

LIQ03

Notice of progress report in voluntary winding up




Companies House

For further information, please
refer to our guidance at
www.gov.uk/companieshouse

| | | |
|----------------------|--|--|
| 1 | Company details | |
| Company number | 01812490 | → Filling in this form Please complete in typescript or in bold black capitals. |
| Company name in full | Anglewest Limited | |
| 2 | Liquidator's name | |
| Full forename(s) | Simon | |
| Surname | Girling | |
| 3 | Liquidator's address | |
| Building name/number | Bridgewater House | |
| Street | | |
| Post town | Counterslip | |
| County/Region | Bristol | |
| Postcode | BS16BX | |
| Country | | |
| 4 | Liquidator's name ^① | |
| Full forename(s) | Danny | ① Other liquidator Use this section to tell us about another liquidator. |
| Surname | Dartnaill | |
| 5 | Liquidator's address ^② | |
| Building name/number | Thames Tower, Level 12 | ② Other liquidator Use this section to tell us about another liquidator. |
| Street | Station Road | |
| Post town | Reading | |
| County/Region | | |
| Postcode | RG11LX | |
| Country | | |

LIQ03

Notice of progress report in voluntary winding up

| | | | | | | | | | | | | | | | | |
|---|---|---|--------------|---|--------------|---|--------------|---|--------------|---|--------------|---|--------------|---|--------------|---|
| 6 | Period of progress report | | | | | | | | | | | | | | | |
| From date | ^d | 0 | ^d | 8 | ^m | 0 | ^m | 4 | ^y | 2 | ^y | 0 | ^y | 2 | ^y | 0 |
| To date | ^d | 0 | ^d | 7 | ^m | 0 | ^m | 4 | ^y | 2 | ^y | 0 | ^y | 2 | ^y | 1 |
| 7 | Progress report | | | | | | | | | | | | | | | |
| <input checked="" type="checkbox"/> The progress report is attached | | | | | | | | | | | | | | | | |
| 8 | Sign and date | | | | | | | | | | | | | | | |
| Liquidator's signature | <div>Signature</div> <div>  </div> | | | | | | | | | | | | | | | |
| Signature date | ^d | 2 | ^d | 6 | ^m | 0 | ^m | 5 | ^y | 2 | ^y | 0 | ^y | 2 | ^y | 1 |

LIQ03

Notice of progress report in voluntary winding up



Presenter information

You do not have to give any contact information, but if you do it will help Companies House if there is a query on the form. The contact information you give will be visible to searchers of the public record.

Contact name **Helen A Jones**

Company name **BDO LLP**

Address
Two Snowhill
Snow Hill Queensway

Post town **Birmingham**

County/Region

Postcode **B 4 6 G A**

Country

DX

Telephone **0121 352 6200**



Checklist

We may return forms completed incorrectly or with information missing.

Please make sure you have remembered the following:

- ☐ The company name and number match the information held on the public Register.
- ☐ You have attached the required documents.
- ☐ You have signed the form.



Important information

All information on this form will appear on the public record.



Where to send

You may return this form to any Companies House address, however for expediency we advise you to return it to the address below:

The Registrar of Companies, Companies House,
Crown Way, Cardiff, Wales, CF14 3UZ.
DX 33050 Cardiff.



Further information

For further information please see the guidance notes on the website at www.gov.uk/companieshouse or email enquiries@companieshouse.gov.uk

This form is available in an alternative format. Please visit the forms page on the website at www.gov.uk/companieshouse

Anglewest Limited
(In Liquidation)
Joint Liquidators' Summary of Receipts & Payments

| Statement of Affairs £ | From 08/04/2020 To 07/04/2021 £ | From 17/05/2018 To 07/04/2021 £ |
|------------------------------|---------------------------------------|---------------------------------------|
| ASSET REALISATIONS | | |
| Bank Interest Gross | NIL | 751.66 |
| Surplus from Administration | NIL | 296,399.36 |
| | NIL | 297,151.02 |
| COST OF REALISATIONS | | |
| Liquidators Disbursements | NIL | 162.00 |
| Liquidator's Fees | 8,718.00 | 28,718.00 |
| | (8,718.00) | (28,880.00) |
| UNSECURED CREDITORS | | |
| Trade & Expense Creditors | 150,650.29 | 150,650.29 |
| Unsecured HMRC | 117,620.73 | 117,620.73 |
| | (268,271.02) | (268,271.02) |
| | (276,989.02) | (0.00) |
| REPRESENTED BY | | |
| Bank 2 Current | | 399.70 |
| Unclaimed Dividends | | (399.70) |
| | | NIL |

Note:

A first and final unsecured dividend of 19.61 pence in the pound was declared on 22 April 2020 which totalled £268,271.02.

TO ALL KNOWN CREDITORS

26 May 2021

Our Ref SG/HG/Document2/A6

Please ask for
Harjean Gill
BRCMTMidlandsandBristol@bdo.co.uk

Dear Madams/Sirs

Anglewest Limited - In Creditors' Voluntary Liquidation ('the Company')
Registered number: 01812490

I set out below an annual progress report in accordance with Section 104A of the Insolvency Act 1986 and Rules 18.3 and 18.7 of the Insolvency (England and Wales) Rules 2016 ('the Rules'). This report covers the period of 8 April 2020 to 7 April 2021 ('The Period'). This report should be read in conjunction with my previous report circulated to creditors.

Professional information regarding the Joint Liquidators

The Joint Liquidators are Simon Girling (officeholder No: 9283) of BDO LLP, Bridgewater House, Counterslip, Bristol, BS1 6BX and Danny Dartnail (officeholder No: 10110) of BDO LLP, Thames Tower, Level 12, Station Road, Reading, RG1 1LX. The Joint Liquidators were appointed on 8 April 2019 and carry out their functions jointly and severally meaning any action can be done by one Liquidator or by both of them.

Receipts and Payments

I attach for your information a summary of my Receipts and Payments account, analysed to show activity in the last year compared to the whole of the Liquidation. The transactions shown are entirely self-explanatory, although further detail on the Joint Liquidators' fees and disbursements, as well as the distribution made to the unsecured creditors, is provided later in my report.

Prospects for Creditors

Secured Creditors

There are no secured creditors in this Liquidation.

Preferential Creditors

As previously reported, all employees transferred to the purchaser of the Company's business and assets in the preceding Administration. Furthermore, a payment was made to the Company's pension scheme in respect of outstanding contributions as at the date of the

Administration. The Joint Liquidators have not received any preferential claims and none are expected.

Unsecured Creditors and the Prescribed Part

Under Section 176A of the Insolvency Act 1986 where, after 15 September 2003, a company has granted to a floating charge to a secured creditor, a proportion of the net property of the company must be made available for the unsecured creditors. The Company did grant such a floating charge, however the secured creditor has been repaid in full from fixed charge realisations in the preceding Administration. As a result, the prescribed part provisions will not apply.

Despite the above, asset realisations have been sufficient to allow a distribution to be made to the unsecured creditors and on 22 April 2020 a first and final dividend was declared. This represented a dividend of 19.61p on agreed claims of £1,368,286 and the total amount distributed was £268,271. No further distributions will be made to creditors.

Investigations

The Joint Liquidators have a duty to investigate the affairs of the Company and also the conduct of the directors and in respect of the latter, to submit a confidential statutory report to the Secretary of State. I confirm that a report has been submitted.

I have completed our review of the Company's affairs and assets to establish whether there are any actions that can be investigated for the benefit of the creditors and concluded there are no causes of action to be pursued.

Joint Liquidators' Remuneration

Pursuant to the Rules, the Joint Liquidators are obliged to fix their remuneration in accordance with Rule 18.16. This permits remuneration to be fixed either:

- (1) As a percentage of the assets realised and distributed; and/or
- (2) By reference to the time the Joint Liquidators and the staff have spent attending to matters in the Liquidation; and/or
- (3) As a set amount; and/or
- (4) As a combination of the above.

Pursuant to Rule 18.16, the Joint Liquidators' remuneration has been approved by creditors on 17 April 2019 on the basis of time properly spent in dealing with issues in the Liquidation per the Fee Estimate provided. To date, the Joint Liquidators have drawn £28,718 in respect of remuneration, £8,718 of which was drawn during the Period as shown on the enclosed Receipts and Payments account.

I attach two schedules detailing the time costs incurred to date. The first schedule covers the Period. This records time costs of £15,498 which represents 110 hours spent at an average charge out rate of £141 per hour.

The second schedule covers the whole period of appointment and records time costs of £48,369 which represents 228 hours spent at an average charge out rate of £212 per hour.

Also attached is the original Fees Estimate annotated with a column showing the time costs accrued in respect of each activity, together with a description of the work completed in the

Period. The time costs that have accrued have exceeded the level of the approved fees estimate; however I do not intend to seek approval for further fees and the balance of time costs will be written off.

For guidance, I also enclose a document that outlines the policy of BDO LLP in respect of fees and disbursements.

Joint Liquidators' Disbursements

Where disbursements are recovered in respect of precise sums expended to third parties there is no necessity for these costs to be authorised. These are known as category 1 disbursements. To date, a sum of £162 has been incurred and paid in respect of category 1 disbursements for statutory advertising.

Some Liquidators recharge expenses, for example printing, photocopying and telephone costs, which cannot economically be recorded in respect of each specific case. Such expenses, which are apportioned to cases, require the approval of the creditors before they can be drawn, and these are known as category 2 disbursements. The policy of BDO LLP is not to charge any category 2 disbursements with the exception of mileage on the basis of the mileage scale approved by HMRC, being 45p per mile unless otherwise disclosed to the creditors. No category 2 disbursements have accrued or been paid during the Period.

Creditors' rights

I provide at the end of this report an extract from the Rules setting out the rights of creditors to request further information and/or challenge the remuneration or expenses within the Liquidation. Creditors may access information setting out creditors' rights in respect of the approval of the Joint Liquidators' remuneration at <https://www.bdo.co.uk/en-gb/insights/advisory/business-restructuring/creditors-guides>.

The Insolvency Service has established a central gateway for considering complaints in respect of Insolvency practitioners. In the event that you make a complaint to me but are not satisfied with the response from me then you should visit <https://www.gov.uk/complain-about-insolvency-practitioner> where you will find further information on how you may pursue the complaint.

The Joint Liquidators are bound by the Insolvency Code of Ethics when carrying out all professional work relating to this appointment. A copy of the code can be found at: <https://www.icaew.com/technical/ethics/icaew-code-of-ethics/icaew-code-of-ethics>.

If you require any further information please contact me or my colleague Harjean Gill at BRCMTMidlandsandBristol@bdo.co.uk.

Yours faithfully
for and on behalf of
Anglewest Limited



Simon Girling
Joint Liquidator
Authorised by the Insolvency Practitioners Association in the UK



Enc

Receipts and Payments Account

SIP 9 Time Cost Report for the Period of Report

SIP 9 Time Cost Report for the Period of Liquidation

Fees Estimate to Accrued Time Comparison

BDO LLP Policy in respect of Fees and Disbursements

Statement of Creditors' Rights in respect of Fees and Disbursement

Anglewest Limited
(In Liquidation)
Joint Liquidators' Summary of Receipts & Payments

| Statement of Affairs £ | From 08/04/2020 To 07/04/2021 £ | From 17/05/2018 To 07/04/2021 £ |
|------------------------------|---------------------------------------|---------------------------------------|
| ASSET REALISATIONS | | |
| Bank Interest Gross | NIL | 751.66 |
| Surplus from Administration | NIL | 296,399.36 |
| | NIL | 297,151.02 |
| COST OF REALISATIONS | | |
| Liquidators Disbursements | NIL | 162.00 |
| Liquidator's Fees | 8,718.00 | 28,718.00 |
| | (8,718.00) | (28,880.00) |
| UNSECURED CREDITORS | | |
| Trade & Expense Creditors | 150,650.29 | 150,650.29 |
| Unsecured HMRC | 117,620.73 | 117,620.73 |
| | (268,271.02) | (268,271.02) |
| | (276,989.02) | (0.00) |
| REPRESENTED BY | | |
| Bank 2 Current | | 399.70 |
| Unclaimed Dividends | | (399.70) |
| | | NIL |

Note:

A first and final unsecured dividend of 19.61 pence in the pound was declared on 22 April 2020 which totalled £268,271.02.

Name of Assignment Anglewest Limited - CVL 00291560

Summary of Time Charged and Rates Applicable for the Period From 08/04/2020 to 07/04/2021

| Description | PARTNER | | MANAGER | | ASSISTANT MANAGER | | SENIOR ADMINISTRATOR | | ADMINISTRATOR | | OTHER STAFF | | GRAND TOTAL | | AV R1 |
|-----------------------------|---------|--------|---------|----------|----------------------|-------|-------------------------|--------|---------------|----------|-------------|----------|-------------|-----------|-------|
| | Hours | Total | Hours | Total | Hours | Total | Hours | total | Hours | Total | Hours | total | Hours | total | £ |
| | | £ | | £ | | £ | | £ | | £ | | £ | | £ | |
| B. Steps on Appointment | | | | | | | | | 0.30 | 25.20 | | | 0.30 | 25.20 | 84.0 |
| D. General Administration | 0.05 | 25.55 | 16.40 | 4,504.70 | 0.10 | 15.10 | 5.75 | 621.25 | 35.05 | 2,511.35 | 13.45 | 1,183.60 | 70.80 | 8,861.55 | 125.1 |
| G. Employee Matters | | | 1.10 | 355.30 | | | | | | | | | 1.10 | 355.30 | 323.0 |
| H. Creditor Claims | | | 0.65 | 152.30 | | | | | 0.10 | 7.10 | | | 0.75 | 159.40 | 212.5 |
| I. Reporting | | | 6.20 | 1,458.95 | | | | | 4.70 | 333.70 | | | 10.90 | 1,792.65 | 164.4 |
| J. Distribution and Closure | 0.15 | 76.65 | 13.50 | 3,355.65 | | | | | 12.05 | 872.05 | | | 25.70 | 4,304.35 | 167.4 |
| | 0.20 | 102.20 | 37.85 | 9,826.90 | 0.10 | 15.10 | 5.75 | 621.25 | 52.20 | 3,749.40 | 13.45 | 1,183.60 | | | |
| Net Total | | | | | | | | | | | | | 109.55 | 15,498.45 | |
| Secretarial Expense | | | | | | | | | | | | | | 0.00 | |
| Other Disbursements | | | | | | | | | | | | | | 0.00 | |
| Billed | | | | | | | | | | | | | | 0.00 | |
| Grand Total | | | | | | | | | | | | | | 15,498.45 | |

Name of Assignment Anglewest Limited - CVL 00291560

Summary of Time Charged and Rates Applicable for the Period From 08/04/2019 to 07/04/2021

| Description | PARTNER | | MANAGER | | ASSISTANT MANAGER | | SENIOR ADMINISTRATOR | | ADMINISTRATOR | | OTHER STAFF | | GRAND TOTAL | | AV R1 | |
|-------------------------------|---------|-----------|---------|-----------|-------------------|--------|----------------------|--------|---------------|----------|-------------|----------|-------------|---------------------|--------|-----------|
| | Hours | Total | Hours | Total | Hours | Total | Hours | Total | Hours | Total | Hours | Total | Hours | Total | | |
| | £ | £ | £ | £ | £ | £ | £ | £ | £ | £ | £ | £ | £ | £ | | |
| B. Steps on Appointment | 3.25 | 1,732.25 | 2.40 | 778.00 | 1.05 | 133.35 | | | 0.30 | 25.20 | | | 7.00 | 2,668.80 | 381.2 | |
| C. Planning and Strategy | | | 0.25 | 80.75 | | | | | | | | | 0.25 | 80.75 | 323.0 | |
| D. General Administration | 0.20 | 102.20 | 36.90 | 11,117.80 | 1.50 | 225.55 | 7.75 | 717.55 | 62.10 | 6,228.15 | 13.45 | 1,183.60 | 121.90 | 19,574.85 | 160.5 | |
| E. Assets Realisation/Dealing | | | | | 0.20 | 26.20 | | | | | | | 0.20 | 26.20 | 131.0 | |
| G. Employee Matters | | | 7.50 | 2,422.50 | 0.25 | 32.75 | | | | | | | 7.75 | 2,455.25 | 316.8 | |
| H. Creditor Claims | 8.25 | 4,529.25 | 7.75 | 2,351.30 | | | | | 4.70 | 333.70 | | | 20.70 | 7,214.25 | 348.5 | |
| I. Reporting | 5.25 | 2,882.25 | 6.40 | 1,506.95 | | | | | 5.55 | 394.05 | | | 17.20 | 4,783.25 | 278.1 | |
| J. Distribution and Closure | 3.65 | 1,998.15 | 28.65 | 8,010.65 | 0.60 | 103.00 | | | 20.15 | 1,453.65 | | | 53.05 | 11,565.45 | 218.0 | |
| 20.60 | | 11,244.10 | 89.85 | 26,267.95 | 3.60 | 520.85 | 7.75 | 717.55 | 92.80 | 8,434.75 | 13.45 | 1,183.60 | | | | |
| | | | | | | | | | | | | | | Net Total | 228.05 | 48,368.80 |
| | | | | | | | | | | | | | | Secretarial Expense | | 0.00 |
| | | | | | | | | | | | | | | Other Disbursements | | 0.00 |
| | | | | | | | | | | | | | | Billed | | 0.00 |
| | | | | | | | | | | | | | | Grand Total | | 48,368.80 |

Anglewest Limited - In Liquidation

Fees Estimate to Accrued Time Comparison

Below is the original Fees Estimate annotated with a column showing the time costs accrued in respect of each activity.

Fees Estimate as at 18 March 2019 compared to accrued time to 07 April 2021

| Joint Liquidators' Fees | Total Hours | Blended Rate £ | Estimated Fee £ | Accrued Time £ |
|--------------------------------|------------------------|-------------------------------|--------------------------------|-------------------------------|
| Summary Activity | | | | |
| A. Pre Appointment Matters | 0.25 | 0.00 | 0.00 | 00.00 |
| TOTAL | | | 0.00 | 00.00 |
| B. Steps on Appointment | 6.70 | 191.91 | 3,646.20 | 2,668.80 |
| C. Planning and Strategy | 0.25 | 0.00 | 0.00 | 80.75 |
| D. General Administration | 49.35 | 126.72 | 10,083.48 | 19,574.85 |
| E. Assets Realisation/Dealing | 0.20 | 0.00 | 0.00 | 26.20 |
| F. Trading Related Matters | 0.00 | 0.00 | 0.00 | 0.00 |
| G. Employee Matters | 6.65 | 0.00 | 0.00 | 2,455.25 |
| H. Creditor Claims | 19.95 | 214.25 | 3,428.00 | 7,214.25 |
| I. Reporting | 6.30 | 187.74 | 5,688.50 | 4,783.25 |
| J. Distribution and Closure | 27.35 | 106.76 | 5,872.00 | 11,565.45 |
| TOTAL | 223.20 | | 28,718.18 | 48,368.80 |

A non-exhaustive summary of the main tasks carried out giving rise to the above time costs would include:

- Preparing this report
- General cashiering and statutory matters
- Corporation Tax and VAT issues
- Seeking the necessary clearances from HMRC in preparation for the closure of the case.
- Agreement of creditors' claims, including correspondence with them and assistance from the directors as required
- The calculation and payment of the distribution to the unsecured creditors.
- Liaising with creditors in respect of unclaimed dividends.
- The raising and payment of the Joint Liquidators' final fees.
- Periodic reviews of the case, including a review of the case in preparation for closure.



Anglewest Limited - In Liquidation

In accordance with best practice I provide below details of policies of BDO LLP in respect of fees and expenses for work in relation to the above insolvency.

The current charge out rates per hour of staff within my firm who may be involved in working on the insolvency, follows:

| GRADE | £ |
|----------------------|---------|
| Partner | 591-788 |
| Manager | 201-496 |
| Assistant Manager | 151-227 |
| Senior Administrator | 140-227 |
| Administrator | 74-211 |
| Other Staff | 74-110 |

This in no way implies that staff at all such grades will work on the case. The rates charged by BDO LLP are reviewed in December and July each year and are adjusted to take account of inflation and the firm's overheads.

Time spent on casework is recorded directly to the relevant case using a computerised time recording system and the nature of the work undertaken is recorded at that time. Units of time can be as small as 3 minutes. BDO LLP records work in respect of insolvency work under the following categories:-

Pre Appointment
Steps upon Appointment
Planning and Strategy
General Administration
Asset Realisation/Management
Trading Related Matters
Employee Matters
Creditor Claims
Reporting
Distribution and Closure
Other Issues.

Under each of the above categories the work is recorded in greater detail in sub categories. Please note that the 11 categories provide greater detail than the six categories recommended by the Recognised Professional Bodies who are responsible for licensing and monitoring insolvency practitioners.

Where an officeholder's remuneration is approved on a time cost basis the time invoiced to the case will be subject to VAT at the prevailing rate.

Where remuneration has been approved on a time costs basis a periodic report will be provided to any committee appointed by the creditors or in the absence of a committee to the creditors. The report will provide a breakdown of the remuneration drawn and will enable the recipients to see the average rates of such costs.

Other Costs

Where expenses are incurred in respect of the insolvent estate they will be recharged. Such expenses can be divided into two categories.



Category 1

This heading covers expenses where BDO LLP has met a specific cost in respect of the insolvent estate where payment has been made to a third party. Such expenses may include items such as advertising, couriers, travel (by public transport), land registry searches, fees in respect of swearing legal documents etc. In each case the recharge will be reimbursement of a specific expense incurred.

Category 2

We propose to recover from the estate the cost of travel where staff use either their own vehicles or company cars in travelling connected with the insolvency. In these cases a charge of 45p per mile is raised which is in line with the HM Revenue & Customs Approved Mileage Rates (median - less than 10,000 miles per annum) which is the amount the firm pays to staff. Where costs are incurred in respect of mileage, approval will be sought in accordance with the Insolvency (England and Wales) Rules 2016 to recover this disbursement.

Where applicable, all disbursements will be subject to VAT at the prevailing rate.

BDO LLP
26 May 2021

Statement from the Insolvency (England and Wales) Rules 2016 regarding the rights of creditors in respect of the Joint Liquidators' fees and expenses:

Creditors' and members' requests for further information in administration, winding up and bankruptcy

18.9.—(1) The following may make a written request to the office-holder for further information about remuneration or expenses (other than pre-administration costs in an administration) set out in a progress report under rule 18.4(1)(b), (c) or (d) or a final report under rule 18.14—

- (a) a secured creditor;
 - (b) an unsecured creditor with the concurrence of at least 5% in value of the unsecured creditors (including the creditor in question);
 - (c) members of the company in a members' voluntary winding up with at least 5% of the total voting rights of all the members having the right to vote at general meetings of the company;
 - (d) any unsecured creditor with the permission of the court; or
 - (e) any member of the company in a members' voluntary winding up with the permission of the court.
- (2) A request, or an application to the court for permission, by such a person or persons must be made or filed with the court (as applicable) within 21 days of receipt of the report by the person, or by the last of them in the case of an application by more than one member or creditor.
- (3) The office-holder must, within 14 days of receipt of such a request respond to the person or persons who requested the information by—
- (a) providing all of the information requested;
 - (b) providing some of the information requested; or
 - (c) declining to provide the information requested.
- (4) The office-holder may respond by providing only some of the information requested or decline to provide the information if—
- (a) the time or cost of preparation of the information would be excessive; or
 - (b) disclosure of the information would be prejudicial to the conduct of the proceedings;
 - (c) disclosure of the information might reasonably be expected to lead to violence against any person; or
 - (d) the office-holder is subject to an obligation of confidentiality in relation to the information.
- (5) An office-holder who does not provide all the information or declines to provide the information must inform the person or persons who requested the information of the reasons for so doing.
- (6) A creditor, and a member of the company in a members' voluntary winding up, who need not be the same as the creditor or members who requested the information, may apply to the court within 21 days of—
- (a) the office-holder giving reasons for not providing all of the information requested; or
 - (b) the expiry of the 14 days within which an office-holder must respond to a request.
- (7) The court may make such order as it thinks just on an application under paragraph (6).

Remuneration and expenses: application to court by a creditor or member on grounds that remuneration or expenses are excessive

18.34.—(1) This rule applies to an application in an administration, a winding-up or a bankruptcy made by a person mentioned in paragraph (2) on the grounds that—

- (a) the remuneration charged by the office-holder is in all the circumstances excessive;
 - (b) the basis fixed for the office-holder's remuneration under rules 18.16, 18.18, 18.19, 18.20 and 18.21 (as applicable) is inappropriate; or
 - (c) the expenses incurred by the office-holder are in all the circumstances excessive.
- (2) The following may make such an application for one or more of the orders set out in rule 18.36 or 18.37 as applicable—
- (a) a secured creditor,
 - (b) an unsecured creditor with either—
 - (i) the concurrence of at least 10% in value of the unsecured creditors (including that creditor), or
 - (ii) the permission of the court, or
 - (c) in a members' voluntary winding up—
 - (i) members of the company with at least 10% of the total voting rights of all the members having the right to vote at general meetings of the company, or
 - (ii) a member of the company with the permission of the court.
- (3) The application by a creditor or member must be made no later than eight weeks after receipt by the applicant of the progress report under rule 18.3, or final report or account under rule 18.14 which first reports the charging of the remuneration or the incurring of the expenses in question ('the relevant report').

Applications under rules 18.34 and 18.35 where the court has given permission for the application

18.36.—(1) This rule applies to applications made with permission under rules 18.34 and 18.35.

- (2) Where the court has given permission, it must fix a venue for the application to be heard.
- (3) The applicant must, at least 14 days before the hearing, deliver to the office-holder a notice stating the venue and accompanied by a copy of the application and of any evidence on which the applicant intends to rely.
- (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 office-holder is entitled to charge;
 - (b) an order reducing any fixed 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 is not to be treated as expenses of the administration, winding up or bankruptcy;
 - (e) an order for the payment of the amount of the excess of remuneration or expenses or such part of the excess as the court may specify by —
 - (i) the administrator or Liquidator or the administrator's or Liquidator's personal representative to the company, or
 - (ii) the trustee or the trustee's personal representative to such person as the court may specify as property comprised in the bankrupt's estate;
 - (f) any other order that it thinks just.
- (5) An order under paragraph (4)(b) or (c) may only be made in respect of periods after the period covered by the relevant report.
- (6) Unless the court orders otherwise the costs of the application must be paid by the applicant, and are not payable as an expense of the administration, winding up or bankruptcy.

Applications under rule 18.34 where the court's permission is not required for the application

18.37.—(1) On receipt of an application under rule 18.34 for which the court's permission is not required, the court may, if it is satisfied that no sufficient cause is shown for the application, dismiss it without giving notice to any party other than the applicant.

- (2) Unless the application is dismissed, the court must fix a venue for it to be heard.
- (3) The applicant must, at least 14 days before any hearing, deliver to the office-holder a notice stating the venue with a copy of the application and of any evidence on which the applicant intends to rely.
- (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 office-holder is entitled to charge;
 - (b) an order reducing any fixed 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 or winding up or bankruptcy;
 - (e) an order for the payment of the amount of the excess of remuneration or expenses or such part of the excess as the court may specify by —
 - (i) the administrator or Liquidator or the administrator's or Liquidator's personal representative to the company, or
 - (ii) the trustee or the trustee's personal representative to such person as the court may specify as property comprised in the bankrupt's estate;
 - (f) any other order that it thinks just.
- (5) An order under paragraph (4)(b) or (c) may only be made in respect of periods after the period covered by the relevant report.
- (6) Unless the court orders otherwise the costs of the application must be paid by the applicant, and are not payable as an expense of the administration or as winding up or bankruptcy.