

The Insolvency Act 1986

Statement of administrator's proposals

Name of Company AB Trafalgar Square Limited	Company number 04924457
In the High Court of Justice, Chancery Division [full name of court]	Court case number 9155 of 2013

(a) Insert full name(s) and address(es) of administrator(s)
* Delete as applicable

We (a) Trevor John Binyon and Timothy John Edward Dolder, both of Opus Restructuring LLP, One Euston Square, 40 Melton Street, London, NW1 2FD

attach a copy of ~~*my~~/ our proposals in respect of the Administration of the above company

(b) Insert date

A copy of these proposals was sent to all known creditors on
(b) 27 February 2014

Signed _____
Joint Administrators

Dated 27-02-14

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.

Opus Restructuring LLP	
One Euston Square, 40 Melton Street, London, NW1 2FD	
	Tel 020 7268 3333
DX Number	DX Exchange

WEDNESDAY



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05/03/2014

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COMPANIES HOUSE

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

Rule 2.35

Notice of a meeting of creditors

Name of Company

Company number

AB Trafalgar Square Limited

04924457

In the High Court of Justice, Chancery
Division, Companies Court

Court case number 2041

(full name of court)

of 2013

(a) Insert full name(s)
and address(es) of
administrator(s)Notice is hereby given by (a) Trevor John Binyon and Timothy John Edward
Dolder both of Opus Restructuring LLP, One Euston Square, 40 Melton
Street, London, NW1 2FD(b) Insert full name
and address of
registered office of the
companyThat a meeting of creditors of (b) AB Trafalgar Square Limited of
One Euston Square, 40 Melton Street, London, NW1 2FD(c) Insert details of
place of meetingIs to be held at (c) One Euston Square, 40 Melton Street, London, NW1
2FD(d) Insert date and
time of meeting

on (d) 18 March 2014 at 11 00 a m

*Delete as applicable

The meeting is

*(1) an initial creditors' meeting under paragraph 51 of Schedule B1 to the
Insolvency Act 1986 ("the Schedule"),~~*(2) an initial creditors' meeting requested under paragraph 52(2) of the
Schedule,~~~~*(3) to consider revisions to my proposals under paragraph 54(2) of the
Schedule,~~~~*(4) a further creditors' meeting under paragraph 56 of the Schedule,~~~~*(5) a creditors' meeting under paragraph 62 of the Schedule~~

I invite you to attend the above meeting

A proxy form is enclosed which should be completed and returned to me by
the date of the meeting if you cannot attend and wish to be representedIn order to be entitled to vote under Rule 2.38 at the meeting you must give
to me, not later than 12 00 hours on the business day before the day fixed
for the meeting, details in writing of your claim

Signed

Joint Administrators

Dated

27-02-14

*Delete as applicable

A copy of the *proposals / ~~revised proposals~~ is attached

APPENDIX A

THE ADMINISTRATORS' PROPOSALS
OF AB TRAFALGAR SQUARE LIMITED
(IN ADMINISTRATION)
T/A ALBANNACH

A) COURT DETAILS

High Court of Justice, Chancery Division, Companies Court No. 9155 of 2013

B) REGISTERED NAME, ADDRESS AND NUMBER

Company name	AB Trafalgar Square Limited (In Administration), ("the Company")
Previous name	Albannach Brands Limited AB Trafalgar Square Plc Albannach Brands Plc
Other trading names	Albannach
Trading address	66 Trafalgar Square, London, WC2N 5DS
Current registered office	One Euston Square, 40 Melton Street, London, NW1 2FD
Former registered office	66 Trafalgar Square, London, WC2N 5DS
Registered Number	04924457
Date of incorporation	7 October 2003
Principal trading activity	Restaurant and bar

C) ADMINISTRATION APPOINTMENT DETAILS

Trevor John Binyon (9285) and Timothy John Edward Dolder (9008) were appointed Joint Administrators of AB Trafalgar Square Limited on the 8 January 2014 upon the application of the directors of the Company

The functions of the Joint Administrators are being exercised by either or both of the Administrators acting jointly or alone

D) COMPANY APPOINTMENTS AND SHAREHOLDINGS

Current Directors:

Robert Hayim appointed 30 November 2006

Dan Sullam appointed 7 October 2003

Directors Resigned Within Last 3 Years

Harold Victor Broese Van Groenou - appointed 25 June 2011 and resigned 31 January 2012

Company Secretary

SLC Registrars Limited

Shareholder details

Albannach Brands Limited - 618,750 Deferred Ordinary £0 001 shares of £0 001 each

Albannach Brands Limited - 12,052,927 Ordinary £0 05 shares of £0 26 each

Authorised

618,750 Deferred Ordinary £0 001 shares
12,052,927 Ordinary £0 05 shares

Allotted, called up and fully paid

618 75 Deferred Ordinary shares of £0 001 each
602,646 35 Ordinary shares of £0 26 each

Charges

From information received from Companies House the outstanding charges are detailed as follows -

Type of Charge	Created	Registered	In Favour of
Rent Deposit Deed	25 11 03	13 12 03	Brook Street Investments Limited
Debenture	07 01 05	14 01 05	Scottish Courage Limited (now Heineken UK Limited)
Debenture	12 06 09	03 07 09	CSS Alpha Fund Limited
Loan Agreement	12 08 11	02 09 11	Mrs Madeline Meyrick
Loan Agreement	25 11 11	14 12 11	Mr William Rollason
Charge	13 05 13	29 05 13	Albannach Brands Limited
Charge	11 11 03	22 11 13	Albannach Brands Limited (Incorporated in Hong Kong)

I understand that this a further charge registered to CSS Bridge D19

I have instructed my solicitors to identify the priority of these charges and ascertain whether they are subject to fixed or floating charges, or indeed both

E) AN ACCOUNT OF THE CIRCUMSTANCES GIVING RISE TO THE APPOINTMENT OF AN ADMINISTRATOR

The Directors have provided an account of the Company's trading history -

AB Trafalgar Square Limited (hereinafter referred to as ("the Company")) was incorporated on 7 October 2003 by Mr Dan Sullam ("DS") one of the current directors

The Company's principal trading activity is a Scottish themed restaurant and bar trading as the Albannach at 66 Trafalgar Square, London, WC2N 5DS

The Directors identified the lack of a Scottish brand of hospitality in London and in other international cities and endeavoured to emulate the Irish pubs success

Together with Gerry Mizrahi, Managing Director of Charles Street Securities ("CSS"), one of the chargeholders, the directors developed a plan for the Company to open 15-20 large, high profile sites in major international financial centres and establish Albannach Brands Plc a consumer brand

During 2004, through CSS, the Company raised circa £900,000 (gross) from investors. The net funds to the Company after CSS's and other professional costs were £600,000. Dan Sullam contributed £10,000 in direct investment and his friends and family contributed approximately £125,000 of further funding.

Also in 2004, the Company first secured a £600,000 term loan facility from Halifax Bank of Scotland ("HBOS") together with £200,000 of asset finance and a £50,000 overdraft facility.

HBOS's security contained a first fixed and floating charges over the business and its assets.

Once the Company had begun to trade in December 2004, Scottish Courage now known as Heineken funded a £100,000 loan linked to a beer and soft drinks supply deal.

The Company's need for additional funding was for three reasons -

- 1 An 8 month delay in the opening of the restaurant, which created nearly £1.5m of a shortfall,
- 2 The spiralling cost of the construction project as a result of the failure of the first general contractor and of problems unforeseen in the subsequent refurbishment of the site,
- 3 The slow remedial financing to shore up the launch of the site, both in terms of achieving sufficient profitability and enough traction from the first time critics and customers.

Towards the middle of 2005, the Company had secured a further loan of £300,000 from HBOS and, at its peak, the overdraft facility was to reach £375,000.

Long term delays in construction and funding, recruitment and retention of staff was extremely challenging. There were problems with the construction, air conditioning, heating, drainage and the lighting and electrics were all substandard, partly as a result of payment disputes and partly as a result of underperforming contractors and similar problems affected the ability to run the site optimally.

In June 2007, having negotiated with the HBOS and the landlord to show forbearance for 6 months, the Company raised a further £1,250,000 in equity whilst securing agreement from convertible noteholders to convert their bonds into equity.

In 2007, revenues peaked at £2.6m, but the Company's cost structure was now weighed down by more expensive overheads. By the beginning of 2008, external economic factors led to HBOS beginning to exert pressure on the Company.

As 2008 progressed, it was clear that the Bank lending criteria and recession were having an impact on the Company's customers' spending patterns.

The Board opted to cancel the London expansion as it identified high rentals in the new economic environment.

In mid 2009, new equity financing was initiated to pursue the expansion into China and to invest in the re-launch of the Albannach brand. A strategy was launched to shift the business away from its dependency on wet sales to more restaurant (food dominant) business, thus lending itself to being less vulnerable to changes in the economy or fashion. The preparation for the financing, followed by its slow pace, raised the need for bridging loan of £100,000. This loan was made to the Company jointly on a 50/50 basis by CSS Alpha and the father of Dan Sullam.

In 2011, a new plan for financing the Company's expansion plans in China were put into action. A new equity financing plan this time targeting £2m was set in motion with CSS in September in order to support the purchase and construction of a flagship site in Beijing, China, known as Albannach, Parkview Green.

In order to attract new investment from Asian markets, an offer was made to transfer 100% of the shares in Albannach Brands Plc (the Company operating the site at Trafalgar Square was subsequently renamed AB Trafalgar Square Limited).

The Company benefitted from the influx of new employees, and a new Head of Operations to spearheaded the restructuring of the kitchen and the restaurant menus.

Delays by the new landlords in Beijing meant that a little pressure was taken of the Company on the financing front, but the pressure still remained. The directors continued with increasing urgency to seek alternative financing. Conventional debt financing through banks or equivalent was not possible. HBOS had restructured the credit available to the Company. In the third quarter of 2011, the Company secured £100,000 loan from Madeleine Meyrick and £100,000 from William Rollason. These were meant to be short term loans secured on the Company.

In 2012, the Company was under extreme pressure on all creditor fronts however it signed an exclusive hire deal with the Chinese state broadcaster to take over the building for the duration of the London Olympics. This was worth a total contract value of £420,000.

By the third quarter, after the Olympics, the Company was receiving more pressure from the landlords in Beijing, who were seeking to see progress on the construction. A new remedial financing agreement was set up through CSS and the financing was expressly launched to complete the construction and open and operate the new site in Beijing.

Revenues in 2012, including the rental value of the Olympics event, were £2.4m.

With the CSS financing in progress, the Company had come to a point in early 2013 where its HBOS term loans were now fully repaid. The Company had therefore begun to look for a source to replace this finance. There was a need to heavily invest in refurbishing the building at Trafalgar Square. The funds raised for China were not intended for use in London.

The Company went through extensive negotiations with a finance company and signed an agreement in March 2013 to raise £1m debt for the Company. This was due to be secured against the lease on a first charge and in turn would repay the secured creditors, some unsecured creditors and would provide some funding for the refurbishment of Trafalgar Square with a view to developing a members' club.

The due diligence process was planned to take 2 months, but it was not until August 2013 that the directors were nearing completion of this preparatory part of the financing. In September 2013, the finance company stated that they would not proceed with the financing.

The creditor pressure was now significant and a petition to wind up the Company was presented by a creditor in January 2013 but was dismissed in February. Whilst a refinancing plan was in prospect, the Directors believed that future trading could be secured and profitable. In December 2013, the Directors sought advice on the financial position of the Company.

The Directors approached Trevor John Binyon of Opus Restructuring LLP on 23 December 2013 following an instruction by Hamlins LLP, solicitors. The rent payment for the restaurant was due on 25 December 2013 and the Company had insufficient funds to pay the rent.

To protect the Company from creditor action, Notice of Intention to appoint Administrators was filed in Court on 23 December 2013. Appropriate notices were served on the charge holders with floating charges identified by the Company.

On 8 January 2014, Timothy John Edward Dolder and I were appointed by Dan Sullam, a director of the Company, as Joint Administrators of the Company. The appointment permitted the Joint Administrators to take any actions required, either jointly or alone.

A summary of the company's recent trading performance is shown below.

	Audited Financial Statements 01.01.11 to 31.12.12 £'000	Audited Financial Statements 01.01.10 to 31.12.11 £'000	Audited Financial Statements 01.01.09 to 31.12.10 £'000
Turnover	2,487,226	2,219,017	2,135,510
Cost of Sales	<u>(597,489)</u>	<u>(652,956)</u>	<u>(626,916)</u>
Gross Profit	1,889,737	1,566,061	1,508,594
Administrative Expenses	(2,097,883)	(2,192,745)	(1,911,559)
Other operating income	<u>-</u>	<u>13,816</u>	<u>-</u>
Operating Loss	(208,146)	(612,868)	(402,965)
Interest payable and Similar charges	<u>(171,730)</u>	<u>(163,528)</u>	<u>(64,413)</u>
Loss on Ordinary Activities before Taxation	(379,876)	(776,396)	(467,378)
Tax on loss on ordinary activities	<u>-</u>	<u>-</u>	<u>-</u>
Loss for the Financial Year	(379,876) =====	(776,396) =====	(467,378) =====

F) STATEMENT OF AFFAIRS

We have requested the Directors to prepare a summary of the Company's estimated financial position as at 8 January 2014, which is known as a Statement of Affairs. A final version has not yet been received but we anticipate it will be presented at the creditors' meeting.

We have prepared an estimate of the financial position of the Company as at 8 January 2014 from information supplied by the directors which is attached at **Appendix B**, together with a list of names and addresses of all known creditors and the amounts of their debts.

G) DETAILS OF AN ORDER LIMITING DISCLOSURE

No order has been requested limiting disclosure.

H) IF A STATEMENT OF AFFAIRS NOT PROVIDED FULL CREDITOR DETAILS

A list of creditors is attached at **Appendix B**

I) AS THE STATEMENT OF AFFAIRS HAS NOT BEEN PROVIDED

COMMENTS ON THE STATEMENT OF AFFAIRS

The Statement of Affairs had been produced by the Joint Administrators based on information provided by the Directors

The Statement of Affairs takes no account of costs incurred in the Administration

Assets subject to Fixed Charge

Leasehold Premises

The leasehold premises are shown in the Statement of Affairs at a book value of £1.1m. I am endeavouring to sell the business as a going concern and a guide price has been recommended by our selling agents at £600,000.

Rent Deposit

The rent deposit is currently held by the landlord, we believe for £211,000. However, the final realisation from this source is uncertain as there may be administration trading rental payments to discharge, depending on whether or not the business is sold prior to the next due quarter date.

This rent deposit is subject to a Rent Deposit Deed in favour of Brook Street Investments Limited.

Intellectual Property / Goodwill

These assets are shown in the Director's Statement of Affairs with a book value of £150,000 and £100,000 respectively. The realisations from both of these assets remains uncertain.

Assets subject to Floating Charge

Stock

The book value shown in the Director's Statement of Affairs is shown as £40,000 with an estimate to realise sum of £20,000.

At the time of my appointment the wet stock was valued by Stocktake UK Limited, an independent valuer, in the sum of £37,334. During the period of Administration trading this stock will be utilised as required and replenished as required. Once the Administration trading period is concluded, the final value of any residual stock can be confirmed.

Cash at Bank

As indicated in the Director's Statement of Affairs, the sum of funds held in the Bank account with Bank of Scotland was £10,000

I can confirm that the sum of £9,445 has since been recovered from HBOS

Additional Assets not shown in the Estimated Statement of Affairs

There are additional assets which are not shown in information supplied by the Directors detailed as follows -

Insurance Claim

The Company's pre-appointment insurers were dealing with an insurance claim which has a potential realisable value of £60,000

This matter is now being followed up by the Administrators' insurers, Insolvency Risk Services. For the moment, the realisation is uncertain

Business Rates

A business rates refund has been recovered during the period of the Administration in the sum of £11,492.65 from City of Westminster

J). Preferential creditors

The only known preferential creditors are former employees of the Company for unpaid wages and holiday pay. Their claims are subject to a maximum limit set by the insolvency legislation. The value of the preferential creditors has been estimated as £35,000 by the Director.

During the period of trade in the Administration outstanding wages / salaries for the pre-appointment period from 21 November 2013 to 7 January 2014 were paid to certain key employees in the sum £5,521.69

Although several members of staff have already been made redundant, some members of staff have been retained although it should be noted that the Joint Administrators have not adopted the employees' contracts.

It is anticipated that the retained employees will be transferred to a Purchaser under the Transfer of Undertaking (Protection of Employment) Regulations ("TUPE"), thereby mitigating/extinguishing any further preferential claims against the Company.

Unsecured creditors

Creditors' claims, as per the estimated statement of affairs total £1,742,354

K) BASIS OF REMUNERATION & DISBURSEMENTS FOR ADMINISTRATORS

Joint Administrators' Remuneration

To the date of this report, my firm's time costs amount to £45,650.00, representing 219.00 hours work, at an average charge out rate of £208.45. **Appendix C** contains information about our current charge out rates, our remuneration as Administrators and expenses, including the total time spent on the affairs of the Company for the period from when it entered Administration on 8 January 2014, to the date of these proposals, and the cost of that time based on the charge out rates of the staff undertaking the work.

The Joint Administrators time-costs in dealing with matters relating to the trading of the Company amount to £18,600 00, which is a total of 65 00 hours giving an average charge-out rate of £286 15. It should be noted that these costs would have been increased substantially if my trading agents, Convivial Management Solutions ("CMS") had not been dealing with the ongoing trading on my behalf. More information regarding CMS are referred to later in this report.

In this instance, I propose and have previously agreed with the Board of Directors that my firm's total fees will not exceed £36,000 (assuming a 3 month trading period) by reference to the time properly spent by the Joint Administrators and their staff in dealing with matters relating to the Administration of the Company, such time to be charged at the hourly charge out rate of the grade of staff undertaking the work at the time it was undertaken.

As agreed with the Board of Directors, it is proposed that at the end of the Administration, my firm's fees should be reviewed to discuss an uplift to a time charged basis, based on the performance of the Joint Administrators and their team including an assessment of administration trading and the outcome of the sale.

The details of the specific work undertaken is described in **Appendix D**, the manner in which the affairs of the business have, since the date of appointment, been managed.

Joint Administrators' Disbursements

The Joint Administrators' category 1 disbursements are listed in the schedule detailing our time-costs.

For clarity, the disbursements incurred are as follows -

Advertising	£84 60
Meeting Room	£20 00
Case software setup charge (Insolv)	£185 00
Bonding	£680 00
Company's House Search Fee	£15 00
TOTAL	£984.60

A Creditor's Guide to Administration Fees' and Opus Restructuring LLP's charge-out rates policy are attached at **Appendix D**.

I can confirm that to date, no category 2 disbursements have been incurred.

PRE-ADMINISTRATION COSTS

Pre-Administration costs are defined as fees and expenses incurred by the Administrators or their firm, or another person qualified to act as an Insolvency Practitioner, before the Company entered Administration but with a view to its doing so.

Attached at **Appendix E** is a summary of my firm's pre-appointment time costs. My firm's time costs to 7 January 2014 amount to £8,632 50, representing 36 40 hours' work, at an average charge out rate of £237 16.

I can confirm that as per an agreement with the Board of Directors I have waived my firm's pre-appointment fees.

No Category 1 or Category 2 disbursements have been incurred in the pre-appointment period.

The work undertaken in the period prior to the Company entering Administration is as follows -

- Strategic case planning,
- Obtaining and reviewing all financial information,
- Reviewing all potential assets,
- Preparing all statutory documentation,
- Preparing all internal files and paperwork,
- General insolvency advice and preparation of the relevant statutory documentation,
- Liaising with major creditors,
- Preparing for the marketing of the Company's business and assets

I can confirm that no other pre-appointment fees or disbursements have been incurred by any other party

Other persons entitled to claim

I am unaware of any additional costs incurred by other professionals qualified to act as an Insolvency Practitioner in respect of the Company. Should any such claims subsequently come to light, they will be dealt with in the manner provided by the Insolvency Rules

L) DIVIDEND IN RELATION TO THE PRESCRIBED PART

The Joint Administrators must state the amount of funds available to unsecured creditors in respect of the prescribed part. The prescribed part only applies where the company has granted a floating charge to a creditor after 15 September 2003. Where a floating charge over the company's assets has been given a prescribed amount of the company's net property after paying the preferential creditors and cost and expenses of the Administration, but before paying the lender who holds a floating charge. An Administrator has to set aside

50% of the first £10,000 of the net property, and
20% of the remaining net property up to a maximum of £600,000

The amount of any prescribed part has yet to be evaluated as I am currently awaiting advice on the priority of charges and whether or not they define fixed and floating charges

The Joint Administrators estimate that after allowing for costs, the value of the Company's net property, after payment of preferential claims, will be less than £10,000. I am not required to distribute the prescribed part of the net property if I think the costs of distribution would be disproportionate to the benefit to creditors. Based on current information, I am of the view that the costs of distribution would be disproportionate and so will not be making a distribution of the prescribed part

Further information relating to the prescribed part will be reported in my next 6 monthly report to creditors

M) PURPOSE AND END OF ADMINISTRATION

The purpose of an Administration Order is to achieve one of the following objectives

- Rescuing the Company as a going concern, or
- Achieving a better result for the Company's creditors as a whole than would be likely if the Company were wound up (without first being in Administration), or
- Realising property in order to make a distribution to one or more secured or preferential creditors

Objective (a) could not be achieved as no purchaser could be found for the shares of the Company and the nature of the Company's trading and its financial circumstances meant that a Company Voluntary Arrangement was not appropriate

As a result, I am seeking to achieve objective (b) for the Company, and will do this by trading the business of the Company with a view to the sale of the Company's business and assets and realise any monies due under the rent deposit further information of which is referred to below

The Insolvency legislation has set a 12 month maximum duration for Administrations, unless the duration is extended by the Court or the creditors. If I am unable to complete the Administration of the Company within 12 months then I will either apply to Court, seek approval of the secured creditor or hold a meeting of creditors, in order to seek approval to extend the duration of the Administration

EXIT FROM ADMINISTRATION

It is intended that the Administration will end by the Company being placed into Creditors' Voluntary Liquidation with Trevor John Binyon and Timothy John Edward Dolder to be appointed Joint Liquidators. Creditors may nominate a different Liquidator provided that nominations to that effect are received before the approval of these proposals. Any alternative nomination for proposed liquidator will need to be received before the proposal is approved

Any act required or authorised under any enactment to be done by the liquidators is to be done by all or any one or more of the persons for the time being holding office

However, if there are insufficient funds to pay a dividend to creditors, it is proposed that the Administration will end by the Company being dissolved

N) MEETING OF CREDITORS

I am holding a meeting of creditors to enable creditors to consider and vote on my formal proposals to achieve the objective of the administration of the Company. The meeting will be held on Tuesday 18 March 2014 at One Euston Square, 40 Melton Street, London, NW1 2FD at 11 00 a.m. and a formal notice about the meeting is enclosed with these proposals

I enclose a Proxy form and claim form (Proof of Debt) for your use at the meeting of creditors. As a creditor you can vote if you complete and send the proof of debt form (and proxy form in you intend to use one) to us and your claim is admitted. I must receive your completed forms no later than noon on the business day before the day of the meeting. You are not required to attend the meeting and non-attendance will not affect your rights against the Company. Creditors whose claims are wholly secured are not entitled to vote at this meeting, but can attend or be represented

The meeting of creditors will be given the opportunity to appoint a creditors' committee. A committee is made up of between three and five representatives of creditors who will then meet me on a regular basis to discuss the administration of the Company. If a committee is appointed then it will be for them to approve my remuneration and category 2 expenses. If a committee is not appointed then approval of my remuneration and category 2 expenses will be considered at part of these formal proposals

O) THE MANNER IN WHICH THE AFFAIRS OF THE BUSINESS HAVE SINCE THE DATE OF APPOINTMENT, BEEN MANAGED

The directors of AB Trafalgar Square Limited were referred to me by Hamlins LLP, solicitors, on 23 December 2013 to help advise on the options available for the Company as it was deemed to be insolvent. The amount of time incurred on pre-appointment advice was 36.40 hours at a cost of £8,632.50. The advice given covered the marketing of the business and also discussing trading issues.

As previously advised, I can confirm that as per an agreement with the Board of Directors, I have waived my firm's pre-appointment fees.

A signed engagement letter was received from the directors of the Company on 6 January 2014.

The directors advised that the Company had become insolvent due to an intended substantial source of funding not materialising.

The following options were considered by the directors -

Liquidation

The possibility of placing the Company into liquidation was considered. However, it was decided that this was not the best course of action as it would not allow the orderly sale of the business as a going concern which has the prospect of a greater return to creditors.

Company Voluntary Arrangement ("CVA")

Monies owed to the unsecured creditors is substantial and therefore for this option to be achievable, significant fresh working capital would have needed to be injected. This was not available.

Pre-Pack Administration

The directors were asked to provide information on any parties that they were aware of, who would be interested in purchasing the assets of the Company, and who would be willing to have the employees transferred to them as part of a sale. The directors were asked to advise of any marketing conducted by the Company prior to our engagement. The location of the business was such that it had to be fully exposed to the market to assess the best bid and a pre-pack sale was not appropriate.

Trading in Administration

The cash flow forecasts were reviewed by us and it was deemed that there would be sufficient working capital available to allow the Company to trade for a short period until a purchaser could hopefully be found. It is anticipated that the business will break even or make a small trading loss, but we are advised the value of the business will be greatly enhanced by remaining trading rather than closing.

Instructed Agents and Advisors

Christie & Co ("Christies")

Specialist agents and valuers in the restaurant sectors, Christies, were instructed to provide their comments on the marketing strategy and price recommendations on a trading basis. Christies inspected the premises, reviewed accounts and other documentation. Christies' recommendation

was that the business remained trading to facilitate the sale process and indicated that the sale price for the business and assets of the Company would be significantly enhanced against a closure scenario. Christies are experienced asset valuers and a registered member of the Royal Institute of Chartered Surveyors ("RICS")

Christies have been instructed on a fixed fee basis as follows -

- 3% of the Total Price plus VAT at the prevailing rate up to £400,001, 5% on any sum achieved between £400,001 and £700,001. Should proceeds exceed £700,001 then a bonus fee of 6% will apply to the amount between this and the sale price
- The fee is subject to a minimum of £12,000 plus VAT. In addition Christies are to be reimbursed for all marketing and brochure costs in relation to the sale process up to an agreed maximum and will be subject to an internal admin fee. A budget has been provided in the region of £1,600 plus VAT
- Should the property be withdrawn from the market during Christies' agency period an early withdrawal fee of £5,000 will be payable
- Should a binding contract be entered into the sale of the Business but completion fails to take place a Fee equivalent to 1% plus VAT of the Total Price shall be payable by the Vendor out of any deposit held, when completion would otherwise have taken place

Christies are marketing the business with a guide price of £600,000 and have advertised the business in the Restaurant Magazine and Publicans Morning Advertiser

There has been a considerable amount of interest in the business given its flagship status location in Trafalgar Square. Christies have provided to date, a list of 22 current interested parties

I will update creditors in my next report which will be within one month after the 6 month anniversary of the Administration appointment

Chattel Agents

Mr Peter Davies of Eddisons acted on my behalf and undertook to report as an independent valuer. Eddisons were instructed on 8 January 2014 to carry out an inventory and valuation of the Company's chattel assets. A fixed fee of £2,500 plus VAT plus disbursements for this inventory and valuation has been agreed although no fees have been paid to date

The valuation summary received is as follows -

	Market Value (In Situ)
Catering Equipment & Restaurant Furnishings	£23,500
Office Furniture & Computers	£ 1,150
Total	£24,650

Solicitors

Hamlins LLP ("Hamlins") have been instructed on a time cost basis to provide legal advice on issues connected with the Administration

In particular, they are dealing with the Company's property leases both at Trafalgar Square and an office in Great Portland Street

In addition, Hamlins are reviewing the security and order of priority of the various charges held by the Company

In due course, and if a sale is successful, Hamlins will be drafting the necessary sale and purchase agreement

Commercial Energy Performance Certificate ("EPC") Costs

I needed to ensure that an EPC was carried out prior to the commencement of marketing activities

I therefore instructed BakerLife who are members of the National Energy Services Accreditation Scheme. The relevant Certificate was issued on 19 01 14 and is valid until 18 01 24

Trading Agents

Convivial Management Services Limited (Convivial), specialist agents to the restaurant sector, were instructed by the Administrators to carry out the trading function on behalf of the Joint Administrators, in association with the retained staff and management

Convivial's fees are as follows -

- £6,000 plus VAT per calendar month,
- £3,000 plus VAT payable at the commencement of the agreement,
- £6,000 plus VAT payable at the termination of the agreement

None of the above costs have been paid to date

More information relating to Convivial's role is outlined in Section T of this report headed "Trading"

Consultation with Major Creditors

The various charge holders have been contacted by the Joint Administrators and our solicitors and they will be kept apprised of any future sale of the business

P) TRADING THE COMPANY

As outlined above, upon my appointment it was decided to trade the Company in order to preserve the goodwill and seek to achieve an increased realisation through a sale as going concern

Convivial, specialist agents to the restaurant sector, were instructed by the Joint Administrators to carry out the trading function in association with the retained staff and management

Convivial took over the running of the restaurant and the Company's associated purchase ledger. To ensure retention of certain key staff and their goodwill, loyalty payments were paid to 3 members of staff which represented their loss of earnings. Negotiations were quickly held with the Company's creditors to ensure that supplies to the restaurant were not interrupted

A substantial review of the trading was undertaken by the Joint Administrators and Convivial. As a result, it was determined that the restaurant was over staffed and several employees were made redundant

The business is reviewed weekly and it was also decided to cease trading on a Sunday as it was unprofitable

Unfortunately, shortly after appointment, I was made aware that business had been under warning by the Westminster Council Environmental Health team. The restaurant was therefore closed for a week to ensure all outstanding issues were dealt with and the business could operate safely. The closure was over the Bank's weekend and it is estimated that this cost approximately £50,000 in lost business.

To ensure any cash flow requirements are met, trading has been funded by cash at Bank and turnover.

Premises Licence

One of my first priorities was to ensure that the Premises Licence, which included an alcohol licence, was properly registered with the City of Westminster Council. In addition to the whisky bar and restaurant, the Company ran a nightclub known as the A Lounge and so the premises licence needed to accommodate a music licence.

Arrangements were made to transfer the Designated Premises Supervisor to a representative of Convivial.

Hamlin's dealt with the application to the City of Westminster Council on my behalf. The licence was issued and finalised within the required timeframes for a Company entering into Administration.

ADMINISTRATORS' TRADING ACCOUNT

A summary of the trading figures from Convivial to 31 January 2014 are reflected as follows -

Narrative	Values £
Total Sales	70,875
Total Purchases	(20,362)
Gross Profit	50,513
Total Overheads	(47,320)
Operating Profit	3,193
Pre-appointment Cost	(9,343)
Compliance	(4,024)
Management Fees	(7,340)
Total	(17,513)

Although you will note that this shows a trading loss, this has been as a result of the lost revenue when the restaurant was closed for a week together with set-up costs.

Convivial anticipate that the February 2014 trading period will enhance the overall trading figures.

ADMINISTRATORS' RECEIPTS AND PAYMENTS ACCOUNT

I attach a summary at **Appendix F** of our receipts and payments relating to the Company for the period from when it entered Administration, 8 January 2014 to the date of these proposals and I would comment as follows -

Asset Realisations

Cash at Bank

Cash has been realised from the Company's bank account with HBOS in the sum of £9,445 00

Customer Deposits

The Company held events for which customers paid deposits. The sum of £2,175 00 has been realised from this source.

Business Rates Refund

A business rates refund has been received from City of Westminster in the sum of £11 492 65

Payments

Wages and Salaries

As referred to above, to ensure retention of certain key staff and their goodwill, loyalty payments were paid to 3 members of staff totalling £5,521 69 which represented their loss of earnings.

Commercial Energy Performance Certificate ("EPC") Costs

As referred to above it is a legal requirement to obtain an EPC or to ensure that one was in existence prior to the commencement of marketing activities. I therefore arranged for the EPC and the certificate was issued on 19 01 14 and is valid until 18 01 24 at a cost of £325 00 plus VAT.

Q) ADMINISTRATOR'S INVESTIGATIONS

We have a duty to consider the conduct of those who have been directors of the Company at any time in the three years preceding the Administration. I am also required to investigate the affairs of the Company in general in order to consider whether any civil proceedings should be taken on its behalf. Please provide any information that you have that may assist me with my duties. I stress that this request for information forms part of my normal investigation procedure.

R) PROPOSED FUTURE ACTIONS OF THE ADMINISTRATOR TO ACHIEVE THE OBJECTIVE OF THE ADMINISTRATION

In order to achieve the objectives of the Administration of the Company, I propose to trade the business of the Company whilst commercially viable to do so until such time as the assets and business of the Company are sold.

It is too early to project whether there will be a shortfall to the Charge Holders under their Fixed and Floating Charges and it remains to be seen if there will be a preferential distribution to the employees who have already been made redundant. Some employees have been retained during the period of Administration trading and it is hoped these retained employees will be transferred to a prospective purchaser under TUPE regulations.

Prior to a sale of the business, we do not know if there will be sufficient assets to pay a dividend to the unsecured creditors, although it is possible that the Joint Administrators will be able to make a distribution under the prescribed part of the net property

Should there be insufficient assets to enable a distribution to the unsecured creditors under the prescribed part or otherwise, I anticipate that the Administration will exit into dissolution. Should there remain assets to distribute in excess of or under the prescribed part, the Administration will exit into Creditors' Voluntary Liquidation. I will provide further information in this regard with my first progress report to creditors.

Q) WHETHER PROCEEDINGS ARE MAIN PROCEEDINGS OR TERRITORIAL (EC REGULATIONS)

The Company's centre of main interest was at 66 Trafalgar Square, London, WC2N 5DS and we therefore consider that the EC Regulations will apply. These proceedings will be main proceedings as defined in Article 3 of the EC Regulation.

R) DISCHARGE FROM LIABILITY

As there will not be or is unlikely to be any return to unsecured creditors (other than by virtue of the Prescribed Part) we will in accordance with legislation be seeking a resolution from the secured and preferential creditors, as appropriate for discharge from liability in respect of any action of ours as Administrators to take effect immediately following our cessation to act as Administrators.

S) JOINT ADMINISTRATORS' PROPOSALS

The following resolutions will be put to the meeting of creditors to be held on 18 March 2014:

- a) The Joint Administrators continue to manage the Company's business and realise assets in accordance with objective (b) of the statutory purpose of the Administration and will do this by -
 - (i) continue to trade the business whilst commercially viable to do so whilst a buyer is sought for the business and sell the Company assets at such time(s) as the consider appropriate,
 - (ii) investigate and, if appropriate, pursue any claims that the Company may have against any person, firm or company whether in contract or otherwise, including any officer or former officer of the Company or any person, firm or company which supplies or has supplied goods or services to the Company, and
 - (iii) do all such things and generally exercise all their powers as Joint Administrators as they in their discretion consider desirable or expedient in order to achieve the purpose of the Administration or protect and preserve the assets of the Company or maximise the realisations of those assets, or of any purpose incidental to these proposals
 - (iv) The Administration shall continue (subject to the statutory provisions relating to automatic termination) until all reasonable assets of the Company have been realised and all liabilities incurred during the Administration have been discharged or until such time as deemed appropriate in the Administration
- b) The Administration will end by the Company being placed into Creditors' Voluntary Liquidation or the Joint Administrators may decide to present a Petition to wind up the Company, if appropriate. In either Liquidation process, Trevor John Binyon and Timothy

John Edward Dolder should be appointed Joint Liquidators and they will act jointly and severally

N B In accordance with Paragraph 83(7) of Schedule B1 of the Insolvency Act 1986 and Rule 2.117(3) creditors may nominate a different person as the proposed Liquidator, provided the nomination is received at this office prior to the approval of the revised proposals. In the absence of such nomination, the Joint Administrators will be appointed Joint Liquidators

- c) In the event that the Joint Administrators form the view that the exit options identified in the proposal are inappropriate, then, in due course, take the necessary steps to give notice to the Registrar of Companies to the effect that the Company has no property which might permit a distribution to its creditors, at which stage the Administration will cease
- d) Alternatively, the Administration of the Company will end by giving notice to the Court, the creditors and the Registrar of Companies that the objective of the Administration has been achieved
- e) However, if there are insufficient funds to pay a dividend to creditors, it is agreed that the Administration will end by the Company being dissolved
- f) Creditors consider and it thought fit appoint a creditors' committee to assist the Joint Administrators (such committee must comprise of between 3 and 5 creditors)

In the absence of a creditors' committee -

- g) The Joint Administrators' remuneration plus VAT be based on the time properly incurred in the conduct of the Administration by the Joint Administrators and their staff. If the creditors agree the basis of the Administrators' remuneration, it is further agreed that they be empowered to draw and pay such remuneration in respect of these costs on account, when funds allow
- h) The Joint Administrators be authorised to draw their Category 2 disbursements when the Joint Administrators see fit
- i) The Joint Administrators shall be authorised to seek an extension to the Administration period if deemed necessary by the Joint Administrators
- j) That the Joint Administrators will be discharged from all liability pursuant to Paragraph 98 of Schedule B1 of the Insolvency Act 1986 30 days following either the Company entering into Liquidation or filing the notice of moving from Administration to dissolution
- k) Mileage can be recharged and drawn at the HM Revenue & Customs approved mileage rate prevailing at the time mileage was incurred

T) FURTHER INFORMATION

Should you require any further information relating to these proposals or the Administration of the Company, please do not hesitate to contact Caroline Lucock at this office



Trevor John Binyon
Joint Administrator

Authorised to act as an Insolvency Practitioner in the UK by the Association of Chartered Certified Accountants

The affairs, business and property of the Company are being managed by the Joint Administrators who act as agents for the Company without personal liability

Appendix B

Estimated Statement of Affairs as at 8 January 2014

	Book Value (£'s)	Estimated to Realise (£'s)
Assets specifically pledged		
Rent Deposit	211,000	Uncertain
Leasehold Premises	1,100,000	600,000
Intellectual Property	150,000	Uncertain
Goodwill	100,000	Uncertain
Less due to Heineken UK Limited (formerly Scottish Courage Limited		(28,362)
Less due to CSS Alpha Fund Ltd (R Sullam)		(400,000)
		171,638
Assets not specifically pledged		
Stock	40,000	20,000
Cash at Bank	10,000	10,000
Float	2,000	2,000
Estimated total assets available for preferential creditors		203,638
Preferential Creditors		(35,000)
Employees claims unpaid wages / holiday pay		
Estimated surplus as regards preferential creditors		168,638
Estimated prescribed part of net property where applicable to carry forward		Uncertain
Debts secured by floating charges		
Less due to Madeline Meyrick		(41,000)
Less due to William Rollason		(75,000)
Less due to Albannach Brands Ltd		(380,000)
Less due to CSS Bridge D19		(250,000)
Estimated (deficiency) / surplus of assets after floating charges		(577,362)
Unsecured Creditors		
HM Revenue & Customs – PAYE/NIC/VAT	(420,000)	
Redundancy Payments Office	(10,000)	
Trade & Expense Creditors	<u>(1,312,354)</u>	
Estimated deficiency as regards unsecured creditors		<u>(1,742,354)</u> (2,319,716)
Issued and called up share capital		(603,265)
Estimated total deficiency as regards members		<u>(2,922,981)</u>

Notes to Estimated Statement of Affairs

- 1. The respective secured charges have yet to be confirmed by my solicitors and we have therefore shown the position as it is currently believed to be.**
- 2 This has been prepared by the Joint Administrators from information available**
- 3. The Statement does not include a provision for the costs of the Administration.**

CREDITOR LISTING FOR AB Trafalgar Square Limited

Creditor Name	Creditor Address	SOA Amount	Submitted Amount	Allocated Amount	Notes	Other
A G F Fire Protection Ltd	Suite 2 ,, 30 Bancroft, Hitchin, SG5 1LE, United Kingdom	150 31	150 31			
Albannach Brands Limited	Account Ref 2103 Futura Plaza, 111 How Ming Street, Kwun Tong, Hong Kong, Afghanistan	1,211,066 00				
Allan Reeder Ltd	Account Ref Unit 34 Acton Park Industrial Estate, Acton, W3 7QE, United Kingdom	1,500 00	1,610 48			
	Account Ref					
American Express	Department 871,, Brighton, BN88 1AH	9,000 000				
Arevalo, Enrique	Account Ref Flat 17, Block L, Lilly Road, London, SW6 1UY	332 30				
Ask-re The Property People LLP	Account Ref 2 Gess Court, St Christopher's Place, London, W1U 1JA		8,000 00			
Bank of Scotland	Account Ref					
Bibendum Wines Ltd	Account Ref 113 Regents Park Road, London, NW1 8UR, United Kingdom	1,000 00				
Black Arrow Finance Ltd	Account Ref 155-157 Staines Road, Hounslow, Middlesex, TW3 3JB	676 32	676 32			
Brook Street Investments Limited	Account Ref 8 Balhc Street, East London, EC1Y 0UP					
BSI	Account Ref United Kingdom	500 00				
Capital Pest Control	Account Ref Unit 9-11 Swinbourne Court, Basildon Essex, SS13	1,151 72				

CREDITOR LISTING FOR AB Trafalgar Square Limited

Creditor Name	Creditor Address	SOA Amount	Submitted Amount	Allocated Amount	Notes	Other
Services	1 QA, United Kingdom					
Carroll, Chloe	Account Ref 63c Mayes Road, Wood Green, London, N22 6TN					
Charles Street Securities - GM	Account Ref 1 Wilton Crescent, London, SW1X 8RN, United Kingdom					
Cheese Cellar	Account Ref 44-54 Stewarts Road, London, SW8 4DF, United Kingdom	2,148 69				
Contract Catering Equipment	Account Ref Unit 1 Bentley Farm Oldchurch Hill, Langdon Hills, Basildon, SS16 6HZ, United Kingdom	1,318 80				
CSS Alpha Fund Limited	Account Ref 12 Kennedy Avenue, Kennedy Business Centre,, 2nd Floor, Office 203, 1703 Nicosia, Cyprus					
CSS Bridge D19	Account Ref 1 Wilton Crescent, London, SW1X 8RN	250,000 00				
CSS Capital Managers LLP - BH	Account Ref 1 Wilton Crescent, London, SW1X 8RN, United Kingdom					
DE & J Levy	Account Ref Dukes Court, 32 Dukes Street St James, London, SW1Y 6DF, United Kingdom	72,350 00				
Deeside Water Company	Account Ref The Stables, Pannanich Wells, Ballater ,Aberdeenshire, Scotland, AB35 5SJ, United Kingdom	504 00				
Delice De France	Account Ref ARYZTA Business Services Grange Castle Business Pa, Clondalkin Dublin 22, United Kingdom	3,000 00				

CREDITOR LISTING FOR AB Trafalgar Square Limited

Creditor Name	Creditor Address	SOA Amount	Submitted Amount	Allocated Amount	Notes	Other
Elwy Valley Welsh Lamb	Account Ref Rose Hill Cottage, Henllan, Denbigh, LL16 5BA, United Kingdom	600 00				
Employees Claims	Account Ref	35,000 00				
Equumty / David Venus Ltd	Account Ref Thames House, Portsmouth Road, Esher, KT10 9AD, United Kingdom	4,000 00				
Euro Food Brands	Account Ref Kimbell Mews, Humfrey Ln, Boughton, Northampton, NN2 8XB, United Kingdom	750 00	1,261 88			
Fine France UK	Account Ref Unit A61 New Covent Garden Market, London, SW8 5NX, United Kingdom	750 00				
Fiortto, Simone	Account Ref Flat 1 1, Thornton Avenue, London, SW2 4HL	63 00				
First County Finance	Account Ref Tickford Hse, Silver St, Newport Pagnell, MK 16 0EX, United Kingdom	12,026 40				
Fluid-Options UK Limited	Account Ref Unit 2 Shannon Commercial Centre Beverley Way, New Malden, KT3 4PT, United Kingdom	5,800 44	6,098 04			
Food Alert Ltd	Account Ref 247- 249 Cromwell Road, London, SW5 9GA, United Kingdom	1,137 72				
Gecarte, Laura	Account Ref 13-7 Suduviu, Buivydiskiu Kaimas,, Zungun sen Vilniaus raj , LT - 14166, Lithuania					
Glencarm Crystal Studio	Account Ref 11 Langlands Avenue Kelvin South Business Park, East Kilbride - Scotland, G75 0YG, United Kingdom	733 20				

CREDITOR LISTING FOR AB Trafalgar Square Limited

Creditor Name	Creditor Address	SOA Amount	Submitted Amount	Allocated Amount	Notes	Other
Grants of Speyside	Account Ref Unit 6 Strathspey Industrial Estate, Grantown on Spey, PH26 3NB, United Kingdom	750 00				
Grass Roots	Account Ref 2 Burston Road, London, SW15 6AR, United Kingdom	300 00				
Gukhool, Geerish	Account Ref 6 Pippin Close, Croydon, CR0 7QT	2,786 35				
Hayford & Rhodes Limited	Account Ref 5 Morocco Street, Bermondsey, SE1 3HS, United Kingdom	423 50				
Haysmacintyre	Account Ref 26 Red Lion Square,, London, WC1R 4AG, United Kingdom	22,873 75	32,403 75			
Heineken (UK) Limited	Account Ref Recoveries Team (Andrea Barbour), Firstpoint, 1 Deer Park Road, Livingstone, EH54 8AG	28,362 00				
Heineken UK Limited	Account Ref First Point, 1 Deer Park Road, Livingstone, EH54 8AG					
Heineken UK Limited	Account Ref 2-4 Broadway Park, South Gyle Broadway, Edinburgh, EH12 9JZ, United Kingdom	2,101 75				
Henry Howard Finance	Account Ref Trade A/C Unit 5 Langstone Business Village, Langstone Park, Newport, NP18 2LH, United Kingdom	2,683 98				
Hep Oils	Account Ref Weybeard Farm Hill End Road, Harefield Middlesex, UB9 6LH, United Kingdom	2,000 00				
Hispa Merchants	Account Ref Threshold & Union House 65 - 69 Shepherds Bush	2,000 00				

CREDITOR LISTING FOR AB Trafalgar Square Limited

Creditor Name	Creditor Address	SOA Amount	Submitted Amount	Allocated Amount	Notes	Other
	Gre, London, W12 8TX, United Kingdom					
HM Revenue & Customs	Account Ref Durrington Bridge House, Barrington Road, Worthing, West Sussex, BN12 4SE	420,000 00				
Humitech	Account Ref Unit J5 Win Business Park, Newry Co Down, BT35 6PH, United Kingdom	376 20				
Hunters and Frankau Ltd	Account Ref Hurlingham Business Park Sullivan Road, London, SW6 3DU, United Kingdom	500 00	910 21			
Instant Print West One	Account Ref 112 Great Portland Street, London, W1W 6PH, United Kingdom	1,500 00				
Investec Asset Finance	Account Ref United Kingdom	1,328 00				
Lee Security	Account Ref Security House - 86 Goodwin Road, London, N9 0BG, United Kingdom	125 01				
Livebookings Ltd	Account Ref 5th Floor, Elizabeth House 39 York Road, London, SE1 7NQ, United Kingdom	720 00				
London Linen	Account Ref 6-8 Jackson way, Great Western Industrial Park, Windmill Lane, Southall, UB2 4SF, United Kingdom	4,200 00				
London Waste Technology Ltd	Account Ref 165 Kensington High Street, London, United Kingdom	936 00				
M & A Hygiene Plc	Account Ref Unit 5 Stafford Cross, Stafford Road,Croydon, Surrey, CR0 4TU, United Kingdom	750 00				

CREDITOR LISTING FOR AB Trafalgar Square Limited

Creditor Name	Creditor Address	SOA Amount	Submitted Amount	Allocated Amount	Notes	Other
Melendzhyski, Georgi	Account Ref 19 Hamilton Crescent, Palmers Green, N13 5LN	685 36				
Melrose Wines Ltd	Account Ref Units 22/23 The IO Centre 59-71 River Road, Barking, IG11 0DR, United Kingdom	13,732 30				
Merchant Rentals	Account Ref United Kingdom	5,496 70				
Micros Fidelio	Account Ref 6-8 The Grove , Slough Berkshire, SL1 1QP, United Kingdom	220 86				
Mrs Madeline Meyrick	Account Ref 52 Swains Lane, London, N6 6QR	41,000 00				
N Power	Account Ref PO Box 8201 Oldbury West Midlands, B69 2RH, United Kingdom	7,800 00				
Nathan, Rajesh	Account Ref 64 Tiber Gardens, London, N1 OXE	1,992 60				
Natures Choice	Account Ref Units B3 - B4 New Covent Garden Market, London, SW8 5NS, United Kingdom	11,000 00				
Nightingale Lifts Ltd	Account Ref 35 Wellfields, Loughton, IG10 1PA, United Kingdom	635 20				
Open Table Ltd	Account Ref 15 Worship Street, London, EC2A 2DT, United Kingdom	10,000 00				
Optimuity Ltd	Account Ref 5-25 Scrutton Street, London, EC2A 4HJ, United Kingdom	2,259 54				
Parsley In Time	Account Ref Units 1-2 Kingside Business Park Ruston Road	2,500 00				

CREDITOR LISTING FOR AB Trafalgar Square Limited

Creditor Name	Creditor Address	SOA Amount	Submitted Amount	Allocated Amount	Notes	Other
Catering Equip	Woolw, London, SE18 5BX, United Kingdom					
Penta Foods Ltd	Account Ref 30 Wellington Road Sandhurst, Berks, GU47 9AY, United Kingdom	6,378 14	2,875 56			
PHS Group Plc	Account Ref Western Industrial Estate Caerphilly, CF83 1XH, United Kingdom	261 65				
POS Terminals	Account Ref United Kingdom	2,550 00				
Rare!	Account Ref 27-29 Chiltonian Industrial Estate Manor Lane Lee, London, SE12 0TX, United Kingdom	13,000 00				
Redundancy Payment Office	Account Ref	10,000 00				
Ron Sullam	Account Ref 8 Woodlands Road, Barnes, London, SW13 0JZ	400,000 00				
RSA - Insurance Finance	Account Ref United Kingdom	2,162 48				
Sanna, Alessio	Account Ref 51 Ethelbert Road, London	2,004 65				
SIA Group	Account Ref The Hyde Business Park Lower Bevendean, Brighton, BN2 4JE, United Kingdom	1,500 00				
Simpson, David	Account Ref Flat 10, County House, 144 Brixton Road, SW9 6AX					
Sina, Luca	Account Ref 14 C Acton Lane, London, NW10 8TS	470 40				
Smythe House	Account Ref Shakespeare House, 168 Lavender Hill, London,		23,972 62			

CREDITOR LISTING FOR AB Trafalgar Square Limited

Creditor Name	Creditor Address	SOA Amount	Submitted Amount	Allocated Amount	Notes	Other
Limited	SW11 5TG					
Solstice Ltd	Account Ref A51-52 New Covent Garden, London, SW8 5EE, United Kingdom	550 00				
Specialty Drinks Ltd	Account Ref Elixir House Whitby Avenue Park Royal, London, NW10 7SF, United Kingdom	13,000 00				
Sports Window	Account Ref United Kingdom	25,532 67				
Square Meal - Monomax ltd	Account Ref Quadrant House - 250 Kennington Lane, London, SE11 5RD, United Kingdom	1,075 00				
Sullam, Daniel	Account Ref 35 St John's Hill, Grove, London, SW11 2RF	29,677 42				
Symbiotic Security Ltd	Account Ref Quadrant House - 2nd Floor Staffa Road, London, E10 7QZ, United Kingdom	4,816 00				
Tablebookme	Account Ref 1st Floor - 3 Market Place - Hertford, Herts, SG14 IDE, United Kingdom	806 40				
Tareco Neff Da Cruz, Nanci	Account Ref 2 Fleetwood Road, Dollis Hill, London, NW10 1ND					
Thames Water	Account Ref PO Box 286, Swindon, SN38 2RA, United Kingdom	38,000 00				
The Bread Factory	Account Ref Unit 12/13 Garrick Road Industrial Estate Irving W, London, NW9 6AQ, United Kingdom	350 00				
The CO2 gas Company Ltd	Account Ref 12/13 LANGHEDGE INDUSTRIAL ESTATE LANGHEDGE LANE, London, N18 2TQ, United	375 00				

CREDITOR LISTING FOR AB Trafalgar Square Limited

Creditor Name	Creditor Address	SOA Amount	Submitted Amount	Allocated Amount	Notes	Other
The Fresh Olive Co	Account Ref 74 Long Drive Greenford, Middlesex, UB6 8LZ, United Kingdom	250 00				
Viera, Moises	Account Ref 71 Star Road, London, W19 9QE	168 00				
W Rollason	Account Ref Societe Civil JFJ, Bin Ou Bin Chermin de Petaboure, 64200 Bassussarry, France	75,000 00				
Wells Farm Supplies Limited	Account Ref Unit 4 Sham Farm Neville Estate Erdge, Tunbridge Wells Kent, TN3 9A, United Kingdom	4,500 00				
Westminster City Council - Rates	Account Ref P O Box 397, Warrington, WA55 1GG, United Kingdom	22,673 95				
Westminster City Council - Waste	Account Ref Commercial Waste 16th Floor Sky Suite - 89 Albert, London, SE1 7TP, United Kingdom	2,000 00				
Wicker Fisheries Ltd	Account Ref Unit 5-6, Stour Road, Fish Island, Bow,, London, E3 2NT, United Kingdom	7,500 00				
William Rollason	Account Ref 97 Chesterton Road, London, W10 6ET	75,000 00				
Zonn	Account Ref 18 The Green, Richmond Surrey, TW9 1PX, United Kingdom	4,516 20				
Account Ref						
Total Amounts:		2,951,715 96	77,959 17		NIL	

Opus Restructuring LLP

Information relating to the Joint Administrators' Fees and Expenses

Explanation of Joint Liquidators' charging and disbursement recovery policies

Time recording

Work undertaken on cases is recorded in 6 minute units in an electronic time recording system. Time properly incurred on cases is charged at the hourly rate of the grade of staff undertaking the work that applies at the time the work is done. The current hourly charge-out rates are

	Rate since 9 1 2013 £
Partner	325
Senior Manager/Director	275
Assistant Manager / Manager	200 - 250
Junior Administrator / Administrator / Senior Administrator	100 – 175
Cashier	125
Support Staff	75

Disbursement recovery

Disbursements are categorised as either Category 1 or 2. Category 2

Category 1 disbursements will generally comprise of external supplies of incidental services specifically identifiable to the case. Where these have initially been paid by Opus Restructuring LLP and then recharged to the case, approval from creditors is not required. The amount recharged is the exact amount incurred.

Examples of Category 1 disbursements include postage, case advertising, specific bond insurance, company search fees, invoiced travel and properly reimbursed expenses incurred by personnel in connection with the case, (including business mileage up to the HMRC approved rate for cases commenced before 1 November 2011). Also included will be services specific to the case where these cannot practically be provided internally such as printing, room hire and document storage.

Category 2 disbursements include elements of shared or allocated costs incurred by Opus Restructuring LLP and are recharged to the estate; they are not attributed to the estate by a third party invoice and/or they may include a profit element. These disbursements are recoverable in full, subject to the basis of the disbursement charge being approved by creditors in advance. Examples of Category 2 disbursements are photocopying, all business mileage (for cases commencing on or after 1 November 2011), internal room hire and internal storage.

The current levels of Category 2 disbursements recovered by Opus Restructuring LLP are as follows:

	£
Room Hire (for internal room hire outside of London and London)	100 / 150
Case Software setup charge	185
Photocopying/scanning/faxes (internal)	10p per side
Business mileage per mile	45p
Smartsearch	4
File set-up cost (per file)	6
Red Flag Company Searches (downloading and printing documents from Red Flag)	10
Docusoft software	25

The costs recharged are based upon the actual cost of the materials used or the costs which would have been incurred if that service had been sourced externally.

Joint Administrators' Remuneration Schedule
AB Trafalgar Square Limited
Between 08 January 2014 and 27 February 2014

Classification of work function	Partner/ Director	Manager	Other Senior Professionals	Assistants & Support Staff	Total Hours	Time Cost	Average Hourly Rate
Administration & Planning							
Appointment Notification	0.00	0.00	12.50	0.00	12.50	2,112.50	169.00
Case Planning	0.00	0.00	0.60	0.00	0.60	90.00	150.00
Case Reviews including MR1s/MR2s	0.50	0.00	2.50	0.00	3.00	575.00	191.67
Cashiering	0.00	0.00	1.00	1.90	2.90	402.50	138.79
Internal Documentation and IT	0.00	0.00	2.00	0.00	2.00	300.00	150.00
Maintenance of Records	0.00	0.00	38.00	0.00	38.00	6,637.50	174.67
Meeting , Travel & Waiting Time	0.00	0.00	3.50	0.00	3.50	612.50	175.00
Meeting/Correspondence/Telephone with Debtor	0.00	0.00	2.50	0.00	2.50	437.50	175.00
Other post appointment tax matters	0.00	0.00	0.40	0.00	0.40	60.00	150.00
Post appointment Corporation tax	0.00	0.00	0.50	0.00	0.50	87.50	175.00
Statutory forms	0.00	0.00	0.50	0.00	0.50	87.50	175.00
Statutory Reporting and Compliance	0.00	0.00	0.00	5.00	5.00	500.00	100.00
	0.50	0.00	64.00	6.90	71.40	11,902.50	166.70
Case Specific Matters							
Administration & Planning	1.00	0.00	0.00	2.50	3.50	525.00	150.00
General Property Issues	2.50	0.00	0.00	0.00	2.50	687.50	275.00
Legal issues	1.00	0.00	0.00	0.00	1.00	275.00	275.00
	4.50	0.00	0.00	2.50	7.00	1,487.50	212.50
Creditors							
Communication with creditors	0.00	0.00	7.80	0.00	7.80	1,357.50	174.04
Correspondence and telephone calls	0.00	0.00	0.80	0.00	0.80	120.00	150.00
Employee claims	1.50	0.80	24.50	0.00	26.80	4,425.00	165.11
Employee Communications	3.80	0.00	6.60	0.00	10.40	2,035.00	195.67
Employees	1.50	0.00	4.90	0.40	6.80	1,225.00	180.15
Ordinary creditors	0.00	0.00	1.60	1.90	3.50	430.00	122.86
Secured Creditors	1.00	0.00	3.00	0.00	4.00	787.50	196.88
	7.80	0.80	49.20	2.30	60.10	10,380.00	172.71

Investigations										
Other Investigations		0 00	0 00	0 30	0 00	0 30	45 00	150 00		
		0.00	0.00	0.30	0.00	0.30	45.00	150.00		
Pre Appointment										
Case Set up		0 00	0 00	0 00	1 90	1 90	190 00	100 00		
		0.00	0.00	0.00	1.90	1.90	190.00	100.00		
Realisation of Assets										
Correspondence with Agent		2 00	0 00	0 20	0 00	2 20	580 00	263 64		
Insurance		0 00	0 00	1 00	0 00	1 00	175 00	175 00		
Internal Documentation		0 00	0 00	0 50	0 00	0 50	75 00	150 00		
Other assets		0 00	0 00	2 70	0 00	2 70	455 00	168 52		
Pensions, policies and investments		0 00	0 00	0 20	0 00	0 20	30 00	150 00		
Property, business and asset sales - floating chge		0 00	0 00	0 50	0 00	0 50	87 50	175 00		
Property, business and asset sales - general		0 50	0 00	0 70	0 00	1 20	267 50	222 92		
Property, business and asset sales - secured		5 00	0 00	0 00	0 00	5 00	1 375 00	275 00		
		7.50	0.00	5.80	0.00	13.30	3,045.00	228.95		
Trading										
Employee Matters		5 50	0 00	0 00	0 00	5 50	1 512 50	275 00		
Management of operations		6 50	0 00	3 50	0 00	10 00	2 400 00	240 00		
Ongoing Trading Activities		36 50	0 00	1 00	0 00	37 50	10 937 50	291 67		
Trading Accounts		11 00	0 00	1 00	0 00	12 00	3 750 00	312 50		
		59.50	0.00	5.50	0.00	65.00	18,600.00	286.15		
Total hours		79 80	0 80	124 80	13 60	219 00				
Time costs		23,245 00	200 00	20,807 50	1,397 50	45,650 00				
Average hourly rate		291 29	250 00	166 73	102 76	208 45				
Summary of Fees										
Time spent in administering the Assignment	Hours					219 00				
Total value of time spent to 27 February 2014	£					45,650 00				
Total Joint Administrators' fees charged to 27 February 2014	£					0 00				

Disbursements		
Description	Total Incurred £	Total Recovered £
CAT 1 Advertising	84 60	0 00
CAT 1 Meeting Room	20 00	0 00
CAT 1 INSOLV fee	185 00	0 00
CAT 1 Bonding	680 00	0 00
CAT 1 Company House Fee	15 00	0 00
Totals	984 60	0 00

Pre Appointment Remuneration Schedule
AB Trafalgar Square Limited
Between 22 December 2013 and 07 January 2014

Classification of work function	Partner/Director	Manager	Other Senior Professionals	Assistants & Support Staff	Total Hours	Time Cost	Average Hourly Rate
Administration & Planning	0 00	0 00	7 00	0 00	7 00	1,225 00	175 00
Investigations	0 00	0 00	0 00	0 00	0 00	0 00	0 00
Realisation of Assets	0 00	0 00	0 00	0 00	0 00	0 00	0 00
Trading	0 00	0 00	0 00	0 00	0 00	0 00	0 00
Creditors	0 00	0 00	0 00	1 00	1 00	100 00	100 00
Case Specific Matters	0 00	0 00	0 00	0 00	0 00	0 00	0 00
Pre Appointment	21 50	2 50	4 30	0 10	28 40	7,307 50	257 31
Total hours	21 50	2 50	11 30	1 10	36 40		
Time costs	5,912 50	687 50	1,920 00	112 50	8,632 50		
Average hourly rate	275 00	275 00	169 91	102 27	237 16		

Description	Total Incurred £	Total Recovered £
	0 00	0 00
Totals	0 00	0 00

Summary of Fees

Time spent in administering the Assignment	Hours	36 40
Total value of time spent to 07 January 2014	£	8,632 50
Total Pre Appointment fees charged to 07 January 2014	£	0 00

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?

10 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

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

Appendix E

Information relating to the Joint Administrators' fees and expenses

1 Overview or Case

1.1. Appointment

We were appointed Joint Administrators on 8 January 2014 following an application by the Director

1.2 Strategy

Please refer to the main body of the report

1.3 Staffing

Please refer to the main body of the report

1.4 Existing Fee arrangements

Please refer to the main body of the report

1.5. Anticipated return to creditors

Please refer to the main body of the report

2. Description of work carried out

Section "K" of this report outlines the time costs to date in relation to the activities undertaken during this matter. These matters can be summarised as follows -

2.1. Pre-Appointment

Full details of our pre-appointment costs are set out in Section "K" above

2.2 Administration and planning

- Statutory duties associated with the appointment including the filing of relevant notices,
- Notification of the appointment to creditors, members, employees and other interested parties,
- Setting up case files,
- Reviewing available information to determine appropriate strategy and
- Setting up and maintaining bank accounts

Staff of different levels were involved in the above activities depending upon the experience required

2.3. Investigations

The time spent includes

- Corresponding with the former directors and management,
- Review of questionnaires and comments provided by interested parties and
- Review of Company documentation

Due to the complex nature and importance of the investigations, the staff utilised to conduct such work involved experienced members of staff

2.4. Realisation of Assets

Please refer to the main body of the report but in summary the time spent includes -

- Liaising with solicitors and agents,
- Correspondence and dealing with interested parties,
- Monitoring and cashing of deposits for events,
- Agreement of contracts

2.5. Trading

- Planning appropriate trading strategy,
- Liaising with employees,
- Dealing with suppliers,
- Liaison with Convivial and negotiation with customers
- Liaison with Convivial and authorisation of commitments and
- Review of trading position

2.6 Creditors

- Recording and maintaining the list of creditors,
- Dealing with employee related matters,
- Dealing with retention of title claims in conjunction with Convivial,
- Recording creditors' claims,
- Reporting to creditors,
- Dealing with creditor queries and
- Reviewing and evaluating creditor claims

3. Time and charge out summary

From the date of appointment, a total of 219 00 hours has been spent on the assignment at an average charge out rate of £208 45 bringing the total cost to date of £45,650 00

A SIP9 detailed summary table is attached

The above costs exclude VAT

4. Disbursements

4.1 Category 1 disbursements

As referred to in Section "K" of the report, the Joint Administrators' category 2 disbursements are listed in the schedule detailing our time-costs

For clarity, the disbursements incurred are as follows -

Advertising	£84 60
Meeting Room	£20 00
Case software setup charge (Insolv)	£185 00
Bonding	£680 00
Company's House Search Fee	£15 00
TOTAL	£984.60

4.2 Category 2 disbursements

No category 2 disbursements have been incurred

Appendix F

**AB Trafalgar Square Limited - In Administration
Joint Administrators' Abstract of Receipts & Payments**

From 8 January 2014 to 27 February 2014

S of A £		£
	RECEIPTS	
10,000	Cash at Bank	9,445 00
NIL	Customer Deposits	2,175 00
NIL	Business Rates Refund	11,492 65
		<u>23,112 65</u>
	PAYMENTS	
	Wages & Salaries	5,521 69
	Commercial EPC costs	325 00
	Bank Charges	5 00
	Fixed Ch Vat Receivable	65 00
		<u>5,916 69</u>
	CASH IN HAND	<u>17,195 96</u>

Notes

This summary of receipts and payments should be read in conjunction with my report and proposals dated 27 February 2014

Proxy (Administration)

AB Trafalgar Square Limited

Name of Creditor _____

Address _____

Name of Proxy Holder

Please insert name of person (who must be 18 or over) or the Chairman of the Meeting. If you wish to provide for alternative proxy holders in the circumstances that your first choice is unable to attend please state the name(s) of the alternatives as well. Please delete words in brackets if the proxy holder is only to vote as directed i.e. he has no discretion.

1 _____

2 _____

3 _____

I appoint the above person to be my/the creditor's proxy holder at the meeting of creditors to be held on 18 March 2014, or at any adjournment of that meeting. The proxy holder is to propose or vote as instructed below (and in respect of any resolution for which no specific instruction is given, may vote or abstain at his/her discretion).

Voting Instructions for resolutions

*Please delete as appropriate

1 For the acceptance/rejection* of the Joint Administrators' proposals/~~revised proposals~~* as circulated

(see specific resolutions detailed on the next page for voting purposes and indicate whether you are For or Against each resolution).

2 For the appointment of _____

of _____

representing _____

as a member of the creditors' committee

This form must be signed

Signature _____ Date _____

Name in CAPITAL LETTERS _____

Only to be completed if the creditor has not signed in person

Position with creditor or relationship to creditor or other authority for signature

CONTINUED ON NEXT PAGE

Proxy (Administration) continued

AB Trafalgar Square Limited

Voting instructions for resolutions

In order to achieve the objective (b) of the statutory purpose of the Administration, Trevor John Binyon and Timothy John Edward Dolder both of Opus Restructuring LLP, the Joint Administrators formally propose to creditors that -

- (a) The Joint Administrators continue to manage the Company's business and realise assets in accordance with objective (b) of the statutory purpose of the Administration and will do this by -

- (i) continue to trade the business whilst commercially viable to do so whilst a buyer is sought for the business and sell the Company assets at such time(s) as the consider appropriate,
- (ii) investigate and, if appropriate, pursue any claims that the Company may have against any person, firm or company whether in contract or otherwise, including any officer or former officer of the Company or any person, firm or company which supplies or has supplied goods or services to the Company, and
- (iii) do all such things and generally exercise all their powers as Joint Administrators as they in their discretion consider desirable or expedient in order to achieve the purpose of the Administration or protect and preserve the assets of the Company or maximise the realisations of those assets, or of any purpose incidental to these proposals
- (iv) The Administration shall continue (subject to the statutory provisions relating to automatic termination) until all reasonable assets of the Company have been realised and all liabilities incurred during the Administration have been discharged or until such time as deemed appropriate in the Administration

FOR / AGAINST

- b) The Administration will end by the Company being placed into Creditors' Voluntary Liquidation or the Joint Administrators may decide to present a Petition to wind up the Company, if appropriate. In either Liquidation process, Trevor John Binyon and Timothy John Edward Dolder should be appointed Joint Liquidators and they will act jointly and severally

N B In accordance with Paragraph 83(7) of Schedule B1 of the Insolvency Act 1986 and Rule 2.117(3) creditors may nominate a different person as the proposed Liquidator, provided the nomination is received at this office prior to the approval of the revised proposals. In the absence of such nomination, the Joint Administrators will be appointed Joint Liquidators

FOR / AGAINST

- c) In the event that the Joint Administrators form the view that the exit options identified in the proposal are inappropriate, then, in due course, take the necessary steps to give notice to the Registrar of Companies to the effect that the Company has no property which might permit a distribution to its creditors, at which stage the Administration will cease

FOR / AGAINST

- d) Alternatively, the Administration of the Company will end by giving notice to the Court, the creditors and the Registrar of Companies that the objective of the Administration has been achieved

FOR / AGAINST

- e) However, if there are insufficient funds to pay a dividend to creditors, it is agreed that the Administration will end by the Company being dissolved

FOR / AGAINST

- f) Creditors consider and it thought fit appoint a creditors' committee to assist the Joint Administrators (such committee must comprise of between 3 and 5 creditors)

FOR / AGAINST

In the absence of a creditors' committee -

- g) The Joint Administrators' remuneration plus VAT be based on the time properly incurred in the conduct of the Administration by the Joint Administrators and their staff. If the creditors agree the basis of the Administrators' remuneration, it is further agreed that they be empowered to draw and pay such remuneration in respect of these costs on account, when funds allow

FOR / AGAINST

- h) The Joint Administrators be authorised to draw their Category 2 disbursements when the Joint Administrators see fit

FOR / AGAINST

- i) The Joint Administrators shall be authorised to seek an extension to the Administration period if deemed necessary by the Joint Administrators

FOR / AGAINST

- j) That the Joint Administrators will be discharged from all liability pursuant to Paragraph 98 of Schedule B1 of the Insolvency Act 1986 30 days following either the Company entering into Liquidation or filing the notice of moving from Administration to dissolution

FOR / AGAINST

- k) Mileage can be recharged and drawn at the HM Revenue & Customs approved mileage rate prevailing at the time mileage was incurred

FOR / AGAINST

These proposals may be revised by the Joint Administrators should the creditors so wish

Proof of Debt – General Form

AB Trafalgar Square Limited – (In Administration)

Date of administration 8 January 2014

1	Name of creditor (If a company please also give company registration number)	
2	Address of creditor for correspondence	
3	Total amount of claim, including any Value Added Tax and outstanding uncapitalised interest as at the date the company went into administration	
4	Details of any documents by reference to which the debt can be substantiated (Note There is no need to attach them now but the administrator may call for any document or evidence to substantiate the claim at his discretion as may the chairman or convenor of any meeting)	
5	If amount in 3 above includes outstanding uncapitalised interest please state amount	£
6	Particulars of how and when debt incurred (If you need more space append a continuation sheet to this form)	
7	Particulars of any security held, the value of the security, and the date it was given	
8	Particulars of any reservation of title claimed in respect of goods supplied to which the claim relates	
9	Signature of creditor or person authorised to act on his behalf _____	
	Name in BLOCK LETTERS _____	
	Position with or in relation to creditor _____ Address of person signing (if different from 2 above) _____	
For Administrators' Use only		
Admitted to vote for		Admitted for dividend for
£		£
Date		Date
Administrator		Administrator