

The Insolvency Act 1986

# Statement of administrator's proposals

# 2.17B

|   |                                   |
|---|-----------------------------------|
| Name of Company<br>Emfire Consulting Limited  | Company number<br>08559055        |
| In the<br>High Court of Justice, Chancery Division,<br>Manchester District Registry | Court case number<br>4378 of 2013 |

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

I Gordon Craig  
Refresh Recovery Limited  
West Lancashire Investment Centre  
Maple View  
White Moss Business Park  
Skelmersdale, WN8 9TG

\* Delete as applicable

attach a copy of \*my / our proposals in respect of the administration of the above company

A copy of these proposals was sent to all known creditors on

(b) Insert date

(b) 12 February 2014

Signed

  
 Administrator

Dated 12 February 2014

## 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

|           |             |
|-----------|-------------|
|           |             |
|           |             |
|           | Tel         |
| DX Number | DX Exchange |

WEDNESDAY



A22 12/02/2014 #231  
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

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# **refresh recovery**

## **Report to Creditors**

**EMFIRE CONSULTING LIMITED  
(COMPANY NUMBER: 08559055)**

**ADMINISTRATOR'S REPORT TO CREDITORS AND STATEMENT OF PROPOSALS  
IN ACCORDANCE WITH PARAGRAPH 49 OF SCHEDULE B1  
OF THE INSOLVENCY ACT 1986**

**10 FEBRUARY 2014**

**IN THE HIGH COURT OF JUSTICE  
MANCHESTER DISTRICT REGISTRY**

**NUMBER 4378 OF 2013**

**REFRESH RECOVERY LIMITED  
WEST LANCASHIRE INVESTMENT CENTRE  
MAPLE VIEW  
WHITE MOSS BUSINESS PARK  
SKELMERSDALE  
LANCASHIRE  
WN8 9TG**

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**EMFIRE CONSULTING LIMITED**  
**ADMINISTRATOR'S REPORT TO CREDITORS AND STATEMENT OF PROPOSALS**

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**1. Glossary**

|                      |   |
|----------------------|---|
| the Company          | Emfire Consulting Limited (registration number 08559055)  |
| the Administrator    | Gordon Craig of Refresh Recovery Limited, Maple View,<br>White Moss Business Park, Skelmersdale Lancashire, WN8<br>9TG  |
| Refresh Recovery     | Refresh Recovery Limited  |
| the Appointment Date | 20 December 2013, being the date of appointment of the<br>Administrator   |
| the Appointor        | The Director or Company   |
| the Directors        | Thomas Murphy   |
| the Bank             | Barclays Bank Plc, with whom the Company banked   |
| the Solicitors       | Turner Parkinson LLP  |
| Prescribed Part      | Pursuant to Section 176A of the Act where a floating charge<br>is created after 15 September 2003 a designated amount of<br>the Company's property (floating charge assets less costs of<br>realisation) shall be made available to the non-preferential<br>unsecured creditors |
| QFC                  | Qualifying Floating Charge  |
| CVA                  | Company Voluntary Arrangement   |
| SoA                  | Statement of Affairs  |
| RPS                  | Redundancy Payments Service   |
| TUPE                 | The Transfer of Undertaking (Protection of Employment)<br>Regulations 2006  |

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**EMFIRE CONSULTING LIMITED**  
**ADMINISTRATOR'S REPORT TO CREDITORS AND STATEMENT OF PROPOSALS**

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|                          |   |
|--------------------------|---|
| BIS                      | The Department of Business Innovation and Skills  |
| ICAEW                    | The Institute of Chartered Accountants in England and Wales   |
| the Act                  | the Insolvency Act 1986 (as amended)  |
| the Rules                | the Insolvency Rules 1986 (as amended)  |
| EC Regulation            | EC Regulation on Insolvency Proceedings 2000  |
| Category 1 Disbursements | The Administrator's firms external supplies of incidental services specifically identifiable to the case                    |
| Category 2 Disbursements | The Administrator's firms internal costs and expenses in dealing with the Administration that compromises a cost allocation |
| SIP 9                    | Statement of Insolvency Practice 9 (E & W), Remuneration of Office Holders  |
| SIP 13                   | Statement of Insolvency Practice 13 (E & W), Acquisition of assets of insolvent companies by directors                      |
| SIP 15                   | Statement of Insolvency Practice 15 (E & W), Functions to Committees in formal insolvencies                                 |
| SIP 16                   | Statement of Insolvency Practice 16 (E & W), pre-packaged sales in administrations  |

## **2 Introduction**

The Administrator was appointed Administrator of the Company in High Court of Justice, Manchester District Registry, Chanery Division, on the Appointment Date Court administration number 4378 of 2013

The appointment was made by the Appointor, in accordance with Paragraph 22 of Schedule B1 of the Act

The purpose of Administration, as defined under the provisions of the Act, is for the Administrator to perform his functions with the following three objectives

- Rescue the Company as a Going Concern,
- Achieve 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),
- Realise property in order to make a distribution to one or more secured or preferential creditors,

In accordance with Paragraph 49 of Schedule B1 of the Act, the Administrator now reports to creditors and sets out his proposals for achieving the purpose of Administration and for the conduct of the Administration

This report also includes certain information required to be provided to creditors in accordance with Rule 2.33 of the Rules

## **3. Statutory Information**

A summary of the Company's statutory information, as shown at Companies House is set out in Appendix 2

## **4. Background and Events leading to the Administrator's Appointment**

The Company was incorporated on 6 June 2013 and began to trade from leasehold premises based at Suite 1, Railway Buildings, Adams Hill, Knutsford, Cheshire, WA16 6DN, as an Investment vehicle specialising in pensions Mr Thomas Murphy, who had experience in this field, was appointed as sole Director of the Company

A number of sources referred individuals ("investors") to the Company within the first few weeks of trading. The Company invested pension funds received in to different schemes to generate the guaranteed return of 5 per cent per annum to the investors.

The Company encountered problems in November 2013 when the Company's bank account was frozen and the Director was unable to elicit any explanation from the Company's bankers, Barclays Bank Plc ("Barclays"). When the account was frozen, the balance of the account was Company monies, as the investor monies had been transferred to the relevant schemes, however without a functioning bank account the Company was unable to operate and the Director sought professional advice.

The Director was concerned that in the circumstances that the Company was unable to comply with its obligations to the individuals who had transferred their pension funds to the Company. After taking advice the Director appointed an Administrator to secure any further funds that may be transferred in the future, until the matters were finalised with the bank. Gordon Craig of Refresh Recovery Limited was approached to act as Administrator and was appointed on 20 December 2013.

#### **5. Purpose and Progress of the Administration**

In accordance with the purpose of Administration, as outlined in Section 2, the initial objective of an Administration is to rescue the Company as a going concern. Given that the Company's bank account had been frozen, the Administrator did not consider this was an immediate feasible option until such a time as the issues relating to Barclays is resolved. It was felt however that once this matter was concluded the Company could be rescued as a going concern. In this regard it was felt appropriate to appoint an Administrator to afford the Company whilst this issue was ongoing. It was also considered that the Administrator, as an officer of the Court, was better placed to resolve the matter. On this basis the purpose of the Administration was achieved.

Despite numerous requests from the Administrator, Barclays have yet to provide an explanation as to why the account was frozen or to reopen the account. Although the bank funds held in the account amounted to just £300 there were concerns that if any funds were permitted to be deposited into the account from an investor, the bank would offset these funds against the outstanding debt. In Administration the bank cannot off set a pre-appointment debt against a post appointment receipt, thereby investors funds would be protected if they were inadvertently deposited into the account.

The Administrator will continue to chase Barclays in respect of this matter, however if Barclays do not cooperate, a new approach may need to be taken in respect of the account and the Administrator may have to instruct solicitors in order to pursue the matter

## **5.1 Asset Realisations**

### **5.1.1 Commissions**

The main asset of the Company is commissions that are due in respect of investments that have already been made. The Company is due to receive £10,000 in the upcoming 6 weeks which will be collected by the Administrator

### **5.1.2 Cash at Bank**

The Company has cash at bank of £300 which has been frozen, the Administrator has contacted the bank to try and have these monies released, but to date is yet to receive a response

## **5.2 Secured Creditors**

The Company has no secured creditors

## **5.3 Employees and Preferential Creditors**

Under the Enterprise Act 2002, Crown Preference has been abolished and therefore there are no known preferential claims against the Company

## **5.4 Other Creditors**

As outlined on the Company's Statement of Affairs attached at Appendix 2, the Company's only trade and expense creditor is the bank for £16,000. There is also £1,000 due to H M Revenue and Customs in respect of PAYE/NIC

In accordance with Rule 2.33(l) of the Insolvency (Amendment) Rules 2003, the Administrator must estimate the amount of funds available to unsecured creditors in respect of the prescribed part. This provision only applies where the Company has granted a floating charge to a creditor after 15 September 2003. The Company has not granted a floating charge to any creditor after 15 September 2003 and consequently there will be no prescribed part. Similarly, the provisions of Section 176A(3) and 176A(5) of the Insolvency Act 1986 will not apply



**EMFIRE CONSULTING LIMITED**  
**ADMINISTRATOR'S REPORT TO CREDITORS AND STATEMENT OF PROPOSALS**

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which includes travel time Approval of these fees will not be sought in the Administration and the balance will be written off

In addition the following pre-appointment costs have been incurred prior to the Administration -

Legal fees of £556 plus VAT, plus disbursements of £37, have been incurred by Turner Parkinson Solicitors in respect of preparing and lodging the Appointment documentation It is proposed that these are payable as an expense of the Administration

The Administrator has also incurred post appointment disbursements of £234 60 which are as follows

| Supplier           | Work Undertaken              | Costs incurred | Costs paid | Total costs incurred | Total costs paid |
|--------------------|------------------------------|----------------|------------|----------------------|------------------|
| Willis             | Bond                         | £145 00        | £0         | £145                 | £0               |
| Companies House    | Search Fees                  | £5 00          | £0         | £5 00                | £0               |
| Courts Advertising | Advertisement of Appointment | £84 60         | £0         | £84 60               | £0               |

#### **11. Conclusion of the Administration**

Upon the completion of the Administrator's duties in accordance with Paragraph 83 of Schedule B1 of the Act, it is proposed that the Company is moved from Administration to Creditors' Voluntary Liquidation subject to the resolutions below

#### **12 EC Regulation**

It is the Administrator's view that the EC regulations apply and that these proceedings are the main proceedings The centre of main interest of the Company is in England

#### **13. Creditors' Meeting**

In accordance with paragraph 51(1)(a) there is no requirement to summon an initial creditors' meeting and therefore under Rule 2 33(5) in the absence of a request for a creditors' meeting, the proposals will be deemed approved Should any creditor wish a creditors' meeting to be convened please complete the attached 2 21B within 8 business days from the date of the proposals being **24 February 2014**.

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Please note that in accordance 2 37(3) the expense of summoning and holding the meeting must be met by the creditor requesting the meeting

Agreement to the basis of the Administrator's remuneration and the discharge from liability of the Administrator upon his ceasing to act is being sought from creditors and in this regard I attach form 2 25B which I would be grateful if creditors could complete and return by **27 February 2014**

#### **14. Creditors' Committee**

In accordance with the requirements of SIP15, the creditors shall have a right to establish a Creditors' Committee consisting of a minimum of 3 creditors and a maximum of 5 creditors, if it thinks it appropriate

The purpose of the Creditors' Committee is to represent the interests of the creditors as a whole, not just the interests of its individual members. In addition to its statutory functions, which are set out in the guidance note SIP15, it may also serve to assist the Administrator generally and act as a sounding board for them to obtain views on matters pertaining to the Administration. A copy of SIP15 can be downloaded from the following site -

[http://www.insolvency-practitioners.org.uk/uploads/Technical/SIPS/England/15 %20SIP%2015%20-%20August%202005.pdf](http://www.insolvency-practitioners.org.uk/uploads/Technical/SIPS/England/15%20SIP%2015%20-%20August%202005.pdf)

#### **15 The Administrator's Proposals**

The Administrator's proposals are as follows

- 1 It is proposed that the Administrator will continue to manage the affairs of the Company in order to achieve the objective of the Administration which has been outlined above
- 2 When it is anticipated that no further realisations will be made in the Administration than would be available in a winding up, to take the necessary steps to put the Company into Creditors' Voluntary Liquidation (subject to 4 below)
- 3 If Creditors' Voluntary Liquidation is deemed appropriate, the Administrator be permitted to seek the appointment of Gordon Craig as Liquidator of the Company, without further recourse to creditors. In accordance with paragraph 87(3) of Schedule B1 of the Act and Rule 2 117(3) of the Rules, creditors may nominate a different person as the proposed Liquidator, provided that the nomination is made after the receipt of these proposals and before these proposals are approved

- 4 To seek an extension to the Administration period if deemed necessary by the Administrator
- 5 If, in accordance with Paragraph 84(1) of Schedule B1, the Company has no property which would permit distribution to creditors, the Administrator be permitted to move the Company from Administration to Dissolution rather than placing the Company into Creditors' Voluntary Liquidation
- 6 The Administrator shall have the authority to sanction and agree the fees of any solicitors or chattel agents by reference to the time costs of by such solicitors agents and their staff, in attending to matters arising in the Administration
- 7 Without prejudice to the provisions of Schedule B1 of the Act, the Administrator may carry out all other acts that they may consider to be incidental to the proposals above in order to assist in their achievement of the stated purposes of the Administration Order or any variation thereto

#### **16. Additional Resolutions**

Approval of the following additional resolutions will be requested from the creditor

##### **Resolution 2**

Under Rule 2 67A of the Insolvency (Amendment) Rules 2010 and in the absence of a Creditors' Committee, the unpaid pre-administration costs as detailed in the Administrator's Proposals be approved These are as follows

|                                   |  |
|-----------------------------------|--|
| Solicitors Fees, Turner Parkinson | £ 556 plus VAT plus disbursements of £37 |
|-----------------------------------|--|

##### **Resolution 3**

Under Rule 2 106 of the Insolvency (Amendment) Rules 2010 and in the absence of a Creditors' Committee, the remuneration of the Administrator be fixed in reference to time properly spent by him and his staff in attending to matters arising from the Administration

##### **Resolution 4**

In accordance with Statement of Insolvency Practice No 9, issued by the Association of Business Recovery Professionals, the Administrator be authorised to draw Category 1 and 2 disbursements in accordance with his firm's published tariff

**EMFIRE CONSULTING LIMITED**  
**ADMINISTRATOR'S REPORT TO CREDITORS AND STATEMENT OF PROPOSALS**

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Resolution 5

In accordance with Statement of Insolvency Practice No 9, issued by the Association of Business Recovery Professionals, the Administrator be authorised to draw remuneration and disbursements as and when funds are available

Resolution 6

The Administrator will be discharged from liability under Paragraph 98 of Schedule B1 to the Insolvency Act 1986 immediately upon his appointment as Administrator ceasing to have effect

Gordon Craig  
**Administrator**

**refresh recovery**

**EMFIRE CONSULTING LIMITED  
(COMPANY NUMBER: 08559055)****Statutory Information**

|                              |   |
|------------------------------|---|
| <b>Company number</b>        | 08559055  |
| <b>Date of Incorporation</b> | 6 June 2013   |
| <b>Nature of Business</b>    | None supplied   |
| <b>Current Directors</b>     | Mr Thomas Murphy  |
| <b>Registered Office</b>     |   |
| <b>Currently:</b>            | c/o Refresh Recovery Limited<br>Maple View<br>White Moss Business Park<br>Skelmersdale<br>Lancashire<br>WN8 9TG |
| <b>Previously:</b>           | 1 <sup>st</sup> Floor<br>2 Woodberry Grove<br>Finchley<br>London<br>N12 0DR                                     |
| <b>Auditors</b>              | None appointed  |
| <b>Bankers</b>               | Barclays Bank Plc   |
| <b>Issued Share Capital</b>  | 1 Ordinary share of £1 each   |
| <b>Shareholders</b>          | Thomas Murphy (1 share)   |

**STATEMENT OF AFFAIRS**

Name of Company

Emfire Consulting Limited

Company Number

08559055

In the

High Court of Justice Manchester

Court case number

4378 / 2013

Statement as to the affairs of

Emfire Consulting Limited

C/O Refresh Recovery Limited  
West Lancashire Investment Centre  
Maple View

White Moss Business Park

Skelmersdale

Lancs WN8 9TG

on the 20 December 2013, the date that the company entered administration

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**Statement of Truth**

I believe the facts stated in this statement of affairs are a full, true and complete statement of the affairs of the above named company as at 20 December 2013 the date that the company entered administration

Full Name

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Signed

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Dated

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Emfire Consulting Limited  
Statement Of Affairs as at 20 December 2013

**A - Summary of Assets**

| Assets   | Book Value<br>£ | Estimated to<br>Realise<br>£ |
|--|-----------------|------------------------------|
| <b>Assets subject to fixed charge:</b>                             |                 |                              |
| <b>Assets subject to floating charge.</b>                          |                 |                              |
| <b>Uncharged assets:</b>   |                 |                              |
| Cash at Bank   |                 | 300 00                       |
| Commissions  |                 | 10,000 00                    |
| <b>Estimated total assets available for preferential creditors</b> |                 | <b>10,300 00</b>             |

Signature \_\_\_\_\_ Date \_\_\_\_\_

Emfire Consulting Limited  
Statement Of Affairs as at 20 December 2013

**A1 - Summary of Liabilities**

|  | Estimated to<br>Realise<br>£ |
|--|------------------------------|
| <b>Estimated total assets available for preferential creditors (Carried from Page A)</b>   | 10,300 00                    |
| <b>Liabilities</b>   |                              |
| Preferential Creditors -   |                              |
|  | <u>NIL</u>                   |
| <b>Estimated deficiency/surplus as regards preferential creditors</b>  | 10,300 00                    |
| Debts secured by floating charge pre 15 September 2003   |                              |
| Other Pre 15 September 2003 Floating Charge Creditors  | <u>NIL</u>                   |
|  | 10,300 00                    |
| Estimated prescribed part of net property where applicable (to carry forward)  | <u>NIL</u>                   |
| <b>Estimated total assets available for floating charge holders</b>  | 10,300 00                    |
| Debts secured by floating charges post 15 September 2003   |                              |
|  | <u>NIL</u>                   |
| <b>Estimated deficiency/surplus of assets after floating charges</b>   | 10,300 00                    |
| Estimated prescribed part of net property where applicable (brought down)  | <u>NIL</u>                   |
| <b>Total assets available to unsecured creditors</b>   | 10,300 00                    |
| Unsecured non-preferential claims (excluding any shortfall to floating charge holders)   |                              |
| Trade & Expense Creditors  | 16,000 00                    |
| HM Revenue & Customs - PAYE & NIC  | 1,000 00                     |
|  | <u>17,000 00</u>             |
| <b>Estimated deficiency/surplus as regards non-preferential creditors<br/>(excluding any shortfall in respect of F.C's post 14 September 2003)</b> | (6,700 00)                   |
| <b>Estimated deficiency/surplus as regards creditors</b>   | (6,700 00)                   |
| Issued and called up capital   |                              |
| Ordinary Shareholders  | 1 00                         |
|  | <u>1 00</u>                  |
| <b>Estimated total deficiency/surplus as regards members</b>   | <u>(6,701 00)</u>            |

Signature \_\_\_\_\_ Date \_\_\_\_\_



**Refresh Recovery Limited**  
**Emfire Consulting Limited**  
**B - Company Creditors**

| Key                        | Name                              | Address   | £                |
|----------------------------|-----------------------------------|---|------------------|
| CB00                       | Barclays Bank Plc                 | RBB Litigation & Special Investigations, Level 29, One Churchill Place, Canary Wharf, London, E14 5HP | 16,000.00        |
| CI00                       | HM Revenue & Customs - PAYE & NIC | Insolvency & Securities, 3rd Floor, Euston Tower, 286 Euston Road, London NW1 3UQ                     | 1,000.00         |
| CP00                       | The Pension Protection Fund       | Knollys House, 17 Addiscombe Road, Croydon, Surrey, CR0 6SR   | 0.00             |
| RM00                       | Mr T Murphy                       | Suite 1, Railway House, Adams Hill, Knutsford, Cheshire, WA16 6DN                                     | 0.00             |
| <b>4 Entries Totalling</b> |                                   |   | <b>17,000.00</b> |

Signature \_\_\_\_\_

**Refresh Recovery Limited**  
**Emfire Consulting Limited**  
**C - Shareholders**

| Key                 | Name        | Address   | Pref | Ord | Other | Total |
|---------------------|-------------|---|------|-----|-------|-------|
| HM00                | Mr T Murphy | Suite 1, Railway Buildings, Adams Hill, Knutsford, Cheshire, WA16 6DN | 0    | 0   | 0     | 0     |
| 1 Entries Totalling |             |   |      |     |       | 0     |

Signature \_\_\_\_\_

Refresh Recovery Limited

TIME & CHARGEOUT SUMMARIES (POST)

Emfire Consulting Limited

| HOURS                           |          |         |                           |                            |             |             |                       |
|---------------------------------|----------|---------|---------------------------|----------------------------|-------------|-------------|-----------------------|
| Classification Of work Function | Partner  | Manager | Other Senior Professional | Assistants & Support Staff | Total Hours | Time Cost £ | Average Hourly Rate £ |
| Administration & Planning       | 7 60     | 1 90    | 9 25                      | 0 70                       | 19 45       | 4,447 00    | 228 64                |
| Creditors                       | 0 00     | 0 00    | 0 50                      | 0 00                       | 0 50        | 70 00       | 140 00                |
| Statutory Matters               | 0 00     | 0 00    | 0 50                      | 0 00                       | 0 50        | 70 00       | 140 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                  |
| Total Fees Claimed £            | 2,546 00 | 532 00  | 1,435 00                  | 74 00                      |             | 4,587 00    |                       |
| Total Hours                     | 7 60     | 1 90    | 10 25                     | 0 70                       | 20 45       |             |                       |
| Average Rate                    | 335 00   | 280 00  | 140 00                    | 105 71                     |             |             |                       |

**Emfire Consulting Limited  
(In Administration)**

**Summary of Receipts & Payments**

| RECEIPTS                | Statement<br>of Affairs<br>(£) | From 20/12/2013<br>To / /<br>(£) | From 31/12/1899<br>To 07/02/2014<br>(£) | Total<br>(£) |
|-------------------------|--------------------------------|----------------------------------|---|--------------|
|                         |                                | 0 00                             | 0 00                                    | 0.00         |
| PAYMENTS                |                                |                                  |   |              |
|                         |                                | 0 00                             | 0 00                                    | 0 00         |
| Net Receipts/(Payments) |                                | 0 00                             | 0 00                                    | 0 00         |
| MADE UP AS FOLLOWS      |                                |                                  |   |              |
|                         |                                | 0 00                             | 0 00                                    | 0 00         |

Note

## **REFRESH RECOVERY LIMITED'S FEE AND EXPENSES**

### **1. TIME COST AND CHARGES OUT RATES**

The expected work involved in this assignment will mainly relate to the realisation of the assets, investigation into the Company's affairs (including the submission of reports on the conduct of the directors to the Department of Business, Innovation and Skills), dealing with Barclays Bank Plc and complying with various statutory obligations including submitting Proposals to creditors and six monthly and final progress reports to Companies House and the members and creditors

The current charge out rates for this Firm is as follows -

| <b>Grade of Staff</b>           | <b>(£ per hour)</b> |
|---------------------------------|---------------------|
| Insolvency Practitioner/Partner | 335                 |
| Senior Manager                  | 280                 |
| Manager                         | 250                 |
| Case Supervisor                 | 180                 |
| Senior Case Administrator       | 140                 |
| Case Administrator              | 100                 |

All charge out rates are subject to periodic review. Any material amendments to charge out rates shall be advised to Creditors (or the Creditors' Committee, if appropriate) in subsequent statutory reports. Time spent by support staff for carrying out shorter tasks, such as typing or dealing with post, is not charged to cases but is carried out as an overhead. Only where a significant amount of time is spent at one time on a case is a charge made for support staff. Time is recorded in units of 0.10 of an hour (i.e. 6 minute units).

A creditors' guide to Administrators fees is attached

### **2. EXPENSES & DISBURSEMENT COSTS**

Where the Insolvency Practitioner in the firm acts as office-holder of an insolvent estate, the firm will seek to re-charge these costs (plus VAT where applicable). In such cases to comply with Statement of Insolvency Practice 9 (SIP9), the standard disbursement cost and expense re-charge calculations will be based upon the firm's standard policy which is as follows:

#### **Category 1 Disbursements**

These costs will include, among other -

|                       |   |
|-----------------------|---|
| Statutory Advertising | As per advertisers/agents invoice                     |
| Statutory Bonding     | Charged at cost                                       |
| Postal Redirection    | Charged at cost                                       |
| Courier               | Charged at cost                                       |
| Postage circular      | First class postal charges based on the weight of the |

|                        |  |
|------------------------|--|
| Storage                | Pro rata per number of boxes per storage charge invoice<br>An external storage provider provides this facility to the firm. Current charges are £2.50 for the box and £4.25 per box per annum for the storage. |
| Room Hire              | No charge is made for meeting within the firm's office but charges made by others (including charges by the Landlord for rooms at West Lancashire Investment Centre) are charged at cost.                      |
| Land Registry Searches | As per Land Registry invoice   |
| Companies House Search | As per Companies House invoice   |
| Travel                 | Charged at costs for public transport, taxis and car parking   |

## Category 2 Disbursements

This relates to expenditure which may be directly related to the insolvent estate, or where the costs are apportioned or allocated over a number of such cases and estimates are used in the calculation. Such disbursements require creditor approval.

|                                   |  |                  |            |              |            |                       |            |                     |            |                                   |            |
|-----------------------------------|--|------------------|------------|--------------|------------|-----------------------|------------|---------------------|------------|-----------------------------------|------------|
| Photocopier/Paper                 | £0.15 per sheet – irrespective of size. Based on average costs of machine consumables (toner cartridges, maintenance etc) and paper.   |                  |            |              |            |                       |            |                     |            |                                   |            |
| Fax                               | £0.60 per page sent. Based on the average costs involved in the use of fax machine consumables (toner cartridges, maintenance etc) and line costs.   |                  |            |              |            |                       |            |                     |            |                                   |            |
| Stationery                        | <table> <tr> <td>Lever arch files</td><td>£3.63 each</td></tr> <tr> <td>A-Z dividers</td><td>£2.69 each</td></tr> <tr> <td>Multi punched pockets</td><td>£0.03 each</td></tr> <tr> <td>C5 window envelopes</td><td>£0.04 each</td></tr> <tr> <td>C4 (A4 unfolded) window envelopes</td><td>£0.08 each</td></tr> </table> | Lever arch files | £3.63 each | A-Z dividers | £2.69 each | Multi punched pockets | £0.03 each | C5 window envelopes | £0.04 each | C4 (A4 unfolded) window envelopes | £0.08 each |
| Lever arch files                  | £3.63 each   |                  |            |              |            |                       |            |                     |            |                                   |            |
| A-Z dividers                      | £2.69 each   |                  |            |              |            |                       |            |                     |            |                                   |            |
| Multi punched pockets             | £0.03 each   |                  |            |              |            |                       |            |                     |            |                                   |            |
| C5 window envelopes               | £0.04 each   |                  |            |              |            |                       |            |                     |            |                                   |            |
| C4 (A4 unfolded) window envelopes | £0.08 each   |                  |            |              |            |                       |            |                     |            |                                   |            |
| Travel                            | 45p per mile which is the cost reimbursed to staff   |                  |            |              |            |                       |            |                     |            |                                   |            |
| Telephone                         | Conference and international calls are charged at cost   |                  |            |              |            |                       |            |                     |            |                                   |            |

All the above costs are subject to periodic review. Any material amendments to costs shall be advised to Creditors (or the Creditors' Committee, if appropriate) in subsequent statutory reports.

## Rule 2.48

## Notice of conduct of business by correspondence

Name of Company  
Emfire Consulting Limited

Company number  
08559055

In the High Court of Justice  
Chancery Division,  
Manchester District Registry  
(full name of court)

Court case number  
4378 of 2013

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

Notice is hereby given by (a)  
Gordon Craig  
Refresh Recovery Limited  
West Lancashire Investment Centre  
Maple View  
White Moss Business Park  
Skelmersdale WN8 9TG

(b) Insert full name and  
address of registered

office of the company

to the creditors of (b) Emfire Consulting Limited  
West Lancashire Investment Centre  
Maple View  
White Moss Business Park  
Skelmersdale  
WN8 9TG

(c) Insert number of  
resolutions enclosed

that, pursuant to paragraph 58 of Schedule B1 to the Insolvency Act 1986, enclosed is (c) **5**  
resolution for your consideration Please indicate below whether you are in favour or  
against the resolution

(d) Insert address to  
which form is to be  
delivered

This form must be received at (d)  
Refresh Recovery Limited, West Lancashire Investment Centre, Maple View White Moss  
Business Park, Skelmersdale, Lancs, WN8 9TG

(e) Insert closing date

by 12 00 hours on (e) **27 February 2014** in order to be counted It must be accompanied by  
details in writing of your claim Failure to do so will lead to your vote(s) being disregarded

Repeat as necessary for  
the number of resolutions  
attached

## Resolutions

- 1 Under Rule 2.67A of the Insolvency (Amendment) Rules 2010 and in the absence of a Creditors' Committee, the unpaid pre-administration costs as detailed in the Administrator's Proposals be approved

These are as follows

Solicitors Fees, Turner Parkinson  
£556 plus VAT plus disbursements of  
£37

I am \*in Favour / Against

- 2 Under Rule 2.106 of the Insolvency (Amendment) Rules 2010 and in the absence of a Creditors' Committee, the remuneration of the Administrator be fixed in reference to time properly spent by him and his staff in attending to matters arising from the Administration

I am \*in Favour / Against

3 In accordance with Statement of Insolvency Practice No 9, issued by the Association of Business Recovery Professionals, the Administrator be authorised to draw Category 1 and 2 disbursements in accordance with his firm's published tariff

I am \*in Favour / Against

4 In accordance with Statement of Insolvency Practice No 9, issued by the Association of Business Recovery Professionals, the Administrator be authorised to draw remuneration and disbursements as and when funds are available

I am \*in Favour / Against

5 The Administrator will be discharged from liability under Paragraph 98 of Schedule B1 to the Insolvency Act 1986 immediately upon his appointment as Administrator ceasing to have effect

I am \*in Favour / Against

\*Delete as appropriate

TO BE COMPLETED BY CREDITOR WHEN RETURNING FORM


**Name of creditor**

**Signature of creditor**

(If signing on behalf of creditor, **state capacity** e g director/solicitor)

If you require any further details or clarification prior to returning your votes, please contact me/us at the address above

Signed

  
\_\_\_\_\_  
Administrator

Dated  
12 February 2014  
\_\_\_\_\_



**PROOF OF DEBT - GENERAL FORM**

|  |  |
|--|--|
| <b>Emfire Consulting Limited - In Administration</b> |  |
| <b>Date of Administration: 20 December 2013</b>      |  |
| 1  | Name of Creditor<br>(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 (see note) £   |
| 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)  |
| Admitted to vote for                                 | Admitted for dividend for  |
| £  | £  |
| Date   | Date   |
| Liquidator   | Liquidator   |

## Rule 2.37

## Creditor's request for a meeting

Name of Company  
Emfire Consulting Limited

Company number  
08559055

In the High Court of Justice  
Chancery Division,  
Manchester District Registry  
(full name of court)

Court case number  
4378 of 2013

(a) Insert full name and  
address of the creditor  
making the request

I (a)

(b) Insert full name and  
address of registered  
office of the company

request a meeting of the creditors of (b)  
Emfire Consulting Limited

C/O Refresh Recovery Limited  
West Lancashire Investment Centre  
Maple View  
White Moss Business Park  
Skelmersdale  
Lancs WN8 9TG

(c) Insert amount of claim

My claim in the administration is (c)

(d) Insert full name(s) and  
address(es) of creditors  
concurring with the  
request (if any) and their  
claims in the  
administration if the  
requesting creditor's  
claim  
is below the required 10%

(d)

concur with the above request, and I attach copies of their written confirmation of  
concurrence

(e) Insert details of the  
purpose of the meeting

The purpose of the meeting is (e)

Signed

Dated