

WU07

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



Companies House

SATURDAY



A83RBS5T
A21 20/04/2019 #27
COMPANIES HOUSE

1 Company details

Company number 0 3 6 2 8 8 1 1
Company name in full A.&A.Scaffolding (Bury) Limited

→ Filling in this form
Please complete in typescript or in
bold black capitals.

2 Liquidator's name

Full forename(s) Stephen
Surname Hunt

3 Liquidator's address

Building name/number Tavistock House South
Street Tavistock Square
Post town London
County/Region
Postcode W C 1 H 9 L G
Country

4 Liquidator's name ①

Full forename(s)
Surname

① Other liquidator
Use this section to tell us about
another liquidator.

5 Liquidator's address ②

Building name/number
Street
Post town
County/Region
Postcode
Country

② Other liquidator
Use this section to tell us about
another liquidator.

WU07

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

6 Period of progress report

From date	^d 1	^d 5	^m 0	^m 3	^y 2	^y 0	^y 1	^y 8
To date	^d 1	^d 4	^m 0	^m 3	^y 2	^y 0	^y 1	^y 9

7 Progress report

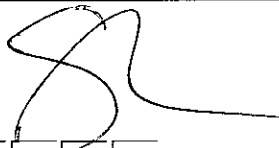
☒ The progress report is attached

8 Sign and date

Liquidator's signature

Signature

X



X

Signature date

^d 1	^d 7	^m 0	^m 4	^y 2	^y 0	^y 1	^y 9
----------------	----------------	----------------	----------------	----------------	----------------	----------------	----------------

WU07

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

**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 **Steven Lamb**Company name **Griffins**Address
Tavistock House South
Tavistock SquarePost town **London**

County/Region

Postcode **W C 1 H 9 L G**

Country

DX **creditors@griffins.net**Telephone **020 7554 9600****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

A.&A.Scaffolding (Bury) Limited
(In Liquidation)
Liquidator's Summary of Receipts & Payments

Statement of Affairs £	From 15/03/2018 To 14/03/2019 £	From 02/02/2011 To 14/03/2019 £
NIL		
ASSET REALISATIONS		
Book Debts	NIL	NIL
I.S.A Interest (Net)	NIL	0.04
ISA Interest Net of Tax	7.58	7.58
Settlement monies	57,500.00	57,500.00
Sundry Refunds	NIL	381.16
VAT Refund	NIL	1,172.50
	57,507.58	59,061.28
COST OF REALISATIONS		
Bank Charges	88.00	680.00
DTI Cheque Fees	0.45	1.60
Legal Costs Insurance	11,550.00	11,550.00
Legal Fees	16,608.00	16,731.55
Liquidator's fees	20,644.30	20,644.30
O.R. Disbursements	NIL	1,235.00
S of State Fees	7,241.84	7,241.84
Specific Bond	NIL	45.00
Statutory Advertising	77.10	149.26
	(56,209.69)	(58,278.55)
UNSECURED CREDITORS		
HMRC : PAYE	NIL	NIL
HMRC : VAT	NIL	NIL
(345,962.15) Total Liabilities	NIL	NIL
Trade & Expense Creditors	NIL	NIL
	NIL	NIL
DISTRIBUTIONS		
(2.00) Ordinary Shares	NIL	NIL
	NIL	NIL
(345,964.15)	1,297.89	782.73
REPRESENTED BY		
Insolvency Service Account		853.87
Trade Creditors		(3,321.60)
Vat Control Account		3,250.46
		782.73



Stephen Hunt
Liquidator

**A.&A.Scaffolding (Bury) Limited
In Compulsory Liquidation**

**In the Manchester District Registry
No. 1473 of 2011**

**Liquidator's Annual Progress Report to Members and Creditors
for the year ending 14 March 2019**



Contents

- 1.Introduction
- 2.Receipts and Payments Accounts
- 3.Realisation of Assets
- 4.Investigations
- 5.Statutory and Professional Compliance
- 6.Creditors' Communication, Claims and Distributions
- 7.Liquidator's Remuneration
- 8.Liquidator's Expenses and Disbursements
- 9.Quality of Service, Data Privacy and Code of Ethics
- 10.Creditors' Rights
- 11.Next report

Appendices

- A. Statutory information
- B. Receipts and payments account for the period 15 March 2018 to 14 March 2019, together with an account for the entire period of the liquidation
- C. Griffins' time analysis for the period 15 March 2018 to 14 March 2019 and for the entire period of the appointment
- D. Statutory and Creditor Compliance Tasks
- E. Creditors' Rights - Rules 18.9 and 18.34 of the Insolvency (England and Wales) Rules 2016 ("the IR 2016")



1 Introduction

In accordance with Rules 18.3 and 18.8 of the IR 2016, I now provide creditors with an annual progress report which should be read in conjunction with my previous reports. Additional information in respect of the company and office holders is attached at Appendix A.

2 Receipts and Payments Accounts

An account of my receipts and payments for the period 15 March 2018 to 14 March 2019 is at Appendix B, together with an account for the entire period of the liquidation and a comparison with the Official Receiver's Report.

The receipts and payments account reflects actual payments made to date rather than accrued unpaid expenses (see Section 8 for total expenses incurred to date).

My specific bond and Land Registry searches have been paid by Griffins and are not shown in the receipts and payments account at Appendix B. As there are sufficient funds, these expenses will be charged to the estate.

3 Realisation of Assets

Director's loan account and the sale of assets of the company

As previously reported, I identified claims against the former director relating to his loan account and the sale of assets of the company. I instructed my solicitors, Mills & Reeve, to pursue the claims and after issuing legal proceedings they were able to negotiate a full and final settlement with the former director on 22 March 2018 in the sum of £57,500 in respect of the claims.

Bank Interest

Interest in respect of funds held in the Insolvency Service account of £7.58 has been received.

4 Investigations

As detailed above, my investigations resulted in a settlement being reached with the former director.

As previously reported, I submitted a claim against Mr Papanicola's insolvency insurance bonds across the portfolio of cases in which I was appointed. I agreed settlements in relation to a number of cases but not in relation to this estate.

All investigations are now concluded.



5 Statutory and Professional Compliance

I am required to meet a considerable number of statutory and regulatory obligations. This work does not provide a direct financial benefit to creditors but is a necessary requirement of the liquidation process.

Whilst these tasks do not have a direct benefit in enhancing realisations for the insolvent estate, they assist in the efficient and compliant progression of the liquidation. This ensures that my staff and I carry out our work to high professional standards.

In order that creditors can have an informed understanding of these matters, they are listed at Appendix D.

6 Creditors' Communication, Claims and Distributions

I am required, as Liquidator, to undertake certain tasks in relation to creditors' claims. This work does not provide a direct financial benefit to the liquidation estate but is essential to the administration of the case.

In order that creditors can have an informed understanding of these matters, they are also listed at Appendix D.

The current position as regards creditors' claims is detailed below.

Secured Creditors

An examination of the company's mortgage register held by the Registrar of Companies shows that HSBC Bank plc (formerly Midland Bank plc) holds a fixed and floating charge over the company's assets/property, which was registered at Companies House on 16 December 1998.

At the date of liquidation, the indebtedness was estimated at £35,000 and has not yet been agreed. To date, no sums have been paid in respect of this charge.

It is envisaged that the secured creditor will suffer a shortfall against its lending.

Leasing/Hire Purchase Creditors

As previously reported, I am aware of claims estimated at £75,508.82 in respect of creditors claiming security, one of which has subsequently submitted an unsecured claim of £828.52 for the shortfall following disposal of the assets involved.

Preferential Creditors

No preferential claims have been received in the liquidation and none are expected.

Unsecured Creditors

The Official Receiver's initial report showed unsecured creditors with a total value of £345,962.15.



I have received claims totalling £267,925.22 but I have not adjudicated on any of these claims yet. I am aware of further creditors who have not yet submitted their claims. Their total estimated debts are a further £138,124.01.

Distributions

There are no prospect of a dividend being paid as the settlement funds received did not provide a surplus of funds following the payment of fees and costs.

7 Liquidator's Remuneration

As of 6 April 2015, Griffins introduced a new time recording analysis, which provides a more comprehensive breakdown of time my staff and I have recorded in the administration of this case. This has resulted in additional time recording categories being utilised. Should you require any further clarification, please contact me.

The time my staff and I have recorded as incurred for the period 15 March 2018 to 14 March 2019 totals £18,975.25.

The time my staff and I have recorded as incurred for the entire period of my appointment totals £105,392.62.

The time incurred is recorded in my time analysis report, attached at Appendix C, under the following classifications:

- Administration and Planning
- Creditors
- Investigations
- Legal and Litigation
- Realisations of Assets

The report also provides details of the activity costs incurred by staff grade to date.

It is the firm's policy to use the most junior grade of staff compatible with the efficient conduct of a matter, in order to ensure that costs are kept to a minimum.

At the meeting of creditors held on 14 May 2018, it was approved that the Liquidator's remuneration be calculated on the basis of the time properly spent by the Liquidator and his staff. To date, I have drawn the sum of £20,644.30 in respect of my fees for acting as Liquidator.

Further information regarding remuneration can be found in "A Creditors' Guide to Liquidators' Fees", which is available for download at <http://www.griffins.net/technical/>, A hard copy can be provided upon request.



A hard copy of Griffins charge-out rates and disbursements policy may be obtained on request at no cost.

In addition, creditors can find more information on the insolvency process at <http://www.creditorinsolvencyguide.co.uk/>.

8 Liquidator's Expenses and Disbursements

'Expenses' are amounts properly payable by the office holder from the estate. These may include, but are not limited to, legal and agents' fees.

'Disbursements' are expenses met by the office holder and reimbursed to the office holder in connection with an insolvency appointment and will fall into two categories, category 1 and category 2.

In accordance with our current policy, no category 2 disbursements have been drawn since my appointment.

The table below details the expenses and category 1 disbursements incurred min the period and these total £35,565.39.

I have incurred solicitor's costs during the period of my appointment. I would advise that my solicitors, Mills & Reeve LLP, were acting on a contingency basis and so their costs only crystallised upon the settlement being agreed. Mills & Reeve LLP were paid £16,608 from the settlement monies received.

Payee Name	Nature of Expense Incurred	Amount Incurred this period £	Amount paid during this period £	Amount Outstanding £
ISA	Cheque Fees	0.45	0.45	0.00
ISA	S of State Fees	7,241.84	7,241.84	0.00
Mills & Reeve LLP	Legal Fees	16,608.00	16,608.00	0.00
Courts Advertising	Statutory Advertising	77.10	77.10	0.00
Elite Insurance Group Company Ltd	ATE Insurance	11,550.00	11,550.00	0.00
ISA	Bank Charges	88.00	88.00	0.00
	TOTAL	35,565.39	35,565.39	0.00

ATE Insurance

The sum of £11,550 was paid to Elite Insurance Group Company Ltd which provided the After The Event (ATE) insurance policy which was taken out to cover any adverse costs if unsuccessful legal proceedings were brought.



9 Quality of Service, Data Privacy and Code of Ethics

My staff and I endeavour to provide the best possible standards at all times.

Our updated privacy policy explains the measures we take to protect your data and the legal basis for doing so. Please review our updated Privacy Policy on our website: <http://www.griffins.net/data-privacy-notice/>

I am bound by Code of Ethics for Insolvency Practitioners when carrying out all professional work relating to insolvency appointments. Please refer to Institute of Chartered Accountants in England and Wales website for further details: <https://www.icaew.com/-/media/corporate/files/members/regulations-standards-and-guidance/ethics/code-of-ethics-part-d-insolvency-practitioners-1-jan-2011.ashx>

If you would like to make any comments, suggestions, raise a query or make a complaint about the service you have received, please contact my team manager, Ian Ramsay in the first instance at ian.ramsay@griffins.net. We will provide a response within 28 days.

10 Creditors' Rights

Creditors are advised that Rule 18.9 of the IR 2016 provides the right to make a request to the Liquidator for further information about remuneration or expenses which have been itemised in this report. Further, Rule 18.34 of the IR 2016, provides creditors with a right to challenge the Liquidator's remuneration and expenses.

Copies of these Rules are attached at Appendix E, for your information.

11 Next Report

I will report again following the next anniversary of the liquidation, or sooner if the administration of the liquidation is complete.


Stephen Hunt
Liquidator

Date: 12 April 2019



**A.&A.Scaffolding (Bury) Limited
In Compulsory Liquidation**

Statutory information



Company information

Company name: A.&A.Scaffolding (Bury) Limited
Trading name: As above
Company registration number: 03628811
Nature of business: Scaffolding Erectors
Registered office: Griffins, Tavistock House South, Tavistock Square, London, WC1H 9LG
Previous registered office: Alexander Lawson Jacobs, 1 Kings Avenue, Winchmore Hill, London, N21 3NA
Trading address: Unit 5 Pimhole Business Park, Pimhole Road, Bury, Lancashire, BL9 7ET
Court name: Manchester District Registry
Court reference: No. 1473 of 2011
Petitioning creditor: Theodoulos Papanicola as Supervisor of the company under a company voluntary arrangement
Winding-up order date: 2 February 2011

Liquidator's details

Name: Stephen Hunt
IP number: 9183
Name of firm: Griffins
Firm's address: Tavistock House South, Tavistock Square, London WC1H 9LG
Date of Successor Appointment: 15 May 2012

Former Joint Liquidator's details

Name: Kevin Hellard
IP number: 8833
Name of firm: Grant Thornton UK LLP
Firm's address: 30 Finsbury Square, London, EC2P 2YU
Date of Appointment: 15 May 2012
Date ceased to act: 14 March 2013



Former Joint Liquidator's details

Name: Ninos Koumettou
IP number: 2240
Name of firm: Alexander Lawson Jacobs
Firm's address: 1 Kings Avenue, Winchmore Hill, London, N21 3NA
Date of Appointment: 23 December 2011
Date ceased to act: 15 May 2012

Name: Theodoulos Papanicola
IP number: 5496
Name of firm: Bond Partners LLP
Firm's address: The Grange, 100 High Street, London, N14 6TB
Date of Appointment: 2 February 2011
Date ceased to act: 23 December 2011



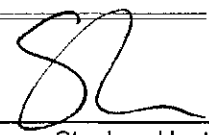
**A.&A.Scaffolding (Bury) Limited
In Compulsory Liquidation**

Receipts and payments account for the period 15 March 2018 to 14 March 2019,
together with an account for the entire period of the liquidation



A.&A.Scaffolding (Bury) Limited
(In Liquidation)
Liquidator's Summary of Receipts & Payments

Statement of Affairs £		From 15/03/2018 To 14/03/2019 £	From 02/02/2011 To 14/03/2019 £
	ASSET REALISATIONS		
NIL	Book Debts	NIL	NIL
	VAT Refund	NIL	1,172.50
	Settlement monies	57,500.00	57,500.00
	I.S.A Interest (Net)	NIL	0.04
	ISA Interest Net of Tax	7.58	7.58
	Sundry Refunds	NIL	381.16
		57,507.58	59,061.28
	COST OF REALISATIONS		
	O.R. Disbursements	NIL	1,235.00
	DTI Cheque Fees	0.45	1.60
	S of State Fees	7,241.84	7,241.84
	Specific Bond	NIL	45.00
	Liquidator's fees	20,644.30	20,644.30
	Legal Fees	16,608.00	16,731.55
	Statutory Advertising	77.10	149.26
	Insurance of Assets	11,550.00	11,550.00
	Bank Charges	88.00	680.00
		(56,209.69)	(58,278.55)
	UNSECURED CREDITORS		
	Trade & Expense Creditors	NIL	NIL
	HMRC : PAYE	NIL	NIL
	HMRC : VAT	NIL	NIL
(345,962.15)	Total Liabilities	NIL	NIL
		NIL	NIL
	DISTRIBUTIONS		
(2.00)	Ordinary Shares	NIL	NIL
		NIL	NIL
(345,964.15)		1,297.89	782.73
	REPRESENTED BY		
	Insolvency Service Account		853.87
	Trade Creditors		(3,321.60)
	Vat Control Account		3,250.46
			782.73



Stephen Hunt
Liquidator

**A.&A.Scaffolding (Bury) Limited
In Compulsory Liquidation**

Griffins' time analysis for the period 15 March 2018 to 14 March 2019, and for the entire period of the appointment



Time Entry - Detailed SIP9 Time & Cost Summary

AASCA01 - A.&A.Scaffolding (Bury) Limited
 From: 15/03/2018 To: 14/03/2019
 Project Code: POST

Classification of Work Function	Partner	Manager	Other Senior Professionals	Assistants & Support Staff	Administrators	Total Hours	Time Cost (£)	Average Hourly Rate (£)
STATUTORY : Statutory Duties	0.50	3.42	5.67	2.83	18.42	25.92	6,753.32	260.58
Administration & Planning	0.50	3.42	5.67	2.83	18.42	25.92	6,753.32	260.58
CREDITOR : Creditor Related Work	0.00	0.00	0.33	0.00	0.00	0.33	113.33	339.99
Creditors	0.00	0.00	0.33	0.00	0.00	0.33	113.33	339.99
INV-FURTH : Further Investigations	0.00	2.92	31.58	0.00	0.00	34.50	11,948.19	346.32
INV-INIT : Initial Investigations	0.00	0.08	0.00	0.00	0.00	0.08	32.08	384.96
Investigations	0.00	3.00	31.58	0.00	0.00	34.58	11,980.27	346.42
LIT-POST : Post-action litigation	0.00	0.00	0.08	0.00	0.00	0.08	32.08	384.96
Legal & Litigation	0.00	0.00	0.08	0.00	0.00	0.08	32.08	384.96
ASS-DLA : Directors Loan Accounts	0.00	0.17	0.00	0.00	0.00	0.17	64.17	385.02
ASS-SALE : Sale of the Business	0.00	0.08	0.00	0.00	0.00	0.08	32.08	384.96
Realisations of Assets	0.00	0.25	0.00	0.00	0.00	0.25	96.25	385.00
Total Hours	0.50	6.67	37.67	2.83	18.42	61.17	18,975.25	310.22
Total Fees Claimed							20,644.30	



Time Entry - Detailed SIP9 Time & Cost Summary

AASCA01 - A.A.Scaffolding (Bury) Limited
From: 15/02/2012 To: 14/03/2019
Project Code: POST

Classification of Work Function	Partner	Manager	Other Senior Professionals	Assistants & Support Staff	Administrators	Total Hours	Time Cost (£)	Average Hourly Rate (£)
ADMIN : Administration Work	0.08	0.58	0.00	0.00	14.00	9.75	3,065.82	314.44
CASG : Cashiering Functions	0.00	0.00	0.00	0.33	1.50	1.83	332.92	181.59
CASHIER : Cashiering Functions	0.00	0.00	0.00	0.25	0.08	0.33	51.66	154.98
DIARY : Case Diary	0.00	0.00	0.00	0.00	3.33	3.33	1,003.32	301.00
REVIEWS : Case Reviews	0.33	1.08	3.92	0.00	15.42	20.75	6,605.40	318.33
STAT : Statutory	0.08	0.00	0.00	0.00	0.75	0.83	270.42	324.50
STATUTORY : Statutory Duties	1.50	8.17	9.33	5.92	46.83	61.17	15,798.27	258.28
TAX : Tax	0.17	0.00	0.00	0.00	1.92	2.08	634.16	304.40
Administration & Planning	2.17	9.83	13.25	6.50	83.83	100.08	27,761.97	277.39
PROREPORT : Progress Report	0.00	0.00	0.00	0.00	3.00	3.00	930.00	310.00
CREDITOR : Creditor Related Work	0.00	0.00	0.67	0.00	0.83	1.50	470.41	313.61
CREDITORS : Creditors	0.00	0.00	0.00	0.00	0.17	0.17	50.00	300.00
Creditors	0.00	0.00	0.67	0.00	4.00	4.67	1,450.41	310.80
ANTE : Antecedent Transactions	0.00	0.25	0.83	0.00	0.00	1.08	374.17	345.39
INV : Investigation	0.00	0.25	3.17	0.25	26.25	29.67	9,133.78	307.88
INV-FURTH : Further Investigations	0.00	9.50	65.17	0.00	5.25	79.67	27,369.40	343.55
INV-INIT : Initial Investigations	0.00	1.83	1.58	0.00	1.00	4.42	1,529.15	348.22
BOND1 : Bond Claim : Proving or Recovery of money	0.00	0.00	0.75	0.00	0.00	0.75	247.50	330.00
BOND2 : Bond Claim : Parallel Costs	0.00	0.00	0.00	0.00	2.42	2.42	678.75	280.86
PARACOST : Parallel Costs	0.00	0.00	0.00	0.00	0.83	0.83	258.33	310.00
Investigations	0.00	11.83	71.50	0.00	35.75	118.83	39,591.08	333.16
LEGL : Legal Issues	0.00	0.17	0.00	0.00	0.83	1.00	320.83	320.83
LIT-POST : Post-action litigation	0.00	0.25	1.08	0.00	0.58	1.82	649.58	338.91
LIT-PRE : Pre-action litigation	0.58	3.50	51.25	0.00	38.75	93.33	29,107.47	311.87
Legal & Litigation	0.58	3.92	52.33	0.00	40.17	96.25	30,077.88	312.50
PROPERTY : Property	0.08	0.00	0.00	0.00	0.00	0.08	47.08	564.98
ASS-DLA : Directors Loan Accounts	0.00	0.25	3.50	0.00	1.17	4.92	1,632.11	331.95
ASS-OTHER : Other Assets	0.00	0.17	10.75	0.00	0.25	11.17	3,765.84	337.24
ASS-SALE : Sale of the Business	0.00	0.08	2.42	0.00	0.87	3.17	1,066.25	336.71
Realisations of Assets	0.08	0.50	16.67	0.00	2.08	19.33	6,511.28	336.78
Total Hours	2.83	26.08	154.42	6.50	165.83	339.17	105,392.62	310.74
Total Fees Claimed							20,644.30	



Post-Appointment Statutory and Professional Compliance

I am required, as Liquidator, to undertake the following tasks:

- On appointment, set the case up on our insolvency database and maintain and separately record all financial records on the case, including the recording of creditors and employees;
- Notify creditors of my appointment;
- Return to the Official Receiver a signed undertaking to pay out of the first realisations of assets, both the balance currently appearing in their account and those monies, including fees, guarantees and advances paid by the Official Receiver, becoming due in future and payable under Insolvency Act 1986 and the IR 2016;
- Obtain a Specific Penalty bond for a sum equal to the company's assets subject to the statutory provisions. This bond covers any losses to the estate for any possible fraud or dishonesty of the Liquidator whether acting alone or in collusion with one or more persons and/or the fraud and dishonesty of any person committed with the connivance of the Liquidator;
- Convene and hold a meeting of creditors to provide creditors with the opportunity to establish a Liquidation Committee;
- Undertake a one month case review to ensure that all initial statutory matters have been completed, asset realisation and initial investigations commenced;
- Obtain the company's books and records;
- Establish whether the company has an occupational pension scheme.

Annual Statutory and Professional Compliance

In addition to the tasks identified above, each year I am required to undertake the following statutory tasks:

- Prepare and issue an Annual Report to creditors;
- Undertake bi-annual case reviews to ensure that the case is being progressed efficiently and in a timely manner; statutory duties have been undertaken; consider any ethical, money laundering and Bribery Act 2010 issues pertaining to the case and ensure that any identified matters are addressed;
- Submit VAT returns to HM Revenue and Customs, to ensure that any VAT refunds or payments are received or paid;
- Submit annual Tax returns to HM Revenue and Customs;

- Maintain the case cash book, by undertaking quarterly ISA reconciliations and ensure that funds received are paid into the ISA account within 14 days of receipt or forthwith if £5,000 or more is received.

Closing Statutory and Professional Compliance

After concluding all case related matters, I am required to:

- Prepare and submit a letter to HM Revenue and Customs requesting clearance to close the case;
- Reconcile the cash book ready for closure;
- Prepare and issue the Final Account to creditors;
- Send the final receipts and payments account to the Court, the Official Receiver and the Insolvency Service and confirmation that I have received my release;
- If the creditors have so resolved, obtain my release from the Secretary of State;
- Obtain authorisation from the Official Receiver to destroy the books, papers and other records of the company;
- Retain and store the liquidation records for a minimum of 6 years after the vacation of office.

Tasks in relation to creditors' claims

- Ensure that all creditors' claims are listed with the correct addresses and references and that the amount claimed correlates to the Statement of Affairs;
- Enter proof of debt forms/claims as and when they are received;
- Before paying a dividend, review the level of funds available and ensure that all costs and expenses have been paid in accordance with the rules of priority;
- Assignment of the right to dividend, where notice is given to the office holder by a person entitled to a dividend that he wishes the dividend to be paid to another person;
- Deal with enquires from creditors;
- Adjudicate on claims;
- Declare and pay a dividend, if sufficient funds are available.

**A.&A.Scaffolding (Bury) Limited
In Compulsory Liquidation**

Creditors' rights - Rules 18.9 and 18.34 of the Insolvency (England and Wales) Rules 2016

Insolvency (England and Wales) Rules 2016

Rule 18.9

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

(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).

Rule 18.34

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

(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").