Court application to extend the term of the Administration. The sum of £1875.00 or the equivalent of 7.5 hours relates to the ongoing property disposals as outlined in Section 2 above.

5.3 Attached at Appendix D is a cumulative Time Analysis for the period from 24 March 2015 to 30 January 2018 which provides details of my time costs since my appointment. The cumulative time costs incurred to date are £345842.00 and this represents 1219.4 hours at an average rate of £283.62 per hour.

It will be noted that a considerable amount of time in this Administration has been undertaken at director level due to the complexity of these proceedings, particularly in reporting on developments to Sterling Property Developments Limited, the appointing secured creditor.

A significant amount of time spent dealing with this matter is classified in the 'Administration and Planning' section of the Time Analysis attached at Appendix D.

This includes time spent dealing with the administration and setup of the case, general correspondence in the performance of Joint Administrators' duties and statutory reporting obligations such as the proposals dated 15 May 2015 drafted pursuant to Paragraph 49 of Schedule B1 of the Insolvency Act 1986 and the progress reports dated 22 October 2015, 3 March 2016, 22 September 2016, 30 January 2017 and 24 August 2017. This also includes the Joint Administrators' application to Court for an extension of the term of the Administration which was granted on 6 March 2017.

The largest amount of time has been spent in inspecting, reviewing and realising the property portfolio. Following the various offers to purchase the properties owned by the Company, there has been considerable time spent on negotiations, contract preparation and monitoring the progress of the prospective and actual sales.

This includes significant negotiations between the purchasers and Sterling in addition to liaising with our solicitors who have drafted comprehensive sales documentation both for sales which have completed and for those which have not been able to progress.

A substantial amount of time incurred by the Joint Administrators has been spent in continuing to trade the Company through the operation of the holiday lettings which had already been booked at the date of appointment, which has not been without difficulty.

This has involved liaising with both the holiday rental agent and Amos Leisure Limited, dealing with service suppliers and utility companies and reconciling the trading accounts.

Time has also been incurred in liaising with the unsecured creditors, compiling creditor claims information and in the ongoing investigations.

To date, £175000.00 plus disbursements of £8394.57 has been drawn on account.

5.4 It is difficult to estimate the future time costs for the remaining work to be done in this Administration given the investigation matters to be progressed as outlined above and what these would entail. I currently anticipate that a minimum of £15000.00 in further time costs is likely to be incurred in general administration and case closure. I will update creditors on this position in my next progress report once further work has been done on the investigations and legal advice has been obtained.

5.5 A copy of 'A Creditors' Guide to Administrators' Fees' is available on request or can be downloaded from http://harrisons.uk.com/creditors-guide-fees .

5.6 Attached at Appendix E is additional information in relation to the Joint Administrators' fees, expenses and disbursements, including where relevant, information on the use of subcontractors and professional advisers.

5.7 The following expenses have been incurred since my last progress report to creditors:

Supplier / Service Provider	Nature of expense incurred	Amount incurred in the period £	Paid to date £	Amount Outstanding £
Walker Morris LLP	Legal costs (relating to finalising 'hive down' procedure, Court application to extend the term of the Administration and ongoing advice regarding recovery of funds from the Directors and Sykes)	8000.00	-	8000.00
AUA Insolvency Risk Services Limited	Insurance premiums	183.57	183.57	-

6 Estimated Outcome for Creditors

6.1 Secured Creditors

Sterling Property Developments Limited ('Sterling') holds a fixed and floating charge over the Company's assets in addition to additional fixed charges over each of the Company's properties which had the sum of £5177167.01 outstanding as at 23 March 2015 immediately prior to the appointment of the Joint Administrators. The validity of the charge has been confirmed by the Joint Administrators' solicitors.

The sum of £1894284.28 has been distributed to Sterling from the administration under the terms of their fixed charge from the fixed charge realisations of the properties at Ramshorn Estate Holiday Lodges, Garden House Farm and Tissington Ford Barn as advised in the previous progress report dated 22 September 2016. Sterling also received the sum of £301715.72 against the secured charge in respect of a property realisation in the administration of associated company Amos Homes (Ashbourne) Limited, company number 06035197, of which David Clements and I are also Joint Administrators. Sterling's fixed and floating charge covers the assets of both Amos Commercial Limited and Amos Homes (Ashbourne) Limited by means of a cross-guarantee. As outlined at 2.15 above, the net sum of £656870.00 has been distributed directly to Sterling under the LPA Receivership from the sale of the four properties at Leek Road, Warlsow.

Mrs Glynis Plant holds a first fixed charge over the property and land at Garden House, Tongue Lane, Buxton, Derbyshire SK17 7PA (Land Registry title numbers DY410695 and DY384646) with the estimated sum of £160000 outstanding as noted at section 2.8 above. When this property was sold on 13 July 2016, Mrs Plant's fixed charge was novated with her consent and, accordingly, she agreed to forgo any distribution under her fixed charge from the sale proceeds. Mrs Plant is therefore no longer a secured creditor in the administration.

6.2 Preferential Creditors

There are no known preferential creditors.

6.3 Unsecured Creditors

I have received claims totalling £42519.39 from eleven unsecured creditors. As noted in previous progress reports, I have received only limited company information from directors Colin Amos and Dorothy Amos. I am therefore unable to estimate whether there are significant further claims still to be submitted in the administration.

A floating charge formerly held by Lloyds TSB Bank plc was formally assigned to Sterling Property Developments Limited on 11 October 2011 with the signed agreement of the directors of Amos Commercial Limited. Accordingly, I am required to create a fund out of the Company's net floating charge property for unsecured creditors known as the 'Prescribed Part'.

Based on present information, however, I do not consider that there will be any net property available after taking into account the costs of the proceedings, all assets being subject to fixed charges. For the avoidance of doubt, all properties are subject to the fixed charges of the secured creditors as detailed in section 6.1 above. Please be aware that the value of this fund may fluctuate during the course of the Administration and further updates will be provided in my progress reports in due course.

7 Ending the Administration

7.1 The proposals dated 15 May 2015 which were deemed approved on 27 May 2015 permitted the Joint Administrators to use the following exit routes when completing the administration :-

Dissolution of the Company

If the Joint Administrators think that the Company has no property which might permit a distribution to its unsecured creditors, it is proposed that they file a notice together with their final progress report at Court and with the Registrar of Companies for the dissolution of the Company. They will send copies of these documents to the Company and its creditors. The Joint Administrators' appointment will end following the registration of the notice by the Registrar of Companies.

Compulsory Liquidation

In order to enable legal proceedings under Sections 213 or 214 of the Insolvency Act 1986, if appropriate, the Joint Administrators will issue a petition to wind up the Company and seek the appointment as Joint Liquidators in the compulsory liquidation.

It is proposed that the Joint Liquidators will be authorised to act jointly and severally in the subsequent liquidation.

Creditors had the right to nominate alternative liquidators of their choice but no creditors made nominations in writing to the Joint Administrators prior to the proposals being approved. In the absence of any nominations, the Joint Administrators will seek permission of the Court to be appointed as Joint Liquidators of the subsequent compulsory liquidation if it is decided to pursue this exit route.

Creditors Voluntary Liquidation

If the Joint Administrators susequently consider that a dividend will be paid to the unsecured creditors over the amount of the prescribed part, the Joint Administrators will file a notice with the Registrar of Companies in order that the Administration will cease and the Company will move automatically into Creditors' Voluntary Liquidation ('CVL') to facilitate this distribution. It is proposed that the Joint Administrators will also become the Joint Liquidators of the CVL.

It is proposed that the Joint Liquidators will be authorised to act jointly and severally in the subsequent liquidation.

A decision has not yet been made regarding which particular exit route will be chosen and creditors shall be kept advised of developments in this regard.

The Joint Administrators will be discharged from liability under Paragraph 98(3) of Schedule B1 to the Insolvency Act 1986 immediately upon their appointment as Administrator ceasing to have effect.

8 Creditors' Rights

8.1 Within twenty-one days of the receipt of this report, a secured creditor, or an unsecured creditor (with the concurrence of at least five percent in value of the unsecured creditors) may request in writing that the Joint Administrators provide further information about their remuneration or expenses (other than pre-administration costs) which have been itemised in this progress report.

8.2 Any secured creditor, or an unsecured creditor (with the concurrence of at least ten percent in value of the unsecured creditors) may within eight weeks of receipt of this progress report make an application to court on the grounds that, in all the circumstances, the basis fixed for the Joint Administrators' remuneration is inappropriate and/or the remuneration charged or the expenses incurred by the Joint Administrators, as set out in this progress report, are excessive.

9 Next Report

9.1 The Joint Administrators are required to provide a progress report within one month of the end of the next six months of the Administration or earlier if the Administration has been finalised or they wish to extend it.

For and on behalf of
Amos Commercial Limited

Paul Boyle
Joint Administrator
20 February 2018

Appendix A

Receipts and Payments Account for the period from 31 July 2017 to 30 January 2018

Amos Commercial Limited
(In Administration)
Joint Administrators' Trading Account

Statement of Affairs £		From 31/07/2017 To 30/01/2018 £	From 24/03/2015 To 30/01/2018 £
	POST APPOINTMENT SALES		
	Holiday Let Income	NIL	211,570.55
	Recovered Funds from Amos Leisure L	15,054.44	15,054.44
		15,054.44	226,624.99
	PURCHASES		
	Amos Leisure Limited	NIL	96,169.75
	Amos Leisure Ltd Payment on Account	NIL	24,000.00
		NIL	(120,169.75)
	TRADING EXPENDITURE		
	Business Rates - Staffordshire Moorlan	NIL	10,253.80
	Water - Severn Trent	NIL	4,026.37
	Electricty reconnection - Valley	NIL	200.00
	Sykes Commission & Charges	NIL	32,451.94
	Linen	NIL	16,933.52
	Peak Oil Products (Northern) Limited	NIL	4,086.81
	TV Licensing	NIL	145.50
	Water Treatment and septic tank emp	NIL	8,278.00
	Electricity - E-On	26.39	19,297.17
	Electricity - NPower	NIL	1,519.23
	Environment Agency Licence	NIL	941.90
	Peak Waste	NIL	858.00
	Customer Compensation	NIL	3,823.14
		(26.39)	(102,815.38)
	TRADING SURPLUS/(DEFICIT)	**15,028.05**	**3,639.86**

Amos Commercial Limited
(In Administration)
Joint Administrators' Summary of Receipts & Payments

Statement of Affairs £		From 31/07/2017 To 30/01/2018 £	From 24/03/2015 To 30/01/2018 £
	SECURED ASSETS		
200,000.00	Flat 2,137 Park Road, Buxton	NIL	NIL
360,000.00	St Mary's Mount and Birchwood	NIL	NIL
240,000.00	Garden House (After 1st Charge dedu	NIL	300,000.00
960,000.00	Ramshorn Estate Holiday Lodges	NIL	1,400,000.00
475,000.00	Tissington Ford Barn, Bradbourne	NIL	390,000.00
725,000.00	Valley View Barn, Bradbourne	NIL	NIL
1,080,000.00	Land at Leek Road, Warslow	NIL	NIL
		NIL	2,090,000.00
	COSTS OF REALISATION		
	Sterling Costs re Agency Agreement	NIL	270,000.00
	137 Park Road - Managment Company	NIL	300.00
	Valley View Electricty reconnection	NIL	1,342.50
		NIL	(271,642.50)
	SECURED CREDITORS		
(5,177,167.01)	Sterling Property Developments Limite	NIL	1,894,284.28
	Fixed Chargeholder Disbursements	NIL	8,394.58
		NIL	(1,902,678.86)
	ASSET REALISATIONS		
	Exclusivity Deposit Retained	(15,054.44)	NIL
984.88	Cash at Bank	NIL	984.88
	Rent - Park Road Apartment	3,000.00	17,000.00
	Business Rates Refund - Moorlands	NIL	1,328.61
	Bank Interest Gross	4.53	99.81
	Trading Surplus/(Deficit)	15,028.05	3,639.86
		2,978.14	23,053.16
	COST OF REALISATIONS		
	Property Insurance	183.57	25,767.76
	Administrators' Fees	NIL	175,000.00
	Cat 1 Legal fees	NIL	51,571.05
	Corporation Tax	NIL	18.63
		(183.57)	(252,357.44)
	UNSECURED CREDITORS		
(14,067.78)	Trade and Expense Creditors	NIL	NIL
Uncertain	Director's Loan Account - C Amos	NIL	NIL
Uncertain	HM Revenue & Customs - PAYE/NI	NIL	NIL
Uncertain	HM Revenue & Customs - VAT	NIL	NIL
		NIL	NIL
	DISTRIBUTIONS		
(100.00)	Ordinary Shareholders	NIL	NIL
		NIL	NIL
(1,150,349.91)		**2,794.57**	**(313,625.64)**

REPRESENTED BY

Appendix B

Cumulative Receipts and Payments Account for the period from 24 March 2015 to 30 January 2018

Amos Commercial Limited
(In Administration)
Joint Administrators' Trading Account

Statement of Affairs £		From 24/03/2015 To 30/01/2018 £	From 24/03/2015 To 30/01/2018 £
	OST APPOINTMENT SALES		
	Holiday Let Income	211,570.55	211,570.55
	Recovered Funds from Amos Leisure L	15,054.44	15,054.44
		226,624.99	226,624.99
	PURCHASES		
	Amos Leisure Limited	96,169.75	96,169.75
	Amos Leisure Ltd Payment on Account	24,000.00	24,000.00
		(120,169.75)	(120,169.75)
	TRADING EXPENDITURE		
	Business Rates - Staffordshire Moorlan	10,253.80	10,253.80
	Water - Severn Trent	4,026.37	4,026.37
	Electricty reconnection - Valley	200.00	200.00
	Sykes Commission & Charges	32,451.94	32,451.94
	Linen	16,933.52	16,933.52
	Peak Oil Products (Northern) Limited	4,086.81	4,086.81
	TV Licensing	145.50	145.50
	Water Treatment and septic tank emp	8,278.00	8,278.00
	Electricity - E-On	19,297.17	19,297.17
	Electricity - NPower	1,519.23	1,519.23
	Environment Agency Licence	941.90	941.90
	Peak Waste	858.00	858.00
	Customer Compensation	3,823.14	3,823.14
		(102,815.38)	(102,815.38)
	TRADING SURPLUS/(DEFICIT)	**3,639.86**	**3,639.86**

Amos Commercial Limited
(In Administration)
Joint Administrators' Summary of Receipts & Payments

Statement of Affairs £		From 24/03/2015 To 30/01/2018 £	From 24/03/2015 To 30/01/2018 £
	SECURED ASSETS		
200,000.00	Flat 2,137 Park Road, Buxton	NIL	NIL
360,000.00	St Mary's Mount and Birchwood	NIL	NIL
240,000.00	Garden House (After 1st Charge dedu	300,000.00	300,000.00
960,000.00	Ramshorn Estate Holiday Lodges	1,400,000.00	1,400,000.00
475,000.00	Tissington Ford Barn, Bradbourne	390,000.00	390,000.00
725,000.00	Valley View Barn, Bradbourne	NIL	NIL
1,080,000.00	Land at Leek Road, Warslow	NIL	NIL
		2,090,000.00	2,090,000.00
	COSTS OF REALISATION		
	Sterling Costs re Agency Agreement	270,000.00	270,000.00
	137 Park Road - Managment Company	300.00	300.00
	Valley View Electricty reconnection	1,342.50	1,342.50
		(271,642.50)	(271,642.50)
	SECURED CREDITORS		
(5,177,167.01)	Sterling Property Developments Limite	1,894,284.28	1,894,284.28
	Fixed Chargeholder Disbursements	8,394.58	8,394.58
		(1,902,678.86)	(1,902,678.86)
	ASSET REALISATIONS		
984.88	Cash at Bank	984.88	984.88
	Rent - Park Road Apartment	17,000.00	17,000.00
	Business Rates Refund - Moorlands	1,328.61	1,328.61
	Bank Interest Gross	99.81	99.81
	Trading Surplus/(Deficit)	3,639.86	3,639.86
		23,053.16	23,053.16
	COST OF REALISATIONS		
	Property Insurance	25,767.76	25,767.76
	Administrators' Fees	175,000.00	175,000.00
	Cat 1 Legal fees	51,571.05	51,571.05
	Corporation Tax	18.63	18.63
		(252,357.44)	(252,357.44)
	UNSECURED CREDITORS		
(14,067.78)	Trade and Expense Creditors	NIL	NIL
Uncertain	Director's Loan Account - C Amos	NIL	NIL
Uncertain	HM Revenue & Customs - PAYE/NI	NIL	NIL
Uncertain	HM Revenue & Customs - VAT	NIL	NIL
		NIL	NIL
	DISTRIBUTIONS		
(100.00)	Ordinary Shareholders	NIL	NIL
		NIL	NIL
(1,150,349.91)		**(313,625.64)**	**(313,625.64)**
	REPRESENTED BY		
	Bank 1 Current - IB		10,574.36

Appendix C

Time Analysis for the period from 31 July 2017 to 30 January 2018

Time Entry - Detailed SIP9 Time & Cost Summary

AMOSC004 - Amos Commercial Limited
From: 31/07/2017 To: 30/01/2018
Project Code: POST

Classification of Work Function	Partner	Manager	Other Senior Professionals	Assistants & Support Staff	Total Hours	Time Cost (£)	Average Hourly Rate (£)
100 : Administration & Planning	0.60	0.00	0.60	0.00	1.20	405.00	337.50
104 : Maintenance of records	0.00	0.00	0.00	2.20	2.20	308.00	140.00
115 : Insurance	0.00	0.00	1.90	0.00	1.90	475.00	250.00
138 : Admin - Six Monthly Review	0.00	0.00	1.20	0.00	1.20	300.00	250.00
140 : Admin - Post Year 1 Bi-Annual Review	0.00	0.30	0.00	0.00	0.30	105.00	350.00
147 : Admin - Administration 6 Month Progress Report	0.00	0.90	11.70	0.00	12.60	3,240.00	257.14
181 : Bonding - Bond Review	0.00	0.00	0.50	0.00	0.50	125.00	250.00
184 : Cashier - Client Account Reconciliations	0.00	0.00	0.00	2.20	2.20	308.00	140.00
186 : Cashier - Receipts	0.00	0.00	0.00	2.80	2.80	392.00	140.00
187 : Cashier - Payments	0.00	0.00	0.00	2.10	2.10	294.00	140.00
188 : Cashier - VAT 426/427/833	0.00	0.00	6.90	0.00	6.90	1,725.00	250.00
189 : Cashier - CT600	0.00	0.00	0.30	0.00	0.30	75.00	250.00
Administration & Planning	**0.60**	**1.20**	**23.10**	**9.30**	**34.20**	**7,752.00**	**226.67**
501 : Communication with creditors	0.00	0.00	0.40	0.00	0.40	100.00	250.00
Creditors	**0.00**	**0.00**	**0.40**	**0.00**	**0.40**	**100.00**	**250.00**
205 . General Investigations	0.00	0.00	0.50	0.00	0.50	125.00	250.00
Investigations	**0.00**	**0.00**	**0.50**	**0.00**	**0.50**	**125.00**	**250.00**
300 . Realisation of assets	0.00	0.00	0.90	0.00	0.90	225.00	250.00
311 : Agents - Realisation of Assets	0.00	0.00	0.70	0.00	0.70	175.00	250.00
312 : Legal - Realisation of Assets	0.00	0.00	2.70	0.00	2.70	675.00	250.00
315 : Freehold Land & Property	0.00	0.00	2.50	0.00	2.50	625.00	250.00
316 : Leasehold Land & Property	0.00	0.00	0.70	0.00	0.70	175.00	250.00
Realisations of Assets	**0.00**	**0.00**	**7.50**	**0.00**	**7.50**	**1,875.00**	**250.00**
Total Hours	**0.60**	**1.20**	**31.50**	**9.30**	**42.60**	**9,852.00**	**231.27**
Total Fees Claimed						**175,000.00**	

Appendix D

Cumulative Time Analysis for the period from 24 March 2015 to 30 January 2018

Time Entry - Detailed SIP9 Time & Cost Summary

AMOSC004 - Amos Commercial Limited
From: 24/03/2015 To: 30/01/2018
Project Code: POST

Classification of Work Function	Partner	Manager	Other Senior Professionals	Assistants & Support Staff	Total Hours	Time Cost (£)	Average Hourly Rate (£)
100 : Administration & Planning	4.90	6.60	19.30	0.00	30.80	7,679.50	249.33
101 : Case planning	5.90	10.20	1.10	0.00	17.20	5,420.50	315.15
102 : Administrative set-up	0.00	1.20	5.60	0.00	6.80	1,526.00	224.41
103 : Appointment notification	0.00	0.60	0.00	0.00	0.60	165.00	275.00
104 : Maintenance of records	0.20	3.80	15.00	5.00	24.00	4,980.00	207.50
105 : Statutory reporting	7.30	5.30	64.40	0.00	77.00	17,901.50	232.49
106 : Cashiering	0.00	3.20	0.00	22.80	26.00	4,297.00	165.27
107 : Bordereau	0.00	0.00	1.00	0.00	1.00	210.00	210.00
108 : Case Review / Diary	1.40	2.00	13.10	0.00	16.50	3,861.00	234.00
109 : Dealing with Debtor / Directors	8.00	3.10	3.60	0.00	14.70	4,808.50	327.11
110 : Dealing with Court	0.00	0.00	5.20	0.00	5.20	1,092.00	210.00
112 : Dealing with Existing Advisors	12.90	0.10	1.20	0.00	14.20	5,439.50	383.06
113 : Dealing with Directors	0.00	3.40	3.40	0.00	6.80	1,649.00	242.50
114 : Validity of Charges	7.40	2.70	0.00	0.00	10.10	3,702.50	366.58
115 : Insurance	0.50	2.00	23.40	0.00	25.90	6,324.00	244.17
120 : General Correspondence	0.80	7.60	0.10	0.00	8.50	2,436.00	286.47
122 : Ptnr Review and Signing	0.00	0.10	0.00	0.00	0.10	35.00	350.00
123 : Appt Holder VAT and Tax Returns	1.80	1.10	6.90	0.00	9.80	2,435.50	248.52
138 : Admin - Six Monthly Review	0.00	0.00	5.20	0.00	5.20	1,300.00	250.00
139 : Admin - Annual Review	0.00	0.30	2.40	0.00	2.70	705.00	261.11
140 : Admin - Post Year 1 Bi-Annual Review	0.00	0.30	0.00	0.00	0.30	105.00	350.00
141 : Admin - Case Specific Review	0.00	0.00	3.50	0.00	3.50	875.00	250.00
144 : Admin - Financials - Forecasts & Projections	0.00	0.00	0.80	0.00	0.80	200.00	250.00
147 : Admin - Administration 6 Month Progress Report	1.00	3.10	44.00	0.00	48.10	12,510.00	260.08
148 : Admin -Admin Extension Report - Court Application	0.00	0.90	21.00	0.00	21.90	5,565.00	254.11
159 : Admin - Appointment Holder VAT426/427/833	0.00	0.00	10.00	0.00	10.00	2,500.00	250.00
181 : Bonding - Bond Review	0.00	0.00	1.90	0.00	1.90	475.00	250.00
184 : Cashier - Client Account Reconciliations	0.00	0.00	0.00	6.30	6.30	882.00	140.00
186 : Cashier - Receipts	0.00	0.00	0.00	6.70	6.70	938.00	140.00
187 : Cashier - Payments	0.00	0.00	0.00	7.20	7.20	1,008.00	140.00
188 : Cashier - VAT 426/427/833	0.00	0.00	10.20	0.00	10.20	2,550.00	250.00
189 : Cashier - CT800	0.00	0.00	0.80	0.00	0.80	200.00	250.00
Administration & Planning	**52.10**	**57.60**	**263.10**	**48.00**	**420.80**	**103,774.50**	**246.61**
604 : Regulator / FCA Dealings	0.80	0.00	0.00	0.00	0.80	320.00	400.00
607 : Client Accounts	0.00	0.00	0.80	0.00	0.80	152.00	190.00
Case specific matters	**0.80**	**0.00**	**0.80**	**0.00**	**1.60**	**472.00**	**295.00**
500 : Creditors	0.00	1.60	23.90	0.00	25.50	5,671.00	222.39
501 : Communication with creditors	0.00	0.10	3.30	0.00	3.40	816.50	240.15
503 : Claims Government Departments	0.00	0.00	0.50	0.00	0.50	105.00	210.00
504 : Claims Trade and Expense	0.00	0.60	0.00	0.00	0.60	165.00	275.00
508 : Secured Creditors	45.80	44.00	6.30	0.00	96.10	32,247.50	335.56
519 : Claims - HMRC	0.00	0.00	5.60	0.00	5.60	1,400.00	250.00
Creditors	**45.80**	**46.30**	**39.60**	**0.00**	**131.70**	**40,405.00**	**306.80**
200 : Investigations	12.00	7.20	19.30	0.00	38.50	10,833.00	281.38
202 : CDDA reports	2.10	0.00	0.00	0.00	2.10	840.00	400.00

Time Entry - Detailed SIP9 Time & Cost Summary

AMOSC004 - Amos Commercial Limited
From: 24/03/2015 To: 30/01/2018
Project Code: POST

Classification of Work Function	Partner	Manager	Other Senior Professionals	Assistants & Support Staff	Total Hours	Time Cost (£)	Average Hourly Rate (£)
203 : Antecedent transactions	0.00	2.10	0.50	0.00	2.60	682.50	262.50
205 : General investigations	0.00	0.00	0.50	0.00	0.50	125.00	250.00
Investigations	**14.10**	**9.30**	**20.30**	**0.00**	**43.70**	**12,480.50**	**285.58**
300 : Realisation of assets	0.40	21.80	16.80	0.00	39.00	9,806.00	251.44
301 : Ident, securing and insuring assets	0.00	6.20	3.00	0.00	9.20	2,335.00	253.80
303 : Debt collection	0.00	0.00	0.80	0.00	0.80	200.00	250.00
304 : Sale of business and assets	34.10	39.80	1.40	0.00	75.30	24,837.50	329.85
305 : Land and Property	98.80	14.40	55.70	0.00	168.90	55,184.50	326.73
307 : Other Assets	0.00	0.20	0.70	0.00	0.90	222.00	246.67
309 : Fixed Charge Property/Goodwill	0.00	0.00	1.20	0.00	1.20	180.00	150.00
311 : Agents - Realisation of Assets	0.00	0.00	0.70	0.00	0.70	175.00	250.00
312 : Legal - Realisation of Assets	0.00	0.10	10.40	0.00	10.50	2,635.00	250.95
315 : Freehold Land & Property	9.40	3.00	25.60	0.00	38.00	11,445.00	301.18
316 : Leasehold Land & Property	0.00	0.00	3.20	0.00	3.20	800.00	250.00
Realisations of Assets	**142.70**	**85.50**	**119.50**	**0.00**	**347.70**	**107,820.00**	**310.09**
400 : Trading	44.30	0.20	67.10	0.00	111.60	31,785.50	284.82
401 : Management of operations	36.40	86.90	0.00	0.00	123.30	38,457.50	311.90
402 : Accounting for trading	0.00	37.80	1.20	0.00	39.00	10,647.00	273.00
Trading	**80.70**	**124.90**	**68.30**	**0.00**	**273.90**	**80,890.00**	**295.33**
Total Hours	**336.20**	**323.60**	**511.60**	**48.00**	**1,219.40**	**345,842.00**	**283.62**
Total Fees Claimed						**175,000.00**	

Appendix E

Additional Information in Relation to the Joint Administrators' Fees, Expenses and Disbursements

Staff Allocation and the Use of Sub-Contractors

The general approach to resourcing our assignments is to allocate staff with the skills and experience to meet the specific requirements of the case.

The constitution of the case team will usually consist of a Partner, a Manager, and an Administrator or Assistant. The exact constitution of the case team will depend on the anticipated size and complexity of the assignment and the experience requirements of the assignment.

We are not proposing to utilise the services of any sub-contractors in this case.

Professional Advisors

On this assignment we have used the professional advisors listed below. We have also indicated alongside, the basis of our fee arrangement with them, which is subject to review on a regular basis.

Name of Professional Advisor	Basis of Fee Arrangement
Walker Morris LLP (legal advice)	Hourly rate and disbursements
AUA Insolvency Risk Services (insurance)	Risk based premium
Winterhill Largo Property Limited (valuation and disposal advice)	Hourly rate and disbursements

Our choice was based on our perception of their experience and ability to perform this type of work, the complexity and nature of the assignment and the basis of our fee arrangement with them.

Joint Administrators' Expenses and Disbursements

An analysis of the expenses paid to the date of this report, together with those incurred but not paid at the date of this report is provided below.

Agency agreement	-	-	270000.00	270000.00
Solicitors' costs	51571.05	-	25000.00	90000.00
Insurance	25584.19	183.57	-	28000.00
Statutory advertising	153.24	-	-	153.24
Specific penalty bond	60.00	-	-	60.00
Land Registry fees	65.00	-	57.00	140.00
Corporation tax	18.63	-	-	25.00
Carriage costs	98.89	-	-	98.89
Trading property purchases	5164.47	-	-	5164.47
Category 2 disbursements				
Printing, postage and stationery	841.82	-	249.86	1250.00
Travel expenses	1854.16	-	75.00	2000.00
Storage costs	37.00	-	31.00	90.00
Registered office fee	120.00	-	-	120.00

Of the total disbursements detailed above as paid within a prior trading period, £8394.58 (of which £5541.60 is Category 1 and £2852.98 is Category 2) specifically relates to disbursements which have been incurred in the realisation of the fixed charge assets, have been independently authorised by the fixed chargeholder and paid from the fixed charge realisations. Accordingly, the Receipts and Payments Accounts attached at Appendix A and at Appendix B have been updated to reflect the position.

Category 1 disbursements do not require approval by creditors. The type of disbursements that may be charged as a Category 1 disbursement to a case generally comprise of external supplies of incidental services specifically identifiable to the case, such as postage, case advertising, invoiced travel and external printing, room hire and document storage. Also chargeable will be any properly reimbursed expenses incurred by personnel in connection with the case. These disbursements are included in the tables of expenses above.

Category 2 disbursements do require approval from creditors. These are costs which are directly referable to the appointment in question but are not payments which are made to an independent third party and may include shared or allocated costs that can be allocated to the appointment on a proper and reasonable basis such as internal room hire, document storage or business mileage. Details of Category 2 disbursements charged by this firm (where appropriate) were provided in the Administrators' Proposals Report and approved by creditors. Any Category 2 disbursements incurred are specifically highlighted in the tables of expenses above.

Charge-Out Rates

Harrisons Business Recovery and Insolvency Limited's current charge-out rates effective from 1 July in each period are detailed below. Please note this firm records its time in minimum units of six minutes.

	2016/2017	**2017/2018**
	£	**£**
Directors	305 – 550	305 – 550
Managers	250 – 350	250 – 350
Senior Case Supervisors	175 – 250	175 – 250
Case Supervisors	125 – 205	125 – 205
Assistants/Trainee Case Supervisors	100 – 150	100 – 150

Harrisons

Harrisons Business Recovery and Insolvency Limited Fee Policy

1. Charge out rates and policy regarding staff allocation, support staff, the use of subcontractors and the recharge of disbursements.

The following information relating to the policy of Harrisons Business Recovery and Insolvency Limited is considered to be relevant: -

2. Charge out rates

The following hourly charge out rates apply to all assignments undertaken by Harrisons Business Recovery and Insolvency Limited. Please note that the charge-out rates are effective from 1 July in each period:-

	2016/2017	**2017/2018**
	£	**£**
Directors	305 – 550	305 – 550
Managers	250 – 350	250 – 350
Senior Case Supervisors	175 – 250	175 – 250
Case Supervisors	125 – 205	125 – 205
Assistants/Trainee Case Supervisors	100 – 150	100 – 150

Please note that Harrisons Business Recovery and Insolvency Limited records its time in minimum units of 6 minutes.

Creditors Guide to Fees can be accessed at www.icaew.co.uk/en/technical/insolvency/cerditor-guides or www.insolvency-practitioners.org.uk/regulation-and-guidance/guides-to-fees

3. Staff allocation, support staff & the use of subcontractors

We take an objective and practical approach to each assignment which includes active director involvement from the outset. Other members of staff will be assigned on the basis of experience and specific skills to match the needs of the case. Time spent by secretarial and other support staff on specific case related matters, e.g. report despatching, is charged. Details of any subcontractor(s) used are given in the attached report.

4. Professional advisors

Details of any professional advisor(s) used are given in the attached report. Unless otherwise indicated the fee arrangement for each will be based on hourly charge out rates, which are reviewed on a regular basis, together with the recovery of relevant disbursements.

The choice of professional advisors will be based around a number of factors including, but not restricted to, their expertise in a particular field, the complexity or otherwise of the assignment and their geographical location.

5. Disbursements

Specific expenditure relating to the administration of a particular case is recoverable without approval and is referred to as "category 1 disbursements". Category 1 disbursements will generally comprise supplies of incidental services specifically identifiable to the case, typically for items such as identifiable telephone calls, postage, case advertising, invoiced travel and properly reimbursed expenses. Included will be services specific to the case where these cannot practically be provided internally such as printing, room hire and document storage.

Where we propose to recover costs which, whilst being in the nature of expenses or disbursements, may include an element of shared or allocated costs (such as room hire, document storage or communication facilities provided by us) they must be disclosed and be authorised by those responsible for approving the insolvency practitioners' remuneration. Such expenditure is referred to as a "category 2 disbursement". The following items of expenditure are recharged on this basis and are believed to be in line with the cost of external provision:-

Photocopying	15p a sheet
Letterhead	12p a sheet
Fax	40p a sheet
Mileage	65p per mile
Meeting Room	£50
Registered Office Fee	£60 per annum
Document Storage	Storage charge of £3 per box per quarter

Guidance Note

ADMINISTRATION
A CREDITOR'S GUIDE TO INSOLVENCY PRACTITIONER FEES

Amended for changes introduced by

The Insolvency (England and Wales) Rules 2016

6 April 2017

ADMINISTRATION - A CREDITORS' GUIDE TO INSOLVENCY PRACTITIONER FEES

ENGLAND AND WALES

1 Introduction

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

2 The nature of administration

2.1 Administration is a procedure which places a company under the control of an insolvency practitioner and the protection of the court with the following objective:

- rescuing the company as a going concern, or
- achieving a better result for the creditors as a whole than would be likely if the company were wound up without first being in administration,

or, if the administrator thinks neither of these objectives is reasonably practicable

- realising property in order to make a distribution to secured or preferential creditors.

3 The creditors' committee

3.1 The creditors have the right to appoint a committee with a minimum of 3 and a maximum of 5 members. One of the functions of the committee is to determine the basis of the administrator's remuneration. An invitation to decide on whether a committee is to be established will be sent to creditors at the same time as a decision is sought on the administrator's proposals. The administrator must call the first meeting of the committee within 6 weeks of its establishment, and subsequent meetings must be held either at specified dates agreed by the committee, or when a member of the committee asks for one, or when the administrator decides he needs to hold one. The committee has power to summon the administrator to attend before it and provide information about the exercise of his functions.

4 Fixing the administrator's fees

4.1 Basis

4.1.1 The basis for fixing the administrator's fees is set out in Rule 18.16 of the Insolvency Rules 2016, which states that it must be fixed:

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

4.1.2 Any combination of these bases may be used to fix the fees, and different bases may be used for different things done by the administrator. Where the fee is fixed as a percentage, different percentages may be used for different things done by the administrator.

4.2 Advance information where fees not based on time costs

4.2.1 Prior to the determination of the basis of fees, the administrator must give the creditors details of the work the administrator proposes to undertake, and the expenses he considers will be, or are likely to be, incurred.

4.3 Fees estimates where fees to be based on time costs

4.3.1 Where the administrator proposes to take fees based on time costs, he must first provide the creditors with detailed information in the form of a 'fees estimate'. A fees estimate is a written estimate that specifies –

- details of the work the administrator and his staff propose to undertake;
- the hourly rate or rates the administrator and his staff propose to charge for each part of that work;
- the time the administrator anticipates each part of that work will take;
- whether the administrator anticipates it will be necessary to seek approval or further approval under the Rules; and
- the reasons it will be necessary to seek such approval.

4.3.2 In addition, the administrator must give the creditors details of the expenses he considers will be, or are likely to be, incurred.

4.3.3 The fees estimate and details of expenses may include fees anticipated to be charged and expenses anticipated to be incurred if the administrator becomes the liquidator where the administration moves into winding up.

4.4 Who fixes the fees?

4.4.1 It is for the creditors' committee (if there is one) to determine on which bases, or combination of bases, the fee is to be fixed. Where it is fixed as a percentage, it is for the committee to determine the percentage or percentages to be applied, and where it is a set amount, to determine that amount. Rule 18.16(9) says that in arriving at its decision the committee shall have regard to the following matters:

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

4.4.2 If there is no creditors' committee, or the committee does not make the requisite determination, the administrator's fee may be fixed by a decision of the creditors by a decision procedure having regard to the same matters as apply in the case of the committee. If the fee is not fixed in any of these ways, it will be fixed by the court on application by the administrator, but the administrator may not make such an application unless he has first tried to get his fees fixed by the committee or creditors as described above, and in any case not later than 18 months after his appointment.

4.4.3 There are special rules about creditors' decisions in cases where the administrator has stated in his proposals that the company has insufficient property to enable a distribution to be made to unsecured creditors except out of the prescribed part which may have to be set aside out of floating charge assets.

4.4.4 In this case, if there is no creditors' committee, or the committee does not make the requisite determination, the basis of the administrator's fees may be fixed by –

- the consent of each of the secured creditors of the company; or

- if the administrator has made or intends to make a distribution to preferential creditors –

  - the consent of each of the secured creditors of the company; and
  - a decision of the preferential creditors in a decision procedure.

4.5 Review of fees

4.5.1 Where there has been a material and substantial change in circumstances since the basis of the administrator's fee was fixed, the administrator may request that it be changed. The request must be made to the same body as initially approved the fees, and the same rules apply as to the original approval.

5 Approval of pre-administration costs

5.1 Sometimes the administrator may need to seek approval for the payment of costs in connection with preparatory work incurred before the company went into administration but which remain unpaid. Such costs may relate to work done either by the administrator or by another insolvency practitioner. Disclosure of such costs must be included in the administrator's proposals and should follow the principles and standards set out in section 7. Pre-administration costs are subject to approval under Rule 3.52.

5.2 Where there is a creditors' committee, it is for the committee to determine whether, and to what extent, such costs should be approved for payment. If there is no committee or the committee does not make the necessary determination, or if it does but the administrator, or other insolvency practitioner who has incurred pre-administration costs, considers the amount agreed to be insufficient, approval may be given by a meeting of creditors. Where the circumstances described in paragraph 4.4 apply, the determination may be made by the same creditors as approve the administrator's fees.

5.3 The administrator must convene a meeting of the committee or seek a decision of the creditors by a decision procedure for the purposes of approving the payment of pre-administration costs if requested to do so by another insolvency practitioner who has incurred such costs. If there is no determination under these provisions, or if there is but the administrator or other insolvency practitioner considers the amount agreed to be insufficient, the administrator may apply to the court for a determination.

6 What information should be provided by the administrator?

6.1 General principles

6.1.1 The administrator should provide those responsible for approving his fees with sufficient information to enable them to make an informed judgement about the reasonableness of the administrator's request. The information should be presented in a manner which is transparent, consistent throughout the life of the case and useful to creditors, while being proportionate to the circumstances of the case.

6.1.2 The administrator should disclose:

- payments, fees and expenses arising from the administration paid to the administrator or his or her associates;
- any business or personal relationships with parties responsible for approving the administrator's fees or who provide services to the administrator in respect of the insolvency appointment where the relationship could give rise to a conflict of interest.

6.1.3 The administrator should inform creditors and other interested parties of their rights under insolvency legislation, and should advise them how they may access suitable information setting out their rights within the first communication with them and in each subsequent report.

6.1.4 Where the administrator sub-contracts out work that could otherwise be carried out by the administrator or his or her staff, this should be drawn to the attention of creditors with an explanation of why it is being done.

6.2 Key issues

6.2.1 The key issues of concern to those with a financial interest in the level of payments from the insolvency estate will commonly be:

- the work the administrator anticipates will be done, and why that work is necessary;
- the anticipated cost of that work, including any expenses expected to be incurred in connection with it;
- whether it is anticipated that the work will provide a financial benefit to creditors, and if so what anticipated benefit (or if the work provided no direct financial benefit, but was required by statute);
- the work actually done and why that work was necessary;
- the actual costs of the work, including any expenses incurred in connection with it, as against any estimate provided;
- whether the work has provided a financial benefit to creditors, and if so what benefit (or if the work provided no direct financial benefit, but was required by statute).

6.2.2 When providing information about payments, fees and expenses, the administrator should do so in a way which facilitates clarity of understanding of these key issues. Narrative explanations should be provided to support any numerical information supplied. Where it is practical to do so, the administrator should provide an indication of the likely return to creditors when seeking approval for the basis of his fees.

6.2.3 When approval for a fixed amount or a percentage basis is sought, the administrator should explain why the basis requested is expected to produce a fair and reasonable reflection of the work that the administrator anticipates will be undertaken.

6.3 Fee estimates and subsequent reports

6.3.1 When providing a fee estimate, the administrator should supply that information in sufficient time to facilitate those with the authority to approve fees making an informed judgement about the reasonableness of the administrator's requests. The estimate should clearly describe what activities are anticipated to be conducted in respect of the estimated fee. When subsequently reporting to creditors, the actual hours and average rate (or rates) of the costs charged for each activity should be provided for comparison.

6.4 Disbursements

6.4.1 Costs met by and reimbursed to the administrator in connection with the administration will fall into two categories:

- Category 1 disbursements: These are payments to independent third parties where there is specific expenditure directly referable to the administration. Category 1 disbursements can be drawn without prior approval, although the administrator should be prepared to disclose information about them in the same way as any other expenses.
- Category 2 disbursements: These are costs that are directly referable to the administration but not to a payment to an independent third party. They may include shared or allocated costs that may be incurred by the administrator or their firm, and that can be allocated to the administration on a proper and reasonable basis. Category 2 disbursements require approval in the same way as the administrator's fees.

6.4.2 When seeking approval, the administrator should explain, for each category of cost, the basis on which the charge is being made. If the administrator has obtained approval for the basis of Category 2 disbursements, that basis may continue to be used in a sequential appointment where further approval of the basis of fees is not required, or where the administrator is replaced.

6.4.3 The following are not permissible as disbursements:

- a charge calculated as a percentage of the fee;
- an administration fee or charge additional to the administrator's fees;

- recovery of basic overhead costs such as office and equipment rental, depreciation and finance charges.

7. Exceeding the amount set out in the fees estimate

7.1 Fees cannot be drawn in excess of the fees estimate without approval by the body which fixed the original basis of the fee. The request for approval must specify –

- the reason why the administrator has exceeded, or is likely to exceed, the fees estimate;
- the additional work the administrator has undertaken or proposes to undertake;
- the hourly rate or rates the administrator proposes to charge for each part of that additional work;
- the time that additional work has taken or the administrator anticipates that work will take;
- whether the administrator anticipates that it will be necessary to seek further approval; and
- the reasons it will be necessary to seek further approval.

8. Progress reports and requests for further information

8.1 The administrator is required to send a progress report to creditors at 6-monthly intervals. In addition to the items discussed above the report must include:

- details of the basis fixed for the fees of the administrator (or if not fixed at the date of the report, the steps taken during the period of the report to fix it);
- if the basis has been fixed, the fee charged during the period of the report, irrespective of whether it was actually paid during that period (except where it is fixed as a set amount, in which case it may be shown as that amount without any apportionment for the period of the report);
- if the report is the first to be made after the basis has been fixed, the fees charged during the periods covered by the previous reports, together with a description of the things done during those periods, irrespective of whether payment was actually made during the period of the report;
- a statement of the expenses incurred by the administrator during the period of the report, irrespective of whether payment was actually made during that period;
- details of progress during the period of the report, including a summary of the receipts and payments during the period.
- details of what remains to be done
- where appropriate, a statement setting out whether, at the date of the report–
  - the fees expected to be charged is likely to exceed the fees estimate or any approval given for remuneration exceeding the estimate;
  - the expenses incurred or expected to be incurred are likely to exceed, or have exceeded, the details given to the creditors prior to the determination of the basis of the fees; and
  - the reason for that excess.
- the date of approval of any pre-administration costs and the amount approved;
- a statement of the creditors' rights to request further information, as explained in paragraph 8.2, and their right to challenge the administrator's fees and expenses.

8.2 Within 21 days of receipt of a progress report a creditor may request the administrator to provide further information about the fees and expenses (other than pre-administration costs) set out in the report. A request must be in writing, and may be made either by a secured creditor, or by an unsecured creditor with the concurrence of at least 5% in value of unsecured creditors (including himself) or the permission of the court.

8.3 The administrator must provide the requested information within 14 days, unless he considers that:

- the time and cost involved in preparing the information would be excessive, or
- disclosure would be prejudicial to the conduct of the administration or might be

expected to lead to violence against any person, or

- the administrator is subject to an obligation of confidentiality in relation to the information requested,

in which case he must give the reasons for not providing some or all of the information.

8.4 Any creditor may apply to the court within 21 days of the administrator's refusal to provide the requested information, or the expiry of the 14 days' time limit for the provision of the information.

9. Provision of information – additional requirements

9.1 The administrator must provide certain information about time spent on a case, free of charge, upon request by any creditor, director or shareholder of the company.

9.2 The information which must be provided is –

- the total number of hours spent on the case by the administrator or staff assigned to the case;
- for each grade of staff, the average hourly rate at which they are charged out;
- the number of hours spent by each grade of staff in the relevant period.

9.3.1 The period for which the information must be provided is the period from appointment to the end of the most recent period of six months reckoned from the date of the administrator's appointment, or where he has vacated office, the date that he vacated office.

9.4 The information must be provided within 28 days of receipt of the request by the administrator, and requests must be made within two years from vacation of office.

10 What if a creditor is dissatisfied?

10.1 If a creditor believes that the administrator's fees are excessive, the basis is inappropriate, or the expenses incurred by the administrator are in all the circumstances excessive he may, provided certain conditions are met, apply to the court.

10.2 Application may be made to the court by any secured creditor, or by any unsecured creditor provided at least 10 per cent in value of unsecured creditors (including himself) agree, or he has the permission of the court. Any such application must be made within 8 weeks of the applicant receiving the administrator's progress or final report in which the charging of the fee or incurring of the expenses in question is first reported (see paragraph 8.1 above). If the court does not dismiss the application (which it may if it considers that insufficient cause is shown) the applicant must give the administrator a copy of the application and supporting evidence at least 14 days before the hearing.

10.3 If the court considers the application well founded, it may order that the fees be reduced, the basis be changed, or the expenses be disallowed or repaid. Unless the court orders otherwise, the costs of the application must be paid by the applicant and not as an expense of the administration.

11 What if the administrator is dissatisfied?

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

12 Other matters relating to fees

12.1 Where there are joint administrators it is for them to agree between themselves how the fee payable should be apportioned. Any dispute arising between them may be referred to the court, the creditors' committee or a decision of creditors.

12.2 If a new administrator is appointed in place of another, any decision, determination, resolution or court order which was in effect immediately before the replacement continues to have effect in relation to the remuneration of the new administrator until a further decision, determination, resolution or court order is made.

12.3 Where the basis of the fee is a set amount, and the administrator ceases to act before the time has elapsed or the work has been completed for which the amount was set, application may be made for a determination of the amount that should be paid to the outgoing administrator. The application must be made to the same body as approved the fees. Where the outgoing administrator and the incoming administrator are from the same firm, they will usually agree the apportionment between them.

13. Effective date

This guide applies where an administrator is appointed on or after 1 October 2015, or where information is provided by the administrator about fees, expenses or other payments after 6 April 2017.

Appendix F

Form AM10

In accordance with Rule 18.6 of the Insolvency (England & Wales) Rules 2016.

AM10

Notice of administrator's progress report

Companies House

For further information, please refer to our guidance at www.gov.uk/companieshouse

1 Company details

Company number	0 5 6 3 6 1 4 9
Company name in full	Amos Commercial Limited

→ **Filling in this form**
Please complete in typescript or in bold black capitals.

2 Administrator's name

Full forename(s)	Paul
Surname	Boyle

3 Administrator's address

Building name/number	102 Sunlight House
Street	Quay Street
Post town	Manchester
County/Region	
Postcode	M 3 3 J Z
Country	

4 Administrator's name ●

Full forename(s)	David
Surname	Clements

● **Other administrator**
Use this section to tell us about another administrator.

5 Administrator's address ●

Building name/number	102 Sunlight House
Street	Quay Street
Post town	Manchester
County/Region	
Postcode	M 3 3 J Z
Country	

● **Other administrator**
Use this section to tell us about another administrator.

6 Period of progress report

From date	d 3 d 1	m 0 m 7	y 2 y 0 y 1 y 7
To date	d 3 d 0	m 0 m 1	y 2 y 0 y 1 y 8

7 Progress report

☑ I attach a copy of the progress report

8 Sign and date

Administrator's signature	Signature X		X
Signature date	d 2 d 0	m 0 m 2	y 2 y 0 y 1 y 8

AM10

Notice of administrator's progress report

Presenter information

You do not have to give any contact information, but if you do it will help Companies House if there is a query on the form. The contact information you give will be visible to searchers of the public record.

Contact name	Julian Moules
Company name	Harrisons Business Recovery and Insolvency Limited
Address	102 Sunlight House
	Quay Street
Post town	Manchester
County/Region	
Postcode	M 3 3 J Z
Country	
DX	
Telephone	0161 876 4567

Checklist

We may return forms completed incorrectly or with information missing.

Please make sure you have remembered the following:

- ☐ The company name and number match the information held on the public Register.
- ☐ You have attached the required documents.
- ☐ You have signed the form.

Important information

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

Where to send

You may return this form to any Companies House address, however for expediency we advise you to return it to the address below:

The Registrar of Companies, Companies House,
Crown Way, Cardiff, Wales, CF14 3UZ.
DX 33050 Cardiff.

Further information

For further information please see the guidance notes on the website at www.gov.uk/companieshouse or email enquiries@companieshouse.gov.uk

This form is available in an alternative format. Please visit the forms page on the website at www.gov.uk/companieshouse