

In accordance with  
Rule 18.7 of the  
Insolvency (England &  
Wales) Rules 2016 and  
Sections 92A, 104A and  
192 of the Insolvency  
Act 1986

# LIQ03

## Notice of progress report in voluntary winding up



Companies House

WEDNESDAY



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A13

05/02/2020

#191

COMPANIES HOUSE

### 1 Company details

Company number 0 5 8 9 0 0 6 9

Company name in full Energygain Limited

→ Filling in this form

Please complete in typescript or in  
bold black capitals.

### 2 Liquidator's name

Full forename(s) Stella

Surname Davis

### 3 Liquidator's address

Building name/number Gable House

Street 239 Regents Park Road

Post town London

County/Region

Postcode N 3 3 L F

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.

LIQ03

Notice of progress report in voluntary winding up

<b>6</b>	<b>Period of progress report</b>											
From date	<sup>d</sup> 1	<sup>d</sup> 0	<sup>m</sup> 1	<sup>m</sup> 2	<sup>y</sup> 2	<sup>y</sup> 0	<sup>y</sup> 1	<sup>y</sup> 8				
To date	<sup>d</sup> 0	<sup>d</sup> 9	<sup>m</sup> 1	<sup>m</sup> 2	<sup>y</sup> 2	<sup>y</sup> 0	<sup>y</sup> 1	<sup>y</sup> 9				
<b>7</b>	<b>Progress report</b>											
<input checked="" type="checkbox"/> The progress report is attached												
<b>8</b>	<b>Sign and date</b>											
Liquidator's signature	<div style="display: flex; justify-content: space-between; align-items: center;"> <div>Signature</div> <div style="text-align: center;">  </div> <div></div> </div>											
Signature date	<sup>d</sup> 3	<sup>d</sup> 0	<sup>m</sup> 0	<sup>m</sup> 1	<sup>y</sup> 2	<sup>y</sup> 0	<sup>y</sup> 2	<sup>y</sup> 0				

**Energygain Limited**  
**(In Liquidation)**  
**Liquidator's Summary of Receipts & Payments**

Declaration of Solvency £		From 10/12/2018 To 09/12/2019 £	From 10/12/2018 To 09/12/2019 £
	ASSET REALISATIONS		
2.00	Debtors	NIL	NIL
	Tax Refund	14.49	14.49
		14.49	14.49
	COST OF REALISATIONS		
	Irrecoverable VAT	2.41	2.41
	Specific Bond	12.08	12.08
		(14.49)	(14.49)
	DISTRIBUTIONS		
(2.00)	Ordinary Shareholders	NIL	NIL
		NIL	NIL
		NIL	NIL
	REPRESENTED BY		
			NIL

**Note:**

On 13 December 2018 a first and final distribution was made *in specie* to the shareholders of the Company.

The asset distributed comprised a debtor balance shown at £2.00 on the Declaration of Solvency.

The value of the asset stated is based on the book value as reflected in the Director's sworn Declaration of Solvency

## **Energygain Limited – in Creditors Voluntary Liquidation**

### **Liquidator's Progress Report to Creditors and Members For the Year Ending 9 December 2019**

#### **Statutory Information**

Company name:	Energygain Limited
Registered Office:	Gable House 239 Regents Park Road London N3 3LF
Former registered office:	59-60 Grosvenor Street, London W1K 3HZ
Registered number:	05890069
Liquidator's name:	Stella Davis
Liquidator's address:	Opus Restructuring LLP, Evergreen House North Grafton Place, Euston, London NW1 2DX
Liquidator's date of appointment:	10 December 2018

This is my report to members and creditors following the first anniversary of my appointment as Liquidator.

Kindly note that I have joined Opus Restructuring LLP with effect from 1 October 2019.

#### **Liquidator's Actions since Appointment**

##### **HM Revenue & Customs**

The Declaration of Solvency sworn by the Director on 10 December 2018 showed no liability to HM Revenue & Customs ("HMRC") in relation to Corporation Tax ("CT").

Upon appointment, I contacted the relevant offices of HMRC for details of any claim in the liquidation, or details of any outstanding returns to be filed before any claim could be finalised.

HMRC's dedicated Members Voluntary Liquidation ("MVL") office, part of the Insolvency Claims Handling Unit ("ICHU"), submitted confirmation that they had no claim on 29 April 2019, providing clearance to close for VAT and PAYE. However, they advised that clearance must separately be sought from HMRC Corporation Tax Services as regards Corporation Tax.

This clearance was subsequently provided by Corporation Tax Services on 3 December 2019.

### Other Creditor Claims/Costs of the Liquidation

There were no known creditor claims and none have been received.

Notice to any creditors to submit claims was advertised in the London Gazette on 17 December 2018. The deadline given by which any claims were to be made was 31 January 2019. This was solely in compliance with my obligations as Liquidator as no creditors of the Company were known to me.

No claims were received by the stipulated date.

### First and Final Distribution in Specie

A first and final distribution in specie of the assets shown on the Distribution of Solvency, being a debtor balance of £2, was made to the shareholder on 13 December 2018. This was based on their shareholding of 4,367 Ordinary A shares of £0.0001 and 10,000 Original share of £0.0001, which was 100% of the issued share capital. The value distributed equated to £0.00013664 per share held. The value of the assets is based on the final balances provided for the Declaration of Solvency. The total amount distributed in this return of capital was £2.

### Other

There is certain work that I am required by the insolvency legislation to undertake in connection with the liquidation that provides no financial benefit for the creditors. A description of the routine work undertaken since my appointment is as follows:-

#### 1. Administration

- Case planning - devising an appropriate strategy for dealing with the case and giving instructions to the staff to undertake the work on the case.
- Setting up & maintaining physical/electronic case files.
- Setting up & maintaining the case on the practice's electronic case management system and entering data.
- Issuing the statutory notifications to creditors and others required on appointment as office holder, including gazetting the office holder's appointment.
- Obtaining a specific penalty bond.
- Dealing with all routine correspondence and emails relating to the case.
- Reviewing the adequacy of the specific penalty bond on a quarterly basis.
- Undertaking periodic reviews of the progress of the case.
- Overseeing and controlling the work done on the case by case administrators.
- Preparing, reviewing and issuing annual progress reports to creditors and members.
- Filing returns at Companies House.
- Preparing and filing Corporation Tax returns.

#### 2. Creditors

- Dealing with creditor correspondence, emails and telephone conversations regarding their claims.
- Maintaining up to date creditor information on the case management system.

### **Receipts and Payments Account**

The Liquidator's Receipts & Payments Account for the period from 10 December 2018 to 9 December 2019 is enclosed, showing a nil balance.

## **Assets**

The Director advised that the Company had no assets as at the date of liquidation, except as stated above.

### Debtor Balance

This has been dealt with as above.

## **Liabilities**

### Secured Creditors

An examination of the Company's mortgage register held by the Register of Companies showed that the Company has no current charges over its assets.

### Prescribed Part

The legislation requires that if the Company has created a floating charge after 15 September 2003, a prescribed part of the Company's net property (ie the money that would otherwise be available to the charge holder) should be ring-fenced for distribution to unsecured creditors. In this case there were no creditors secured by a floating charge so the prescribed part provisions do not apply.

### Preferential Creditors

The Declaration of Solvency reflected no preferential debts owed by the Company. No such claims were subsequently received.

### Crown Creditors

As previously stated, the Declaration of Solvency reflected no liability to HMRC.

HMRC ICHU submitted confirmation that they had no claim on 29 April 2019. Separate confirmation was provided by HMRC Corporation Tax Services on 3 December 2019.

### Unsecured Creditors

The Declaration of Solvency reflected no unsecured creditor liabilities.

As previously described, notice to any creditors to submit claims was advertised in the London Gazette on 17 December 2018. The deadline given by which any claims were to be made was 31 January 2019. This was solely in compliance with my obligations as Liquidator as no creditors of the Company were known to me.

No claims were received by the stipulated date.

## **Share Capital**

The following distributions were made to the Members:-

Date	Amount of distribution	Rate of distribution per share
13 December 2018	£ 2	£0.00013664 per share

### **Pre-Appointment Remuneration**

Members resolved at the meeting held on 10 December 2018 that the total payable in respect of the pre-liquidation fee be agreed as £2,250 plus disbursements and VAT.

The pre-liquidation costs related to assistance with preparing the Declaration of Solvency, producing and circulating the notice for the meeting of members prior to my appointment.

The fee agreed was settled by a third party prior to liquidation.

### **Liquidator's Remuneration**

No specific provision has been made in respect of Liquidator's costs.

A copy of "A Members' Guide to Liquidator's Fees" published by the Association of Business Recovery Professionals may be found at the link:-

[http://www.streetsspw.co.uk/sites/www.streetsspw.co.uk/files/images/a\\_members\\_guide\\_to\\_liquidations\\_fees\\_england\\_and\\_wales.docx](http://www.streetsspw.co.uk/sites/www.streetsspw.co.uk/files/images/a_members_guide_to_liquidations_fees_england_and_wales.docx).

A hard copy of the Members' Guide can be obtained on request from this office. I also enclose a copy of the Streets SPW guide(s) to fees and disbursements for the period covered by this report.

A copy of the Streets SPW's most current Practice Fee Recovery policy is enclosed, which also details the previous charge out rates utilised by that firm, although this is academic as my fees were not approved on this basis. A copy of a schedule of Opus Restructuring LLP's charge out rates and disbursements is also enclosed.

### **Liquidator's Expenses**

I have incurred disbursements to 9 December 2019 of £113.38 net.

I have been unable to draw any reimbursement of these costs in the period since my appointment.

I have incurred the following disbursements in the period since my appointment as Liquidator:-

Type of expense	Amount incurred/accrued in the reporting period
Specific Bond	£ 17.50
Statutory Advertising	£ 95.88

I have incurred no category 2 disbursements in this reporting period.

For your information, please find enclosed schedules of Opus Restructuring LLP's and

Streets SPW's current and previous disbursement charges for the period of the liquidation, which I trust you will find self-explanatory.

### **Further Information**

A Member may, with the permission of the court or with at least 5% of the total voting rights of all the Members having the right to vote at general meetings of the company request further details of the Liquidator's remuneration and expenses, within 21 days of receipt of this report.

A Member may, with the permission of the court or with at least 10% of the total voting rights of all the Members having the right to vote at general meetings of the company, apply to Court to challenge the amount of remuneration charged by the Liquidator as being excessive, and/or the basis of the Liquidator's remuneration, and/or the amount of the expenses incurred as being excessive, within 8 weeks of their receipt of this report.

To comply with the Provision of Services Regulations, some general information about Streets SPW, including about their complaints policy and Professional Indemnity Insurance, can be found in the attached summary sheet.

Streets SPW uses personal information in order to fulfil the legal obligations of their Insolvency Practitioners under the Insolvency Act and other relevant legislation, and also to fulfil the legitimate interests of keeping creditors and others informed about the insolvency proceedings. You can find more information on how Streets SPW uses your personal information on our website at [www.streetsspw.co.uk](http://www.streetsspw.co.uk).

A copy of Opus Restructuring LLP's Privacy Notice is also enclosed.

For your information, please find enclosed schedules of Opus Restructuring LLP's and Streets SPW's current and previous disbursement charges for the period of the liquidation, which I trust you will find self-explanatory.

### **Summary**

I am currently reviewing my file with a view to bringing the liquidation to a close. If I am satisfied that all outstanding matters have been resolved, I intend to issue a draft final report in the next 3-4 weeks.

If creditors have any queries regarding the conduct of the Liquidation, or if they want hard copies of any of the documents made available on-line, they should contact Neil Barry on the above telephone number, or by email at [neil.barry@opusllp.com](mailto:neil.barry@opusllp.com).

Yours faithfully  
For and on behalf of  
Energygain Limited



**S Davis**  
Liquidator

Enc



**Energygain Limited**  
**(In Liquidation)**  
**Liquidator's Summary of Receipts & Payments**

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	COST OF REALISATIONS		
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	Specific Bond	12.08	12.08
		(14.49)	(14.49)
	DISTRIBUTIONS		
(2.00)	Ordinary Shareholders	NIL	NIL
		NIL	NIL
		NIL	NIL
	REPRESENTED BY		
			NIL

**Note:**

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The value of the asset stated is based on the book value as reflected in the Director's sworn Declaration of Solvency.

# STREETS | SPW

## Licensed Insolvency Practitioners

### Practice Fee Recovery Policy for Streets SPW

#### Introduction

The insolvency legislation was changed in October 2015, with one or two exceptions, for insolvency appointments made from that time. This sheet explains how we intend to apply the alternative fee bases allowed by the legislation when acting as office holder in insolvency appointments. The legislation allows different fee bases to be used for different tasks within the same appointment. The fee basis, or combination of bases, set for a particular appointment is/are subject to approval, generally by a committee if one is appointed by the creditors, failing which the creditors in general meeting, or the Court.

Further information about creditors' rights can be obtained by visiting the creditors' information micro-site published by the Association of Business Recovery Professionals (R3) at [www.streetsspw.co.uk/creditors-guides](http://www.streetsspw.co.uk/creditors-guides). Details about how an office holder's fees may be approved for each case type are available in a series of guides issued with Statement of Insolvency Practice 9 (SIP 9) and can be accessed at [www.streetsspw.co.uk/creditors-guides](http://www.streetsspw.co.uk/creditors-guides). Alternatively a hard copy may be requested from Streets SPW, Gable House, 239 Regents Park Road, London N3 3LF. Please note that we have provided further details in this policy document.

Once the basis of the office holder's remuneration has been approved, a periodic report will be provided to any committee and also to each creditor. The report will provide a breakdown of the remuneration drawn. If approval has been obtained for remuneration on a time costs basis, i.e. by reference to time properly spent by members of staff of the practice at our standard charge out rates, the time incurred will also be disclosed, whether drawn or not, together with the average, or "blended" rates of such costs. Under the legislation, any such report must disclose how creditors can seek further information and challenge the basis on which the fees are calculated and the level of fees drawn in the period of the report. Once the time to challenge the office holder's remuneration for the period reported on has elapsed, then that remuneration cannot subsequently be challenged.

Under the old legislation, which still applies for insolvency appointments commenced before 6 April 2010, there is no equivalent mechanism for fees to be challenged.

#### Time cost basis

When charging fees on a time costs basis we use charge out rates appropriate to the skills and experience of a member of staff and the work that they perform. This is combined with the amount of time that they work on each case, recorded in 6 minute units with supporting narrative to explain the work undertaken.

#### Streets SPW charge-out rates

Grade of staff	Current charge-out per hour (£) effective from 1 February 2017	Previous charge-out per hour (£) effective from 1 February 2016
Partner (appointment-taker)	400-500	400-500
Manager	250	250
Assistant manager	225	200
Administrator (all levels)	200	175
Assistant & support staff	100	100

Where necessary and appropriate, members of staff from SPW (UK) LLP, a connected accountancy and tax practice of which Streets SPW is a trading name in respect of insolvency work undertaken by the LLP, will undertake work on a case on either a time cost (charged at their normal charge-out rate) or fixed fee basis

### SPW (UK) LLP charge-out rates

Grade of staff	Current charge-out rate per hour (£) effective from 1 January 2018	Previous charge-out rate per hour (£) effective from 1 January 2015
Partner	325	275
Associate	200	175
Manager	175	150
Senior	125	105
Semi-senior	75	65
Junior	55	45

These charge-out rates charged are reviewed on 1 January each year and are adjusted where necessary to take account of inflation and the firm's overheads.

Time spent on casework is recorded directly to the relevant case using a computerised time recording system and the nature of the work undertaken is recorded at that time. Each unit of time is 6 minutes. The work is recorded under the following categories: -

- Administration and Planning
- Case Specific Matters
- Creditors
- Investigations
- Realisation of Assets
- Trading

*In cases where we were appointed prior to 1 October 2015, most of our fees were recovered on a time costs basis and appropriate authority was obtained from the creditors or the committee as set down in the legislation. The legislation changed on 1 October 2015 and on new appointments we may seek time costs for all categories.*

When we seek time costs approval we have to set out a fees estimate. That estimate acts as a cap on our time costs so that we cannot draw fees of more than the estimated time costs without further approval from those who approved our fees. When seeking approval for our fees, we will disclose the work that we intend to undertake, the hourly rates we intend to charge for each part of the work, and the time that we think each part of the work will take. We will summarise that information in an average or "blended" rate for all of the work being carried out within the estimate. We will also say whether we anticipate needing to seek approval to exceed the estimate and, if so, the reasons that we think that may be necessary.

The disclosure that we make should include sufficient information about the insolvency appointment to enable you to understand how the proposed fee reflects the complexity (or otherwise) of the case, any responsibility of an exceptional kind falling on the office holder, the effectiveness with which the office holder has carried out their functions, and the value and nature of the property with which the office holder has to deal.

If we subsequently need to seek authority to draw fees in excess of the estimate, we will say why we have exceeded, or are likely to exceed the estimate; any additional work undertaken, or proposed to be undertaken; the hourly rates proposed for each part of the work; and the time that the additional work is expected to take. As with the original estimate, we will say whether we anticipate needing further approval and, if so, why we think it may be necessary to seek further approval.

### Percentage basis

The legislation allows fees to be charged on a percentage of the value of the property with which the office holder has to deal (realisations and/or distributions). Different percentages can be used for different assets or types of assets. In cases where we were appointed prior to 1 October 2015, most of our fees were recovered on a time costs basis and appropriate authority was obtained from the creditors or the committee as set down in the legislation. The legislation changed on 1 October 2015 and we now seek remuneration on a percentage basis more often. A report accompanying any fee request will set out the potential assets in the case, the remuneration percentage proposed for any realisations and the work covered by that remuneration, as well as the expenses that will be, or are likely to be, incurred. Expenses can be incurred without approval, but must be disclosed to help put the remuneration request into context.

The percentage approved in respect of realisations will be charged against the assets realised, and where approval is obtained on a mixture of bases, any fixed fee and time costs will then be charged against the funds remaining in the liquidation after the realisation percentage has been deducted.

The disclosure that we make should include sufficient information about the insolvency appointment to enable you to understand how the proposed fee reflects the complexity (or otherwise) of the case, any responsibility of an exceptional kind falling on the office holder, the effectiveness with which the office holder has carried out their functions, and the value and nature of the property with which the office holder has to deal.

If the basis of remuneration has been approved on a percentage basis then an increase in the amount of the percentage applied can only be approved by the committee or creditors (depending upon who approved the basis of remuneration) in cases where there has been a material and substantial change in the circumstances that were taken into account when fixing the original level of the percentage applied. If there has not been a material and substantial change in the circumstances then an increase can only be approved by the Court.

### **Fixed fee**

The legislation allows fees to be charged at a set amount. Different set amounts can be used for different tasks. In cases where we were appointed prior to 1 October 2015, most of our fees were recovered on a time costs basis and appropriate authority was obtained from the creditors or the committee as set down in the legislation. The legislation changed on 1 October 2015 and we now seek remuneration on a fixed fee basis more often. A report accompanying any fee request will set out the set fee that we proposed to charge and the work covered by that remuneration, as well as the expenses that will be, or are likely to be, incurred. Expenses can be incurred without approval, but must be disclosed to help put the remuneration request into context.

The disclosure that we make should include sufficient information about the insolvency appointment to enable you to understand how the proposed fee reflects the complexity (or otherwise) of the case, any responsibility of an exceptional kind falling on the office holder, the effectiveness with which the office holder has carried out their functions, and the value and nature of the property with which the office holder has to deal.

If the basis of remuneration has been approved on a fixed fee basis then an increase in the amount of the fixed fee can only be approved by the committee or creditors (depending upon who approved the basis of remuneration) in cases where there has been a material and substantial change in the circumstances that were taken into account when fixing the original level of the fixed fee. If there has not been a material and substantial change in the circumstances then an increase can only be approved by the Court.

### **Members' voluntary liquidations and voluntary arrangements**

The legislation changes that took effect from 1 October 2015 did not apply to members' voluntary liquidations (MVL), Company Voluntary Arrangements (CVA) or Individual Voluntary Arrangements (IVA). In MVLs, the company's members set the fee basis, often as a fixed fee. In CVAs and IVAs, the fee basis is set out in the proposals and creditors approve the fee basis when they approve the arrangement.

### **All bases**

With the exception of Individual Voluntary Arrangements and Company Voluntary Arrangements which are VAT exempt, the officeholder's remuneration invoiced to the insolvent estate will be subject to VAT at the prevailing rate.

### **Agent's costs**

Charged at cost based upon the charge made by the Agent instructed, the term Agent includes:

- Solicitors/Legal Advisors
- Auctioneers/Valuers
- Accountants
- Quantity Surveyors
- Estate Agents
- Other Specialist Advisors

In new appointments made after 1 October 2015, the office holder will provide details of expenses to be incurred, or likely to be incurred, when seeking fee approval. When reporting to the committee and creditors during the course of the insolvency appointment the actual expenses incurred will be compared with the original estimate provided.

### **Disbursements**

In accordance with SIP 9 the basis of disbursement allocation in respect of disbursements incurred by the office holder in connection with the administration of the estate must be fully disclosed to creditors. Disbursements are categorised as either category 1 or category 2.

Category 1 expenses are directly referable to an invoice from a third party, which is either in the name of the estate or Streets SPW; in the case of the latter, the invoice makes reference to, and therefore can be directly attributed to, the estate. *These disbursements are recoverable in full from the estate without the prior approval of creditors either by a direct payment from the estate or, where the firm has made payment on behalf of the estate, by a recharge of the amount invoiced by the third party.* Examples of category 1 disbursements are statutory advertising, external meeting room hire, external storage, specific bond insurance and company search fees.

Category 2 expenses are incurred by the firm and recharged to the estate; they are not attributed to the estate by a third party invoice and/or they may include a profit element. These disbursements are recoverable in full from the estate, subject to the basis of the disbursement charge being approved by creditors in advance. Examples of category 2 disbursements are photocopying, internal room hire, internal storage and mileage.

It is proposed that the following category 2 disbursements are recovered: -

Mileage	45p per mile
Money Laundering Check Software	£15 per case per annum
Photocopying	15p per sheet
Internal Room Hire	£100 per hour
Internal Storage	£10 per box per 6 months

## Opus Restructuring LLP

### Information relating to Opus Restructuring LLP's Fees and Expenses

#### Explanation of Opus Restructuring LLP's charging and disbursement 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:

	Rate since 9.1.2013 £
Partner	325
Senior Manager / Director	275 - 300
Assistant Manager / Manager	200 - 250
Junior Administrator / Administrator / Senior Administrator	100 – 175
Cashier	125
Support Staff	75

##### Disbursement recovery

Disbursements are categorised as either Category 1 or 2 Category 2.

Category 1 disbursements will generally comprise of external 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 not required. The amount recharged is the exact amount incurred.

Examples of Category 1 disbursements include postage, case advertising, specific bond insurance, company search fees, invoiced travel 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.

Category 2 disbursements include elements of shared or allocated costs incurred by Opus Restructuring LLP and are recharged to the estate; they are not attributed to the estate by a third party invoice and/or they may 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 disbursements are photocopying, all business mileage (for cases commencing on or after 1 November 2011), internal room hire and internal storage.

The current levels of Category 2 disbursements recovered by Opus Restructuring LLP are as follows:

	£
Room Hire (for internal room hire outside of London and London)	100 / 150
Virtual Meetings	100
Photocopying/scanning/faxes (internal)	10p per side
Business mileage per mile	45p
Smartsearch per search – UK based	5
Smartsearch per search – rest of world	49.50 - 187
File set-up cost (per file)	6
Company Searches (downloading and printing documents)	10

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.

## PROVISION OF SERVICES REGULATIONS SUMMARY SHEET FOR STREETS SPW

The following information is designed to draw the attention of interested parties to the information required to be disclosed by the Provision of Services Regulations 2009.

### Licensing Body

Stella Davis and Harold Sorsky are licensed to act as Insolvency Practitioners ("IPs") in the United Kingdom by the Association of Chartered Certified Accountants ("ACCA").

Harold Sorsky is a member of the Institute of Chartered Accountants in England and Wales. ("ICAEW").

Streets SPW is a trading style of SPW (UK) LLP, a limited liability partnership. SPW (UK) LLP is a member firm of the Institute of Chartered Accountants in England and Wales ("ICAEW").

### Rules Governing Actions

All IPs are bound by the rules of their professional body, including any that relate specifically to insolvency. The rules of the professional body that licences Stella Davis and Harold Sorsky can be found at:

[http://www.accaglobal.com/content/dam/ACCA\\_Global/Members/Doc/rule/acca-rulebook-2015.pdf](http://www.accaglobal.com/content/dam/ACCA_Global/Members/Doc/rule/acca-rulebook-2015.pdf)

In addition, IPs are bound by the Statements of Insolvency Practice (SIPs), details of which can be found at <https://www.r3.org.uk/what-we-do/publications/professional/statements-of-insolvency-practice>.

### Ethics

All IPs are required to comply with the Insolvency Code of Ethics and a copy of the Code can be found at:

<http://www.accaglobal.com/gb/en/member/professional-standards/monitoring/insolvency/code-ethics.html>

### General Data Protection

As part of our professional duties we are required to obtain certain information from and about you or your organisation. These include but are not limited to your name, all contact details and details of financial, contractual and other transactions with any company of debtor that we may be dealing with, whether within a formal insolvency appointment, or not. The information we hold on you may be accessed, corrected and erased at your request, where permissible.

We will use the information we collect to administer the affairs of our clients and we do not consider our legitimate interests to be overridden by your interests or fundamental rights and freedoms.

We use all information to comply with our legal obligations, our public interest requirements and our statutory and best practice requirements. In particular we maintain and will process the information we hold in order to comply with the provisions of The Insolvency Act 1986 and its associated legislation and case law. We will also do this to comply with the best practice requirements of the Office Holders' licensing bodies; the Association of Chartered Certified Accountants and the Institute of Chartered Accountants in England and Wales.

We will hold the information for the length of the administration of the affairs of our clients and for up to 6 years thereafter, dependent on legal requirements.

Our Privacy Statement and Cookie Policy can be read on our website [www.streetsspw.co.uk](http://www.streetsspw.co.uk). Further information about the General Data Protection requirements is available from the Information Commissioner's Office [www.ico.org.uk](http://www.ico.org.uk).

## **Complaints**

At Streets SPW we always strive to provide a professional and efficient service. However, we recognise that it is in the nature of insolvency proceedings for disputes to arise from time to time. As such, should you have any comments or complaints regarding the administration of a particular case then in the first instance you should contact the IP acting as office holder.

*If you consider that the IP has not dealt with your comments or complaint appropriately you should then put details of your concerns in writing to our complaints officer Mr Shirish Shah of SPW (UK) LLP at Gable House, 239 Regents Park Road, London N3 3LF. This will then formally invoke our complaints procedure and we will endeavour to deal with your complaint under the supervision of a senior partner unconnected with the appointment.*

Most disputes can be resolved amicably either through the provision of further information or following negotiations. However, in the event that you have exhausted our complaints procedure and you are not satisfied that your complaint has been resolved or dealt with appropriately, you may complain to the regulatory body that licences the insolvency practitioner concerned. Any such complaints should be addressed to The Insolvency Service, IP Complaints, 3rd Floor, 1 City Walk, Leeds, LS11 9DA, and you can make a submission using an on-line form available at [www.gov.uk/complain-about-insolvency-practitioner](http://www.gov.uk/complain-about-insolvency-practitioner); or you can email [insolvency.enquiryline@insolvency.gsi.gov.uk](mailto:insolvency.enquiryline@insolvency.gsi.gov.uk); or you may phone 0300 678 0015. Information on the call charges that apply is available at <https://www.gov.uk/call-charges>.

## **Professional Indemnity Insurance**

Street SPW's Professional Indemnity Insurance is provided by Nexus Underwriting Limited, 150 Leadenhall Street, London, EC3V 4QT and the territorial scope of the cover is the United Kingdom.

## **VAT**

Streets SPW is registered for VAT under registration no. 125 4271 36.

## **Bribery Act 2010**

Streets SPW is committed to applying the highest standards of ethical conduct and integrity in its business activities. Every employee and individual acting on Streets SPW's behalf is responsible for maintaining our reputation and for conducting company business honestly and professionally.

Streets SPW take a zero-tolerance approach to bribery and corruption and are committed to acting professionally, fairly and with integrity in all our business dealings and relationships wherever we operate.

Streets SPW requires all those who are associated with it to observe the highest standards of impartiality, integrity and objectivity.

*Streets SPW prohibits anyone acting on its behalf from:*

- bribing another person. A bribe includes the offering, promising or giving of any financial or other type of advantage;
- accepting a bribe. This includes requesting, agreeing to receive or accepting any financial, or another kind of advantage;
- bribing a foreign public official; and
- condoning the offering or acceptance of bribes.

Streets SPW will:

- avoid doing business with others who do not accept our values and who may harm our reputation;
- maintain processes, procedures and records that limit the risk of direct or indirect bribery;



- promote awareness of this policy amongst its staff, those acting on its behalf and entities with which it has any commercial dealings;
- investigate all instances of alleged bribery, and will assist the police, and other authorities when appropriate, in any resultant prosecutions. In addition, disciplinary action will be considered against individual members of staff;
- review this policy regularly and update it when necessary.

# 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.

<b>Identity and contact details of the controller and where applicable, the controller's representative and the data protection officer</b>	<p>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: Opus Restructuring LLP, Evergreen House North, Grafton Place, London, NW1 2DX, 020 3326 6454, <a href="mailto:info@opusllp.com">info@opusllp.com</a>.</p> <p>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, Opus Restructuring LLP, Evergreen House North, Grafton Place, London, NW1 2DX, 020 3326 6454, <a href="mailto:info@opusllp.com">info@opusllp.com</a>.</p>
<b>How we use your personal information</b>	<p>The purpose for which personal information is processed may include any or all of the following:</p> <ul style="list-style-type: none"><li>• deliver services and meet legal responsibilities</li><li>• verify identity where this is required</li><li>• communication by post, email or telephone</li><li>• understand needs and how they may be met</li><li>• maintain records</li><li>• process financial transactions</li><li>• prevent and detect crime, fraud or corruption</li><li>• may also need to use data to defend or take legal actions related to the above</li></ul>
<b>Lawful basis for the processing</b>	<p>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.</p>
<b>What personal information we hold</b>	<p>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.</p>
<b>Who we share our data with</b>	<p>Personal data held by us may be transferred to:</p> <p>Details of our member firm/other office locations are available <a href="#">here</a></p>

	<p><a href="http://www.opusllp.com">www.opusllp.com</a>. We may share personal data with other member firms/other offices where necessary for administrative purposes and to provide professional services to our clients.</p> <p>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.</p> <p><b>Third party organisations that otherwise assist us in providing goods, services or information</b></p> <p><b>Auditors and other professional advisers</b></p> <p><b>Law enforcement or other government and regulatory agencies or to other third parties as required by, and in accordance with, applicable law or regulation</b></p> <p>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.</p>
<b>How long we retain your personal information</b>	<p>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.</p>
<b>Your rights</b>	<p>The GDPR provides the following rights for individuals:</p> <p><b>Right to inform</b> This privacy notice meets our requirement to inform you of our processing of your data.</p> <p><b>Access to personal data</b> 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, Euston, London, NW1 2DX, 020 3326 6454, <a href="mailto:info@opusllp.com">info@opusllp.com</a>. We will aim to respond to any requests for information promptly, and in any event within one month.</p> <p><b>Amendment of personal data</b> To update personal data submitted to us, you may email us at <a href="mailto:info@opusllp.com">info@opusllp.com</a> 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.</p>

	<p>Rights that do not apply in these particular circumstances</p> <p>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.</p>
<b>Right to withdraw consent</b>	The data received was not based upon obtaining consent and therefore the right to withdraw consent does not apply.
<b>Changes to our privacy statement</b>	<p>We keep this privacy statement under regular review and will place any updates on our website. Paper copies of the privacy statement may also be obtained by writing to us at Opus Restructuring LLP, Opus Restructuring LLP, Evergreen House North, Grafton Place, London, NW1 2DX.</p> <p>This privacy statement was last updated on 1 May 2018.</p>
<b>Complaints</b>	<p>Should you want to complain about our use of personal data, please contact us at Opus Restructuring LLP, Opus Restructuring LLP, Evergreen House North, Grafton Place, London, NW1 2DX.</p> <p>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 <a href="#">ICO website</a>.</p>
<b>Who provided the personal data</b>	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.

LIQ03

## Notice of progress report in voluntary winding up

**Presenter information**

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

Contact name **Neil Barry**Company name **OPUS Restructuring LLP**Address  
**Evergreen House North**  
**Grafton Place**Post town **Euston**County/Region **London**Postcode **N W 1 2 D X**

Country

DX

Telephone **020 3326 6454****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](http://www.gov.uk/companieshouse) or email [enquiries@companieshouse.gov.uk](mailto: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](http://www.gov.uk/companieshouse)**