

The Insolvency Act 1986

## Administrator's progress report

Name of Company
Amos Commercial Limited

Company number
05636149

In the High Court of Justice, Chancery Division, Leeds District Registry (full name of court)
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Court case number 275 of 2015
----------------------------------

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

I/We (a)  
Paul Boyle  
Harrisons Business Recovery and Insolvency  
Limited  
102 Sunlight House  
Quay Street  
Manchester  
M3 3JZ

David Clements  
Harrisons Business Recovery and Insolvency  
Limited  
102 Sunlight House  
Quay Street  
Manchester  
M3 3JZ

administrators of the above company attach a progress report for the period

(b) Insert date

From
(b) 4 September 2016

To
(b) 30 January 2017

Signed

Joint Administrator

Dated

8 March 2017

### Contact Details:

You do not have to give any contact information in the box opposite but if you do, it will help Companies House to contact you if there is a query on the form.

The contact information that you give will be visible to searchers of the

Paul Boyle Harrisons Business Recovery and Insolvency Limited 102 Sunlight House Quay Street Manchester M3 3JZ	0161 876 4567 DX Exchange
DX Number	

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**

SATURDAY



A14 11/03/2017 #449  
COMPANIES HOUSE

,y Limited, Glasgow, Scotland

**Amos Commercial Limited  
- In Administration**

**Joint Administrators' Progress Report for the period  
4 September 2016 to 30 January 2017**

• **Amos Commercial Limited – In Administration**  
**Joint Administrators' Progress Report**

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**Amos Commercial Limited – In Administration**  
**Joint Administrators' Progress Report**

**1 Introduction**

- 1.1 I Paul Boyle, together with my partner David Clements, was appointed as Joint Administrator of Amos Commercial Limited ('the Company') on 24 March 2015. The appointment was made by Sterling Property Developments Limited, 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 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 is 102 Sunlight House, Quay Street, Manchester M3 3JZ and its registered number 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. The previous progress report dated 22 September 2016 covered the period up to 3 September 2016. As this report supports a request to extend the period of the administration from the automatic end date of 23 March 2017, it consequently covers the period from 4 September 2016 to 30 January 2017 ('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 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 creditors. 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, 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 4 September 2016 to 30 January 2017. 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 2017.  
  
All funds are held in interest bearing bank accounts.
- 2.4 Attached at Appendix C is a time analysis outlining the time spent by the Joint Administrators and their staff during the period from 4 September 2016 to 30 January 2017. Attached at Appendix D is a cumulative time analysis covering the period from my appointment on 24 March 2015 to 30 January 2017.
- 2.5 Further information about the basis of remuneration agreed in this case can be found in section 4 of this report.

**Realisation of Assets**

- 2.6 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.

2.7 Asset Realisations – Ramshorn Estate Holiday Lodges

As advised in previous progress reports, an offer was received from Evolution Insurance Solutions Limited ('Evolution') to purchase the following properties for the total sum of £1400000:-

-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).

These properties had been used as holiday lets and continued to be used as such by the Joint Administrators in the post-appointment trading detailed in section 2.14 below.

On 27 March 2015, these properties had been professionally valued by Linda McPartland FNAEA MRICS, formerly of Winterhill Largo Property Limited, Centurion House, 129 Deansgate, Manchester M3 3WR ('Winterhill'), property consultants and valuers, with a total open market value of £1600000 and a total forced sale value of £1300000.

After taking professional valuation advice and obtaining the consent of chargeholder Sterling, the Evolution offer was accepted as it was likely to exceed the amount that these properties would realise on the open market, particularly once the costs of marketing and sale were taken into account.

Evolution subsequently advised that the purchaser for the property would be associated company Ramshorn Investments Limited ('Ramshorn Investments'), company number 0996922, which had been incorporated specifically for the purposes of this transaction.

There is no known connection between Evolution or Ramshorn Investments with the directors of Amos Commercial Limited, Colin Amos and Dorothy Amos.

On 31 March 2016, the sale was completed and the sum of £1680000 including VAT was paid over to the Joint Administrators' solicitors.

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

My previous reports had indicated interest from associated company Amos Homes (Buxton) Limited ('Buxton'), company number 09676617, in purchasing the property at Garden House, Tongue Lane, Buxton, Derbyshire SK17 7PA (Land Registry title numbers DY410695 and DY384646).

This property comprises a single-dwelling farm house together with land which has planning permission to construct six further properties which are currently only partially developed to the foundation stage. There were planning consent issues at the farm house which affected the value of the property.

Subject to the successful resolution of the planning consent issues, Winterhill valued this property on 27 March 2015 with an open market value of £500000 and a forced sale value of £400000.

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

At the end of April 2016, an offer was received from Buxton which involved Mrs Plant agreeing to novate her charge and the sum of £300000 being paid to the administration estate for the property.

After taking professional valuation advice and obtaining the consent of chargeholder Sterling, the Buxton offer was accepted as this was likely to exceed the amount that this property would realise on the open market, particularly because of the planning consent issues. The value of the offer to the administration estate was calculated after taking into account Mrs Plant's prior charge.

The sale was completed on 13 July 2016 and the sum of £300000 was forwarded to the administration estate.

As previously advised in my progress report dated 22 September 2016, in accordance with Statement of Insolvency Practice No.13 (SIP13) I confirmed that the following asset was sold to a connected party:

<b>Transaction Date</b>	<b>Asset and nature of transaction</b>	<b>Consideration Paid and Date</b>	<b>Sold to:</b>	<b>Relationship</b>
13 July 2016	Purchase of Garden House, Tongue Lane, Buxton, Derbyshire SK17 7PA	£300000 paid on 13 July 2016	Amos Homes (Buxton) Limited	Colin Amos is Director and the sole shareholder of both purchaser Amos Homes (Buxton) Limited and Amos Commercial Limited, the company in administration

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

As advised in my previous progress report dated 22 September 2016, I received an offer in early 2016 from a Mr and Mrs Potter for the property at Tissington Ford Barn, Bradbourne Mill, Mill Lane, Bradbourne, Ashbourne, Derbyshire DE6 1NP (Land Registry title numbers DY428237 and DY394922) in the sum of £390000.

Winterhill had valued this property on 27 March 2015 with an open market value of £400000 and a forced sale value of £375000.

After taking professional valuation advice and obtaining the consent of chargeholder Sterling, the offer from Mr and Mrs Potter was accepted as this was likely to exceed the amount which this property would realise on the open market.

The sale was completed on 29 March 2016 and the sum of £390000 was forwarded to the administration estate.

**2.10 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.

Winterhill had valued this property on 27 March 2015 with an open market value of £230000 and a forced sale value of £200000. Winterhill did not have access to the property and it is thought that their valuation is too high, particularly in view of asking price for the property prior to the appointment of the Joint Administrators.

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Although an offer for the property has previously been accepted for the reduced amount of £150000, the sale subsequently fell through when the potential purchaser attempted to negotiate a lower asking price.

The property is currently being marketed for sale and creditors will be kept advised of developments in this regard in my next progress report. Consideration is also being given to making this property subject to the 'hive down' procedure as outlined in sections 2.11 and 2.12 of this report below.

**2.11 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. When the property is sold, the transfer value will be remitted to the Administration estate in full. The property is being actively marketed and it is hoped that a sale will be agreed in early course. Creditors will be kept advised of developments in this regard in future progress reports in the Administration.

**2.12 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.

As advised in previous progress reports, this property does not currently hold full residential status. The Joint Administrators entered into an agency agreement with Sterling to provide assistance in renovating the property and obtaining the appropriate residential permissions in order to maximise the property's value for the benefit of the administration estate. At this property, Sterling has provided assistance in connecting the utility supplies to the premises.

Following a review of the position and in order to maximise realisations, the Joint Administrators have carried out a 'hive down' procedure for Valley View Barn as detailed in point 2.11 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. When the property is sold, the transfer value will be remitted to the Administration estate in full. Creditors will be kept advised of developments at the property and subsequent progress in marketing it for sale in future progress reports.

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**2.13 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 are now nearing completion. 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.

Under the agency agreement referred to above, Sterling has been successful in amending the terms of the planning consent restrictions and the sale prospects for the land and buildings have significantly improved.

In accordance with the request of chargeholder Sterling, a local gardener has been instructed to keep this site in reasonable condition.

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.

As at the date of this report, the renovations to the properties are nearing completion and building certification is expected to be granted over coming weeks which will enable the properties to be sold in the Administration. Offers have already been provisionally accepted on certain of these properties subject to building certification being provided. It is therefore anticipated that sales may well be completed in early course on these properties once the appropriate certification has been granted. Creditors will be kept advised of developments with regard to all of these properties in my next progress report.

**2.14 Holiday Lettings**

As previously advised in the progress report dated 22 September 2016, at the date of appointment there were numerous future holiday bookings arranged in respect of certain of the above properties. These bookings had been made through holiday rental agent Sykes Cottages Limited ('Sykes') and had been managed through an associated company, Amos Leisure Limited. Although Sykes refused to take new bookings on the properties concerned, Sykes agreed that all bookings taken as at the date of appointment would be honoured with the continued assistance of Amos Leisure Limited in order to maximise realisations in the administration. The holiday agent released funds on a monthly basis and trading costs were met. Unfortunately, at the end of October 2015 Sykes contacted the Joint Administrators to advise that post 31 October 2015 bookings would be cancelled and customers refunded.

This action was taken without any consultation with the Joint Administrators and took place immediately after a busy October half-term holiday period.

As payments of holiday let income were made to the Joint Administrators one month in arrears, Sykes utilised the funds they were holding in respect of the October rentals to discharge certain of their own costs / charges and refunds.

As advised in the previous progress report dated 22 September 2016, the Joint Administrators' solicitors have been instructed to investigate the validity of these deductions.



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As noted above, the holiday bookings ceased at the end of 2015 and no new bookings were accepted after the appointment date of 24 March 2015. A full breakdown of the sales proceeds, Amos Leisure Limited's management fees and the total trading costs is given in the cumulative receipts and payments account at Appendix B.

Whilst the cumulative receipts and payments account attached at Appendix B shows a trading deficit of £11123.95, it is noted that around £20000 has been retained by Sykes and not remitted to the administration estate from the October 2015 rental income. As advised above, the Joint Administrators are taking legal advice in this respect.

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

The sum of £10500 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.

**2.16 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.

**2.17 Other Assets**

The sum of £92.00 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.

**Administration**

**2.18** 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, if applicable, 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.

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

**Creditors (claims and distributions)**

**2.20** 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.

**2.21** 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**

- 2.22 Some of the work the 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 Administrators can pursue for the benefit of creditors.
- 2.23 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.
- 2.24 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 report dated 22 September 2016. The Joint Administrators' solicitors reviewed the merits of each issue, the likely prospects of success and the estimated costs of proceedings. This review is currently ongoing although it is likely that recovery proceedings will ultimately be issued and creditors will be kept fully advised of developments in this regard in the next report.
- 2.25 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 section 2.24 which have already been identified.

### **3. Extension of Administration**

- 3.1 On 15 March 2016, 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 2016 to 23 March 2017.
- 3.2 In view of the properties listed at sections 2.10, 2.11, 2.12, and 2.13 where sales are currently being sought or have been provisionally agreed, in accordance with Paragraph 76(2)(b) of Schedule B1 of the Insolvency Act 1986, the Joint Administrators are making an application to Court to extend the term of the administration. This progress report has been completed in support of this Court application.

### **4. Joint Administrators' Remuneration**

- 4.1 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. 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.
- 4.2 My time costs for the Period from 4 September 2016 to 30 January 2017 are £32582.50. This represents 124.6 hours at an average rate of £261.50 per hour. Attached at Appendix C is a Time Analysis which provides details of the activity costs incurred by staff grade during the Period in respect of the costs fixed by reference to time properly spent in managing the Administration.

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- 4.3 Attached at Appendix D is a cumulative Time Analysis for the period from 24 March 2015 to 30 January 2017 which provides details of my time costs since my appointment. The cumulative time costs incurred to date are £321467.00 and this represents 1115.9 hours at an average rate of £288.08 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 and 22 September 2016.

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 £2951.87 has been drawn on account.

- 4.4 In considering the remaining work to be done in this Administration, I currently anticipate that my time costs to complete the Administration will be approximately £30000.00. This estimate, however, does not include any provision for time which may be incurred in dealing with investigative matters.

As these matters are relatively complex, it is difficult to estimate the likely costs. In any event, such action would need to be funded externally as there are only limited funds held in the administration estate. I will update creditors on this in my next progress report.

- 4.5 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>

- 4.6 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.

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

<b>Supplier / Service Provider</b>	<b>Nature of expense incurred</b>	<b>Amount incurred in the period £</b>	<b>Paid to date £</b>	<b>Amount Outstanding £</b>
Walker Morris LLP	Legal costs (relating to 'hive down' procedure and transfers of St Mary's, Birchwood and Valley View Barn properties, ongoing advice regarding recovery of funds from Director and Sykes )	10000.00	-	10000.00
AUA Insolvency Risk Services Limited	Insurance premiums	4448.95	4448.95	-

## **5 Pre-administration Costs**

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

<b>Company</b>	<b>Brief description of services provided</b>	<b>Total amount approved</b>
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

5.2 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.

## **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.

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**

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. To do this, creditors must have made their nomination in writing to the Joint Administrators prior to the proposals being approved. In the absence of a nomination, the Joint Administrators will seek permission of the Court to be appointed as Joint Liquidators of the subsequent compulsory liquidation.

#### Creditors Voluntary Liquidation

If the Joint Administrators subsequently 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.

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**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

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**Appendix A**

**Receipts and Payments Account for the period from 4 September 2016 to 30 January 2017**



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

Statement of Affairs £	From 04/09/2016 To 30/01/2017 £	From 24/03/2015 To 30/01/2017 £
POST APPOINTMENT SALES		
Holiday Let Income	NIL	211,570.55
	NIL	211,570.55
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	3,790.67
Electricity 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	NIL	19,242.24
Electricity - NPower	20.80	1,519.23
Environment Agency Licence	NIL	941.90
Peak Waste	NIL	858.00
Customer Compensation	NIL	3,823.14
	(20.80)	(102,524.75)
<b>TRADING SURPLUS/(DEFICIT)</b>	<b>(20.80)</b>	<b>(11,123.95)</b>

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

Statement of Affairs £		From 04/09/2016 To 30/01/2017 £	From 24/03/2015 To 30/01/2017 £
	<b>SECURED ASSETS</b>		
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
	<b>COSTS OF REALISATION</b>		
	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)
	<b>SECURED CREDITORS</b>		
(5,177,167.01)	Sterling Property Developments Limite	NIL	1,894,284.28
		NIL	(1,894,284.28)
	<b>ASSET REALISATIONS</b>		
	Exclusivity Deposit Retained	NIL	15,054.44
984.88	Cash at Bank	NIL	984.88
	Rent - Park Road Apartment	2,000.00	10,500.00
	Business Rates Refund - Moorlands	NIL	1,328.61
	Bank Interest Gross	24.17	92.00
	Trading Surplus/(Deficit)	(20.80)	(11,123.95)
		2,003.37	16,835.98
	<b>COST OF REALISATIONS</b>		
	Property Insurance	4,448.95	24,414.72
	Cat 1 Bordereau	NIL	60.00
	Administrators' Fees	NIL	175,000.00
	Cat 1 Carriage Costs	NIL	98.89
	Cat 1 Property Purchases and Renovat	NIL	5,164.47
	Cat 1 Legal fees	NIL	51,571.05
	Corporation Tax	NIL	7.57
	Cat 2 Registered Office fee	NIL	120.00
	Cat 2 Printing, Postage and Stationery	NIL	841.82
	Cat 2 Travel Expenses	NIL	1,854.16
	Cat 2 Storage Costs	NIL	37.00
	Cat 1 Statutory Advertising	NIL	153.24
	Land Registry Fees	NIL	65.00
		(4,448.95)	(259,387.92)
	<b>UNSECURED CREDITORS</b>		
(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

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

Statement of Affairs £		From 04/09/2016 To 30/01/2017 £	From 24/03/2015 To 30/01/2017 £
DISTRIBUTIONS			
(100.00)	Ordinary Shareholders	NIL	NIL
		NIL	NIL
<b>(1,150,349.91)</b>		<b>(2,445.58)</b>	<b>(318,478.72)</b>
REPRESENTED BY			
	VAT Receivable		0.52
	Bank 2 - Current		5,620.76
	Trade Creditors		(324,000.00)
	VAT Payable		(100.00)
			<b>(318,478.72)</b>

**Amos Commercial Limited – In Administration  
Joint Administrators' Progress Report**

**Appendix B**

**Cumulative Receipts and Payments Account for the period from 24 March 2015 to 30 January 2017**

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

Statement of Affairs £	From 24/03/2015 To 30/01/2017 £	From 24/03/2015 To 30/01/2017 £
POST APPOINTMENT SALES		
Holiday Let Income	211,570.55	211,570.55
	<u>211,570.55</u>	<u>211,570.55</u>
PURCHASES		
Amos Leisure Limited	96,169.75	96,169.75
Amos Leisure Ltd Payment on Account	24,000.00	24,000.00
	<u>(120,169.75)</u>	<u>(120,169.75)</u>
TRADING EXPENDITURE		
Business Rates - Staffordshire Moorlan	10,253.80	10,253.80
Water - Severn Trent	3,790.67	3,790.67
Electricity 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	19,242.24	19,242.24
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
	<u>(102,524.75)</u>	<u>(102,524.75)</u>
<b>TRADING SURPLUS/(DEFICIT)</b>	<b><u>(11,123.95)</u></b>	<b><u>(11,123.95)</u></b>

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

Statement of Affairs £		From 24/03/2015 To 30/01/2017 £	From 24/03/2015 To 30/01/2017 £
	<b>SECURED ASSETS</b>		
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
		<u>2,090,000.00</u>	<u>2,090,000.00</u>
	<b>COSTS OF REALISATION</b>		
	Sterling Costs re Agency Agreement	270,000.00	270,000.00
	137 Park Road - Managment Company	300.00	300.00
	Valley View Electricity reconnection	1,342.50	1,342.50
		<u>(271,642.50)</u>	<u>(271,642.50)</u>
	<b>SECURED CREDITORS</b>		
(5,177,167.01)	Sterling Property Developments Limite	<u>1,894,284.28</u>	<u>1,894,284.28</u>
		<u>(1,894,284.28)</u>	<u>(1,894,284.28)</u>
	<b>ASSET REALISATIONS</b>		
	Exclusivity Deposit Retained	15,054.44	15,054.44
984.88	Cash at Bank	984.88	984.88
	Rent - Park Road Apartment	10,500.00	10,500.00
	Business Rates Refund - Moorlands	1,328.61	1,328.61
	Bank Interest Gross	92.00	92.00
	Trading Surplus/(Deficit)	<u>(11,123.95)</u>	<u>(11,123.95)</u>
		<u>16,835.98</u>	<u>16,835.98</u>
	<b>COST OF REALISATIONS</b>		
	Property Insurance	24,414.72	24,414.72
	Cat 1 Bordereau	60.00	60.00
	Administrators' Fees	175,000.00	175,000.00
	Cat 1 Carriage Costs	98.89	98.89
	Cat 1 Property Purchases and Renovat	5,164.47	5,164.47
	Cat 1 Legal fees	51,571.05	51,571.05
	Corporation Tax	7.57	7.57
	Cat 2 Registered Office fee	120.00	120.00
	Cat 2 Printing, Postage and Stationery	841.82	841.82
	Cat 2 Travel Expenses	1,854.16	1,854.16
	Cat 2 Storage Costs	37.00	37.00
	Cat 1 Statutory Advertising	153.24	153.24
	Land Registry Fees	65.00	65.00
		<u>(259,387.92)</u>	<u>(259,387.92)</u>
	<b>UNSECURED CREDITORS</b>		
(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
		<u>NIL</u>	<u>NIL</u>

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

Statement of Affairs £		From 24/03/2015 To 30/01/2017 £	From 24/03/2015 To 30/01/2017 £
	DISTRIBUTIONS		
(100.00)	Ordinary Shareholders	NIL NIL	NIL NIL
<b>(1,150,349.91)</b>		<b>(318,478.72)</b>	<b>(318,478.72)</b>
	REPRESENTED BY		
	VAT Receivable		0.52
	Bank 2 - Current		5,620.76
	Trade Creditors		(324,000.00)
	VAT Payable		(100.00)
			<b>(318,478.72)</b>

**Amos Commercial Limited – In Administration  
Joint Administrators' Progress Report**

**Appendix C**

**Time Analysis for the period from 4 September 2016 to 30 January 2017**



# Time Entry - Detailed SIP9 Time & Cost Summary

AMOSC004 - Amos Commercial Limited  
From 04/09/2016 To 30/01/2017  
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	0.00	0.00	2.80	0.00	2.80	682.00	243.57
101 Case planning	0.00	0.00	0.80	0.00	0.80	200.00	250.00
104 Maintenance of records	0.00	0.00	0.00	0.10	0.10	14.00	140.00
106 Cashiering	0.00	0.00	0.00	0.40	0.40	56.00	140.00
115 Insurance	0.20	0.00	5.40	0.00	5.60	1,435.00	256.25
120 General Correspondence	0.00	0.00	0.10	0.00	0.10	20.00	200.00
138 Admin - Six Monthly Review	0.00	0.00	4.00	0.00	4.00	1,000.00	250.00
141 Admin - Financials - Forecasts & Projections	0.00	0.00	1.80	0.00	1.80	400.00	250.00
144 Admin - Administration 6 Month Progress Report	1.00	0.00	29.30	0.00	32.50	8,520.00	262.15
147 Admin - Appointment Holder VAT428/427/833	0.00	0.00	15.70	0.00	15.70	3,925.00	250.00
159 Admin - Bond Review	0.00	0.00	8.10	0.00	8.10	2,025.00	250.00
161 Bonding - Bond Account Reconciliations	0.00	0.00	0.90	0.00	0.90	225.00	250.00
164 Cashier - Receipts	0.00	0.00	0.00	1.60	1.60	224.00	140.00
186 Cashier - Payments	0.00	0.00	0.00	0.90	0.90	126.00	140.00
187 Cashier - VAT 428/427/833	0.00	0.00	0.00	2.30	2.30	322.00	140.00
188 Cashier - VAT 428/427/833	0.00	0.00	0.80	0.00	0.80	200.00	250.00
Administration & Planning	1.20	2.20	70.30	5.30	79.00	19,574.00	247.77
500 Creditors	0.00	0.00	3.90	0.00	3.90	975.00	250.00
501 Communication with creditors	0.00	0.00	0.40	0.00	0.40	76.00	190.00
508 Secured Creditors	2.40	1.40	5.60	0.00	5.60	1,910.00	353.70
519 Claims - HMRC	0.00	0.00	0.00	0.00	0.00	1,400.00	250.00
Creditors	2.40	1.40	11.50	0.00	15.30	4,361.00	285.03
300 Realisation of assets	0.00	0.00	2.20	0.00	2.20	550.00	250.00
303 Debt collection	0.00	0.00	0.80	0.00	0.80	200.00	250.00
304 Sale of business and assets	0.00	0.00	0.50	0.00	0.50	125.00	250.00
305 Land and Property	0.00	0.00	0.20	0.00	0.20	50.00	250.00
307 Other Assets	0.00	0.00	0.50	0.00	0.50	125.00	250.00
312 Legal - Realisation of Assets	0.00	0.00	5.40	0.00	5.40	1,350.00	250.00
315 Freehold Land & Property	5.50	1.10	12.10	0.00	18.70	5,747.50	307.35
316 Leasehold Land & Property	0.00	0.00	1.20	0.00	1.20	300.00	250.00
Realisations of Assets	5.50	1.10	22.90	0.00	29.50	8,447.50	286.36
400 Trading	0.00	0.00	0.80	0.00	0.80	200.00	250.00
Trading	0.00	0.00	0.80	0.00	0.80	200.00	250.00
Total Hours	9.10	4.70	105.50	5.30	124.60	32,582.50	261.50
Total Fees Claimed						175,000.00	

**Amos Commercial Limited – In Administration  
Joint Administrators' Progress Report**

**Appendix D**

**Cumulative Time Analysis for the period from 24 March 2015 to 30 January 2017**

# Time Entry - Detailed SIP9 Time & Cost Summary

AMOSC004 - Amos Commercial Limited  
From: 24/03/2015 To 30/01/2017  
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 30	6 60	18 40	0 00	28 30	7,195 50	245 72
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 10	0 00	6 30	1,401 00	222 38
103 Appointment notification	0 00	0 80	0 00	0 00	0 80	155 00	275 00
104 Maintenance of records	0 20	3 80	15 00	0 90	19 90	4,406 00	221 41
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	28 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	5,435 50	383 08
113 Dealing with Directors	0 00	3 40	0 00	0 00	3 40	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	16 00	0 00	18 50	4,474 00	241 84
120 General Correspondence	0 80	7 60	0 10	0 00	8 50	2,435 00	286 47
122 Prior 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 80	0 00	9 80	2,435 50	248 52
138 Admin - Six Monthly Review	0 00	0 00	4 00	0 00	4 00	1,000 00	250 00
141 Admin - Case Specific Review	0 00	0 00	1 60	0 00	1 60	400 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 8 Month Progress Report	1 00	2 20	29 30	0 00	32 50	8,520 00	262 15
148 Admin - Admin Extension Report - Court Application	0 00	0 00	15 70	0 00	15 70	3,925 00	250 00
159 Admin - Appointment Holder VAT426/427/833	0 00	0 00	8 10	0 00	8 10	2,025 00	250 00
181 Bonding - Bond Review	0 00	0 00	0 90	0 00	0 90	224 00	140 00
184 Cashier - Client Account Reconciliations	0 00	0 00	0 00	1 60	1 60	128 00	140 00
186 Cashier - Receipts	0 00	0 00	0 00	2 30	2 30	322 00	140 00
187 Cashier - Payments	0 00	0 00	0 80	0 00	0 80	200 00	250 00
188 Cashier - VAT 426/427/833	0 00	0 00	0 00	0 00	0 80	200 00	250 00
Administration & Planning	51 50	55 20	215 70	28 50	350 90	88,099 50	251 07
804 FCA Dealings	0 80	0 00	0 00	0 00	0 80	320 00	400 00
807 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	22 50	0 00	24 10	5,321 00	220 79
501 Communication with creditors	0 00	0 10	0 70	0 00	0 80	186 50	208 13
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 80	0 00	0 00	0 80	165 00	275 00
508 Secured Creditors	45 60	43 60	5 00	0 00	94 20	31,672 50	336 23
519 Claims - HMRC	0 00	0 00	5 80	0 00	5 80	1,400 00	250 00
Creditors	45 60	45 90	34 30	0 00	125 80	38,630 00	308 66
200 Investigations	12 00	7 20	19 30	0 00	38 50	10,833 00	281 38
202 CODA reports	2 10	0 00	0 00	0 00	2 10	840 00	400 00
203 Antecedent transactions	0 00	2 10	0 50	0 00	2 60	682 50	262 50
Investigations	14 10	9 30	18 80	0 00	43 20	12,355 50	288 01
300 Realisation of assets	0 40	21 80	12 80	0 00	35 00	8,806 00	251 60

# Time Entry - Detailed SIP9 Time & Cost Summary

AMOSC004 - Amos Commercial Limited  
From 24/03/2015 To 30/01/2017  
Project Code POST

Classification of Work Function	Partner	Manager	Other Senior Professionals	Assistants & Support Staff	Total Hours	Time Cost (£)	Average Hourly Rate (£)
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
312 Legal - Realisation of Assets	0 00	0 00	5 40	0 00	5 40	1,350 00	250 00
315 Freehold Land & Property	9 40	1 10	12 10	0 00	22 60	7,405 00	327 65
316 Leasehold Land & Property	0 00	0 00	1 20	0 00	1 20	300 00	250 00
Realisations of Assets	142.70	83 50	84.30	0.00	320 50	100,820 00	314 57
400 Trading	44 30	0 20	67 10	0 00	111 60	31,765 50	284 82
401 Management of operations	36 40	86 80	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 80	68.30	0 00	273 80	60,890 00	285.33
Total Hours	335 40	318 80	433.20	28.50	1,115 90	321,487 00	288 08
Total Fees Claimed						175,000 00	

**Amos Commercial Limited – In Administration**  
**Joint Administrators' Progress Report**

**Appendix E**

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

**1 Staff Allocation and the Use of Sub-Contractors**

- 1.1 The general approach to resourcing our assignments is to allocate staff with the skills and experience to meet the specific requirements of the case.
- 1.2 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.
- 1.3 We are not proposing to utilise the services of any sub-contractors in this case.

**2 Professional Advisors**

- 2.1 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.

<b>Name of Professional Advisor</b>	<b>Basis of Fee Arrangement</b>
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

- 2.2 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.

**3 Joint Administrators' Expenses & Disbursements**

- 3.1 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:

	<b>Paid in the period covered by this report £</b>	<b>Incurred but not paid to date £</b>	<b>Total £</b>
Solicitors' costs	-	10000.00	10000.00
Agency agreement	-	270000.00	270000.00
Insurance	4448.95	-	4448.95
Land Registry	-	18.00	18.00
<b>Category 2 disbursements</b>			
Printing, postage and stationery	-	90.07	90.07
Travel Expenses	-	75.00	75.00
Storage Costs	-	12.00	12.00

**Amos Commercial Limited – In Administration  
Joint Administrators' Progress Report**

**4**

<b>Category 2 disbursements charged by the firm:</b>	
<b>Type and purpose</b>	
Photocopying	15p per sheet
Letterhead	12p per sheet
Fax	40p per sheet
Mileage	65p per mile
Meeting Room	£50
Registered Office Fee	£60 per annum
Document Storage	Storage charge of £3 per box per quarter

- 4.1 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.
- 4.2 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.

**5 Charge-Out Rates**

- 5.1 Harrison's 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.

	<b>2015/2016</b>	<b>2016/2017</b>
	<b>£</b>	<b>£</b>
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 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:-

	<b>2015/2016</b>	<b>2016/2017</b>
	<b>£</b>	<b>£</b>
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/creditor-guides-or-www.insolvency-practitioners.org.uk/regulation-and-guidance/guides-to-fees](http://www.icaew.co.uk/en/technical/insolvency/creditor-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

# **A CREDITORS' GUIDE TO ADMINISTRATORS' FEES**

## **ENGLAND AND WALES**

### **1 Introduction**

- 1.1 When a company goes into administration the costs of the proceedings are paid out of its assets. The creditors, who hope eventually to recover some of their debts out of the assets, therefore have a direct interest in the level of costs, and in particular the remuneration of the insolvency practitioner appointed to act as administrator. The insolvency legislation recognises this interest by providing mechanisms for creditors to determine the basis of the administrator's fees. This guide is intended to help creditors be aware of their rights under the legislation to approve and monitor fees, 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. The committee is normally established at the meeting of creditors which the administrator is required to hold within a maximum of 10 weeks from the beginning of the administration to consider his 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 remuneration**

#### **4.1 Basis**

The basis for fixing the administrator's remuneration is set out in Rule 2.106 of the Insolvency Rules 1986, which states that it shall be fixed:

- as a percentage of the value of the property which the administrator has to deal with,
- 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.



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

#### **4.2 Advance information where remuneration not based on time costs**

Prior to the determination of the basis of remuneration, 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. However, where the administrator proposes to take any part or all of his remuneration on a time cost basis, he must provide more detailed information in the form of a 'fees estimate', as explained below.

#### **4.3 Fees estimates where remuneration to be based on time costs**

Where the administrator proposes to take remuneration 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.

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

The fees estimate and details of expenses may include remuneration 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 remuneration**

It is for the creditors' committee (if there is one) to determine on which bases, or combination of bases, the remuneration 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 2.106 says that in arriving at its decision the committee shall have regard to the following matters.

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

- 4.5 If there is no creditors' committee, or the committee does not make the requisite determination (and provided the circumstances described in paragraph 4.3 do not apply), the administrator's remuneration may be fixed by a resolution of a meeting of creditors having regard to the same matters as apply in the case of the committee. If the remuneration 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 remuneration fixed by the committee or

creditors as described above, and in any case not later than 18 months after his appointment

- 4 6 There are special rules about creditors' resolutions 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 reserved fund which may have to be set aside out of floating charge assets.

In this case, if there is no creditors' committee, or the committee does not make the requisite determination, the remuneration may be fixed by the approval of –

- each secured creditor of the company, or
- if the administrator has made or intends to make a distribution to preferential creditors –
  - each secured creditor of the company, and
  - preferential creditors whose debts amount to more than 50% of the preferential debts of the company, disregarding debts of any creditor who does not respond to an invitation to give or withhold approval,

having regard to the same matters as the committee would.

Note that there is no requirement to hold a creditors' meeting in such cases unless a meeting is requisitioned by creditors whose debts amount to at least 10 per cent of the total debts of the company.

- 4 7 A resolution of creditors may be obtained by correspondence.

## **5. Review of remuneration**

- 5 1 Where there has been a material and substantial change in circumstances since the basis of the administrator's remuneration was fixed, the administrator may request that it be changed. The request must be made to the same body as initially approved the remuneration, and the same rules apply as to the original approval.

## **6. Approval of pre-administration costs**

- 6.1 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.
- 6 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 4.3 apply, the determination may be made by the same creditors as approve the administrator's remuneration
- 6.3 The administrator must convene a meeting of the committee or the creditors 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

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

### **7.1 General principles**

**7.1.1** The administrator should provide those responsible for approving his remuneration 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.

**7.1.2** The administrator should disclose:

- payments, remuneration 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 remuneration or who provide services to the administrator in respect of the insolvency appointment where the relationship could give rise to a conflict of interest.

The administrator should inform creditors 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.

**7.1.3** 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

### **7.2 Key issues**

**7.2.1** 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 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).

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 remuneration.

**7.2.2** 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.

### **7.3 Fee estimates and subsequent reports**

- 7.3.1 When providing a fee estimate, the administrator should supply that information in sufficient time to facilitate that body 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.

### **7.4 Disbursements**

- 7.4.1 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.

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 remuneration is not required, or where the administrator is replaced.

- 7.4.2 The following are not permissible as disbursements

- a charge calculated as a percentage of remuneration,
- an administration fee or charge additional to the administrator's remuneration,
- recovery of basic overhead costs such as office and equipment rental, depreciation and finance charges.

## **8. Exceeding the amount set out in the fees estimate**

Remuneration must not exceed the fees estimate without approval by the body which fixed the original basis of the remuneration. 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.

## **9 Progress reports and requests for further information**

- 9.1 The administrator is required to send a progress report to creditors at 6-monthly intervals. The report must include

- details of the basis fixed for the remuneration 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 remuneration 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 remuneration charged during the periods covered by the previous reports, together with a description of the work 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;
- where appropriate, a statement –
  - that the remuneration anticipated to be charged is likely to exceed the fees estimate or any approval given for remuneration exceeding the estimate;
  - that expenses incurred or anticipated to be incurred are likely to exceed, or have exceeded, the details given to the creditors prior to the determination of the basis of remuneration; and
  - the reason for that excess
- the remuneration anticipated to be charged is likely to exceed the fees estimate or any approval given for remuneration exceeding the estimate;
- the expenses incurred or anticipated to be incurred are likely to exceed, or have exceeded, the details given to the creditors prior to the determination of the basis of remuneration; and
- the reasons 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 remuneration and expenses.

9.2 Within 21 days of receipt of a progress report a creditor may request the administrator to provide further information about the remuneration 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.

9.3 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 the information.

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

## 10. Provision of information – additional requirements

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.

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.

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.

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.

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

- 11.1 If a creditor believes that the administrator's remuneration is too high, 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.
- 11.2 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 report in which the charging of the remuneration 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.
- 11.3 If the court considers the application well founded, it may order that the remuneration 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

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

- 12.1 If the administrator considers that the remuneration 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 resolution of the creditors. If he considers that the remuneration 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.

#### **13 Other matters relating to remuneration**

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

- 13.2 If the administrator is a solicitor and employs his own firm to act on behalf of the company, profit costs may not be paid unless authorised by the creditors' committee, the creditors or the court.
- 13.3 If a new administrator is appointed in place of another, any 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 determination, resolution or court order is made.
- 13.4 Where the basis of the remuneration 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 remuneration. Where the outgoing administrator and the incoming administrator are from the same firm, they will usually agree the apportionment between them.

**14. Effective date**

This guide applies where a company enters administration on or after 1 October 2015

## **Appendix**

### **Suggested format for the provision of information**

Professional guidance issued to insolvency practitioners sets out the following suggested format for the provision of information when seeking approval of remuneration. However, the level of disclosure suggested below may not be appropriate in all cases, and will be subject to considerations of proportionality. In larger or more complex cases the circumstances of each case may dictate the information provided and its format.

#### **Narrative overview of the case**

In all cases, reports on remuneration should provide a narrative overview of the case. Matters relevant to an overview are:

- the complexity of the case,
- any exceptional responsibility falling on the administrator;
- the administrator's effectiveness,
- the value and nature of the property in question.

The information provided will depend upon the basis or bases being sought or reported upon, and the stage at which it is being provided. An overview might include:

- an explanation of the nature, and the administrator's own initial assessment, of the assignment (including the anticipated return to creditors) and the outcome (if known),
- initial views on how the assignment was to be handled, including decisions on staffing or subcontracting and the appointment of advisers;
- any significant aspects of the case, particularly those that affect the remuneration and cost expended;
- the reasons for subsequent changes in strategy;
- the steps taken to establish the views of creditors, particularly in relation to agreeing the strategy for the assignment, budgeting, and fee drawing;
- any existing agreement about remuneration;
- details of how other professionals, including subcontractors, were chosen, how they were contracted to be paid, and what steps have been taken to review their fees;
- in a larger case, particularly if it involved trading, considerations about staffing and managing the assignment and how strategy was set and reviewed,
- details of work undertaken during the period,
- any additional value brought to the estate during the period, for which the administrator wishes to claim increased remuneration.

#### **Time cost basis**

Where any part of the remuneration is or is proposed to be calculated on a time costs basis, requests for and reports on remuneration should provide:

- An explanation of the administrator's time charging policy, clearly stating the units of time that have been used, the grades of staff and rates that have been charged to the assignment, and the policy for recovering the cost of support staff. There is an expectation that time will be recorded in units of not greater than 6 minutes.
- A description of work carried out, which might include:
  - details of work undertaken during the period, related to the table of time spent for the period,
  - an explanation of the grades of staff used to undertake the different tasks carried out and the reasons why it was appropriate for those grades to be used,
  - any comments on any figures in the summary of time spent accompanying the request the administrator wishes to make.
- Time spent and charge-out summaries, in an appropriate format.



It is useful to provide time spent and charge-out value information in a tabular form for each of the time periods reported upon, with work classified (and sub-divided) in a way relevant to the circumstances of the case

The following areas of activity are suggested as a basis for the analysis of time spent:

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

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

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

The level of disclosure suggested above will not be appropriate in all cases, and considerations of proportionality will apply:

- where cumulative time costs are, and are expected to be, less than £10,000 the administrator should, as a minimum, state the number of hours and average rate per hour and explain any unusual features of the case;
- where cumulative time costs are, or are expected to be, between £10,000 and £50,000, a time and charge-out summary similar to that shown above will usually provide the appropriate level of detail (subject to the explanation of any unusual features);
- where cumulative time costs exceed, or are expected to exceed, £50,000, further and more detailed analysis or explanation will be warranted.

**Amos Commercial Limited – In Administration  
Joint Administrators' Progress Report**

**Appendix F**

**Statutory Forms 2.24B and 2.31B**

The Insolvency Act 1986

**Administrator's progress report**

Name of Company

Amos Commercial Limited

Company number

05636149

In the  
High Court of Justice, Chancery Division, Leeds  
District Registry

(full name of court)

Court case number  
275 of 2015(a) Insert full  
name(s) and  
address(es) of  
administrator(s)

~~I/We~~ (a)  
Paul Boyle  
Harrisons Business Recovery and Insolvency  
Limited  
102 Sunlight House  
Quay Street  
Manchester  
M3 3JZ

David Clements  
Harrisons Business Recovery and Insolvency  
Limited  
102 Sunlight House  
Quay Street  
Manchester  
M3 3JZ

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

From

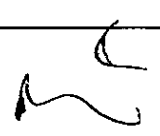
To

(b) Insert date

(b) 4 September 2016

(b) 30 January 2017

Signed

  
Joint Administrator

Dated

30 January 2017