

**Administrator's progress report**

Name of Company

Manches Services Limited

Company Number

08250846

In the

High Court of Justice, Chancery Division, Companies Court

(full name of court)

Court case number

7092 of 2013

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

We (a) Mr Zelf Hussain and Mr David Robert Baxendale of PricewaterhouseCoopers LLP, 7 More  
London Riverside, London, SE1 2RT and Mr Stuart David Maddison of PricewaterhouseCoopers LLP,  
One Reading Central, 23 Forbury Road, Reading RG1 3JH

former Joint Administrators of the above company attach a progress report for the period

(b) Insert dates

from

to

(b) 14 April 2014

(b) 16 October 2014

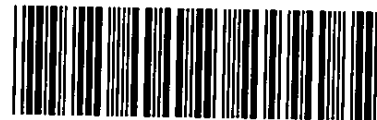
Signed

Former Joint Administrator

Dated

23 October 2014

FRIDAY



\*A3J6CT8W\*  
A17 24/10/2014 #403  
COMPANIES HOUSE

**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.

Osman Khan

7 More London Riverside, London SE1 2RT

Tel

DX Number

DX Exchange

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Companies House, Crown Way, Cardiff, CF14 3UZ

DX 33050 Cardiff



**Manches Services Limited – in Liquidation and formerly in Administration  
High Court of Justice, Chancery Division, Companies Court  
Case No. 7092 of 2013**

**The former Joint Administrators' final progress report**

**23 October 2014**

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# 1. The former Joint Administrators' final progress report

## Introduction

The former Joint Administrators ("the Administrators") previously reported on 12 May 2014 and are pleased to provide their final progress report on the Administration of Manches Services Limited ("the Company") pursuant to Rules 2.47 and 2.110 of the Insolvency Rules 1986 ("IR86")

The former Administrators are required to provide certain statutory information pursuant to Rule 2.47(1) IR86, which is shown in Section 2 to this report. The former Administrators are also required to provide a summary of their proposals, which is shown at Section 3.

In accordance with the proposals approved by creditors, the Company entered into Creditors' Voluntary Liquidation ("CVL") on 16 October 2014. There have been no alternate nominations, David Baxendale and Zelf Hussain were appointed as Joint Liquidators (the Liquidators)".

Moving the Company from Administration to CVL was deemed the most cost effective exit route available. This will allow the Liquidators to resolve the ongoing issues and take steps to agree and declare a dividend to the ordinary unsecured creditors without seeking the Court approval required by an Administrator.

Details of the steps taken during the Administration, asset realisations and ongoing issues are set out below.

## Background information and steps taken during the Administration

The Company was incorporated on 12 October 2012 as a service company with the purpose of supplying employees to Manches LLP ("LLP") and providing various other finance and management functions. The Company relied solely on the LLP for funding to cover its operating costs through management recharges.

The LLP was a law firm with offices located in London, Reading and Oxford. It provided legal services to individuals and corporates in the mid-market sector.

During the last few years prior to Administration, LLP suffered from a fall in turnover. LLP took steps to reduce its cost base, however, this was not sufficient to offset the decline in revenue.

By the start of 2013, the strain on cash was increasingly evident as LLP struggled to meet its obligations to HM Revenue & Customs ("HMRC") (for unpaid members' personal tax liabilities, VAT and other tax) as and when they fell due.

In May 2013, an overdraft increase was agreed with its bankers, Lloyds Banking Group plc ("LBG"), to avoid a breach of its facility and enable it to continue to trade, in the short term, with a view to addressing its cash flow difficulties.

The Solicitors Regulation Authority ("SRA") became aware of LLP's position and began to closely monitor the situation.

By September 2013, it became apparent that there was insufficient headroom in LLP's overdraft facility to settle critical payments such as rent, members' tax liabilities and renewal of its Professional Indemnity Insurance cover.

Given LLP's inability to meet its liabilities as they fell due, the members determined that LLP was insolvent and they sought advice from independent professional advisors. The Company's reliance on LLP for funding meant it too was insolvent.

LLP now faced the prospect of intervention by the SRA to safeguard client interests and files. Following discussions with the SRA, a discrete marketing process was undertaken and a potential purchaser was identified. A solvent merger was explored, but given the extent of LLP's financial difficulties it became clear that a sale of the business outside formal insolvency could not be achieved. The SRA indicated that it would not object to a sale from an insolvency process.

Upon the application of the members of LLP and directors of the Company, on 14 October 2013 the High Court granted an order appointing Zelf Hussain, David Baxendale and Stuart Maddison of PwC as Joint Administrators of LLP and the Company.

## 1. The former Joint Administrators' final progress report

### Sale of business and certain assets

Following their appointment, the Administrators concluded that the most appropriate strategy was to sell LLP's business and assets immediately upon their appointment. A lengthy post-appointment sales process would have led to a diminution in value and probable SRA intervention in the affairs of LLP and termination of the Company's services.

On the same day, LLP, acting by the Administrators, sold its business and certain assets, excluding book debts, to Penningtons Solicitors LLP (the "Purchaser") on a going concern basis. The contracts of employment of all the Company's 226 employees were also transferred to Penningtons Services Limited under the Transfer of Undertakings (Protection of Employment) Regulations 2006 ("TUPE").

The transfer of the employment contracts was the only viable solution to preserve value, prevent the loss of 226 jobs and avoid potentially significant claims against the Company for pay in lieu of notice and redundancy pay.

Following the sale, the Purchaser changed its name to Penningtons Manches LLP.

Details of the conduct of the Administration since the Administrators' previous statutory progress report dated 13 April 2014 are set out below.

### Realisation of assets

#### *Employee travel loans*

As at 14 October 2013, various former employees owed the Company for loans provided to purchase travel season tickets. The total amount considered to be recoverable from employees' monthly salaries was £46,926, of which £38,121 has been received. The remaining balance will be pursued by the Liquidators.

#### *Funds held by the former Administrators*

The cash balance held in the Administration of £31,561 has been transferred to the Liquidation estate. This will enable the ongoing issues summarised below to be resolved, and subject to the availability of funds, a distribution to the unsecured creditors.

### Ongoing matters

#### *Intercompany debt*

As per the directors' Statement of Affairs, there is an intercompany debt due from LLP, for which the Company is an unsecured creditor. Accordingly, it will receive a dividend from LLP from any Prescribed Part.

It is not yet possible to confirm the quantum or timing of any distribution to the Company, as its claim against LLP, together with those of the other creditors of LLP, has yet to be agreed.

#### *Rates recoveries*

During the period, the Administrators became aware of a potential recovery available from challenging the rateable value applied to an office in Reading. An appeal is currently being heard and a decision is awaited.

The Administrators also instructed agents to undertake a further audit of the historical business rates charged by the local authority in an effort to identify further possible cash recoveries.

Both of these investigations have been undertaken by the agents on a no win, no fee basis. Unfortunately it is not yet possible to estimate the likely recoveries, if any.

### Final receipts and payments account

An account of the final receipts and payments in the Administration for the period from 14 April to 16 October 2014 is set out in section 4 to this report.

### Expenses statement

A statement of the expenses incurred by the Administrators in the period 14 April to 16 October 2014 is included at Section 5.

The statement excludes any potential tax liabilities that may be payable as an expense of the Administration in due course because amounts due will depend on the position at the end of the tax accounting period.

## 1. The former Joint Administrators' final progress report

### Former Administrators' remuneration

The former Administrators' remuneration was approved on a time costs basis by the general body of creditors. However, the former Administrators did not draw any remuneration during the Administration.

The time cost charges incurred in the period covered by this report are £25,561. Total time costs for the period 14 October 2013 to 16 October 2014 amount to £73,335. The outstanding balance of the former Administrators' remuneration will be met by the Liquidation estate.

In accordance with the requirements of Statement of Insolvency Practice No.9, a full analysis of the former Administrators' final time costs for the period 14 April 2014 to 16 October 2014 is provided in Section 6, together with details of the professional firms instructed by the Administrators. Details of the time costs incurred in the period to 13 April 2014 were provided in the previous progress report.

### Creditors' rights

A statement of creditors' rights in relation to the Administrators' remuneration and expenses is set out at Section 7.

### Outcome for creditors

The Company had no secured creditors. The transfer of all employees to the Purchaser has avoided any preferential creditor claims.

The directors statement of affairs estimated amounts due to unsecured creditors of circa £800,000. No steps were taken by the Administrators to adjudicate upon creditor claims, so that process will be undertaken by the Liquidators.

Surplus funds in the Administration have been passed to the Liquidators for distribution to unsecured creditors in due course. As stated above, the timing and amount of dividends are subject to the resolution of: the ongoing matters, the level of prescribed part distribution from LLP, the final level of admitted claims against the Company, and the costs of the Liquidation. However, the former Administrators consider a distribution to unsecured creditors up to 3p/£ may be achievable.

*If you have not already submitted your claim, please do so using the form enclosed with this report.*

### Discharge

In accordance with Paragraph 98(1) of Schedule B1 to the Insolvency Act 1986 the administrators have applied to court for their discharge from liability in respect of any action of theirs as Administrators. A hearing date is awaited, but should any creditors wish to object to this application, they should inform the Joint Liquidators as soon as possible and, in any event, within 30 days of the date of this report.

### Next report

The next report to creditors will be circulated by the Liquidators within two months after the anniversary of the liquidation.



David Baxendale  
Joint Liquidator and  
Former Joint Administrator  
Manches Services Limited

*On 16 October 2014 David Baxendale and Zelf Hussain ceased to act as Joint Administrators and were appointed Joint Liquidators of Manches Services Limited. David Baxendale and Zelf Hussain are licensed in the United Kingdom to act as insolvency practitioners by the Institute of Chartered Accountants in England and Wales.*

*The Joint Liquidators are Data Controllers of personal data as defined by the Data Protection Act 1998. PricewaterhouseCoopers LLP will act as Data Processor on their instructions. Personal data will be kept secure and processed only for matters relating to the liquidation.*

## 2. Statutory and other information

<b>Court details for the Administration:</b>	High Court of Justice, Chancery Division, Companies Court Case number 7092 of 2013 Manches Services Limited Manches Services Limited 08250846 7 More London Riverside, London SE1 2RT Melvyn Pedro, Richard Smith, Krishna Vishnuhotta None None 14 October 2013 David Robert Baxendale and Zelt Hussain of PricewaterhouseCoopers LLP, 7 More London Riverside, London SE1 2RT and Stuart David Maddison of PricewaterhouseCoopers LLP, One Reading Central, 23 Forbury Road, Reading RG1 3JH None None
<b>Full name:</b>	
<b>Trading name:</b>	
<b>Registered number:</b>	
<b>Registered address:</b>	
<b>Company directors:</b>	
<b>Company secretary:</b>	
<b>Shareholdings held by the directors and secretary:</b>	
<b>Date of the Administration appointment:</b>	
<b>Administrators' names and addresses:</b>	
<b>Details of any extension(s) to the initial period of appointment</b>	
<b>Changes in office holder:</b>	
<b>Appointor's / applicant's name and address:</b>	
<b>Objective being pursued by the Administrators:</b>	High Court of Justice, Chancery Division, Companies Court upon the application of the directors of the Company 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) It is ordered that all of the functions of an administrator and in particular any act required or authorised under any enactment to be done by an administrator may be performed by any or all of the joint administrators By the Registrar of Companies to 16 October 2014 Creditors' Voluntary Liquidation – 16 October 2014 Currently estimated at 3p/£ but remains dependent upon future costs, realisations achieved and claims ultimately admitted to rank for dividend. Not applicable
<b>Division of the Administrators' responsibilities:</b>	
<b>Extensions to the period of the Administration:</b>	
<b>End of the Administration:</b>	
<b>Estimated dividend for unsecured creditors:</b>	
<b>Estimated values of the prescribed part and the company's net property:</b>	
<b>Whether and why the Administrators intend to apply to court under Section 176A(5) IA86:</b>	Not applicable
<b>The European Regulation on Insolvency Proceedings (Council Regulation(EC) No. 1346/2000 of 29 May 2000):</b>	The European Regulation on Insolvency Proceedings applies to this Administration and the proceedings are main proceedings High Court of Justice, Chancery Division, Companies Court
<b>Court details for the Administration:</b>	

### 3. Summary of the Joint Administrators' proposals

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The Administrators made the following proposals for achieving the purpose of Administration, which were deemed approved by creditors on 19 December 2013

- i) The Administrators will continue to manage and finance the Company's business, affairs and property from asset realisations in such manner as they consider expedient with a view to 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).
- ii) The Administrators may investigate and, if appropriate, pursue any claims that the Company may have under the Companies Act 1985 or IA86 or otherwise. In addition, the Administrators shall do all such other things and generally exercise all their powers as Administrators as they in their discretion consider desirable in order to achieve the purpose of the Administration or to protect and preserve the assets of the Company or to maximise their realisations or for any other purpose incidental to these proposals.
- iii) If the Administrators think that funds will become available for unsecured creditors, the Administrators may at their discretion establish in principle the claims of unsecured creditors for adjudication by a subsequent liquidator and that the costs of so doing be met as a cost of the Administration as part of the Administrators' remuneration
- iv) If the Administrators think that funds will become available for unsecured creditors, the Administrators may at their discretion make an application to court for permission to make distributions to unsecured creditors under Paragraph 65(3) Sch B1 IA86
- v) The Administrators may use any or a combination of "exit route" strategies in order to bring the Administration to an end, but in this particular instance the Administrators are likely to wish to pursue the following options as being the most cost effective and practical in the present circumstances -
  - (a) If there are sufficient funds to distribute to unsecured creditors, the Administrators will place the Company into creditors' voluntary liquidation. In these circumstances, it is proposed that David Robert Baxendale and Zelf Hussain be appointed as Joint Liquidators and any act required or authorised to be done by the Joint Liquidators may be done by either or both of them. In accordance with Paragraph 83(7) Sch B1 IA86 and Rule 2.117A(2)(b) IR86, creditors may nominate alternative liquidators, provided that the nomination is made before the proposals are approved; or
  - (b) Alternatively, if it is more cost effective to do so, the Administrators will apply to the Court to allow the Administrators to distribute surplus funds, if any, to unsecured non-preferential creditors. If such permission is given, the Administration will be brought to an end by notice to the Registrar of Companies under Paragraph 84 Sch B1 IA86, following registration of which the Company will be dissolved three months later, or
  - (c) If it transpires that there are insufficient funds with which to make a distribution to unsecured non-preferential creditors, once all of the assets have been realised and the Administrators have concluded all work within the Administration, the Administrators will file a notice under Paragraph 84(1) Sch B1 IA86 with the Registrar of Companies, following registration of which the Company will be dissolved three months later or apply to court under Paragraph 79 Sch B1 for the Administration to be ended and for the Company to be placed into compulsory liquidation



### 3. Summary of the Joint Administrators' proposals

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vi) It is proposed that the unpaid pre-Administration costs detailed at Appendix A are approved for payment as expenses of the Administration.

vii) It is proposed that the Administrators' fees be fixed under Rule 2.106 of the Insolvency Rules 1986 by reference to the time properly given by the Administrators and the various grades of their staff according to their firm's usual charge out rates for work of this nature and that disbursements for services provided by the Administrators' own firm (defined as Category 2 disbursements in Statement of Insolvency Practice No 9) be charged in accordance with the Administrators' firm's policy as set out in Appendix D. It will be for the general body of creditors to determine these

#### 4. Final receipts and payments account for the period 14 April to 16 October 2014

	Notes	14.04.14 to 16.10.14 £	Estimated to realise as per Statement of affairs
<b>Receipts</b>			
Employee travel loans		38,121	60,596
Distribution from Manches LLP		-	48,000
Pre-payment refunds		-	59,281
<b>Total receipts</b>		<u>38,121</u>	<u>167,877</u>
<b>Payments</b>			
Statutory advertising	1)	151	
Printing & postage	1)	1,184	
Pre-appointment legal fees/disbursements	1)	4,344	
<b>Total payments</b>		<u>5,679</u>	
<b>Cash in hand</b>	2)	<u>32,442</u>	

**Footnotes:**

- 1) Payment made by LLP on behalf of MSL. LLP has been reimbursed net
- 2) The balance of cash in hand is held in an interest-bearing account

## 5. Statement of expenses incurred from 14 April to 16 October 2014

Paid	£
Statutory advertising	151
Printing & postage	1,184
Legal fees / disbursements	4,344
Sub total*	5,679
Unpaid	
Legal fees	6,000
Administrators' unbilled time costs	47,477
Administrators' unbilled disbursements	25
Sub total	53,502
Overall total	59,181

\*Paid on the Company's behalf by LLP and has now been reimbursed.

## 6. Analysis of the former Administrators' time costs and Category 2 disbursements for the period 14 April to 16 October 2014

### Summary of legal and other professional firms

As previously reported, the Administrators instructed the following professionals

Service provided	Name of firm	Reason selected	Basis of fees
Legal advice	CMS Cameron McKenna LLP	Industry knowledge	Time costs

All third party professionals were required to submit time costs analyses and narrative in support of invoices rendered. The Administrators reviewed professional firms' costs prior to confirming approval for payment.

### Officer holder's charging and disbursement policy

The time charged to the Administration was by reference to the time properly given by the Administrators and their staff attending to matters arising. It was the Administrators' policy to delegate tasks in the Administration to appropriate members of staff considering their level of experience and any requisite specialist knowledge, supervised accordingly, so as to maximise the cost effectiveness of the work performed. Matters of particular complexity or significance requiring more exceptional responsibility were dealt with by senior staff or the Administrators themselves.

Set out below are the relevant charge-out rates per hour worked for the grades of the Administrators' staff involved on this assignment. Time was charged by reference to actual work carried out on the assignment. There was no allocation of any general costs or overhead costs.

Grade	Maximum charge out rate applicable	
	London based (£)	All other UK (£)
Partner	578.00	408.00
Director	501.50	340.00
Senior Manager	378.75	297.50
Manager	331.50	233.75
Senior Associate	272.00	178.50
Associate	195.50	131.75

## 6. Analysis of the former Administrators' time costs and Category 2 disbursements for the period 14 April to 16 October 2014

Specialist departments within the Administrators' firm, such as Tax, VAT, Property and Pensions charged a number of hours as and when the Administrators required their expert advice. Such specialists' rates do vary but the figures below provide an indication of the maximum rate per hour.

Grade	Maximum charge out rate	
	From 1 July 2013 (£)	From 1 July 2014 (£)
Partner	1,075	1,130
Director	990	1,040
Senior Manager	755	795
Manager	545	630
Senior Associate	410	465
Associate	210	225
Support	120	185

In common with all professional firms, the scale rates used by the Administrators increased once (for example to cover annual inflationary cost increases) over the period of the Administration.

## 6. Analysis of the former Administrators' time costs and Category 2 disbursements for the period 14 April to 16 October 2014

### Charge-out rate summary for the period 14 April 2014 to 16 October 2014

Aspect of assignment	Partner		Director		Senior Manager		Manager		Senior Associate		Associate/Support Staff		Total	
	Hours	Cost (£)	Hours	Cost (£)	Hours	Cost (£)	Hours	Cost (£)	Hours	Cost (£)	Hours	Cost (£)	Hours	Cost (£)
Accounting and treasury	-	-	-	-	0 40	152	-	-	0 60	163	2 10	410	3 10	725
Creditors	-	-	-	-	-	-	-	-	4 40	1,197	3 20	624	7 60	1,821
Closure/exit routes	-	-	-	-	-	-	-	-	14 30	3,890	-	-	14 30	3,890
Employees & pensions	-	-	-	-	-	-	-	-	5 10	1,387	-	-	5 10	1,387
Sanitary and compliance	1 00	578	1 45	727	3 60	1,364	-	-	33 70	9,166	13 10	2,555	52 85	14,390
Strategy & Planning	-	-	-	-	-	-	1 00	332	1 50	408	-	-	2 50	740
Tax & VAT	-	-	-	-	0 30	114	1 00	630	4 40	1,487	1 85	377	7 55	2,608
<b>Total</b>	<b>1 00</b>	<b>578</b>	<b>1 45</b>	<b>727</b>	<b>4 30</b>	<b>1,630</b>	<b>2 00</b>	<b>962</b>	<b>64 00</b>	<b>17,698</b>	<b>20 25</b>	<b>3,966</b>	<b>93 00</b>	<b>23,561</b>

### Narrative of work carried out for the period 14 April 2014 to 16 October 2014

The key areas of work have been -

- Accounting and treasury**
  - Reimbursing LLP for payment of expenses, and
  - Preparation and processing of receipts and payments to/from administration accounts, and updating accounting system
- Creditors**
  - Recording claims received and dealing with general creditor enquiries;
  - Seeking to allocate creditors between Manches LLP and Manches Services Limited, and
  - Discussing strategy for distributing to creditors.
- Closure / exit routes**
  - Internal discussions regarding timing and mechanics of any potential distributions to creditors;
  - Internal discussions with appointees to agree appropriate extension / exit route, and
  - Liaising with legal advisers regarding discharge from liability application to Court and arranging filing of the same,

## **6. Analysis of the former Administrators' time costs and Category 2 disbursements for the period 14 April to 16 October 2014**

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### **4. Employees and pensions**

- Liaising internally and with Purchaser regarding P11D and tax form submission requirements, and
- Liaison with HMRC regarding P11D and RTI filing requirements.

### **5. Statutory and Compliance**

- Undertaking various procedures in compliance with legal requirements, professional regulations and internal risk management policies,
- Draft, review and circulation of first progress report;
- Preparing and submitting application to Court for the move to CVL, ensuring adherence to all statutory requirements, and
- Draft, review and circulation of final progress report for the administration, including notification of move to CVL.

### **6. Strategy and planning**

- Conducting team meetings to review progress against strategy and discuss key issues,
- Discussions with internal professionals regarding work required and timings, and
- Considering exit route options for administration.

### **7. Tax and VAT**

- Ongoing discussions with Tax and VAT specialists to meet compliance requirements,
- Liaise with HMRC Tax inspectors to clarify responsibility in respect of Tax matters,
- Liaise with HMRC regarding filing requirements and obtaining clearance, and
- Discussions with Tax specialists regarding request for HMRC approval to close

## 7. Statement of creditors' rights

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The IR86 provide for creditors to request further information and challenge the Administrators' remuneration and expenses. The relevant provisions are as follows:-

### **Rule 2.48A Creditors' request for further information**

(1) If—

- (a) within 21 days of receipt of a progress report under Rule 2.47—
  - (i) a secured creditor, or
  - (ii) an unsecured creditor with the concurrence of at least 5% in value of the unsecured creditors (including the creditor in question), or
- (b) with the permission of the court upon an application made within that period of 21 days, any unsecured creditor,

makes a request in writing to the administrator for further information about remuneration or expenses (other than pre-administration costs) set out in a statement required by Rule 2.47(1)(b) or (d), the administrator must, within 14 days of receipt of the request, comply with paragraph (2)

(2) The administrator complies with this paragraph by either—

- (a) providing all of the information asked for, or
- (b) so far as the administrator considers that—
  - (i) the time or cost of preparation of the information would be excessive, or
  - (ii) disclosure of the information would be prejudicial to the conduct of the administration or might reasonably be expected to lead to violence against any person, or
  - (iii) the administrator is subject to an obligation of confidentiality in respect of the information, giving reasons for not providing all of the information.

(3) Any creditor, who need not be the same as the creditor who requested further information under paragraph (1), may apply to the court within 21 days of—

- (a) the giving by the administrator of reasons for not providing all of the information asked for, or
- (b) the expiry of the 14 days provided for in paragraph (1),

and the court may make such order as it thinks just.

(4) Without prejudice to the generality of paragraph (3), the order of the court under that paragraph may extend the period of 8 weeks provided for in Rule 2.109(1B) by such further period as the court thinks just.



## 7. Statement of creditors' rights

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### **Rule 2.109 Creditors' claim that remuneration is or other expenses are excessive**

(1) Any secured creditor, or any unsecured creditor with either the concurrence of at least 10% in value of the unsecured creditors (including that creditor) or the permission of the court, may apply to the court for one or more of the orders in paragraph (4)

(1A) Application may be made on the grounds that—

- (a) the remuneration charged by the administrator,
- (b) the basis fixed for the administrator's remuneration under Rule 2.106, or
- (c) expenses incurred by the administrator,

is or are, in all the circumstances, excessive or, in the case of an application under sub-paragraph (b), inappropriate

(1B) The application must, subject to any order of the court under Rule 2.48A(4), be made no later than 8 weeks after receipt by the applicant of the progress report which first reports the charging of the remuneration or the incurring of the expenses in question ("the relevant report")

(2) The court may, if it thinks that no sufficient cause is shown for a reduction, dismiss it without a hearing but it shall not do so without giving the applicant at least 5 business days' notice, upon receipt of which the applicant may require the court to list the application for a without notice hearing. If the application is not dismissed, the court shall fix a venue for it to be heard, and give notice to the applicant accordingly.

(3) The applicant shall, at least 14 days before the hearing, send to the administrator a notice stating the venue and accompanied by a copy of the application, and of any evidence which the applicant intends to adduce in support of it.

(4) If the court considers the application to be well-founded, it must make one or more of the following orders—

- (a) an order reducing the amount of remuneration which the administrator was entitled to charge;
- (b) an order fixing the basis of remuneration at a reduced rate or amount;
- (c) an order changing the basis of remuneration,
- (d) an order that some or all of the remuneration or expenses in question be treated as not being expenses of the administration,
- (e) an order that the administrator or the administrator's personal representative pay to the company the amount of the excess of remuneration or expenses or such part of the excess as the court may specify;

and may make any other order that it thinks just, but an order under sub-paragraph (b) or (c) may be made only in respect of periods after the period covered by the relevant report

(5) Unless the court orders otherwise, the costs of the application shall be paid by the applicant, and are not payable as an expense of the administration