

The Insolvency Act 1986

Administrator's progress report

Name of Company E and M E Gill Limited	Company number 00517049
In the High Court of Justice (full name of court)	Court case number 6233 of 2011

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

IAAve (a)
Paul Boyle
Harrisons Business Recovery and Insolvency
Limited
4 St Giles Court
Southampton Street
Reading
RG1 2QL

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

(b) Insert date	From (b) 18 July 2011	To (b) 17 January 2012
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Signed


Administrator

Dated

17 February 2012

Contact Details:

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

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

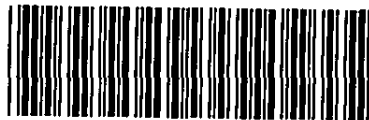
Paul Boyle
Harrisons Business Recovery and Insolvency Limited
4 St Giles Court
Southampton Street
Reading
RG1 2QL

DX Number

0118 951 0798
DX Exchange

When you have completed and signed this form, please send it to the Registrar of Companies at:-
Companies House, Crown Way, Cardiff CF14 3UZ DX 33050 Cardiff

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18/02/2012

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COMPANIES HOUSE

Limited, Glasgow, Scotland

**E and M E Gill Limited
(in Administration)
"Gills / the Company"**

**Progress Report to Creditors
pursuant to Rule 2.47
of the Insolvency Rules 1986**

E and M E Gill Limited (in Administration) – “Gills / the Company”

Progress Report to Creditors

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E and M E Gill Limited (in Administration) – “Gills / the Company”

Progress Report to Creditors

1. GLOSSARY

Administrator	Paul Boyle of Harrison's Business Recovery and Insolvency Limited, 4 St Giles Court, Southampton Street, Reading, RG1 2QL
Appointor	The directors
Administration Application	The administration documentation was filed at the High Court of Justice on 18 July 2011 and allocated Court Number 6233 of 2011
Company	E and M E Gill Limited (Company Registration Number 00517049) of 4 St Giles Court, Southampton Street, Reading RG1 2QL.

The references in this report to Sections, Paragraphs or Rules are to the Insolvency Act 1986

2. INTRODUCTION

- 2.1 I, Paul Boyle of Harrison's Business Recovery and Insolvency Limited (“Harrison's”) was appointed as Administrator of Gills on 18 July 2011 upon the director filing a Notice of Appointment of an Administrator at the High Court of Justice in accordance with Paragraph 22 of Schedule B1 of the Insolvency Act 1986
- 2.2 In accordance with Rule 2.47, I now provide my progress report to creditors on the administration of the proceedings. This report should be read in conjunction with the Administrator's previous correspondence

3. PURPOSE AND PROGRESS OF THE ADMINISTRATION

Purpose of the Administration

- 3.1 The Company could not be saved as a going concern in accordance with Paragraph 3(1)(a), since there were insufficient funds available to finance trading the Company or the prospect of sufficient realisations to enable a contribution based voluntary arrangement. Paragraph 3(1)(b) does not apply since there are insufficient funds to enable a distribution to unsecured creditors.
- 3.2 The purpose of the Administration is in accordance with Paragraph 3(1)(c) to realise the assets of the Company in order to make a distribution to one or more secured or preferential creditor

Progress of the Administration

- 3.3 Attached at Appendix I is an abstract of the Administrator's receipts and payments since the commencement of the proceedings on 18 July 2011 to 17 January 2012.

Asset Realisations

Leasehold Property at 91, 91a Beulah Road

- 3.4 The Company holds title to leasehold properties at 91, 91a Beulah Road, Cardiff (“the Leasehold”)
- 3.5 The Administrator has agreed a sale of the Leasehold and the terms of sale are currently being finalised. It is estimated that the Leasehold will be sold for £167,500 which is in accordance with my agent's report. The net proceeds are payable to the chargeholder (Royal Bank of Scotland Plc) under its fixed charge

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Progress Report to Creditors

Sale of Business

- 3 6 I would refer you to the disclosure report circulated to all known creditors on 26 July 2011 which provides full details of the sale of the business of the Company. For ease of reference, I have provided a summary of the transaction.
- 3 7 On 18 July 2011 the assets scheduled below were sold subject to a Sale and Purchase Agreement (“SPA”) to Wecruise Limited, formerly Robert Gill and Son Limited (“WC”) for the total sum of £50,000. The transaction is made up as follows:

	£
Commercial and Customer Records	1
Contract Database	24,997
IT and Communications Equipment	1
Chattel Assets	25,000
Domain Names	1
	<u>£50,000</u>

Insurance Premium Refunds

- 3 8 Some £3,235 has been realised in relation to Gills’ insurance cover on bookings that were subsequently cancelled. I do not anticipate any further realisations in this regard.

Book Debts – VAT

- 3 9 As previously advised, £97,000 is due to the Company by way of a VAT refund in relation to the sale of the trademark/intellectual property rights to Sippchoice Limited (“Sippchoice”).
- 3 10 HM Revenue & Customs (“HMRC”) requested further information be made available from the Company’s records regarding the VAT being reclaimed by the Sippchoice, in order for the VAT reclaim to be validated.
- 3.11 I am pleased to confirm that having provided the requested information, HMRC has confirmed the VAT reclaim will now be processed. In light of this, the VAT debtor is expected to be realised in full.

Payments

- 3 12 During the reporting period, Mishcon de Reya Solicitors has been paid fees on account of £9,000 in relation to:
- Advising upon the appointment of an Administrator
 - Drafting and agreeing the SPA
 - Dealing with the ongoing property sale
 - Advice on the recovery of other assets.
- 3 13 £5,000 on account has been paid to Winterhill in relation to the valuation of the Leasehold, and valuation and sale of the Company’s remaining assets.
- 3.14 Gill Sainsbury PR was paid some £1,890 for assisting the Administrator in managing the Company’s press release upon appointment and advertising for the sale of the assets.

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- 3 15 Hollingdale Pooley Limited was paid £270 for assisting with the preparation of the Company's P45s and P35s
- 3 16 [*Post the reporting period, £13,500 has been paid to the Royal Bank of Scotland Plc as a first distribution under its fixed charge*]

Statement of Affairs

- 3 17 In accordance with Paragraph 47(1) of Schedule B1 of the Insolvency Act 1986 the directors of the Company have been asked to provide the Administrator with a Statement of Affairs as at 18 July 2011. This has not yet been provided
- 3 18 I attach at Appendix III an estimated statement of affairs as at 18 July 2011, as prepared by the Administrator and provided in my first report.

4. ADMINISTRATOR'S PROPOSALS

The following proposals were deemed to be approved by creditors -

1. If the Administrator believes that it is appropriate to do so and/or beneficial to realisations and/or in satisfaction of the sums due to the secured creditor, he be authorised to extend the term of office for 6 months from the automatic end date of 17 July 2012, in accordance with Paragraph 76(2) of Schedule B1 of the Insolvency Act 1986
2. Since there are insufficient assets available to enable a distribution to the unsecured creditors the Administrator shall conclude the Administration pursuant to Paragraph 84 of Schedule B1 of the Insolvency Act 1986, moving from Administration to dissolution. This will be carried out once all matters have been finalised
3. There are insufficient funds available to make a distribution to unsecured creditors. Where a creditor indicates its written desire to petition for the winding up of the Company or provides a written request that the Company be placed into compulsory winding up for the purpose of the Official Receiver conducting an investigation, the Administrator is granted authority to exit the Administration under Paragraph 80 of Schedule B1 of the Insolvency Act 1986 thereby creating the opportunity for a creditor to petition for a compulsory winding up order at its own expense
4. In accordance with Paragraph 98 of Schedule B1 of the Insolvency Act 1986 the Administrator is discharged from any liability with regards to the Company and granted his release from office when the proceedings come to an end and upon the filing of the appropriate documentation at Companies House.

5. DIVIDEND PROSPECTS / PRESCRIBED PART

Secured Creditor

- 5 1 As reported previously, a first legal charge was granted to National Westminster Bank Plc ("RBS"), which provided fixed and floating charges over all tangible and intangible assets of the Company
- 5 2 At the commencement of the proceedings the total indebtedness to RBS was some £446,000.

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- 5.3 No distribution has been made to RBS in the reporting period (see above). A further distribution will be made to RBS in due course under its fixed charge, in relation to realisations made from the chattel assets and the imminent sale of the Leasehold.

Preferential and unsecured creditors

- 5.4 There are insufficient realisations in the proceedings to make a distribution to the preferential or unsecured creditors.

6. ADMINISTRATOR'S REMUNERATION

- 6.1 In accordance with Rule 2 106(5A) the Administrator's remuneration and disbursements shall be agreed with RBS, the fixed and floating chargeholder.
- 6.2 Attached at Appendix II for your information is a schedule of the Administrator's time costs to date, in accordance with SIP 9.
- 6.3 The time costs to 17 January 2012 total £83,735 representing 487 hours at an average charge out rate of £172 per hour. In addition, disbursements of £2,692 have been incurred.
- 6.4 As at the time of this report, fees of £5,000 and £18,000 were taken after the reporting period from fixed and floating realisations respectively.

7. CONCLUSION OF ADMINISTRATION

- 7.1 The Administrator will continue to realise the remaining assets and shall report to creditors once matters have either been concluded, or the administration is one year old.

Should you have any questions in relation to this report, please contact Jose Casal in our London office on 0207 317 9160.



Paul Boyle
Joint Administrator

17 February 2012

APPENDIX I

**ADMINISTRATOR'S SUMMARY
OF
RECEIPTS AND PAYMENTS**

E and M E Gill Limited
(In Administration)
Administrator's Abstract of Receipts & Payments

To 17/01/2012

S of A £	ASSET REALISATIONS	£	£
160,000 00	Leasehold Property at 91,91a Beulah	NIL	
Uncertain	Chattel Assets at Winchester House	NIL	
25,000 00	Chattel Assets	25,000 00	
1 00	IT and Communications Equipment	1 00	
24,997 00	Contact Database	24,997 00	
1 00	Commercial and Customer Records	1 00	
1 00	Domain Name	1 00	
97,000 00	Book Debts - VAT	NIL	
3,150 00	Book Debts - Rent	NIL	
NIL	Book Debts - Europa Quality Print (UK	NIL	
Uncertain	Book Debts - Commissions and Advert	NIL	
3,235 00	Insurance Premium Refunds	3,235 31	
	Rates Refund	703 35	
	Bank Interest Gross	<u>17 66</u>	
			53,956 32
	COST OF REALISATIONS		
	Agents' / Valuers' Fees	6,890 00	
	Accountant's Fees	270 00	
	Legal Fees	<u>9,000 00</u>	
			(16,160 00)
	SECURED CREDITORS		
(446,107 00)	Royal Bank of Scotland	<u>NIL</u>	
			NIL
	PREFERENTIAL CREDITORS		
(104,915 00)	Employees Wage Arrears & Holiday Pay	<u>NIL</u>	
			NIL
	UNSECURED CREDITORS		
(773,964 00)	Trade & Expense Creditors	NIL	
(246,266 00)	Employees	NIL	
(9,424,816 00)	Cruiseline Operators	NIL	
(180,472 00)	HM Revenue & Customs	NIL	
(7,935 00)	HP Unsecured Claims	<u>NIL</u>	
			NIL
(10,871,090.00)			<u>37,796.32</u>
	REPRESENTED BY		
	Cash at Bank	<u>37,796 32</u>	
		<u>37,796 32</u>	

E AND M E GILL LIMITED - IN ADMINISTRATION

JOINT ADMINISTRATORS' TIME COSTS FOR THE PERIOD 18 JULY 2011 TO 17 JANUARY 2012

SIP 9 TIME SUMMARY

Classification of work function	Hours					Total Cost £	Average hourly rate £
	Partner	Manager	Case Administrator	Assistants and support staff	Total hours		
Administration and Planning	22 50	0 00	118 70	76 35	217 55	35,418 25	162 81
Creditors	18 00	0 20	144 20	54 20	216 60	33,091 00	152 77
Investigations	0 00	0 00	2 60	0 00	2 60	481 00	185 00
Realisations of assets	29 50	0 40	16 10	4 20	50 20	14,744 50	293 72
Total hours and costs	70 00	0 60	281 60	134 75	486 95	83,734 75	171 96

Statutory bonding	£480 00
Statutory advertising	£63 18
Subsistence	£5 00
Mileage	£144 30
Travel	£12 75
External printing	£555 50
Storage collection / indexing	£441 97
Fax & PPS	£919 32
Searches	£70 00
Total Disbursements	£2,692 02

The above headings include <i>inter alia</i>	
Administration and Planning case planning appointment notification maintenance of records statutory reporting PAYE/NIC	Creditors communications with creditors Creditors' claims (including secured creditors employees and preferential creditors)
Realisation of Assets identifying and securing assets debt collection property, business and asset sales	Investigations SIP2 review reports pursuant to Company Directors Disqualification Act 1986 investigating antecedent transactions

1. Harrisons Business Recovery & Insolvency (London) Limited fee policy

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 is considered to be relevant -

2. Charge out rates

With effect from July 2011 the following hourly charge out rates apply to all assignments undertaken by Harrisons:-

	£
Directors	300-400
Managers	200-295
Senior Case Supervisors	175-200
Case Supervisors	100-160
Assistants	75-125

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 a "category 1 disbursements". Category 1 disbursements will generally comprise supplies of incidental services specifically identifiable to the case, typical 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 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.

It is for the creditors' committee (if there is one) to determine on which of these 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

4.2 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.

4.3 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 4 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. Details of such costs must be included in the administrator's proposals
- 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 When seeking remuneration approval

- 7 1 1 When seeking agreement to his fees the administrator should provide sufficient supporting information to enable the committee or the creditors to form a judgement as to whether the proposed fee is reasonable having regard to all the circumstances of the case. The nature and extent of the supporting information which should be provided will depend on
- the nature of the approval being sought,
 - the stage during the administration of the case at which it is being sought, and
 - the size and complexity of the case
- 7 1 2 Where, at any creditors' or committee meeting, the administrator seeks agreement to the terms on which he is to be remunerated, he should provide the meeting with details of the charge-out rates of all grades of staff, including principals, which are likely to be involved on the case

7.1.3 Where the administrator seeks agreement to his fees during the course of the administration, he should always provide an up to date receipts and payments account. Where the proposed fee is based on time costs the administrator should disclose to the committee or the creditors the time spent and the charge-out value in the particular case, together with, where appropriate, such additional information as may reasonably be required having regard to the size and complexity of the case. The additional information should comprise a sufficient explanation of what the administrator has achieved and how it was achieved to enable the value of the exercise to be assessed (whilst recognising that the administrator must fulfil certain statutory obligations that might be seen to bring no added value for creditors) and to establish that the time has been properly spent on the case. That assessment will need to be made having regard to the time spent and the rates at which that time was charged, bearing in mind the factors set out in paragraph 4.1 above. To enable this assessment to be carried out it may be necessary for the administrator to provide an analysis of the time spent on the case by type of activity and grade of staff. The degree of detail will depend on the circumstances of the case, but it will be helpful to be aware of the professional guidance which has been given to insolvency practitioners on this subject. The guidance suggests the following areas of activity 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 explanation of what has been done can be expected to include an outline of the nature of the assignment and the administrator's own initial assessment, including the anticipated return to creditors. To the extent applicable it should also explain:

- Any significant aspects of the case, particularly those that affect the amount of time spent
- The reasons for subsequent changes in strategy
- Any comments on any figures in the summary of time spent accompanying the request the administrator wishes to make
- The steps taken to establish the views of creditors, particularly in relation to agreeing the strategy for the assignment, budgeting, time recording, fee drawing or fee agreement
- Any existing agreement about fees
- 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

It should be borne in mind that the degree of analysis and form of presentation should be proportionate to the size and complexity of the case. In smaller cases not all categories of activity will always be relevant, whilst further analysis may be necessary in larger cases.

- 7.1.4 Where the fee is charged on a percentage basis the administrator should provide details of any work which has been or is intended to be sub-contracted out which would normally be undertaken directly by an administrator or his staff

7.2 After remuneration approval

Where a resolution fixing the basis of fees is passed at any creditors' meeting held before he has substantially completed his functions, the administrator should notify the creditors of the details of the resolution in his next report or circular to them. In all subsequent reports to creditors the administrator should specify the amount of remuneration he has drawn in accordance with the resolution (see further paragraph 8.1 below). Where the fee is based on time costs he should also provide details of the time spent and charge-out value to date and any material changes in the rates charged for the various grades since the resolution was first passed. He should also provide such additional information as may be required in accordance with the principles set out in paragraph 7.1.3. Where the fee is charged on a percentage basis the administrator should provide the details set out in paragraph 7.1.4 above regarding work which has been sub-contracted out.

7.3 Disbursements and other expenses

There is no statutory requirement for the committee or the creditors to approve the drawing of expenses or disbursements, but there is provision for the creditors to challenge them, as described below. Professional guidance issued to insolvency practitioners requires that, where the administrator proposes 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 the administrator's own firm), they must be disclosed and be authorised by those responsible for approving his remuneration. Such expenses must be directly incurred on the case and subject to a reasonable method of calculation and allocation.

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. 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,
 - 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

8 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.

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 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.

9. 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.

10 What if a creditor is dissatisfied?

101 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.

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 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

- 10 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

11 What if the administrator is dissatisfied?

- 11 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

12 Other matters relating to remuneration

- 12 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
- 12 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
- 12 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
- 12 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

13. Effective date

This guide applies where a company enters administration on or after 6 April 2010, except where

- the application for an administration order was made before that date, or
- where the administration was preceded by a liquidation which commenced before that date

Insolvency Act 1986

E and M E Gill Limited

Estimated Statement Of Affairs as at 18 July 2011

	Book Value £	Estimated to Realise £	£
ASSETS			
Leasehold Property at 91,91a Beulah Road	757,701 00	160,000 00	
The Royal Bank of Scotland plc	(446,106 67)	(446,106 67)	
Deficiency c/d		(286,106 67)	
Chattel Assets	722,508 00		25,000 00
IT and Communications Equipment			1 00
Contact Database	175,022 00		24,997 00
Commercial and Customer Records			1 00
Domain Name			1 00
Book Debts - VAT	97,000 00		97,000 00
Book Debts - Rent	3,500 00		3,150 00
Book Debts - Europa Quality Print (UK)	1,504 00		NIL
Book Debts - Commissions and Advertising	50,000 00		Uncertain
Insurance Premium Refunds	Uncertain		3,235 00
			153,385 00
LIABILITIES			
PREFERENTIAL CREDITORS -			
Employees Wage Arrears & Holiday Pay		18,896 15	
			18,896 15
			134,488 85
DEBTS SECURED BY FLOATING CHARGE PRE 15 SEPTEMBER 2003			
OTHER PRE 15 SEPTEMBER 2003 FLOATING CHARGE CREDITORS			
			NIL
			134,488 85
Estimated prescribed part of net property where applicable (to carry forward)			NIL
			134,488 85
DEBTS SECURED BY FLOATING CHARGE POST 15 SEPTEMBER 2003			
Deficiency b/d		286,106 67	
			286,106 67
			(151,617 82)
Estimated prescribed part of net property where applicable (brought down)			NIL
			NIL
Unsecured non-preferential claims (excluding any shortfall to floating charge holders)			
Trade & Expense Creditors		496,313 80	
Employees		36,668 16	
Cruiseline Operators		9,435,264 14	
			9,968,246 10

Insolvency Act 1986
E and M E Gill Limited
Estimated Statement Of Affairs as at 18 July 2011

Book Value £	Estimated to Realise £ £
Estimated deficiency/surplus as regards non-preferential creditors (excluding any shortfall in respect of F C's post 14 September 2003)	(9,968,246 10)
Shortfall in respect of F C's post 14 September 2003 (brought down)	151,617 82 (10,119,863 92)
Issued and called up capital Ordinary Shareholders	512,000 00 512,000 00
TOTAL SURPLUS/(DEFICIENCY)	(10,631,863 92)

The Insolvency Act 1986

Administrator's progress report

Name of Company

E and M E Gill Limited

Company number

00517049

In the
High Court of Justice

(full name of court)

Court case number
6233 of 2011(a) Insert full
name(s) and
address(es) of
administrator(s)I/We (a)
Paul Boyle
Harrisons Business Recovery and Insolvency
Limited
4 St Giles Court
Southampton Street
Reading
RG1 2QL

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

From

To

(b) Insert date

(b) 18 July 2011

(b) 17 January 2012

Signed


Administrator

Dated

17 February 2012