

# WU07

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



Companies House

For further information, please  
refer to our guidance at  
[www.gov.uk/companieshouse](http://www.gov.uk/companieshouse)

### 1 Company details

Company number 0 6 7 5 0 8 4 1

Company name in full Lead Kite 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 Griffins

Street Tavistock House South

Post town Tavistock Square

County/Region London

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

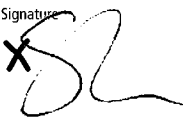
From date	<sup>d</sup> 0	<sup>d</sup> 2	<sup>m</sup> 1	<sup>m</sup> 0	<sup>y</sup> 2	<sup>y</sup> 0	<sup>y</sup> 2	<sup>y</sup> 1
To date	<sup>d</sup> 0	<sup>d</sup> 1	<sup>m</sup> 1	<sup>m</sup> 0	<sup>y</sup> 2	<sup>y</sup> 0	<sup>y</sup> 2	<sup>y</sup> 2

**7** Progress report

☒ The progress report is attached

**8** Sign and date

Liquidator's signature

Signature  


X

Signature date	<sup>d</sup> 2	<sup>d</sup> 2	<sup>m</sup> 1	<sup>m</sup> 1	<sup>y</sup> 2	<sup>y</sup> 0	<sup>y</sup> 2	<sup>y</sup> 2
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**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 **Tom Bill**

Company name **Griffins**

Address **Tavistock House South**

**Tavistock Square**

Post town **London**

County/Region

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

Country

DX

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](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)**

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

Statement of Affairs		From 02/10/2021 To 01/10/2022	From 02/10/2020 To 01/10/2022
£		£	£
	COST OF REALISATIONS		
	Bank Charges	88.00	176.00
	O.R. Administration Fee	NIL	5,000.00
	O.R. General Fee	NIL	6,000.00
	Petitioners Costs	NIL	2,502.40
	Petitioners Deposit	NIL	(1,600.00)
	Statutory Advertising	90.00	176.65
		<u>(178.00)</u>	<u>(12,255.05)</u>
	UNSECURED CREDITORS		
(185,520.31)	Trade & Expense Creditors	NIL	NIL
		<u>NIL</u>	<u>NIL</u>
	DISTRIBUTIONS		
(1,000.00)	Ordinary Shareholders	NIL	NIL
		<u>NIL</u>	<u>NIL</u>
<u>(186,520.31)</u>		<u>(178.00)</u>	<u>(12,255.05)</u>
	REPRESENTED BY		
	Disbursement account		(211.98)
	ISA NIB		(9,576.00)
	Trade Creditors		(2,502.40)
	VAT Receivable		35.33
			<u>(12,255.05)</u>

Note:

The Petitioners Deposit is a negative sum as it represents a deposit paid in to the estate rather than an expense incurred.

The negative balance on the Disbursement account represents sums paid by Griffins which are yet to be recovered from the estate.

Petition costs are yet to be paid as no realisations have been made in order to discharge these costs. They will be settled as and when sufficient realisations are achieved.

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Stephen Hunt  
Liquidator



**Lead Kite Limited  
In Compulsory Liquidation**

**In the High Court of Justice  
No. 007690 of 2019**

**Liquidator's Annual Progress Report to Members and Creditors  
for the year ending 1 October 2022**



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- B. Liquidator's Receipts and Payments Account for the period 2 October 2021 to 1 October 2022, together with an account for the entire period of the liquidation.
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  - C1. Statutory and Creditor Compliance Tasks
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## 1 Introduction

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

This report provides creditors with the following information:

- The work undertaken by me and my staff in the period of the report, why that work was necessary, and any anticipated future work and why that work is necessary;
- The costs and payments in relation to the work undertaken and projected future costs, including any expenses incurred in connection with the work;
- Whether it is anticipated that the work will provide a financial benefit to creditors, and if so the nature of the anticipated benefit.

## 2 Estimated Return for Creditors

Based on current information, it is not possible to estimate whether there will be funds available to enable a dividend to be paid to any class of creditors.

## 3 Realisation of Assets

There have been no asset realisations in the reporting period.

## 4 Investigations

### 4.1 Further Investigation

I undertook an initial investigation of the Company's affairs. These investigations identified matters requiring further investigation as detailed below:

#### 4.1.1 Antecedent Transactions and Illegal Dividends

As previously reported, following an examination of the Company's accounts I identified a significant book debt owed by another company of which the former director was also a director. This book debt was settled following the sale of the Company to the BDG Group, and the Company was then subsequently wound up.

During this reporting period, I received the initial advice from my solicitor, Isadore Goldman, and met with them to discuss the further documentation they required to finalise their advice. I have continued to liaise with Isadore Goldman to finalise their instruction, provide them with the documentation they requested and with the subsequent preparation of a letter to the director detailing my claims against him.

Due to the confidential nature of my investigations, I do not propose to provide further details at this stage as this may prejudice any future action I might take.

At present I am unable to determine whether this work will provide a net financial



benefit to creditors.

#### 4.1.2 Work required in the next reporting period

In anticipate that I will meet with Isadore Goldman again early in the next reporting period to finalise the letter to be sent to the director detailing my claims. Once the letter has been issued, Isadore Goldman will also then seek to commence settlement discussions with the director.

As previously reported, if a settlement can be reached without issuing legal proceedings, then my fees will be lower. However, if legal proceedings need to be issued, then I will incur increased fees in progressing the matter through to trial including enforcing any post-trial judgment. The work I may be required to undertake will include but not be limited to liaising with my solicitors, providing witness statements and, where necessary, attending court hearings. I estimate that my total fees in progressing the matter to trial would be £95,000.

I will provide an update on the progress of my enquiries and the outcome of any settlement discussions in my next annual report.

At present I am unable to determine whether this work will provide a net financial benefit to creditors.

### 5 Professional Agents, Advisors, and Sub-contractors

Name of Advisor	Basis of fee arrangement
Isadore Goldman LLP	Conditional Fee Arrangement

I continue to instruct Isadore Goldman to advise and take legal action if necessary against the former director on a contingency basis. I have incurred legal fees and disbursements during the period of £8,470.30 but as Isadore Goldman are acting on a contingency basis any liability for costs will only crystallise upon a recovery being made and the scope of work required. Estimated future costs has been provided for at Section 8.3. I will report further in due course in respect of any fees and disbursements paid to them.

The choice of advisor was made on the basis of their experience, ability, the nature and complexity of the assignment, and the basis of the fee arrangement with them.

### 6 Statutory and Professional Compliance

I am required, as Liquidator, 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 C1.

## 7 Creditor Communication, Claims and Distributions

### 7.1 Communication

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 C1.

### 7.2 Claims

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

#### 7.2.1 Secured Creditors

An examination of the Company's mortgage register held by the Registrar of Companies shows that the Company has no outstanding charges over its assets.

#### 7.2.2 Preferential Creditors

No preferential claims have been received to date, and it is not believed that there are any such claims.

#### 7.2.3 Non-Preferential Creditors

The Official Receiver's report showed non-preferential creditors with a total value of £185,520.31.

I have received one claim totalling £150,967.27 but I have not adjudicated on the claim yet. I am aware of further creditors who have not yet submitted their claims. Their total estimated debts are a further £35,553.04.

Dividend prospects are presently uncertain.

## 8 Fees and Expenses

### 8.1 Post-Appointment Fees

The basis of the Liquidator's remuneration was approved at a meeting of creditors held on 21 December 2021. It was approved that the Liquidator's remuneration be calculated on the basis of time properly spent by the Liquidator and his staff, subject to an agreed amount of £95,000 plus VAT without further recourse to creditors.

The time charged is based on computerised records capturing time charged by myself and my staff in dealing with the conduct of the case.

### 8.2 Time Costs Incurred to Date

A breakdown of the time costs incurred in the period of the report and for the entire period of liquidation to date is attached at Appendix C2.



It is Griffins' policy to use the most junior grade of staff compatible with the efficient conduct of a matter, in order to ensure that costs to creditors are kept to a minimum. Where investigation work has been undertaken, this will normally be carried out by a senior member of staff and partner. Such investigations are conducted with regard to the level of assets available to fund any further investigations or actions, and the materiality of any matters that have been identified.

A copy of Griffins charge-out rates is available for download at <http://www.griffins.net/technical/>.

The time costs my staff and I have recorded as incurred for the period of this report, 2 October 2021 to 1 October 2022, total £11,863.29, representing 34.75 hours at an average rate of £341.39.

The time costs my staff and I have recorded as incurred for the entire period of my appointment total £59,489.43 representing 187.42 hours at an average rate of £317.42.

To date I have not drawn any fees for acting as Liquidator. At present, the total amount of remuneration expected to be drawn is £95,000 as per the current fee resolution passed. The amount of any fees drawn will be dependent on the outcome of my investigations detailed in Section 4 above and subsequent realisations into the liquidation estate.

### 8.3 Expenses

Expenses are any payments from the insolvency estate which are neither an office holder's remuneration, nor a distribution to a creditor or a member.

Expenses fall into two categories:

Category 1 expenses: These are payments to persons providing the service to which the expense relates, who are not an associate of the office holder.

Category 2 expenses: These are payments to associates or which have an element of shared costs.

Griffins do not utilise any service providers who are associates of the firm. Additionally, it is not Griffins' policy to charge, or re-charge, expenses that are not directly referable to the appointment in question.

The table below details the actual expenses (including disbursements) incurred to date and the projected future expenses. This table should be read in conjunction with the Receipts and Payments Accounts at Appendix B.

Nature of expense incurred	Expenses incurred in previous period(s)	Expenses incurred in period of report	Estimated Future Expenses	Total Expenses



	£	£	£	£
Deposit on Petition Costs	(1,600.00)	0.00	0.00	(1,600.00)
Official Receiver's Administration Fee	5,000.00	0.00	0.00	5,000.00
Official Receiver's General Fee	6,000.00	0.00	0.00	6,000.00
Petitioning Creditor's Costs	2,502.40	0.00	0.00	2,502.40
Bank Charges	88.00	88.00	88.00	264.00
Statutory Advertising	86.65	90.00	90.00	266.65
Specific Bond	20.00	0.00	0.00	20.00
Postage Costs	73.11	3.80	4.00	80.91
Land Registry	0.00	6.00	6.00	12.00
Legal fees	0.00	8,282.50	51,717.50	60,000.00
TOTAL	18,017.66	8,470.30	51,905.50	72,545.96

## 9 Receipts and Payments Account

An account of my receipts and payments for the period of this report is at Appendix B, together with a cumulative account for the entire period of my appointment and a comparison with the amounts recorded in the Official Receivers' report.

The receipts and payments account reflects actual payments made to date rather than accrued unpaid expenses (see table in 8.3 above for total expenses incurred to date).

## 10 Other Matters to Assist Creditors

### 10.1 Privacy

Griffins' Privacy Policy explains the measures I take to protect your data and the legal basis for doing so. Please review this Privacy Policy on Griffins' website: <http://www.griffins.net/data-privacy-notice/>.

### 10.2 Code of Ethics

I am bound by Code of Ethics for Insolvency Practitioners when carrying out all professional work relating to insolvency appointments. Please refer to the Institute of Chartered Accountants in England and Wales' website for further details: <https://www.icaew.com/regulation/insolvency/sips-regulations-and-guidance/insolvency-code-of-ethics>

### 10.3 Our Relationships

I have no professional or personal relationships with the parties who approve my fees



or who provide services to the estate where the relationship could give rise to a conflict of interest.

#### 10.4 Contact Us

Griffins endeavour to provide the best possible standards at all times.

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](mailto:ian.ramsay@griffins.net).

A copy of Griffins complaints procedure and professional indemnity insurance can be found at:

<http://www.griffins.net/legal-information/>.

#### 10.5 Creditors' Insolvency Guides

Creditors can find more information on the insolvency process at:

<http://www.creditorinsolvencyguide.co.uk/>.

#### 11 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 D for your information.

#### 12 Next Report

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

  
**Stephen Hunt**  
Liquidator

Date: 28 November 2022



Lead Kite Limited  
In Compulsory Liquidation

Statutory and Office Holder information



## Company information

Company name:	Lead Kite Limited
Company number:	06750841
Trading name:	Lead Kite Limited
Nature of business:	Wholesale of metal and information technology consultancy
Registered office:	Griffins, Tavistock House South, Tavistock Square, London, WC1H 9LG
Former registered office:	20 Athelney Street, London, SE6 3LE
Court name:	High Court of Justice
Court reference:	No. 007690 of 2019
Petitioning creditor:	HM Revenue and Customs
Winding Up date:	8 January 2020

## 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 Appointment:	2 October 2020



Lead Kite Limited  
In Compulsory Liquidation

Receipts and payments account for the period 2 October 2021 to 1 October 2022  
together with an account for the entire period of the liquidation



Lead Kite Limited  
(In Liquidation)  
Liquidator's Summary of Receipts & Payments


Statement of Affairs		From 02/10/2021 To 01/10/2022	From 02/10/2020 To 01/10/2022
£		£	£
	COST OF REALISATIONS		
	Bank Charges	88.00	176.00
	O.R. Administration Fee	NIL	5,000.00
	O.R. General Fee	NIL	6,000.00
	Petitioners Costs	NIL	2,502.40
	Petitioners Deposit	NIL	(1,600.00)
	Statutory Advertising	90.00	176.65
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	UNSECURED CREDITORS		
(185,520.31)	Trade & Expense Creditors	NIL	NIL
		<u>NIL</u>	<u>NIL</u>
	DISTRIBUTIONS		
(1,000.00)	Ordinary Shareholders	NIL	NIL
		<u>NIL</u>	<u>NIL</u>
<u>(186,520.31)</u>		<u>(178.00)</u>	<u>(12,255.05)</u>
	REPRESENTED BY		
	Disbursement account		(211.98)
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Note:

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Stephen Hunt  
Liquidator



Lead Kite Limited  
In Compulsory Liquidation

Statutory and Creditor Compliance Tasks



## Post-Appointment Statutory and Professional Compliance

I undertake the following tasks:

### Statutory

- Notify creditors of my appointment; and advertise the appointment in the Gazette;
- 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;
- Establish whether the Company has an occupational pension scheme and, if so, comply with Section 120 Pensions Act 2004 and submit a Section 120 Notice to the Pension Protection Fund, The Pension Regulator and to the Trustees of the Pension Fund if applicable.

### Professional Compliance

- 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;
- Undertake a one month case review to ensure that all initial statutory matters have been completed, asset realisation and initial investigations commenced;
- Obtain/request the Company's books and records.

## Annual Statutory and Professional Compliance

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

### Statutory

- Prepare and issue an Annual Progress Report to creditors;
- 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.

### Professional Compliance

- 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;



- 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:

#### Statutory

- Prepare and issue the Final Account to creditors;
- If the creditors have so resolved, obtain my release from the Secretary of State;
- Retain and store the estate records for a minimum of 6 years after the granting of my release or discharge as officer holder or 6 years after the date on which any security or caution maintained in the case expires or otherwise ceases to have effect, whichever is the latter;
- Where applicable submit statutory forms with the Court, Official Receiver, The Insolvency Service and the Registrar of Companies;
- Obtain authorisation from the Official Receiver to destroy the books, papers and other records of the Company.

#### Professional Compliance

- Prepare and submit a letter to HM Revenue and Customs requesting clearance to close the case;
- Reconcile the cash book ready for closure.

### Tasks in relation to creditors' claims

I undertake the following tasks:

- Ensure that all creditors' claims are listed with the correct addresses and references and that the amount claimed correlates to the report prepared by the Official Receiver;
- Enter proof of debt forms/claims as and when they are received;
- Deal with enquires from creditors.



**Lead Kite Limited  
In Compulsory Liquidation**

Griffins' time analysis for the period 2 October 2021 to 1 October 2022, and for the entire period of the appointment



## Time Entry - Detailed SIP9 Time &amp; Cost Summary

LEADK01 - Lead Kite Limited  
From: 02/10/2021 To: 01/10/2022  
Project Code: POST

Classification of Work Function	Partner	Manager	Other Senior Professionals	Assistants & Support Staff	Administrators	Total Hours	Time Cost (£)	Average Hourly Rate (£)
CREDITOR : Creditor Related Work	0.00	0.00	0.17	0.00	0.00	0.17	62.50	375.00
Creditors	0.00	0.00	0.17	0.00	0.00	0.17	62.50	375.00
INV-FURTH : Further Investigations	0.00	1.00	8.08	0.00	0.00	9.08	3,481.27	383.26
Investigations	0.00	1.00	8.08	0.00	0.00	9.08	3,481.27	383.26
LIT-PRE : Pre-action litigation	0.50	0.00	0.08	0.00	0.00	0.58	345.42	592.15
Legal & Litigation	0.50	0.00	0.08	0.00	0.00	0.58	345.42	592.15
STATUTORY : Statutory Duties	0.75	1.83	14.83	1.25	7.00	24.92	7,974.10	320.03
Statutory & Compliance	0.75	1.83	14.83	1.25	7.00	24.92	7,974.10	320.03
Total Hours	1.25	2.83	23.17	1.25	7.00	34.75	11,863.29	341.39
Total Fees Claimed							0.00	

## Time Entry - Detailed SIP9 Time &amp; Cost Summary

LEADK01 - Lead Kite Limited  
 From: 02/10/2020 To: 01/10/2022  
 Project Code: POST

Classification of Work Function	Partner	Manager	Other Senior Professionals	Assistants & Support Staff	Administrators	Total Hours	Time Cost (£)	Average Hourly Rate (£)
CREDITOR : Creditor Related Work	0.00	0.00	0.17	0.00	0.50	0.67	190.00	285.00
Creditors	0.00	0.00	0.17	0.00	0.50	0.67	190.00	285.00
INV-FURTH : Further Investigations	0.17	8.17	67.08	0.00	0.00	75.42	27,490.37	364.51
INV-INIT : Initial Investigations	0.08	3.08	33.25	0.00	12.08	48.50	14,925.44	307.74
Investigations	0.25	11.25	100.33	0.00	12.08	123.92	42,415.81	342.29
LIT-PRE : Pre-action litigation	0.50	0.00	0.08	0.00	0.00	0.58	345.42	592.15
Legal & Litigation	0.50	0.00	0.08	0.00	0.00	0.58	345.42	592.15
STATUTORY : Statutory Duties	1.75	3.17	19.50	2.58	37.00	62.25	16,538.20	265.67
Statutory & Compliance	1.75	3.17	19.50	2.58	37.00	62.25	16,538.20	265.67
Total Hours	2.50	14.42	120.08	2.58	49.58	187.42	59,489.43	317.42
Total Fees Claimed							0.00	

**Lead Kite 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").

