

Liquidator's Progress Report

S.192

Pursuant to Sections 92A and 104A and 192
of the Insolvency Act 1986

To the Registrar of Companies

Company Number

04837484

Name of Company

City & Borough Waste Limited

I / We

Anthony Harry Hyams, Allan House, 10 John Princes Street, London, W1G 0AH

the liquidator(s) of the company attach a copy of my/our Progress Report
under section 192 of the Insolvency Act 1986

The Progress Report covers the period from 18/08/2015 to 17/08/2016

Signed



Date

11/10/16

Insolve Plus Ltd
Allan House
10 John Princes Street
London
W1G 0AH

Ref C044T/AHH/KL

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COMPANIES HOUSE

City & Borough Waste Limited
(In Liquidation)
Liquidator's Abstract of Receipts & Payments

Statement of Affairs		From 18/08/2015 To 17/08/2016	From 18/08/2011 To 17/08/2016
	SECURED ASSETS		
124,766 00	Sale of Business and Assets	12,350 00	118,400 00
		<u>12,350 00</u>	<u>118,400 00</u>
	SECURED CREDITORS		
(48,839 40)	HSBC Bank Plc	NIL	51,556 59
		<u>NIL</u>	<u>(51,556 59)</u>
	SECURED ASSETS		
52,763 91	Book Debts	NIL	NIL
		<u>NIL</u>	<u>NIL</u>
	SECURED CREDITORS		
(49,442 16)	HSBC Invoice Finance (UK)	NIL	37 12
		<u>NIL</u>	<u>(37 12)</u>
	COSTS OF REALISATION		
	Legal Fees	NIL	753 00
		<u>NIL</u>	<u>(753 00)</u>
	ASSET REALISATIONS		
	Book Debts	NIL	7,479 59
	Bank Interest Gross	48 11	281 97
		<u>48 11</u>	<u>7,761 56</u>
	COST OF REALISATIONS		
	Specific Bond	NIL	409 20
	Office Holders Fees	5,000 00	45,000 00
	Land Registry Search	NIL	8 00
	Debt Collector Fees	NIL	1,251 11
	Legal Fees	NIL	2,416 00
	Corporation Tax	4 50	49 41
	Company Search	NIL	3 00
	Printing Stationery & Postage	NIL	77 76
	Statutory Advertising	NIL	142 53
		<u>(5,004 50)</u>	<u>(49,357 01)</u>
	UNSECURED CREDITORS		
(256,651 81)	Trade & Expense Creditors	NIL	NIL
(60,225 95)	Close Asset Finance Ltd	NIL	NIL
(113,604 63)	H M Revenue & Customs - PAYE	NIL	NIL
(186,660 37)	H M Revenue & Customs - VAT	NIL	NIL
(109,149 21)	HM Revenue & Customs - CT	NIL	NIL
		<u>NIL</u>	<u>NIL</u>
	DISTRIBUTIONS		
(2 00)	Ordinary Shareholders	NIL	NIL
		<u>NIL</u>	<u>NIL</u>
(647,045.62)		7,393.61	24,457.84

REPRESENTED BY

10 October 2016

Our ref KL/C044T/3.1

**PROGRESS REPORT TO ALL MEMBERS AND CREDITORS
PRIVATE AND CONFIDENTIAL**

Dear Sir/Madam

City & Borough Waste Limited - In Liquidation ("the Company")

1. Introduction

I refer to my appointment as Liquidator of the Company on 18 August 2011 and in accordance with Section 104A of the Insolvency Act 1986 ("the Act") and all associated provisions of the Insolvency (Amendment) Rules 2010, I hereby report on the progress of the Liquidation following the fifth anniversary of my appointment

2. Statutory Information

- Full Company name. City & Borough Waste Limited
- The Company's registration number - 04837484
- The last trading address – 6 Caxton Way, Watford Business Park, Hertfordshire WD18 8RT
- Registered office – Allan House, 10 John Princes Street, London W1G 0AH
- Liquidator - Anthony Harry Hyams of Insolve Plus Ltd, 4th Floor Allan House, 10 John Princes Street, London W1G 0AH
- Date of appointment – 18 August 2011
- As the Company had its only place of business at premises in the UK, the EC Regulations apply, these proceedings are Main Proceedings as defined in Article 3 of the EC Regulation.

3. Liquidator's actions during the period 18 August 2015 to 17 August 2016

Following the fourth anniversary of my appointment as Liquidator I issued my progress report to all known Members and Creditors on 22 September 2015

I previously reported that there were two assets remaining to be realised which was the balance of sale consideration due from Recycling for London Limited ("RFL") and an amount due from the Director in respect of his overdrawn loan account

Following the Administration of RFL, I wrote to Erin Monk and Ryan Monk to call upon their personal guarantee demanding payment of the outstanding sale consideration. During the course of the fifth year of the Liquidation, £12,350 has been received from them and as at the anniversary of my appointment £6,366 remained outstanding. I expect to receive the balance during the course of the sixth year of the Liquidation.

During the period covered by this report, I have remained in communication with Stephen Monk, the Director, in respect of the repayment of his loan account. Mr Monk provided me with a statement of means and offered £40,000 in full and final settlement of the amount owing to the Company.

After careful consideration this offer was accepted and it was agreed that Mr Monk pay £2,500 per month to discharge the debt. I can confirm that since the fifth anniversary of my appointment £5,000 has been received from Mr Monk and the balance of £35,000 remains owing.

4. Liquidator's account of receipts and payments

You will find attached a summary of my receipts and payments account for the period 18 August 2015 to 17 August 2016, being the fifth anniversary date and a full account of receipts and payments for the entirety of the Liquidation to the fifth anniversary, which should be read in conjunction with the information contained in this report and my previous reports. I specifically comment in respect of the matters arising during the last year as follows:

As the Company was VAT registered, all transactions are shown net of VAT where applicable.

4.1 Asset realisation Subject to Fixed Charge

4.1.1 Sale of Business and Assets

You will recall from my previous reports that the business and assets were sold to RFL, a company controlled by the Director's Son and Daughter in the sum of £132,766. Of this amount, £8,000 was paid prior to my appointment as Liquidator leaving a balance of £124,766 to be collected during the course of the Liquidation.

During the course of the fifth year of the Liquidation, an amount of £12,350 has been received. The total amount received to the fifth anniversary of my appointment from RFL and the guarantors' amounts to £118,400.

4.2 Receipts Not Specifically Pledged

4.2.1 Bank Interest Gross

The funds are held on an interest bearing account and an amount of £48 in respect of gross interest has been received during the course of the fifth year of the Liquidation.

4.3 Assets remaining to be realised

4.3.1 Sale of Business and Assets

As at the fifth anniversary of my appointment the sum of £6,366 remained due from the guarantors in respect of the sale consideration which I am continuing to collect.

4.3.2 Director's Loan Account

As reported at Part 3 of this report, since the anniversary of my appointment £5,000 has been received from Mr Monk. The balance of £35,000 is to be collected.

4.4 Ordinary Payments

4.4.1 Corporation Tax

An amount of £5 has been paid to HM Revenue & Customs in respect of the Corporation Tax due on the bank interest received during the course of the fourth year of the Liquidation.

5. Investigation into the affairs of the Company

During the course of the fifth year of the Liquidation I reached an agreement with the Director in respect of his loan account. I have now concluded my investigations into the Company.

6. The costs spent in the conduct of the Liquidation

6.1 Pre Appointment Fees

The Board authorised the payment of a fee of £2,500 plus VAT in respect of the costs of convening the meetings of members and creditors and £4,000 plus VAT for the preparation of the statement of affairs on 18 July 2011.

This fee was paid by the Company prior to the commencement of the Liquidation.

6.2 Liquidator's Post Appointment Fees

My remuneration, previously authorised by creditors at a meeting held on 18 August 2011, is to be drawn on a time cost basis.

You will find attached a summary of time costs for the period since the fourth anniversary of my appointment to the fifth anniversary, being 18 August 2015 to 17 August 2016, and for the entire period of the Liquidation to the fifth anniversary. This is in accordance with the requirements of Statement of Insolvency Practice 9 ("SIP9")

Total time costs to 17 August 2016 amount to £57,313, representing 264 hours and 18 minutes of work at an average charge out rate of £217 per hour, of which £5,361, representing 22 hours and 18 minutes of work, was charged in the period between 18 August 2015 to 17 August 2016 at an average charge out rate of £240 per hour.

A Creditors' Guide to Fees, which provides guidance as to how an insolvency practitioner's remuneration is authorised, may be obtained from the Insolve Plus Ltd website via the following link, www.insolveplus.com/services/creditors-guides/. Alternatively, you may telephone this office requesting a copy of the said document, whereupon one will be sent to you free of charge

6.3 Remuneration Drawn

During the course of the fifth year of the Liquidation I have drawn remuneration of £5,000. Throughout the entire period of the Liquidation to the fifth anniversary the sum of £45,000 has been drawn

6.4 Grades of staff used

The grades of staff are selected according to the nature of work required to be undertaken for each appointment. In this particular case the Liquidator was involved in overseeing all aspects of the Liquidation

Other staff charged out at lower rates were employed to deal with the administrative aspects of the case

6.5 Areas of Time Expense for the Period from 18 August 2015 to 17 August 2016

6.5.1 Administration and Planning

A total of 16 hours and 24 minutes have been spent resulting in a time expense of £3,224 by my staff engaged on this case and I at an average hourly rate of £197, which has included the following:

- Dealing with correspondence
- Maintaining physical case files and electronic case details
- Periodic case reviews.
- Submitting and periodic review of the statutory bond insurance
- Case planning and administration.
- Maintaining and managing the Liquidator's cashbook and bank account.
- Ensuring statutory lodgements and tax lodgement obligations are met
- Preparing the fourth annual progress report to members and creditors

6.5.2 Realisation of Assets

A total of 5 hours and 48 minutes has been spent resulting in a time expense of £2,112 by my staff engaged on this case and I at an average hourly rate of £364, which has included the following:

- Monitoring receipt of the sale consideration
- Corresponding with the guarantors and agreeing a repayment plan.
- Corresponding with the Director and reaching a settlement in respect of repayment of his overdrawn loan account.

6.5.3 Creditors

A total of 6 minutes has been spent resulting in a time expense of £25 by my staff engaged on this case and I at an average hourly rate of £250, which has included the following:

- Corresponding with creditors.

6.6 Areas of Time Expense for the period from 18 August 2011 to 17 August 2016

6.6.1 Administration and Planning

A total of 177 hours and 18 minutes have been spent resulting in a time expense of £29,090 by my staff engaged on this case and I at an average hourly rate of £164, which has included the following:

- Statutory advertising of my appointment as Liquidator
- Dealing with correspondence
- Maintaining physical case files and electronic case details
- Periodic case reviews
- Submitting and periodic review of the statutory bond insurance
- Case planning and administration.
- Maintaining and managing the Liquidator's cashbook and bank account.
- Ensuring statutory lodgements and tax lodgement obligations are met
- Preparing annual reports to members and creditors
- Preparing inventory of the Company's books and records

6 6 2 Investigations

A total of 21 hours and 22 minutes have been spent resulting in a time expense of £6,307 by our staff engaged on this case and us at an average hourly rate of £295, which has included the following

- Preparing a return pursuant to the Company Directors Disqualification Act
- Review of certain books and records that had been provided to identify any transactions or actions a Liquidator may take against a third party in order to recover funds for the benefit of creditors
- Conducting investigations into suspicious transactions.

6 6 3 Realisation of Assets

A total of 59 hours have been spent resulting in a time expense of £20,469 by our staff engaged on this case and us at an average hourly rate of £347, which has included the following:

- Reviewing the Sale Agreement.
- Reviewing the Director's overdrawn loan account position
- Holding a meeting with the Director in order to reach a settlement agreement and agree a repayment plan in respect of his loan account
- Corresponding with HSBC Invoice Finance in respect of the debtor ledger,
- Liaising with and assisting Angel Associates in respect of the collection of the Company's book debts
- Monitoring receipt of the sale consideration
- Corresponding with RFL in respect of the sale consideration.
- Meeting with management of RFL to discuss sale consideration.
- Corresponding with valuation agent in respect of the Director's property.
- Corresponding with the guarantors and agreeing a repayment plan
- Corresponding with the Director and his Solicitor in respect of repayment of his overdrawn loan account
- Corresponding with the Administrators of Recycling For London Limited.
- Corresponding with the Director and reaching a settlement in respect of repayment of his overdrawn loan account

6 6.4 Creditors

A total of 6 hours and 38 minutes have been spent resulting in a time expense of £1,446 by our staff engaged on this case and us at an average hourly rate of £218, which has included the following

- Dealing with creditor correspondence and telephone conversations.
- Reviewing proofs of debt received from creditors.
- Maintaining creditor information on computerised systems

7 Liquidator's Disbursements

7.1 Category I Disbursements

Creditors will note that during the period covered by this report no further Category I Disbursements have been incurred

However during the course of the entire period of the Liquidation to the fifth anniversary the following disbursements were paid on behalf of the Company These disbursements have been reimbursed

Category 1 Disbursements

	£
Statutory Advertising	142 53
Specific Bond	330 00
	<hr/>
	472 53
	<hr/>

7.2 Category 2 Disbursements

Creditors will note that during the period covered by this report the following Category 2 Disbursement has been incurred. This disbursement has not been reimbursed

Category 2 Disbursements

	£
Storage	27 00
	<hr/>
	27.00
	<hr/>

During the course of the entire period of the Liquidation to the fifth anniversary the following Category 2 Disbursements have been paid and you will note that as at the anniversary of my appointment disbursements in the sum of £80 76 have been recovered. The balance of the Category 2 disbursements will be recovered in due course

Category 2 Disbursements

	£
Copying, stationery & postage of first report to creditors	77 76
Copying, stationery & postage of first progress report to creditors	60 96
Copying, stationery & postage of second progress report to creditors	64 32
Storage	87 00
Company Searches	3.00
	<hr/>
	293 04
	<hr/>

Attached to this report is also a statement of the creditors' rights to request further information in accordance with Rule 4.49E of the Insolvency (Amendment) Rules 2010, and their right to challenge the Liquidator's remuneration and expenses in accordance with Rule 4.131 of the Insolvency (Amendment) Rules 2010.

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 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 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.

8. Outcome for Creditors**8.1 Secured Creditors**

HSBC Bank Plc hold a fixed and floating charge over the Company's assets. As previously reported, HSBC has been paid in full under their fixed charge.

In accordance with Section 176 of The Insolvency Act 1986, the Prescribed Part will not apply as there are no floating charge creditors

HSBC Invoice Finance have also been discharged in full under their charge.

8.2 Preferential Creditors

I am not aware of any preferential claims in respect of this matter

8.3 Unsecured Creditors

The statement of affairs included 18 unsecured creditors with an estimated total liability of £726,291. I have received claims from 11 creditors totalling £740,058 I have not received claims from 7 creditors with original estimated claims in the statement of affairs of £170,838

Of the above amount claims of £240,025 and £242,322 have been received from HM Revenue & Customs in respect of VAT and PAYE/NIC and Corporation Tax respectively The claims received in respect of both VAT and PAYE/NIC and Corporation Tax are approximately £182,083 higher than originally anticipated. This is due to a large VAT surcharge being applied and interest being charged in respect of Corporation Tax

9. Dividend Prospects

There are sufficient funds to enable a distribution to unsecured creditors

10. Professional Advisors Appointed

The following agents or professional advisors have been utilised in this matter.


Professional Advisor	Nature of Work	Fee Arrangement
Bristows	Solicitor	Time Cost
Kerman & Co LLP	Solicitors	Time Cost
JW & Co	Agents	Fixed Fee of £250

11. Summary

The Liquidation will remain open to allow the collection of the outstanding sale consideration and Director's loan account

Should you require any further information or clarification, please do not hesitate to contact Kelly Levelle of this office on 020 7495 2348

Yours faithfully


Anthony Hyams FCCA
Liquidator

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City & Borough Waste Limited
(In Liquidation)
Liquidator's Abstract of Receipts & Payments

Statement of Affairs	From 18/08/2015 To 17/08/2016	From 18/08/2011 To 17/08/2016
124,766 00		
SECURED ASSETS		
Sale of Business and Assets	12,350 00	118,400 00
	<u>12,350 00</u>	<u>118,400 00</u>
(48,839 40)		
SECURED CREDITORS		
HSBC Bank Plc	NIL	51,556 59
	<u>NIL</u>	<u>(51,556 59)</u>
52,763 91		
SECURED ASSETS		
Book Debts	NIL	NIL
	<u>NIL</u>	<u>NIL</u>
(49,442 16)		
SECURED CREDITORS		
HSBC Invoice Finance (UK)	NIL	37 12
	<u>NIL</u>	<u>(37 12)</u>
COSTS OF REALISATION		
Legal Fees	NIL	753 00
	<u>NIL</u>	<u>(753 00)</u>
ASSET REALISATIONS		
Book Debts	NIL	7,479 59
Bank Interest Gross	48 11	281 97
	<u>48 11</u>	<u>7,761 56</u>
COST OF REALISATIONS		
Specific Bond	NIL	409 20
Office Holders Fees	5,000 00	45,000 00
Land Registry Search	NIL	8 00
Debt Collector Fees	NIL	1,251 11
Legal Fees	NIL	2,416 00
Corporation Tax	4 50	49 41
Company Search	NIL	3 00
Printing Stationery & Postage	NIL	77 76
Statutory Advertising	NIL	142 53
	<u>(5,004 50)</u>	<u>(49,357 01)</u>
(256,651 81)		
UNSECURED CREDITORS		
Trade & Expense Creditors	NIL	NIL
(60,225 95)	NIL	NIL
Close Asset Finance Ltd	NIL	NIL
(113,604 63)	NIL	NIL
H M Revenue & Customs - PAYE	NIL	NIL
(186,660 37)	NIL	NIL
H M Revenue & Customs - VAT	NIL	NIL
(109,149 21)	<u>NIL</u>	<u>NIL</u>
HM Revenue & Customs - CT	<u>NIL</u>	<u>NIL</u>
(2 00)		
DISTRIBUTIONS		
Ordinary Shareholders	NIL	NIL
	<u>NIL</u>	<u>NIL</u>
(647,045.62)	<u>7,393.61</u>	<u>24,457.84</u>

REPRESENTED BY

C044T

City & Borough Waste Limited

SIP 9 - Time & Cost Summary

Period 18/08/15 17/08/16

Time Summary

Hours						Time Cost (£)	Average hourly rate (£)
Classification of work function	Partner	Manager	Other Senior Professionals	Assistants & Support Staff	Total Hours		
Administration & Planning	0 00	0 00	4 20	5 60	9 80	1,725 00	176 02
Annual Reporting	0 20	0 40	2 50	0 00	3 10	864 00	278 71
Billing	0 00	0 00	0 00	0 20	0 20	25 00	125 00
Case Review	0 40	0 00	0 00	0 00	0 40	198 00	495 00
Post appointment Corporation Tax	0 00	0 00	0 00	0 60	0 60	75 00	125 00
Post appointment VAT Returns	0 10	0 00	0 00	0 40	0 50	99 50	199 00
Statutory Returns to Registrar of C	0 00	0 00	0 00	0 50	0 50	62 50	125 00
Bank Reconciliation	0 00	0 00	0 00	1 20	1 20	150 00	125 00
Bonding	0 00	0 00	0 10	0 00	0 10	25 00	250 00
Administration & planning	0 70	0 40	6 80	8 50	16 40	3,224 00	196 59
Realisation of assets	2 70	0 00	3 10	0 00	5 80	2,111 50	364 05
Realisations of assets	2 70	0 00	3 10	0 00	5 80	2,111 50	364 05
Creditors	0 00	0 00	0 10	0 00	0 10	25 00	250 00
Creditors	0 00	0 00	0 10	0 00	0 10	25 00	250 00
Total Hours	3 40	0 40	10 00	8 50	22 30	5,360 50	240 38

C044T

City & Borough Waste Limited

SIP 9 - Time & Cost Summary

Period 18/08/11 17/08/16

Time Summary

Hours						Time Cost (£)	Average hourly rate (£)
Classification of work function	Partner	Manager	Other Senior Professionals	Assistants & Support Staff	Total Hours		
Administration & Planning	3 27	0 33	74 80	74 10	152 50	23,153 89	151 83
Annual Reporting	1 40	1 60	2 50	0 00	5 50	1,791 60	325 75
Statutory reporting	0 17	0 00	2 60	0 00	2 77	709 00	256 27
Billing	0 00	0 00	0 10	0 50	0 60	78 40	130 67
Case Review	2 60	0 00	2 60	0 00	5 20	1,678 80	322 85
Diary Updating	0 00	0 00	0 40	0 00	0 40	93 40	233 50
Post appointment Corporation Tax	0 10	0 00	0 00	1 20	1 30	181 20	139 38
Post appointment VAT Returns	0 20	0 00	0 00	1 60	1 80	276 50	153 61
Receipts and Payments Review	0 30	0 00	0 00	0 00	0 30	126 90	423 00
Review of Bordeau level	0 00	0 00	0 10	0 00	0 10	18 40	184 00
Statutory Advertisement	0 17	0 00	0 00	0 00	0 17	59 00	354 00
Statutory Filing	0 17	0 00	0 00	0 00	0 17	59 00	354 00
Statutory Receipts & Payments Ac	0 00	0 00	0 00	0 70	0 70	77 50	110 71
Statutory Returns to Registrar of C	0 00	0 00	0 00	1 10	1 10	122 50	111 36
Conversation with Insolvency Prac	0 20	0 00	0 00	0 00	0 20	99 00	495 00
Bank Reconciliation	0 00	0 00	0 00	4 20	4 20	490 00	116 67
Bonding	0 00	0 00	0 30	0 00	0 30	75 00	250 00
Administration & planning	8 57	1 93	83 40	83 40	177 30	29,090 10	164 07
Investigation	3 83	0 00	17 13	0 00	20 97	6,100 70	290 97
CDDA reports	0 40	0 00	0 00	0 00	0 40	206 40	515 99
Investigations	4 23	0 00	17 13	0 00	21 37	6,307 09	295 18
Realisation of assets	23 00	0 00	36 00	0 00	59 00	20,469 33	346 94
Realisations of assets	23 00	0 00	36 00	0 00	59 00	20,469 33	346 94
Creditors	1 27	0 00	2 43	1 83	5 53	1,037 11	187 43
Creditors meeting	0 50	0 00	0 00	0 00	0 50	177 00	354 00
Distribution to Secured Creditor	0 60	0 00	0 00	0 00	0 60	232 20	387 00
Creditors	2 37	0 00	2 43	1 83	6 63	1,446 31	218 03
Total Hours	38 17	1 93	138 97	85 23	264 30	57,312 84	216 85

Rule 4.49E Creditors' request for further information

4.49E Creditors' and members' request for further information

(1) If—

(a) within the period mentioned in paragraph (2)—

(i) a secured creditor, or

(ii) an unsecured creditor with the concurrence of at least 5% in value of the unsecured creditors (including the creditor in question), or

(iii) 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, or

(b) with the permission of the court upon an application made within the period mentioned in paragraph (2)–

(i) any unsecured creditor, or

(ii) any member of the company in a members' voluntary winding up,

makes a request in writing to the liquidator for further information about remuneration or expenses set out in a progress report in accordance with Rule 4.49B(1)(e) or (f) (including by virtue of Rule 4.49C(5)) or in a draft report under Rule 4.49D, the liquidator must, within 14 days of receipt of the request, comply with paragraph (3) except to the extent that the request is in respect of matter in a draft report under Rule 4.49D or a progress report required by Rule 4.108 which (in either case) was previously included in a progress report not required by Rule 4.108

(2) The period referred to in paragraph (1)(a) and (b) is—

(a) 7 business days of receipt (by the last of them in the case of an application by more than one member) of the progress report where it is required by Rule 4.108, and

(b) 21 days of receipt (by the last of them in the case of an application by more than one member) of the report or draft report in any other case

(3) The liquidator complies with this paragraph by either—

(a) providing all of the information asked for, or

(b) so far as the liquidator considers that—

(i) the time or cost of preparation of the information would be excessive, or

(ii) disclosure of the information would be prejudicial to the conduct of the liquidation or might reasonably be expected to lead to violence against any person, or

(iii) the liquidator is subject to an obligation of confidentiality in respect of the information, giving reasons for not providing all of the information

(4) Any creditor, and any member of the company in a members' voluntary winding up, who need not be the same as the creditors or members who asked for the information, may apply to the court within 21 days of—

(a) the giving by the liquidator of reasons for not providing all of the information asked for, or

(b) the expiry of the 14 days provided for in paragraph (1), and the court may make such order as it thinks just

(5) Without prejudice to the generality of paragraph (4), the order of the court under that paragraph may extend the period of 8 weeks or, as the case may be, 4 weeks provided for in Rule 4.131(1B) or 4.148C(2) by such further period as the court thinks just.

(6) This Rule does not apply where the liquidator is the official receiver

Rule 4.131 of the Insolvency Rules 1986

4.131.— Creditors' claim that remuneration is or other expenses are excessive

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

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

(a) the remuneration charged by the liquidator,

(b) the basis fixed for the liquidator's remuneration under Rule 4.127, or

(c) expenses incurred by the liquidator,

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

(1B) The application must, subject to any order of the court under Rule 4.49E(5), be made no later than 8 weeks (or, in a case falling within Rule 4.108, 4 weeks) after receipt by the applicant of the progress report, or the draft report under Rule 4.49D, which first reports the charging of the remuneration or the incurring of the expenses in question ("the relevant report")

(2) The court may, if it thinks that no sufficient cause is shown for a reduction, dismiss the application, but it shall not do so unless the applicant has had an opportunity to attend the court for a hearing, of which he has been given at least 5 business days' notice but which is without notice to any other party. If the application is not dismissed under this paragraph, the court shall fix a venue for it to be heard, and give notice to the applicant accordingly

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

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

(a) an order reducing the amount of remuneration which the liquidator was entitled to charge,

(b) an order fixing the basis of remuneration at a reduced rate or amount,

(c) an order changing the basis of remuneration,

(d) an order that some or all of the remuneration or expenses in question be treated as not being expenses of the liquidation;

(e) an order that the liquidator or the liquidator's personal representative pay to the company the amount of the excess of remuneration or expenses or such part of the excess as the court may specify; and may make any other order that it thinks just, but an order under sub-paragraph (b) or (c) may be made only in respect of periods after the period covered by the relevant report

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