

The Insolvency Act 1986
Administrator's progress report

Name of Company

Assetline Limited

Company number

03210543

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

(full name of court)

Court case number
3959 of 2008

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

We (a)
Leslie Ross
Grant Thornton UK LLP
4 Hardman Square
Spinningfields
Manchester
M3 3EB

Matthew Dunham
Grant Thornton UK LLP
4 Hardman Square
Spinningfields
Manchester
M3 3EB

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

From


To

(b) Insert date

(b) 19 November 2012

(b) 18 May 2013

Signed


Joint Administrator

Dated

4/06/2013

FRIDAY

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21/06/2013

#152

COMPANIES HOUSE

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QIQ

06/06/2013

#116

COMPANIES HOUSE



Grant Thornton

Our Ref LZR/ZLC/BZM/TXA/F00934/

To the creditors

Recovery and Reorganisation

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Manchester M3 3EB

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31 May 2013

Dear Sirs

Fairfax Gerrard Holdings Limited
Fairfax Gerrard Traders Limited
Harringtons Exports Limited
Fairfax Gerrard International Limited
Fairfax Gerrard Contracts Limited
Assetline Limited
Assetline Trading Limited
All in administration (together the Companies)

High Court of Justice, Chancery Division, Manchester Court
Nos 3954, 3955, 3956, 3957, 3958, 3959 and 3960 of 2008

1 Introduction

1.1 Following my appointment as joint administrator of the Companies by The Co-operative Bank plc (the Bank) on 19 November 2008 and Matthew Dunham's appointment as joint administrator by order of the Court dated 8 November 2010, we now report on the progress of the administrations to date and attach

- Appendix A, Forms 2 24B, together with an account of our receipts and payments for each of the Companies for the period from 12 October 2012 to 18 May 2013 and also for the entire period of the administrations to date
- Appendix B, an extract from the Insolvency Rules 1986 relating to creditors' rights to request additional information from an administrator (Rule 2 48A)
- Appendix C, an extract from the Insolvency Rules 1986 relating to creditors' rights to challenge an administrator's remuneration or expenses, if excessive (Rule 2 109)

1.2 Please note that we are both authorised by the Insolvency Practitioners Association to act as insolvency practitioners

1.3 In accordance with paragraph 100(2) of Schedule B1 to the Insolvency Act 1986, the functions of the administrators are to be exercised by any or all of them

Chartered Accountants

Member firm within Grant Thornton International Ltd

Grant Thornton UK LLP is a limited liability partnership registered in England and Wales No OC307742 Registered office Grant Thornton House, Melton Street, Euston Square, London NW1 2EP
A list of members is available from our registered office

Grant Thornton UK LLP is authorised and regulated by the Financial Conduct Authority

A list of personnel permitted by Grant Thornton to accept appointments as insolvency practitioners and of their respective authorising bodies may be inspected at the above address

2 Statutory information

2.1 The Companies' statutory details are as follows

Company	Registered number	Registered office
Fairfax Gerrard Holdings Limited	03198916	Grant Thornton UK LLP, 11-13 Penhill Road, Cardiff, CF11 9UP
Fairfax Gerrard Traders Limited	03197027	Grant Thornton UK LLP, 11-13 Penhill Road, Cardiff, CF11 9UP
Harringtons Exports Limited	03239482	Grant Thornton UK LLP, Kennet House, 80 Kings Road, Reading, RG1 3BJ
Fairfax Gerrard International Limited	02964504	Grant Thornton UK LLP, 11-13 Penhill Road, Cardiff, CF11 9UP
Fairfax Gerrard Contracts Limited	03204571	Grant Thornton UK LLP, 11-13 Penhill Road, Cardiff, CF11 9UP
Assetline Limited	03210543	Grant Thornton UK LLP, Kennet House, 80 Kings Road, Reading, RG1 3BJ
Assetline Trading Limited	03244831	Grant Thornton UK LLP, Kennet House, 80 Kings Road, Reading, RG1 3BJ

3 Progress report

Book debt recovery

- 3.1 The principal assets of the Companies are book debts. At the date of appointment, according to the Companies' records, c £9 million remained outstanding
- 3.2 Book debts of £1,070,953 have been collected as at 18 May 2013, as shown in the table below

Company	Book debt recovery £'000
Fairfax Gerrard Contracts Limited	478
Fairfax Gerrard Traders Limited	393
Fairfax Gerrard International Limited	178
Assetline Limited	22
Fairfax Gerrard Holdings Limited	-
Assetline Trading Limited	-
Harringtons Exports Limited	-
	<u>1,071</u>

- 3.3 There have been no realisations since our last progress report. The debt collection has been focused on a small number of debtors where recovery is considered possible. These debtors are subject to on-going legal action or separate formal insolvency proceedings where we await distributions.

- 3 4 The collection process has been complicated and protracted as a significant proportion of the debts are owed by companies, individuals and guarantors which are either subject to insolvency procedures, dispute the debts and or have limited assets

Statutory matters

- 3 5 To enable the administrators to complete the collection of the remaining debts, the Court ordered that the administrations be extended to 16 November 2014

4 Outcome for creditors

Secured creditors

- 4 1 The principal secured creditor is the Bank, which at the date of appointment was owed £1,410,000 by Fairfax Gerrard International Limited and Fairfax Gerrard Contracts Limited. The Bank has cross-guarantees over the Companies.
- 4 2 To date the Bank has received distributions totalling £350,000. Unfortunately for the reasons noted above in relation to the collectability of the debtors ledger, it is unlikely that the Bank will be repaid in full in relation to its indebtedness.

Preferential creditors

- 4 3 The preferential creditors of Fairfax Gerrard Holdings Limited were estimated at £7,000 in the estimated financial position provided to creditors with our statement of proposals. We do not anticipate there will be a dividend for these creditors.
- 4 4 There are no preferential creditors in any other of the companies.

Unsecured creditors

- 4 5 We do not anticipate the Companies' unsecured creditors will receive a dividend since, as noted above, it is estimated the Bank's debt will not be paid in full.
- 4 6 As the Bank's security is dated prior to 15 September 2003, there will be no prescribed part carve out in favour of unsecured creditors.

5 Joint administrators' remuneration and expenses

- 5 1 In accordance with Statement of Insolvency Practice (SIP 9), we confirm our time costs to 18 May 2013 for the administrations amounted to £698,295, representing 2,803 hours at an average of £249 per hour. To date we have drawn fees of £200,000.

- 5.2 The table below summarises the administrators' time costs and remuneration across the Companies

Company	Hours	Time costs £	Administrators' fees £
Fairfax Gerrard Holdings Limited	1,391 72	359,232 40	-
Fairfax Gerrard Traders Limited	619 72	150,677 20	115,000
Fairfax Gerrard Contracts Limited	397 74	96,694 15	75,000
Fairfax Gerrard International Limited	195 14	47,817 55	-
Assetline Limited	88 95	19,196 40	10,000
Harringtons Exports Limited	54 79	12,320 25	-
Assetline Trading Limited	55 13	12,357 40	-
	<u>2,803 19</u>	<u>698,295 40</u>	<u>200,000</u>

- 5.3 We have obtained approval of our fees from the Bank in accordance with Rule 2.106 of the Insolvency Act 1986
- 5.4 Background information regarding the fees of administrators can be found at www.insolvency-practitioners.org.uk (navigate via 'Regulation and Guidance' to 'Creditors Guides to Fees'). Alternatively, we will supply this information by post on request. Time is charged in six minute units.

6 Other expenses incurred by the joint administrators

- 6.1 Gateley LLP continues to be engaged to provide legal advice, and is advising us on the recovery of several debts with the assistance of Counsel

Yours faithfully
for and on behalf of Fairfax Gerrard Holdings Limited
Fairfax Gerrard Traders Limited
Harringtons Exports Limited
Fairfax Gerrard International Limited
Fairfax Gerrard Contracts Limited
Assetline Limited
Assetline Trading Limited



Leslie Ross
Joint Administrator

The affairs, business and property of Fairfax Gerrard Holdings Limited, Fairfax Gerrard Traders Limited, Fairfax Gerrard International Limited, Fairfax Gerrard Contracts Limited, Assetline Limited, Assetline Trading Limited and Harringtons Exports Limited are being managed by Leslie Ross and Matthew Dunham, following the Companies going into administration on 19 November 2008

Enc

Fairfax Gerrard Holdings Limited - in administration
Receipts and payments account for the period
19 November 2008 to 18 May 2013

	19 Nov 2008 - 12 Oct 2012	13 Oct 2012 - 18 May 2013	Total
	£	£	£
Receipts			
Misc float receipts	481 59	-	481 59
Misc refund	2,000 09	-	2,000 09
Book debts due to Fairfax Gerrard Traders Limited	40,000 00	-	40,000 00
Book debts due to Fairfax Gerrard International Limited	175,182 78	-	175,182 78
	<u>217,664 46</u>	<u>-</u>	<u>217,664 46</u>
Payments			
Legal fees	9,510 00	-	9,510 00
Bank/ISA interest gross	9 48	-	9 48
Misc float payments	4,134 56	-	4,134 56
Agents'/valuers' fees	991 20	-	991 20
Professional fees	390 00	-	390 00
Debt collection	6,025 05	(620 00)	5,405 05
Stationery & Post	590 47	-	590 47
Storage Costs	2,813 06	-	2,813 06
Statutory advertising	226 80	-	226 80
Insurance of assets	3,294 13	-	3,294 13
Bank charges	6,851 52	-	6,851 52
	<u>34,836 27</u>	<u>(620 00)</u>	<u>34,216 27</u>
Balance	<u>182,828 19</u>	<u>620 00</u>	<u>183,448 19</u>
Represented by			
VAT receivable	4,576 71	-	4,576 71
Funds in hand	178,251 48	620 00	178,871 48
	<u>182,828 19</u>	<u>620 00</u>	<u>183,448 19</u>

Note There is no comparison to the directors' statement of affairs as a statement of affairs has not been prepared

Fairfax Gerrard Contracts Limited - in administration
Receipts and payments account for the period
19 November 2008 to 18 May 2013

	19 Nov 2008 - 12 Oct 2012	13 Oct 2012 - 18 May 2013	Total
	£	£	£
Receipts			
Book debts	478,521 25	-	478,521 25
Bank interest	138 43	-	138 43
	<u>478,659 68</u>	<u>-</u>	<u>478,659 68</u>
Payments			
Administrators' fees	75,000 00	-	75,000 00
Administrators' expenses	921 59	-	921 59
Legal fees	81,083 34	-	81,083 34
Litigation settlement	25,000 00	-	25,000 00
Corporation tax	34 92	-	34 92
Debt collection	11,203 04	-	11,203 04
Storage costs	110 00	-	110 00
Bank charges	51 80	17 60	69 40
Distribution to floating charge creditor	220,000 00	-	220,000 00
	<u>413,404 69</u>	<u>17 60</u>	<u>413,422 29</u>
Balance	<u>65,254 99</u>	<u>(17 60)</u>	<u>65,237 39</u>
Represented by			
VAT receivable	29,972 64	-	29,972 64
Funds in hand	35,282 35	(17 60)	35,264 75
	<u>65,254 99</u>	<u>(17 60)</u>	<u>65,237 39</u>

Note There is no comparison to the directors' statement of affairs as a statement of affairs has not been prepared

Fairfax Gerrard International Limited - in administration
Receipts and payments account for the period
19 November 2008 to 18 May 2013

	19 Nov 2008 - 12 Oct 2012	13 Oct 2012 - 18 May 2013	Total
	£	£	£
Receipts			
Book debts	177,582 78	-	177,582 78
	<u>177,582 78</u>	<u>-</u>	<u>177,582 78</u>
Payments			
Administrators' expenses	256 41	-	256 41
Bank charges	11 58	-	11 58
	<u>267 99</u>	<u>-</u>	<u>267 99</u>
Balance	<u>177,314 79</u>	<u>-</u>	<u>177,314 79</u>
Represented by			
VAT receivable	29 15	-	29 15
Funds in hand	2,102 86	-	2,102 86
Owed by Fairfax Gerrard Holding Limited	<u>175,182 78</u>	<u>-</u>	<u>175,182 78</u>
	<u>177,314 79</u>	<u>-</u>	<u>177,314 79</u>

Note There is no comparison to the directors' statement of affairs as a statement of affairs has not been prepared

Fairfax Gerrard Traders Limited - in administration
Receipts and payments account for the period
19 November 2008 to 18 May 2013

	19 Nov 2008 - 12 Oct 2012	13 Oct 2012 - 18 May 2013	Total
	£	£	£
Receipts			
Book debts	392,562 36	-	392,562 36
Cash at bank	1,458 96	-	1,458 96
Misc float receipts	1,251 48	-	1,251 48
Bank interest	6 05	-	6 05
	<u>395,278 85</u>	<u>-</u>	<u>395,278 85</u>
Payments			
Administrators' fees	115,000 00	-	115,000 00
Administrators' expenses	2,541 27	-	2,541 27
Legal fees	34,130 20	-	34,130 20
Professional fees	2,456 24	-	2,456 24
Debt collection	39,361 52	-	39,361 52
Bank charges	277 24	-	277 24
Distribution to floating charge creditor	130,000 00	-	130,000 00
	<u>323,766 47</u>	<u>-</u>	<u>323,766 47</u>
Balance	<u>71,512 38</u>	<u>-</u>	<u>71,512 38</u>
Represented by			
VAT receivable	26,812 85	-	26,812 85
Funds in hand	4,699 53	-	4,699 53
Owed by Fairfax Gerrard Holding Limited	40,000 00	-	40,000 00
	<u>71,512 38</u>	<u>-</u>	<u>71,512 38</u>

Note There is no comparison to the directors' statement of affairs as a statement of affairs has not been prepared

Assetline Limited – in administration
Receipts and payments account for the period
19 November 2008 to 18 May 2013

	19 Nov 2008 - 12 Oct 2012	13 Oct 2012 - 18 May 2013	Total
	£	£	£
Receipts			
Book debts	22,286 94	-	22,286 94
	<u>22,286 94</u>	<u>-</u>	<u>22,286 94</u>
Payments			
Administrators' fees	10,000 00	-	10,000 00
Administrators' expenses	95 97	-	95 97
Debt collection	1,995 80	-	1,995 80
Bank charges	22 50	-	22 50
	<u>12,114 27</u>	<u>-</u>	<u>12,114 27</u>
Balance	<u>10,172 67</u>	<u>-</u>	<u>10,172 67</u>
Represented by			
VAT receivable	2,014 40	-	2,014 40
Funds in hand	8,158 27	-	8,158 27
	<u>10,172 67</u>	<u>-</u>	<u>10,172 67</u>

Note There is no comparison to the directors' statement of affairs as a statement of affairs has not been prepared

Assetline Trading Limited – in administration
Receipts and payments account for the period
19 November 2008 to 18 May 2013

	19 Nov 2008 - 12 Oct 2012	13 Oct 2012 - 18 May 2013	Total
	£	£	£
Receipts			
	-	-	-
Payments			
	-	-	-
Balance	-	-	-

Note There is no comparison to the directors' statement of affairs as a statement of affairs has not been prepared

Harringtons Exports Limited – in administration
Receipts and payments account for the period
19 November 2008 to 18 May 2013

	19 Nov 2008 - 12 Oct 2012	13 Oct 2012 - 18 May 2013	Total
	£	£	£
Receipts			
	-	-	-
Payments			
	-	-	-
Balance	-	-	-

Note There is no comparison to the directors' statement of affairs as a statement of affairs has not been prepared

Fairfax Gerrard Holdings Limited - F30200934 - SIP 9 TIME COST ANALYSIS

Job(s) Administration, CMU - Administration

Transaction period All transactions

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Standard	Partner		Manager		Executive		Administrator		Total		
	Hrs	£	Hrs	£	Hrs	£	Hrs	£	Hrs	£	Avg Hrlly Rate
Administration and Planning	41 55	18,625 25	144 05	45,926 75	167 57	35,046 75	290 45	40,242 65	643 62	139,841 40	217 27
Creditors	88 70	33,728 00	88 65	27,863 00	53 70	10,843 75	62 50	7,742 75	293 55	80,177 50	273 13
Hiatus period											
Investigations	14 20	5,518 00	26 00	8,678 75	2 60	536 00	7 20	900 00	50 00	15,632 75	312 66
Realisation of Assets	103 40	40,850 00	222 50	76,679 50	8 50	4,408 50	85 45	10,158 25	402 85	123,279 25	306 02
Trading							1 50	247 50	1 50	247 50	165 00
Unclassified					20	54 00			20	54 00	270 00
Total	247 85	98,721 25	481 20	159,148 00	215 57	42,072 00	447 10	59,291 15	1,391 72	359,232 40	258 12

Total fees billed to date (Time) . £ 10,000

Fairfax Gerrard Traders Limited - F30200935 - SIP 9 TIME COST ANALYSIS

Job(s) Administration, CMU - Administration

Transaction period All transactions

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Standard	Partner		Manager		Executive		Administrator		Total		
	Hrs	£	Hrs	£	Hrs	£	Hrs	£	Hrs	£	Avg Hrly Rate
Administration and Planning	14 55	5,387 75	25 45	7,356 25	27 51	6,382 25	89 49	12,408 70	157 00	31,534 95	200 86
Creditors	1 50	551 50	14 52	4,159 25	16 80	3,460 00	40	54 00	33 22	8,224 75	247 58
Hiatus period											
Investigations	6 65	3,391 50	50	130 00	70	154 00			7 85	3,675 50	468 22
Realisation of Assets	26 50	9,788 50	214 70	63,809 25	150 90	30,632 00	29 35	2,958 25	421 45	107,188 00	254 33
Trading											
Unclassified					20	54 00			20	54 00	270 00
Total	49 20	19,119.25	255 17	75,454.75	196.11	40,682.25	119 24	15,420 95	619 72	150,677 2	243 14

Total fees billed to date (Time) : £ 105,000

Harringtons Exports Limited - H30205750 - SIP 9 TIME COST ANALYSIS

Job(s) Administration, CMU - Administration

Transaction period All transactions

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Standard	Partner		Manager		Executive		Administrator		Total		
	Hrs	£	Hrs	£	Hrs	£	Hrs	£	Hrs	£	Avg Hrlly Rate
Administration and Planning	1 70	688 50	12 20	3,790 00	13 09	2,990 80	17 93	2,365 70	44 92	9,835 00	218 94
Creditors	30	109 50	2 77	948 00	75	146 25	10	16 50	3 92	1,220 25	311 29
Hiatus period											
Investigations			50	130 00					50	130 00	260 00
Realisation of Assets			2 95	789 50			2 30	291 50	5 25	1,081 00	205 90
Trading											
Unclassified					20	54 00			20	54 00	270 00
Total	2 00	798 00	18 42	5,657 50	14 04	3,191 05	20 33	2,673 70	54 79	12,320 25	224 86

Total fees billed to date (Time) £

Fairfax Gerrard International Limited - F30200933 - SIP 9 TIME COST ANALYSIS

Job(s) Administration, CMU - Administration

Transaction period All transactions

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Standard	Partner		Manager		Executive		Administrator		Total		
	Hrs	£	Hrs	£	Hrs	£	Hrs	£	Hrs	£	Avg Hrly Rate
Administration and Planning	2 60	1,044 75	17 05	4,987 50	20 99	4,791 30	29 03	3,729 00	69 67	14,552 55	208 88
Creditors	2 00	734 00	3 77	1,253 00	75	146 25	10 10	1,284 75	16 62	3,418 00	205 66
Hiatus period											
Investigations	2 50	1,200 00	50	130 00					3 00	1,330 00	443 33
Realisation of Assets	25 80	9,547 00	56 35	16,209 50	3 20	725 00	20 30	1,981 50	105 65	28,463 00	269 41
Trading											
Unclassified					20	54 00			20	54 00	270 00
Total	32 90	12,525 75	77 67	22,580 00	25 14	5,716 55	59 43	6,995 25	195 14	47,817 55	245 04

Total fees billed to date (Time) • £

Fairfax Gerrard Contracts Limited - F30200932 - SIP 9 TIME COST ANALYSIS

Job(s) CMU - Administration, Administration

Transaction period All transactions

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Standard	Partner		Manager		Executive		Administrator		Total		
	Hrs	£	Hrs	£	Hrs	£	Hrs	£	Hrs	£	Avg Hrly Rate
Administration and Planning	2 10	854 50	13 90	4,392 50	40 49	9,782 70	46 78	5,748 70	103 27	20,778 40	201 20
Creditors	80	296 00	77	238 00	2 75	580 25	50	68 00	4 82	1,182 25	245 28
Hiatus period											
Investigations			65	171 25	1 80	396 00			2 45	567 25	231 53
Realisation of Assets	1 70	642 50	94 30	33,161 75	176 70	38,799 00	14 30	1,509 00	287 00	74,112 25	258 23
Trading											
Unclassified					20	54 00			20	54 00	270 00
Total	4 60	1,793 00	109 62	37,963 50	221 94	49,611 95	61 58	7,325 70	397 74	96,694 15	243 11

Total fees billed to date (Time) £ 75,000

Assetline Limited - A30202920 - SIP 9 TIME COST ANALYSIS

Job(s) Administration, CMU - Administration

Transaction period All transactions

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Standard	Partner		Manager		Executive		Administrator		Total		
	Hrs	£	Hrs	£	Hrs	£	Hrs	£	Hrs	£	Avg Hrly Rate
Administration and Planning	1 20	480 00	27 80	7,762 50	13 02	3,004 90	34 71	4,409 00	76 73	15,656 40	204 05
Creditors	60	223 00	2 77	948 00	1 15	230 25	10	16 50	4 62	1,417 75	306 87
Hiatus period											
Investigations			50	130 00					50	130 00	260 00
Realisation of Assets			4 10	1,541 75	50	105 00	2 30	291 50	6 90	1,938 25	280 91
Trading											
Unclassified					20	54 00			20	54 00	270 00
Total	1 80	703 00	35 17	10,382 25	14 87	3,394 15	37 11	4,717 00	88 95	19,196 40	215 81

Total fees billed to date (Time) . £ 10,000

Assetline Trading Limited - A30202921 - SIP 9 TIME COST ANALYSIS

Job(s) Administration, CMU - Administration

Transaction period All transactions

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Standard	Partner		Manager		Executive		Administrator		Total		
	Hrs	£	Hrs	£	Hrs	£	Hrs	£	Hrs	£	Avg Hrfy Rate
Administration and Planning	1 30	512 50	11 40	3,515 00	12 32	2,857 90	18 94	2,410 25	43 96	9,295 65	211 46
Creditors	60	223 00	2 72	928 00	75	146 25	10	16 50	4 17	1,313 75	315 05
Hiatus period											
Investigations			50	130 00					50	130 00	260 00
Realisation of Assets	1 50	547 50	2 50	725 00			2 30	291 50	6 30	1,564 00	248 25
Trading											
Unclassified					20	54 00			20	54 00	270 00
Total	3 40	1,283 00	17 12	5,298 00	13 27	3,058 15	21 34	2,718 25	55 13	12,357 40	224 15

Total fees billed to date (Time) : £

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

Rule 2 48A

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

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

Rule 2 109

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