In accordance with Rule 18.8 of the Insolvency (England & Wales) Rules 2016.

WU07

Notice of progress report in a winding-up by the court



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

| 1 | Company details | |
|----------------------|------------------------|--|
| Company number | 0 2 3 8 8 1 8 7 | Filling in this form |
| Company name in full | Spectrum Radio Limited | Please complete in typescript or in bold black capitals. |
| | | |
| 2 | Liquidator's name | 1 |
| Full forename(s) | Allister | |
| Surname | Manson | |
| 3 | Liquidator's address | 1 |
| Building name/number | Evergreen House North | |
| Street | Grafton Place | |
| | | |
| Post town | London | |
| County/Region | | |
| Postcode | N W 1 2 D X | |
| Country | | |
| 4 | Liquidator's name | |
| Full forename(s) | Stella | Other liquidator Use this section to tell us about |
| Surname | Davis | another liquidator. |
| 5 | Liquidator's address 💣 | <u>'</u> |
| Building name/number | Evergreen House North | Other liquidator Use this section to tell us about |
| Street | Grafton Place | another liquidator. |
| | | |
| Post town | London | |
| County/Region | | |
| Postcode | N W 1 2 D X | |
| Country | | |
| | | |
| | | 04/17 Version 1.0 |

WU07

Notice of progress report in a winding-up by the court

| 6 | Per | iod o | f progre | ss re | port | | | |
|------------------------|----------------|-------|------------|----------------|--------|-----|------|-----|
| From date | 1 | 1 | 0 | 2 | 2 | 0 | 2 | 0 |
| To date | 1 | 0 | 0 | 2 | 2 | 0 | 2 | 1 |
| 7 | Pro | gress | report | | · | | | · |
| | \ <u>\</u> | The p | rogress re | eport is | attacl | hed | | |
| 8 | Sign | n and | date | | | | | |
| Liquidator's signature | | ature | - uutc | | | | | |
| , , | X | | lon | _ | | | | |
| Signature date | ^d 0 | 8 | 0 | ^m 4 | У. | 2 × | 0 /2 | · v |

WU07

Notice of progress report in a winding-up by the court

| Presenter information | ! Im |
|--|-----------------------------------|
| 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. | All infor |
| Allister Manson | ☑ Wł |
| Opus Restructuring LLP | You ma address return i |
| Evergreen House North Grafton Place | The Regi Crown V DX 3305 |
| London Postcode N W 1 2 D X | Fur |
| DX 020 3326 6454 | For furth on the w or email |
| Checklist We may return forms completed incorrectly or with information missing. | This falterr |
| 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. | www |

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

☐ You have signed the form.

Annual Progress Report

SPECTRUM RADIO LIMITED IN CREDITORS VOLUNTARY LIQUIDATION

Content

- Executive Summary
- · Administration and Planning
- Enquires and Investigations
- Realisation of Assets
- Creditors
- Ethics
- Fees and Expenses
- · Creditors' Rights
- EC Regulations
- General Data Protection Regulation ("GDPR")
- Conclusion

Appendices

- Appendix I Statutory Information
- Appendix II Receipts and Payments account for the period 11 February 2020 to 10 February 2021
- Appendix III Detailed list of work undertaken in the period
- Appendix IV Time cost information for period 11 February 2020 to 10 February 2021
- Appendix V Proof of Debt Form
- Appendix VI Opus Disbursement policy
- Appendix VII The Joint Liquidators' fee estimate
- Appendix VIII The Joint Liquidators' expenses estimate
- Appendix IX Notice of decision procedure
- Appendix X Notice inviting committee
- Appendix XI Voting Form
- Appendix XII Privacy Notice

EXECUTIVE SUMMARY

A summary of key information in this report is detailed below.

Assets

| | Estimated | to | | | |
|--------------------------------|-----------|----|--------------|--------------|--------------|
| | realise p | er | | Anticipated | Total |
| | Statement | of | Realisations | future | anticipated |
| Asset | Affairs | | to date | realisations | realisations |
| Book Debts | 28,381.9 | 91 | 3,106.12 | Uncertain | Uncertain |
| Petty Cash | 0.0 | 00 | 143.20 | 0.00 | 0.00 |
| Deposit on Creditor's Petition | 0.0 | 00 | 1,600.00 | 0.00 | 0.00 |
| Cash in Hand | 0.0 | 00 | 5,000.00 | 0.00 | 0.00 |
| Office Equipment | 0.0 | 00 | 0.00 | 2,814.00 | 2,814.00 |
| Total | 28,381.9 | 91 | 9,849.32 | Uncertain | Uncertain |

Expenses

| Expenses | | | |
|---|-------------|-----------------|-------------|
| | Expense | Anticipated | Total |
| | incurred to | further expense | anticipated |
| Expense | date | to closure | expense |
| Joint Liquidators' time costs (not drawn) | 38,982.50 | 60,532.94 | 99,515.44 |
| Agents' fees | 2,630.84 | 0.00 | 2,630.84 |
| OR's Administration Fee | 5,000.00 | 0.00 | 5,000.00 |
| BIS Bank Charges | 88.00 | 150.00 | 238.00 |
| OR's General Fee | 6,000.00 | 0.00 | 6,000.00 |
| Bonding | 40.00 | 950.00 | 990.00 |
| Case Management Fee | 230.00 | 0.00 | 230.00 |
| Land Registry Searches | 24.00 | 0.00 | 24.00 |
| Photocopying | 0.95 | 0.00 | 0.00 |
| Postage | 6.81 | 75.00 | 81.81 |
| Pension Report/Pension Services | 150.00 | 750.00 | 900.00 |
| Forensics Investigations | 0.00 | 30,000.00 | 30,000.00 |
| Legal Fees | 0.00 | 125,000.00 | 125,000.00 |
| Wealth Report | 0.00 | 5,600.00 | 5,600.00 |
| Payroll Services – RTI submissions | 0.00 | 500.00 | 500.00 |
| Debt Collection Fees | 0.00 | 2,000.00 | 2,000.00 |
| Total | 53,623.10 | 225,557.94 | 279,181.04 |

Dividend prospects

| Dividend prospects | | |
|------------------------|--------------------------------------|---|
| Creditor class | Distribution / dividend paid to date | Anticipated distribution / dividend, based upon the above |
| Secured creditor | N/a | N/a |
| Preferential creditors | None | Uncertain |
| Unsecured creditors | None | Uncertain |

Summary of key issues outstanding

- Investigations have found possible claims against various parties. The actions are currently being considered by litigation funders.
- Collection of residual funds from the sale of assets.
- Collection of the remaining book debts

Closure

Due to the issues outstanding as listed above, it is difficult to estimate the timing or quantum of any dividend to unsecured creditors or the closure of the liquidation.

ADMINISTRATION AND PLANNING

Statutory information

Statutory information may be found at Appendix I.

The Joint Liquidators are required to meet a considerable number of statutory and regulatory obligations. Whilst many of these tasks do not have a direct benefit in enhancing realisations for the insolvent estate, they assist in the efficient and compliant progressing of the administration of the case, which ensures that work is carried out to high professional standards. A detailed list of these tasks may be found in Appendix III.

The Joint Liquidators have met their statutory and regulatory duties to report to creditors, as listed below. In consideration of the need for transparency and engagement with creditors, care has been taken to ensure that reports and other communications with creditors have provided useful details of the strategies pursued and the outcomes anticipated. During the Review Period, the following key documents have been issued:

Initial correspondence with creditors confirming the appointment of the Joint Liquidators.

Other administration tasks

During the Review Period, the following material tasks in this category were carried out:

- Periodic file reviews including the updating of checklists
- Filing of documents at Companies House
- Maintenance of the estate cash book and bank account
- Receive and follow up of creditor enquires by telephone and post

ENQUIRES AND INVESTIGATIONS

The Official Receiver, appointed following the granting of the winding up order have carried out statutory investigations in the company's affairs and would have collected any books and records and completed any CDDA reporting requirements.

The Petitioning Creditors nominated this firm to carry out further investigations and following an extensive review of company records and statements, a number of potential actions and queries have arisen. Due to the complexities of such claims and as the Joint Liquidators are currently canvassing the views of various funders, little information can be provided at this time.

The Joint Liquidators will continue to liaise with potential funders in an attempt to progress matters and further information will be provided at a later date.

REALISATION OF ASSETS

Detailed below is key information about asset realisation and strategy, however, more details about the work undertaken may be found at Appendix III. The Joint Liquidators formulated and worked through a realisation strategy that sought to maximise realisations net of costs. The financial benefit of those efforts is described further below.

The Statement of Affairs provided by the OR is as below:

| Asset | Estimated to realise per Statement of Affairs |
|------------------|---|
| Book Debts | 20,000.00 |
| Cash in Hand | 5,000.00 |
| Office Equipment | 0.00 |
| Total | 25,000,00 |

Book Debts

Upon review of the debtor ledger, book debts stood at £31,418.51, of which £3,106.12 has been received to date.

The remaining position is as follows:

To be collected £4,768.16 Disputed £17,893.85 Bad Debts £6,118.01

Notes to the above:

A sum of £334.80 was remitted by cheque, however, this was made payable to the wrong party, and is therefore still outstanding.

An arrangement was entered into with one the debtors to repay a sum of £4,433.36 over a 12-month period. This debtor has not met the agreed instalments due to Covid-19 and has requested that we hold taking further action, and due to the circumstances, the Joint Liquidators have delayed the collection.

Further letters were sent to other debtors, however various entities have ceased trading due to Covid 19 or have failed to respond (it is assumed they have also closed during the pandemic). These debts total £6,118.01.

The largest debtor totals £17,893.85 and has failed to respond to any correspondence to date. Having discussed the position with the former director, he advised that they no longer have a UK presence and was also aware that a CCJ had been registered against the entity. Searches on Companies House show the company was to be dissolved but this action was suspended.

The Joint Liquidators will continue to chase the above debts, and if no further responses are received, it is intended that the ledger will be passed to collection agents.

Petty Cash

A sum of £143.20 was received from the Petty Cash.

Cash in Hand

The director voluntarily repaid the sum of £5,000 which was a post-petition disposition.

Studio and related equipment and office furniture and computers

Following appointment, the Joint Liquidators instructed PDS Valuers to complete a valuation of the Company's assets. The former director provided an inventory and a few images of the equipment, as agents were unable to attend the site due to government restrictions in place. Based on this, they valued the Company's assets as follows:

| | Market Value (In-Situ) (£) | Market Value (Ex-Situ) (£) |
|--------------------------------|----------------------------|----------------------------|
| Studio and related equipment | 6,750 | 2,650 |
| Office furniture and computers | 1,600 | 400 |
| Total | 8,350 | 3,050 |

The Company also had a large amount of equipment on finance. The Finance company has advised that due to the nature of the assets, they do not intend to remove the equipment.

The agents attended the premises on 19 May 2020 and uplifted and sold the equipment to various parties via online auction, realisations of £2,814.00 plus VAT were made.

Payments

To date no payments have been made other than the reduction in the Official Receivers remuneration from the first realisations.

CREDITORS

Irrespective of whether sufficient realisations are achieved to pay a dividend to creditors, the Joint Liquidators have had to carry out key tasks which are detailed in the list at Appendix III. The following sections explain the anticipated outcomes to creditors and any distributions paid.

Secured creditors

The Company has not granted any charges over its assets.

Preferential creditors

Employee claims

4 employees were made redundant upon the company entering Liquidation. The relevant information for employees to submit claims has been provided to the Redundancy Payments Office and information and help has been given to employees to enable them to submit their claims online.

It is anticipated that a Preferential element will arise from these claims, however the Joint Liquidators have not adjudicated the claim as it is currently unclear if a dividend will become payable. Furthermore, the final claim from the Redundancy Payments Office has yet to be received.

Unsecured creditors

HMRC was shown to be owed £187,168.13. A claim of £186,217.01 has been received.

The trade and expense creditors as per the statement of affairs totalled £523,218.88. Please be advised that proofs of debt are still being received and therefore the total value of unsecured claims is not known at present.

Dividend prospects

It is presently unclear if a dividend will become payable to unsecured creditors as this will depend solely if any realisations/claims are located within the investigations.

ETHICS

Please also be advised that the Joint Liquidators are bound by the Insolvency Code of Ethics when carrying out all professional work relating to an insolvency appointment.

General ethical considerations

Prior to the Joint Liquidator's appointment, a review of ethical issues was undertaken and no ethical threats were identified. A further review has been carried out and no threats have been identified in respect of the management of the insolvency appointment over the Review Period.

FEES AND EXPENSES

The Joint Liquidators' fees

It is the firm's practice to ensure that work is conducted by the appropriate staff member at the appropriate level of experience. Junior members of staff deal with the day-to-day administration on cases and a manager and partner then oversees the work undertaken. Where the issues are complex and litigious, the work will be closely supervised or undertaken by a manager or partner.

The Joint Liquidators have yet to agree the basis of their remuneration or expenses to date.

The time costs for the period 11 February 2020 to 10 February 2021 total £39,452.50, representing 168.70 hours at an average hourly rate of £233.86. The time costs for the period are detailed at Appendix IV.

The Joint Liquidators intend to seek creditors' approval to fees and its disbursements and further details are provided in the report.

Disbursements

The disbursements that have been incurred and not yet paid during the period are detailed on Appendix IV.

Due to lack of realisations, no category 1 or 2 disbursements have been discharged.

Information about this insolvency process may be found on the R3 website at http://www.creditorinsolvencyguide.co.uk/. A copy of 'A Creditors' Guide to Fees' together with the firm's charge-out rate and disbursement policy may be found at www.opusllp.com. A hard copy of both the Creditors' Guide and the firm's charge-out rate and disbursement policy may be obtained on request.

PROPOSED DECISIONS

It has been decided to call a Decision Procedure by way of a Vote by Correspondence of creditors at 23:59 on 27 April 2021. Details are provided further at Appendix IX whereby the following resolutions will be considered: -

1) That a liquidation committee be established if sufficient nominations are received.

If a liquidation committee is not established: -

- 2) THAT the basis of the Joint Liquidators' fees be fixed by reference to the time properly given by the Joint Liquidators and their staff in attending to matters as set out in the fees estimate totalling £99,515.44, such time to be charged at the prevailing standard hourly charge out rates used by Opus Restructuring LLP at the time when the work is performed, Such remuneration to be paid out of the assets of the Company and may be drawn on account as and when funds permit
- 3) That the basis of the Joint Liquidators expenses as set out in the expenses estimate be approved and can be drawn on account as and when fund permit.

The Proof of Debt Form attached at Appendix V should be sent to this office no later than 4pm on the business day prior to the virtual meeting. The Voting Form attached at Appendix XI will need to be delivered to the convener before it may be used at the virtual meeting.

A fee estimate and fee expenses breakdown can be located at Appendix VII. & Appendix VIII.

Creditors who meet the statutory threshold as set out in the Notice attached at Appendix IX can require that a physical meeting of creditors be convened. Such a request must be made to the Joint Liquidators within 5 business days of the date on which this report was delivered. If you wish to request a physical meeting, please set out in writing which of the decision(s) above you wish the meeting to consider.

CREDITORS' RIGHTS

An unsecured creditor may, with the permission of the court or with the concurrence of 5% in value of the unsecured creditors (including the creditor in question) request further details of the Joint Liquidator's remuneration and expenses, within 21 days of receipt of this report. Any secured creditor may request the same details in the same time limit.

An unsecured creditor may, with the permission of the court or with the concurrence of 10% in value of the creditors (including the creditor in question), apply to court to challenge the amount and/or basis of the Joint Liquidator's fees and the amount of any proposed expenses or expenses already incurred, within 8 weeks of receipt of this report. Any secured creditor may make a similar application to court within the same time limit.

EU REGULATIONS (WHETHER PROCEEDINGS ARE MAIN PROCEEDINGS OR TERRITORIAL)

COMI proceedings, establishment proceedings or proceedings to which the EU Regulation as it has effect in the law of the United Kingdom does not apply.

GENERAL DATA PROTECTION REGULATION ("GDPR")

GDPR requires that individuals whose data is being held be contacted and provided with information about their rights. A privacy notice is attached at Appendix XII.

CONCLUSION

The administration of the case will be continuing to finalise the following outstanding matters that are preventing this case from being closed:

- Investigations have found possible claims against various parties. The actions are currently being considered by litigation funders.
- Collection of residual funds from the sale of assets.
- · Collection of the remaining book debts

If you require any further information, please contact this office.

Yours Faithfully.

Xllister Manson Joint Liquidator

Dated: 8 April 2021

Appendix I

Statutory Information

Company Name Spectrum Radio Limited

Former Trading Name

Company Number 02388187

Registered Office Opus Restructuring LLP, Evergreen House North, Grafton Place,

London, NW1 2DX

Former Registered Office 115 Southwark Street London SE1 0JF

Officeholders Allister Manson

Officeholders address Evergreen House North, Grafton Place, London, NW1 2DX

Date of appointment 11/02/2020

Appendix II

Receipts and Payments account for the period 11 February 2020 to 10 February 2021

Spectrum Radio Limited - In Compulsory Liquidation Joint Liquidators' Receipts & Payments

From 13 December 2019 To 10 February 2021

| S of A £ | | £ | £ |
|----------|--|------------|-------------|
| | ASSET REALISATIONS | | |
| 28,382 | Book Debts | 3,106.12 | |
| NIL | Petty Cash | 143.20 | |
| NIL | Deposit on Creditor's Petition | 1,600.00 | |
| NIL | Cash in Hand | 5,000.00 | |
| 28,382 | • | | 9,849.32 |
| | COST OF REALISATIONS | | |
| NIL | BIS Bank Charges | (88.00) | |
| NIL | OR General Fee | (6,000.00) | |
| NIL | Administration Fee | (5,000.00) | |
| NIL | • | | (11,088.00) |
| | PREFERENTIAL CREDITORS | | |
| NIL | Employee | NIL | |
| NIL | · · | | NIL |
| | UNSECURED CREDITORS | | |
| NIL | Employee | NIL | |
| NIL | Trade Creditor | NIL | |
| NIL | | | NIL |
| 28,382 | | _ | (1,238.68) |
| | DEDDESENTED BY | _ | |
| | REPRESENTED BY | | |
| | S Davis & A Manson Joint Liq's of Spectrum Radio | Limited | (1,238.68) |

Appendix III

Detailed list of work undertaken for Spectrum Radio Limited **in Creditors'** Voluntary Liquidation for the review period 11 February 2020 to 10 February 2021

Below is detailed information about the tasks undertaken by the Joint Liquidators.

| General Description | Includes |
|--|--|
| Statutory and General Administration | |
| Statutory/advertising | Filing of documents to meet statutory requirements including annual receipts and payments accounts Annual corporation tax returns Advertising in accordance with statutory requirements Bonding the case for the value of the assets |
| Document maintenance/file review/checklist | Filing of documents Periodic file reviews documenting strategy Periodic reviews of the application of ethical, anti-money laundering and anti-bribery safeguards Maintenance of statutory and case progression task lists/diaries Updating checklists |
| Bank account administration | Requesting bank statements Bank account reconciliations Correspondence with bank regarding specific transfers Maintenance of the estate cash book Banking remittances and issuing cheques/BACS payments |
| Planning / Review | Discussions regarding strategies to be pursued Meetings with team members and independent advisers to consider practical, technical and legal aspects of the case |
| Books and records / storage | Dealing with records in storage Sending job files to storage |
| Pension scheme | Identifying whether there is a pension scheme Submitting the relevant notices if a pension scheme is identified Instructing agents to wind up any pension scheme Liaising and providing information to be able to finalise winding up the pension scheme |
| Reports | Circulating initial report to creditors upon appointment Preparing investigation reports to creditors |
| Investigations | |
| SIP 2 Review | Collection and making an inventory of company books and records Correspondence to request information on the company's dealings, making further enquiries of third parties Reviewing questionnaires submitted by creditors and directors Reconstruction of financial affairs of the company Reviewing company's books and records Preparation of deficiency statement Review of specific transactions and liaising with directors regarding certain transactions |
| Litigation / Recoveries | Strategy meeting regarding litigation Seeking funding from creditors Liaising with solicitors regarding recovery actions |
| Realisation of Assets | |
| Plant and Equipment | Liaising with valuers, auctioneers and interested parties Reviewing asset listings Liaising with secured creditors and landlords |
| Debtors | Collecting supporting documentation Correspondence with debtors Reviewing and assessing debtors' ledgers Dealing with disputes, including communicating with directors/former staff |
| Creditors and Distributions | |
| Creditor Communication | Receive and follow up creditor enquiries via telephone Review and prepare correspondence to creditors and their representatives via facsimile, email and post Assisting employees to pursue claims via the RPO Corresponding with the PPF and the Pensions Regulator |
| Dealing with proofs of debt | Receipting and filing POD when not related to a dividend Corresponding with RPO regarding POD when not related to a dividend |
| Case Specific Matters | |
| Pension scheme | Identifying whether there is a pension scheme Submitting the relevant notices if a pension scheme is identified Instructing agents to wind up any pension scheme Liaising and providing information to be able to finalise winding up the pension scheme |

Appendix IV

Time cost information for period 11 February 2020 to 10 February 2021

| Classification of work function | Partner/ Director | Manager | Other Senior Professionals | Assistants & Support Staff | Total Hours | Time Cost | Average Hourly Rate |
|---|----------------------|---------|-------------------------------|-------------------------------|-------------|-----------|------------------------|
| Administration & Planning | | | | | | | |
| Internal Documentation and IT | 0.00 | 0.00 | 0.00 | 3.50 | 3.50 | 287.50 | 82.14 |
| Case Planning | 2.00 | 8.10 | 11.40 | 0.00 | 21.50 | 5.137.50 | 238.95 |
| Case Reviews including MR1s/MR2s | 0.00 | 2.20 | 1.50 | 0.00 | 3.70 | 942.50 | 254.73 |
| Administrative Set Up | 0.00 | 0.20 | 0.00 | 2.00 | 2.20 | 210.00 | 95.45 |
| Appointment Notification | 0.00 | 0.70 | 6.10 | 0.00 | 6.80 | 1,242.50 | 182.72 |
| Maintenance of Records | 0.00 | 0.00 | 1.00 | 0.00 | 1.00 | 225.00 | 225.00 |
| Firms Administration - Feeing etc | 1.00 | 0.00 | 0.00 | 0.00 | 1.00 | 305.00 | 305.00 |
| Cashiering | 0.00 | 0.40 | 2.10 | 0.90 | 3.40 | 637.50 | 187.50 |
| Post appointment Corporation tax | 0.00 | 0.00 | 0.10 | 0.00 | 0.10 | 22.50 | 225.00 |
| Post appointment VAT | 0.00 | 0.00 | 0.30 | 0.00 | 0.30 | 52.50 | 175.00 |
| File Review | 0.00 | 0.00 | 0.00 | 0.30 | 0.30 | 22.50 | 75.00 |
| | 3.00 | 11.60 | 22.50 | 6.70 | 43.80 | 9,085.00 | 207.42 |
| | | | | | ' | | |
| Investigations | | | | | | | |
| Other Investigations | 0.00 | 7.00 | 38.50 | 0.00 | 45.50 | 9,920.00 | 218.02 |
| Internal Documentation | 0.00 | 0.30 | 0.00 | 0.00 | 0.30 | 75.00 | 250.00 |
| Analysis of financial records | 0.00 | 3.40 | 1.70 | 0.00 | 5.10 | 1,237.50 | 242.65 |
| Investigation of Gratuitous Alienations | 0.00 | 0.00 | 1.20 | 0.00 | 1.20 | 270.00 | 225.00 |
| Investigation of Unfair Preferences | 0.00 | 0.00 | 1.50 | 0.00 | 1.50 | 337.50 | 225.00 |
| Legal Correspondence | 0.00 | 1.50 | 0.40 | 0.00 | 1.90 | 492.50 | 259.21 |
| Investigation of Transaction at an Undervalue | 0.00 | 1.20 | 0.00 | 0.00 | 1.20 | 330.00 | 275.00 |
| Correspondence with director | 0.00 | 7.20 | 3.20 | 0.00 | 10.40 | 2,525.00 | 242.79 |
| | 0.00 | 20.60 | 46.50 | 0.00 | 67.10 | 15,187.50 | 226.34 |
| | | | | | | | |
| Realisation of Assets | | | | | | | |
| Litigation | 2.00 | 0.00 | 2.50 | | 4.50 | 1,312.50 | 291.67 |
| Debt Collection | 0.20 | 2.90 | 9.70 | 0.00 | 12.80 | 2,627.50 | 205.27 |
| Insurance | 0.00 | 0.00 | 0.20 | 0.00 | 0.20 | 35.00 | 175.00 |

Annual Progress Report of Spectrum Radio Limited in Creditors Voluntary Liquidation

| Correspondence with Agent | 0.00 | 0.30 | 4.60 | 0.00 | 4.90 | 932.50 | 190.31 | | |
|--|--|-----------|-----------|--------|--------|-----------|--------|--|--|
| Legal Matters | 9.00 | 0.00 | 0.30 | 0.00 | 9.30 | 3,442.50 | 370.16 | | |
| Identifying, securing, insuring assets | 6.50 | 0.00 | 0.00 | 0.00 | 6.50 | 2,387.50 | 367.31 | | |
| Other assets | 0.00 | 0.00 | 0.50 | 0.00 | 0.50 | 100.00 | 200.00 | | |
| Property, business and asset sales - general | 0.00 | 0.30 | 0.00 | 0.00 | 0.30 | 82.50 | 275.00 | | |
| | 17.70 | 3.50 | 17.80 | 0.00 | 39.00 | 10,920.00 | 280.00 | | |
| | | | | | | | | | |
| Creditors | | | | | | | | | |
| Internal Documentation | 0.00 | 0.00 | 0.00 | 0.50 | | 37.50 | 75.00 | | |
| Correspondence and telephone calls | 0.00 | 0.00 | 0.40 | 0.00 | 0.40 | 90.00 | 225.00 | | |
| Communication with creditors | 3.00 | 1.30 | 4.60 | 0.00 | 8.90 | 2,262.50 | 254.21 | | |
| Employee claims | 0.00 | 1.00 | 3.50 | 0.00 | | 882.50 | 196.11 | | |
| Dealing with Trade & Expense Creditor Claims | 0.00 | 0.00 | 0.20 | 0.00 | 0.20 | 45.00 | 225.00 | | |
| | 3.00 | 2.30 | 8.70 | 0.50 | 14.50 | 3,317.50 | 228.79 | | |
| | | | | | | | | | |
| Case Specific Matters | | | | | | | | | |
| Pension Scheme | 0.00 | 0.00 | 2.10 | 0.00 | 2.10 | 472.50 | 225.00 | | |
| | 0.00 | 0.00 | 2.10 | 0.00 | 2.10 | 472.50 | 225.00 | | |
| | | | | | | | | | |
| Total hours | 23.70 | 38.00 | 97.60 | 7.20 | | | | | |
| Time costs | 8,657.50 | 10,205.00 | 19,492.50 | 627.50 | | | | | |
| Average hourly rate | 365.30 | 268.55 | 199.72 | 87.19 | 234.13 | | | | |
| | | | | | | | | | |
| Summary of Fees | | | | | | | | | |
| Time spent in administering the Assignment | Hours | | | 166.5 | - | | | | |
| Total value of time spent to 10 February 2021 | £ | | | 38,98 | 32.50 | | | | |
| Total Joint Liquidators' fees charged to 10 February | ary £ | | | 0.00 | | | | | |
| 2021 | | | | | | | | | |
| | | | | | | | | | |
| Disbursements | | | | | | | | | |
| Description | scription Total Incurred £ Total Recovered £ | | | | | | | | |
| CAT 1 Bonding | | | | 40.00 | | | 0.00 | | |
| CAT1 Land Registry | | 24.00 | | | | | 0.00 | | |
| CAT 2 Photocopying | | | | 0.95 | | | 0.00 | | |
| CAT 1 Postage | | | | 6.81 | | | 0.00 | | |
| 57.1. 2.1 Solugo | | | | 0.01 | | | 5.00 | | |

Proof of Debt – General Form

Spectrum Radio Limited

Date of Winding-Up Order: 29 January 2020

| | DETAILS OF CLAIM | | |
|---|---|---|--|
| 1. | Name of Creditor (if a company, its registered name) | | |
| 2. | Address of Creditor (i.e. principal place of business) | | |
| 3. | If the Creditor is a registered company: For UK companies: its registered number For other companies: the country or territory in which it is incorporated and the number if any under which it is registered The number, if any, under which it is registered as an overseas company under Part 34 of the Companies Act | | |
| 4. | Total amount of claim, including any Value Added Tax, as at the date of winding-up, less any payments made after this date in relation to the claim, any deduction under R14.20 of the Insolvency (England & Wales) Rules 2016 and any adjustment by way of set-off in accordance with R14.24 and R14.25 | £ | |
| 5. | If the total amount above includes outstanding uncapitalised interest, please state | YES (£) / NO | |
| 6. | Particulars of how and when debt incurred | | |
| 7. | Particulars of any security held, the value of the security, and the date it was given | | |
| 8. | Details of any reservation of title in relation to goods to which the debt relates | | |
| 9. | Details of any document by reference to which the debt can be substantiated. [Note the liquidator may call for any document or evidence to substantiate the claim at his discretion] | | |
| 10. | Give details of whether the whole or any part of the debt falls within any (and if so which) of the categories of preferential debts under section 386 of, and schedule 6 to, the Insolvency Act 1986 | Category Amount(s) claimed as preferential £ | |
| AUTHENTICATION | | | |
| Signature of Creditor or person authorised to act on his behalf | | | |
| Name in BLOCK LETTERS | | | |
| Date | | | |
| | ed by someone other than the Creditor, state your address and authority for signing on behalf of the or | | |
| Are yo | Are you the sole member of the Creditor? YES / NO | | |

Appendix VI

Opus Restructuring LLP

Information relating to Opus Restructuring LLP's Fees and Expenses

Explanation of Opus Restructuring LLP's charging and expense recovery policies

Time recording

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

| | Rates from 04.05.2020 |
|---|-----------------------|
| | £'s |
| Partner | 250 – 425 |
| Senior Manager / Director | 275 – 350 |
| Assistant Manager / Manager | 250 – 275 |
| Junior Administrator / Administrator / Senior Administrator | 100 – 225 |
| Cashier | 150 |
| Support Staff | 100 |

Expense recovery

In line with the revised Statement of Insolvency Practice 9 effective from 1 April 2021, creditors will note that in our previous circulars, expenses were known as disbursements. Should any creditor require any clarification on this point or the impact it will have on their claim, please contact us for further information.

Expenses are categorised as either Category 1 or Category 2.

Category 1 expenses will generally comprise of external parties which will include the supplies of incidental services specifically identifiable to the case. Where these have initially been paid by Opus Restructuring LLP and then recharged to the case, approval from creditors is required and are identified as Category 2 expenses. The amount recharged is the exact amount incurred.

Examples of Category 1 expenses include but are not limited to case advertising, invoiced travel, agents' costs and expenses, solicitors' fees and expenses, external room hire, bank charges, Insolv case management charge and properly reimbursed expenses incurred by personnel in connection with the case (including business mileage up to the HMRC approved rate for cases commenced before 1 November 2011). Also included will be services specific to the case where these cannot practically be provided internally such as printing, room hire and document storage.

Included in Category 1 expenses are costs incurred by Clumber Consulting Limited. Whilst this work would ordinarily be undertaken by our staff, in this instance it was necessary to subcontract this work at an estimated cost of £150 due to the following reasons: insufficient company records to determine the pension position. Creditors should note that the cost of this work is in addition to and is not included in my fees estimate.

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

Included in Category 2 expenses are costs incurred with associated parties. These include Forensic work undertaken by Opus Pear Tree Limited.

Examples of the current levels of Category 2 expenses recovered by Opus Restructuring LLP are as follows:

| Postago | The current royal mail postage |
|---|-------------------------------------|
| Postage | , , , |
| | rates and post work rates |
| Specific Bond | £990 |
| | The actual cost to the estate which |
| | is calculated on asset value |
| Business mileage per mile | £0.45 |
| | |
| Physical file set-up cost (per file) this is the actual cost of the | £6.00 |
| stationery used for the setting up of the file* | |
| Opus Pear Tree Limited for forensic work | £30,000.00 |
| | In order to assist the Joint |
| | Liquidators in formulating and |
| | reviewing company records to put |
| | a report to litigation funders for |
| | consideration to sell actions or. |
| | Ongoing assistance with any duly |
| | |
| | accepted funder to substantiate |
| | and support claims for the benefit |
| | of the estate. |

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

Appendix VII

Fees Estimate for Spectrum Radio Limited in Creditors' Voluntary Liquidation as at 11/02/2020

Below is the fee estimate in respect of the above case for the purpose of obtaining a time-costs resolution. The total amount being sought is £99,515.44 for 403.10 hours at an average hourly rate of £246.87 and includes the time already incurred by the Liquidator as detailed on Appendix IV.

A link to my current charge-out rates may be found at Appendix VI of the report.

Approval for the future remuneration sought is based on an estimate of the work necessary to the completion of the administration of the case and also to complete the investigations and assist any funder action. I do not anticipate that it will be necessary to seek approval for fees in excess of this estimate. However, should additional work be necessary beyond what is contemplated, further approval may be sought from creditors.

| General Description | Includes | Estimate of No. of Hours | Estimated blended hourly rate | Estimate of total |
|--|---|--------------------------------|--|-------------------|
| Administration and Planning | | 121.60 | £248.68 | £30,239.48 |
| Statutory/advertising | Filing of documents to meet statutory requirements Advertising in accordance with statutory requirements | | | |
| Document maintenance/file review/checklist | Filing of documents Periodic file reviews Periodic reviews of the application of ethical, anti-money laundering and anti-bribery safeguards Maintenance of statutory and case progression task lists/diaries Updating checklists | | | |
| Bank account administration | Preparing correspondence opening and closing accounts Requesting bank statements Bank account reconciliations Correspondence with bank regarding specific transfers Maintenance of the estate cash book Banking remittances and issuing cheques/BACS payments | | | |
| Planning / Review | Discussions regarding strategies to be pursued Meetings with team members and independent advisers to consider practical, technical and legal aspects of the case | | | |
| Books and records / storage | Dealing with records in storage Sending job files to storage | | | |
| Creditor reports | Preparing annual progress report, investigation, meeting and general reports to creditors Disclosure of sales to connected parties | | | |
| Creditors' decisions | Preparation of decision notices, proxies/voting forms Collate and examine proofs and proxies/votes to establish decisions Consider objections received and requests for physical meeting or other decision procedure (For virtual meeting) Preparation of meeting file, including agenda, certificate of postage, attendance register, list of creditors, reports to creditors, advertisement of meeting and draft minutes of meeting. Responding to queries and questions following decisions Issuing notice of result of decision process | | | |
| Closure | Review case to ensure all matters have been finalised Draft final report Obtain clearance to close case from HMRC together with submitting final tax return Obtain final accounts from agents solicitors and others instructed Convene and hold final meetings File documents with Registrar of Companies | | | |
| Investigations | assumente mar regional of companies | 156.50 | £236.36 | £36,990.34 |
| SIP 2 Review | Collection, and making an inventory, of company books and records Correspondence to request information on the company's dealings, making further enquiries of third parties Reviewing questionnaires submitted by creditors and directors Reconstruction of financial affairs of the company Reviewing company's books and records Preparation of deficiency statement | | | |

| General Description | Includes | Estimate of No. of Hours | Estimated blended hourly rate | Estimate of total |
|---|--|--------------------------------|--|-------------------|
| | Review of specific transactions and liaising with directors regarding certain transactions Liaising with the committee/creditors or major creditors about further action to be taken | | | |
| Statutory reporting on conduct of director(s) | Preparing statutory investigation reports Liaising with Insolvency Service Submission of report with the Insolvency Service Preparation and submission of supplementary report if required Assisting the Insolvency Service with its investigations | | | |
| Examinations | Preparing brief to solicitor Liaising with solicitor(s) regarding examinations Attendance at examination Reviewing examination transcripts Liaising with solicitor(s) regarding outcome of examinations and further actions available | | | |
| Litigation / Recoveries | Strategy meeting regarding litigation Seeking funding from creditors Reviewing terms of solicitors' conditional fee agreements Preparing brief to solicitors/Counsel Liaising with solicitors regarding recovery actions Dealing with ATE insurers Attending to negotiations Attending to settlement matters | | | |
| Realisation of Assets | | 62.00 | £281.43 | £17,448.66 |
| Plant and Equipment | Liaising with valuers, auctioneers and interested parties Reviewing asset listings Liaising with landlords | | | |
| Debtors | Collecting supporting documentation Correspondence with debtors Reviewing and assessing debtors' ledgers Liaising with debt collectors and solicitors Agreeing debt collection agency agreements Dealing with disputes, including communicating with directors/former staff Pursuing credit insurance claims Submitting VAT bad debt relief claims | | | |
| Other assets: motor vehicles, intangibles, intellectual property, VAT/corporation tax refunds, Insurance claims | Liaising with agents to agree disposal strategy Dealing with potential purchasers Negotiating sales Liaising with solicitors to agree sales Collecting sales consideration Liaising with insurance companies and directors to pursue claims Examining company records to support tax refunds Exchanges with government departments | | | |
| Creditors | | 58.00 | £235.12 | £13,636.96 |
| Creditor Communication | Receive and follow up creditor enquiries via telephone Review and prepare correspondence to creditors and their representatives via facsimile, email and post Assisting employees to pursue claims via the RPO | | • | |
| Dealing with proofs of debt | Receipting and filing POD when not related to a dividend Corresponding with RPO regarding POD when not related to a dividend | | | |
| Processing proofs of debt | Preparation of correspondence to potential creditors inviting submission of POD Receipt of POD Adjudicating POD Request further information from claimants regarding POD Preparation of correspondence to claimant advising outcome of adjudication Seeking solicitors' advice on the validity of secured creditors' claims and other complex claims | | | |
| Dividend procedures | Paying a distribution to preferential or unsecured creditors The process below will need to be applied for each class of creditor paid: Preparation of correspondence to creditors advising of | | | |

Annual Progress Report of Spectrum Radio Limited in Creditors Voluntary Liquidation

| General Description | Includes | Estimate of No. of Hours | Estimated blended hourly rate | Estimate of total |
|--------------------------|--|--------------------------------|--|----------------------|
| Creditors Committee | intention to declare distribution Advertisement of notice of proposed distribution Preparation of distribution calculation Preparation of correspondence to creditors announcing declaration of distribution Preparation of cheques/BACS to pay distribution Preparation of correspondence to creditors enclosing payment of distribution Seeking unique tax reference from HMRC, submitting information on PAYE/NI deductions from employee distributions and paying over to HMRC Dealing with unclaimed dividends No fees estimate has been provided since this will not incur any costs unless a Committee is elected Holding an initial meeting of the Committee Reporting to committee members Seeking the committees approval on case strategy Calling and holding meetings of the committee as required and the circumstances of the case dictate | | | |
| Case Specific Matters | | 5.00 | £240.00 | £1,200.00 |
| Pension Scheme | Identifying whether there is a pension scheme Submitting the relevant notices if a pension scheme is identified Instructing agents to wind up any pension scheme Liaising and providing information to be able to finalise winding up the pension scheme Issue S22 Pension letters and closure letters. | | | |
| Total | | 403.10 | £246.87 | £99,515.44 |

Appendix VIII

Expenses Estimate for Spectrum Radio Limited in Creditors' Voluntary Liquidation as at 8 April 2021.

My estimate for my category 1 expenses for the period of the case is £149,954.02 and no approval from creditors is required for these to be paid.

My estimate for my category 2 expenses for the period of the case is £30,990.00 and I am seeking a decision on approval of the bases of these expenses.

In the event that it proves necessary for me to incur additional expenses in performing my duties, I will provide further details in my progress reports, but there is no statutory obligation to ask creditors to approve any adjusted estimate.

| Expenses including Category 1 disbursements | Basis | Estimate of total |
|---|--|-------------------|
| Legal costs Anticipated legal costs in dealing with the potential actions against various parties. | Time-costs/CFA | £125,000.00 |
| Agents and Valuers were instructed to provide a valuation and to assist with a sale of the company's assets | Time-costs/% | £2,630.84 |
| Debt Collection Agency have yet to be appointed however it is anticipated that agents will be instructed to collect the book debts | 10% | £2,000.00 |
| ERA/Pension Specialists Clumber Consulting Limited will be used to assist with employee matters generally and to agree the employee preferential and unsecured claim where a dividend is anticipated and prepare a Pension Report for consideration | Fixed Fee | 900.00 |
| Accounting fees Payroll Services to process an RTI submission for any Preferential and unsecured dividend in respect of any unpaid employees arrears of pay/holiday pay. | Fixed fee per employee | £500.00 |
| Advertising | At cost | £250.00 |
| Wealth Report | At direct cost | £5,600.00 |
| Postage | The current royal mail postage rates and post work rates | £81.18 |
| OR Fee | As per statute | £11,000.00 |
| Document Storage | At direct cost | £1,500.00 |
| BIS Bank Charges | As per statute | £238.00 |
| HM Land Registry | At cost £4 per search | £24.00 |
| Case Management Fee | At direct cost | £230.00 |
| Total | | £149,954.02 |

| Category 2 disbursements | Basis | Estimate of total |
|--|--|----------------------|
| Opus Pear Tree Limited for forensic work | Time-costs | £30,000.00 |
| Bonding | The actual cost to the estate which is calculated on asset value | £990.00 |
| Total | | £30,990.00 |

Appendix IX

NOTICE OF DECISION PROCEDURE

Company Name: Spectrum Radio Limited

Company Number: 02388187

Former Company Name(s):

Trading Name:

Registered Office: Opus Restructuring LLP, Evergreen House North, Grafton Place, London,

NW1 2DX

Principal Trading Address: 115 Southwark Street, London, SE1 0JF

Court: High Court of Justice Court Ref: 008298 of 2019

This Notice is given under Rule 15.8 of the Insolvency (England & Wales) Rules 2016 ("the Rules"). It is delivered by the Joint Liquidators of the Company, Allister Manson and Stella Davis, of Opus Restructuring LLP, Evergreen House North, Grafton Place, London, NW1 2DX (telephone number 01908 087220).

It is proposed that the following decisions be made

1) That a liquidation committee be established if sufficient nominations are received.

If a liquidation committee is not established: -

- 2) THAT the basis of the Joint Liquidators' fees be fixed by reference to the time properly given by the Joint Liquidators and their staff in attending to matters as set out in the fees estimate totalling £99,515.44, such time to be charged at the prevailing standard hourly charge out rates used by Opus Restructuring LLP at the time when the work is performed, Such remuneration to be paid out of the assets of the Company and may be drawn on account as and when funds permit
- 3) That the basis of the Joint Liquidators expenses as set out in the expenses estimate and Opus Restructuring LLP's charging and expense policy be approved and can be drawn on account as and when fund permit.

Also provided is a voting form on which creditors may signify their decisions on the above matters. All voting forms, together with a proof of debt if one has not already been submitted, must be completed and returned to the Joint Liquidators by one of the methods set out below:

By post to: Opus Restructuring LLP, Evergreen House North, Grafton Place, London, NW1 2DX

By fax to: 01908 660461

By email to: craig.jarvis@opusllp.com

Please note that, if you are sending votes by post, you must ensure that you have allowed sufficient time for the forms to be delivered to the address above by the Decision Date set out below. Unless the contrary is shown, an email is treated as delivered at 9am on the next business day after it was sent.

All voting forms and proofs of debt must be delivered by the Decision Date: 23.59 on 27 April 2021.

If the Joint Liquidators have not received a proof of debt by the time specified above (whether submitted previously or as a result of this Notice), that creditor's vote will be disregarded. Any creditor whose debt is treated as a small debt in accordance with Rule 14.31(1) of the Rules must still deliver a proof if the creditor wishes to vote. A creditor who has opted out from receiving notices may nevertheless vote if the creditor also provides a proof by the Decision Date.

Creditors who meet one or more of the statutory thresholds listed below may, within 5 business days from the date of the delivery of this Notice, require a physical meeting to be held to consider the matter.

Statutory thresholds to request a meeting: 10% in value of the creditors

10% in number of the creditors

10 creditors

A creditor may appeal a decision by application to the court in accordance with Rule 15.35 of the Rules. Any such appeal must be made not later than 21 days after the Decision Date.

Names of Insolvency Practitioners: Allister Manson, Stella Davis

Nature of Appointment: Joint Liquidators Date of Appointment: 11 February 2020

Address of Insolvency Practitioners: Evergreen House North, Grafton Place, London,

> NW1 2DX 23290,9585

IP Numbers Contact Name Craig Jarvis

Email Address craig.jarvis@opusllp.com Telephone Number 01908 087223

Signed

Allister Manson Joint Liquidator

Dated: 8 April 2021

Appendix X

NOTICE OF INVITATION TO FORM A LIQUIDATION COMMITTEE

Company Name: Spectrum Radio Limited ("the Company")

Company Number: 02388187

This Notice is given under Rule 6.19 of the Insolvency (England & Wales) Rules 2016 ("the Rules"). It is delivered by Allister Manson, the Liquidator of the Company.

Creditors are invited to nominate creditors (which may include themselves) by completing the section below and returning this Notice to Allister Manson by one of the following methods:

By post to: Opus Restructuring LLP, Evergreen House North, Grafton Place, London, NW1 2DX

By fax to: 01908 660461

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By email to: craig.jarvis@opusllp.com

Please note that, if you are sending nominations by post, you must ensure that you have allowed sufficient time for the Notice to be delivered to the address above by the time set out below. Unless the contrary is shown, an email is treated as delivered at 9am on the next business day after it was sent.

All nominations must be delivered by: 23:59 on 27 April 2021

Nominations can only be accepted if Allister Manson is satisfied as to the nominated creditor's eligibility under Rule 17.4 of the Rules.

For further information on the role of Liquidation Committees, go to: http://opusllp.com/restructuring-insolvency/creditor-portal/

| Signed: | Allister Manson | Dated: 8 April 2021 |
|---------|-----------------|---------------------|
| | Convener | |

NOMINATIONS FOR MEMBERS OF A LIQUIDATION COMMITTEE

| n behalf of (name of Creditor):, |
|--|
| (address of Creditor):, |
| nominate the following creditor(s) to be member(s) of a Liquidation Committee (provide name(s) and dress(es)): |
| 1. |
| 2. |
| 3. |
| |
| gned: |
| ated: |
| ame in capitals: |
| sition with, or relationship to, Creditor or other authority for signature: |
| e you the sole member/shareholder of the Creditor (where it is a company)? Yes / No |

| Appendix | ΧI |
|----------|----|
|----------|----|

VOTE BY CORRESPONDENCE

| Sp | ectrum Radio Limited (In Liquidation) |
|------------------------------|---------------------------------------|
| Name of Creditor: | |
| Address: | |
| | |
| 1.1 <u>Decisions:</u> | |

| 1 | That a liquidation committee be established if sufficient nominations are received. | *For / Against |
|---|--|-------------------|
| 2 | THAT the basis of the Joint Liquidators' fees be fixed by reference to the time properly given by the Joint Liquidators and their staff in attending to matters as set out in the fees estimate totalling £99,515.44, such time to be charged at the prevailing standard hourly charge out rates used by Opus Restructuring LLP at the time when the work is performed, Such remuneration to be paid out of the assets of the Company and may be drawn on account as and when funds permit | *For / Against |
| 3 | That the basis of the Joint Liquidators expenses as set out in the expenses estimate and Opus Restructuring LLP's charging and expense policy be approved and can be drawn on account as and when fund permit. | *For / Against |

^{*} Please delete as applicable to indicate your voting instructions

| Signed: | Dated: | |
|---|---------------------------------|----------|
| Name in capitals: | | |
| Position with, or relationship to, creditor or othe | r authority for signature: | |
| Are you the sole member/shareholder of the cre | editor (where it is a company)? | Yes / No |

Please complete this form and return it, along with a completed proof of debt if you have not submitted one previously, so that it is delivered by 23.59 on 27 April 2021 by:

Opus Restructuring LLP, Evergreen House North, Grafton Place, London, NW1 2DX Post:

01908 660461

Email: please scan in a signed copy of this form and attach it as a pdf to craig.jarvis@opusIlp.com

Appendix XII

Privacy Notice

The following information is provided to comply with the requirements of the General Data Protection Regulation.

This privacy statement describes why and how we collect and use personal data and provides information about individuals' rights. It applies to personal data provided to us, both by individuals themselves or by others. We may use personal data provided to us for any of the purposes described in this privacy statement or as otherwise stated at the point of collection.

| Identity and contact details of the controller and where applicable, the controller's representative and the data protection officer | Where an insolvency practitioner of Opus Restructuring LLP is not appointed as office holder, the data controller is either the company/individual on whose instructions Opus Restructuring LLP is acting or it is Opus Restructuring LLP. The contact details of Opus Restructuring LLP are: Evergreen House North, Grafton Place, London, NW1 2DX, 020 3326 6454, londonhq@opusllp.com. Where an insolvency practitioner of Opus Restructuring LLP is appointed as office holder and the data processing is carried out as part of their statutory duties, the office holder(s) is/are the data controllers. The Insolvency practitioner(s) can be contacted at: Opus Restructuring LLP, Evergreen House North, Grafton Place, London, NW1 2DX, 020 3326 6454, londonhq@opusllp.com. |
|--|---|
| How we use your personal information | The purpose for which personal information is processed may include any or all of the following: • deliver services and meet legal responsibilities • verify identity where this is required • communication by post, email or telephone • understand needs and how they may be met • maintain records • process financial transactions • prevent and detect crime, fraud or corruption • may also need to use data to defend or take legal actions related to the above |
| Lawful basis for the processing | Most processing is carried out to comply with our legal obligations under statute and other regulatory obligations related to the insolvency process. We also believe our processing is for the legitimate interests of all stakeholders in the insolvency process, as they are entitled to be kept informed and may wish to engagement in the insolvency process. Where Opus Restructuring LLP has engaged with a client to perform a service, we will be required to process data to provide the service in accordance with the contractual terms. |
| What personal information we hold | The categories are: contact details, financial information and location. In rare cases, we may hold some special category data, e.g. trade union membership or information about individual's health, which will be necessary to administer the insolvency process in line with our legal obligations. |
| Who we share our data with | Personal data held by us may be transferred to: Other member firms and/or Other offices Details of our member firm/other office locations are available here www.opusllp.com. We may share personal data with other member firms/other offices where necessary for administrative purposes and to |

| | provide professional services to our clients. |
|--|---|
| | Third party organisations that provide applications/functionality, data processing or IT services to us We use third parties to support us in providing our services and to help provide, run and manage our internal IT systems. For example, providers of information technology, cloud based software as a service providers, identity management, website hosting and management, data analysis, data back-up, security and storage services. The servers powering and facilitating that cloud infrastructure are located in secure data centres around the world, and personal data may be stored in any one of them. |
| | Third party organisations that otherwise assist us in providing goods, services or information |
| | Auditors and other professional advisers |
| | Law enforcement or other government and regulatory agencies or to other third parties as required by, and in accordance with, applicable law or regulation Occasionally, we may receive requests from third parties with authority to obtain disclosure of personal data, such as to check that we are complying with applicable law and regulation, to investigate an alleged crime, to establish, exercise or defend legal rights. We will only fulfil requests for personal data where we are permitted to do so in accordance with applicable law or regulation. |
| How long we retain your personal information | We retain personal data for as long as is necessary to achieve the purpose listed above and for any other permissible related purpose. For example, we retain most records until the time limit for claims arising from the activities has expired or otherwise to comply with statutory or regulatory requirements regarding the retention of such records. |
| Your rights | The GDPR provides the following rights for individuals: |
| | Right to inform This privacy notice meets our requirement to inform you of our processing of your data. |
| | Access to personal data You have a right of access to personal data held by us as a data controller. This right may be exercised by contacting us at: Opus Restructuring LLP, Evergreen House North, Grafton Place, London, NW1 2DX, 020 3326 6454, londonhq@opusllp.com. We will aim to respond to any requests for information promptly, and in any event within one month. |
| | Amendment of personal data To update personal data submitted to us, you may email us at londonhq@opusllp.com or, where appropriate, contact us via the relevant website registration page or by amending the personal details held on relevant applications with which you registered. |
| Right to withdraw | Rights that do not apply in these particular circumstances Not all of the rights under the GDPR are available as one of the reasons we are holding your data is on the basis of it being a legal obligation and therefore the right to erasure, data portability and to object do not apply. The data received was not based upon obtaining consent and therefore |
| consent | the right to withdraw consent does not apply. |
| Changes to our | We keep this privacy statement under regular review and will place any |

| privacy statement | updates on our website. Paper copies of the privacy statement may also be obtained by writing to us at Opus Restructuring LLP, Evergreen House North, Grafton Place, London, NW1 2DX. This privacy statement was last updated on 15 February 2020. |
|--------------------------------|--|
| Complaints | Should you want to complain about our use of personal data, please contact us at Opus Restructuring LLP, Evergreen House North, Grafton Place, London, NW1 2DX. You also have the right to lodge a complaint with the Information Commissioner's Office ("ICO") (the UK data protection regulator). For further information on your rights and how to complain to the ICO, please refer to the ICO website. |
| Who provided the personal data | The personal data we have used to contact you was provided by the company/individual (or persons acting on their behalf) on whose instructions we are acting or in relation to which our insolvency practitioner has been appointed. We also access information from the Registrar of Companies and other similar public-access data providers. |