

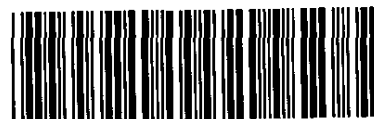
# LIQ03

## Notice of progress report in voluntary winding up



Companies House

SATURDAY



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A14

19/05/2018

#51

COMPANIES HOUSE

### 1 Company details

Company number 0 7 1 0 8 7 1 3

Company name in full Blue Lounge (Rochdale) Ltd

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

### 2 Liquidator's name

Full forename(s) Stephen

Surname Hunt

### 3 Liquidator's address

Building name/number Tavistock House South

Street Tavistock Square

Post town London

County/Region

Postcode W C 1 H 9 L G

Country

### 4 Liquidator's name ①

Full forename(s) Amanda

Surname Wade

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

### 5 Liquidator's address ②

Building name/number 30 Finsbury Square

Street

Post town London

County/Region

Postcode E C 2 P 2 Y U

Country

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

LIQ03

Notice of progress report in voluntary winding up

**6** Period of progress report

From date	<sup>d</sup> 2	<sup>d</sup> 0	<sup>m</sup> 0	<sup>m</sup> 3	<sup>y</sup> 2	<sup>y</sup> 0	<sup>y</sup> 1	<sup>y</sup> 7
To date	<sup>d</sup> 1	<sup>d</sup> 9	<sup>m</sup> 0	<sup>m</sup> 3	<sup>y</sup> 2	<sup>y</sup> 0	<sup>y</sup> 1	<sup>y</sup> 8

**7** Progress report

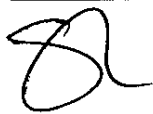
☒ The progress report is attached

**8** Sign and date

Liquidator's signature

Signature

X



X

Signature date


<sup>d</sup> 1	<sup>d</sup> 6	<sup>m</sup> 0	<sup>m</sup> 5	<sup>y</sup> 2	<sup>y</sup> 0	<sup>y</sup> 1	<sup>y</sup> 8
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LIQ03


Notice of progress report in voluntary winding up

 <b>Presenter information</b>	
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	Kaysia Heedram
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

 <b>Checklist</b>
We may return forms completed incorrectly or with information missing.
<b>Please make sure you have remembered the following:</b>
<input type="checkbox"/> The company name and number match the information held on the public Register.
<input type="checkbox"/> You have attached the required documents.
<input type="checkbox"/> You have signed the form.

 <b>Important information</b>
All information on this form will appear on the public record.

 <b>Where to send</b>
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.

 <b>Further information</b>
For further information please see the guidance notes on the website at <a href="http://www.gov.uk/companieshouse">www.gov.uk/companieshouse</a> or email <a href="mailto:enquiries@companieshouse.gov.uk">enquiries@companieshouse.gov.uk</a>
This form is available in an alternative format. Please visit the forms page on the website at <a href="http://www.gov.uk/companieshouse">www.gov.uk/companieshouse</a>

**Blue Lounge (Rochdale) Ltd**  
**(In Liquidation)**  
**Joint Liquidators' Summary of Receipts & Payments**

Statement of Affairs £	From 20/03/2017 To 19/03/2018 £	From 18/03/2011 To 19/03/2018 £
ASSET REALISATIONS		
Debtor Contributions	NIL	4,200.00
	NIL	4,200.00
COST OF REALISATIONS		
Preparation of S. of A.	NIL	3,500.00
VAT	713.50	713.50
Statutory Advertising	NIL	139.50
Former IP Balance	NIL	(81.00)
	(713.50)	(4,272.00)
UNSECURED CREDITORS		
(42,499.00) Trade & Expense Creditors	NIL	NIL
(7,200.00) Directors	NIL	NIL
(15,268.00) H M Revenue & Customs	NIL	NIL
	NIL	NIL
DISTRIBUTIONS		
(1.00) Ordinary Shareholders	NIL	NIL
	NIL	NIL
<b>(64,968.00)</b>	<b>(713.50)</b>	<b>(72.00)</b>
REPRESENTED BY		
Vat Receivable		14.40
Client Account No2		(86.40)
		<b>(72.00)</b>



Stephen Hunt  
Joint Liquidator



**Blue Lounge (Rochdale) Ltd  
In Creditors' Voluntary Liquidation**

**Joint Liquidators' Annual Progress Report to Members and Creditors  
for the year ending 19 March 2018**



## **Contents**

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

## **Appendices**

- A. Statutory Information
- B. Receipts and payments account for the period 20 March 2017 to 19 March 2018 together with an account for the entire period of the liquidation
- C. Griffins' time analysis for the period 20 March 2017 to 19 March 2018 and for the entire period of the appointment
- D. Grant Thornton UK LLP's time analysis for the period 20 March 2017 to 19 March 2018 and for the entire period of the appointment together with details of charge out rates , provided in accordance with the Statement of Insolvency Practice 9
- E. Statutory and Creditor Compliance Tasks
- F. Creditors' Rights - Rules 18.9 and 18.34 of the Insolvency (England & Wales) Rules 2016 ("IR 2016")



## **1 Introduction**

In accordance with Rules 18.3 and 18.7 of the Insolvency (England & Wales) Rules 2016, I now provide creditors with an annual progress report which should be read in conjunction with my previous reports. Additional information in respect of the company and office holders is attached at Appendix A.

## **2 Receipts and Payments Accounts**

An account of my receipts and payments for the period 20 March 2017 to 19 March 2018 is at Appendix B, together with an account for the entire period of the liquidation and a comparison with the amounts recorded in the Statement of Affairs.

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

My specific bond and Land Registry searches have been paid by Griffins and are not shown in the receipts and payments account at Appendix B.

## **3 Realisation of Assets**

No assets have been realised during the period covered by this report and no further realisations are expected.

## **4 Investigations**

As previously reported, a claim has been submitted against the insurance bond of the former office holder. This matter remains ongoing.

## **5 Statutory and Professional Compliance**

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

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

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



## **6 Creditors' Communication, Claims and Distributions**

I am required, as Joint 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 E.

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

### Secured Creditors

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

### Preferential Creditors

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

### Unsecured Creditors

The unsecured claims received to date totals £52,621 as against the initial estimated figure of £64,967.47.

Dividend prospects are presently uncertain.

## **7 Joint Liquidator's Remuneration**

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

The time my staff and I have recorded as incurred for the period 20 March 2017 to 19 March 2018 totals £1,229.56.

The time my staff and I have recorded as incurred for the entire period of my appointment totals £10,625.77.

During the period 20 March 2017 to 19 March 2018 no time was incurred by Ms Amanda Wade ("Ms Wade") of Grant Thornton UK LLP and her staff.

The time recorded by Ms Wade and her staff for the entire period of her appointment totals £31.50.

Attached at Appendices C and D are Griffins time analysis report and those of Grant Thornton UK LLP's which provides details of activity incurred by staff grade to grade, together with details of charge out rates for Grant Thornton UK LLP. The time spent is recorded under the following classifications:





- Administration & Planning
- Creditors
- Investigations

The report also provides details of the activity costs incurred by staff grade to date, together with details of charge out rates.

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.

At the meeting of creditors held on 15 June 2016, it was approved that the Joint Liquidators be remunerated on the basis of the time properly spent by the Joint Liquidators and their staff in dealing with the liquidation. To date, neither I nor Ms Wade have drawn any fees for acting as Joint Liquidators.

Further information regarding remuneration can be found in "A Creditors' Guide to Liquidators' Fees", which is available for download at <http://www.griffins.net/technical/>, together with Griffins policy on chargeout rates and disbursements provided in accordance with the Statement of Insolvency Practice 9. A hard copy can be provided upon request.

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

## 8 Joint Liquidators' Expenses and Disbursements

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

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

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

The table below details the expenses and category 1 disbursements incurred in the period.

Payee Name	Nature of Expense Incurred	Amount Incurred this period £	Amount paid during this period £	Amount Outstanding £
N/A	VAT Irrecoverable	713.50	713.50	0.00
	<b>TOTAL</b>	<b>713.50</b>	<b>713.50</b>	<b>0.00</b>



## 9 Quality of Service and Code of Ethics

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

I am bound by the Insolvency Code of Ethics when carrying out all professional work relating to insolvency appointments and details of this can be found at <http://www.icaew.com/en/members/regulations-standards-and-guidance/ethics/code-of-ethics-d>.

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 Tilbury in the first instance at [ian.tilbury@griffins.net](mailto:ian.tilbury@griffins.net). I will provide a response within 21 working days.

## 10 Creditors' Rights

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

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

## 11 Next Report

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



**Stephen Hunt**  
Joint Liquidator

Date: 15 May 2018



**Blue Lounge (Rochdale) Ltd  
In Creditors' Voluntary Liquidation**

Statutory information



**Company information**

Company name: Blue Lounge (Rochdale) Ltd  
Trading name: As above  
Company registration number: 07108713  
Nature of business: Late Bar  
Registered office: Griffins, Tavistock House South, Tavistock Square, London, WC1H 9LG  
Previous registered office: 6B Old Market Place, Altrincham WA14 4NP  
Trading address: 5 Yorkshire St  
Rochdale  
OL16 1BH

**Joint Liquidators' details**

Name: Stephen Hunt  
IP number: 9183  
Name of firm: Griffins  
Firm's address: Tavistock House South, Tavistock Square, London WC1H 9LG  
Date of Successor Appointment: 20 March 2015

Name: Amanda Wade  
IP number: 9183  
Name of firm: Grant Thornton UK LLP  
Firm's address: 30 Finsbury Square, London EC2P 2YU  
Date of Successor Appointment: 20 March 2015

**Former Liquidator's details**

Name: Nicola Lesley Francis  
IP number: 9235  
Name of firm: Premier Business Recovery  
Firm's address: 6B Old Market Place, Altrincham WA14 4NP  
Date of Appointment: 18 March 2011  
Date ceased to act: 20 March 2015



**Blue Lounge (Rochdale) Ltd  
In Creditors' Voluntary Liquidation**

Receipts and payments account for the period 20 March 2017 to 19 March 2018  
together with an account for the entire period of the liquidation



**Blue Lounge (Rochdale) Ltd**  
**(In Liquidation)**  
**Joint Liquidators' Summary of Receipts & Payments**

Statement of Affairs £	From 20/03/2017 To 19/03/2018 £	From 18/03/2011 To 19/03/2018 £
ASSET REALISATIONS		
Debtor Contributions	NIL	4,200.00
	NIL	4,200.00
COST OF REALISATIONS		
Preparation of S. of A.	NIL	3,500.00
VAT	713.50	713.50
Statutory Advertising	NIL	139.50
Former IP Balance	NIL	(81.00)
	(713.50)	(4,272.00)
UNSECURED CREDITORS		
(42,499.00) Trade & Expense Creditors	NIL	NIL
(7,200.00) Directors	NIL	NIL
(15,268.00) H M Revenue & Customs	NIL	NIL
	NIL	NIL
DISTRIBUTIONS		
(1.00) Ordinary Shareholders	NIL	NIL
	NIL	NIL
<b>(64,968.00)</b>	<b>(713.50)</b>	<b>(72.00)</b>
REPRESENTED BY		
Vat Receivable		14.40
Client Account No2		(86.40)
		<b>(72.00)</b>

  
 Stephen Hunt  
 Joint Liquidator

**Blue Lounge (Rochdale) Ltd  
In Creditors' Voluntary Liquidation**

Griffins' time analysis for the period 20 March 2017 to 19 March 2018 and for the entire period of the appointment



# Time Entry - Detailed SIP9 Time & Cost Summary

BLUEL02 - Blue Lounge (Rochdale) Ltd  
 From: 20/03/2017 To: 19/03/2018  
 Project Code: POST

Classification of Work Function	Partner	Manager	Other Senior Professionals	Assistants & Support Staff	Administrators	Total Hours	Time Cost (£)	Average Hourly Rate (£)
STATUTORY - Statutory Duties	0.17	0.33	0.00	1.33	3.92	5.42	1,223.56	227.00
Administration & Planning	0.17	0.33	0.00	1.33	3.92	5.42	1,223.56	227.00
Total Hours	0.17	0.33	0.00	1.33	3.92	5.42	1,223.56	227.00
Total Fees Claimed							0.00	



# Time Entry - Detailed SIP9 Time & Cost Summary

BLUEL02 - Blue Lounge (Rochdale) Ltd  
 From: 20/03/2015 To: 19/03/2018  
 Project Code: POST

Classification of Work Function	Partner	Manager	Other Senior Professionals	Assistants & Support Staff	Administrators	Total Hours	Time Cost (£)	Average Hourly Rate (£)
CASHIER : Cashiering Functions	0.00	0.00	0.00	0.00	0.08	0.08	25.83	309.96
CLOSING : Closing an Insolvency	0.08	0.00	0.00	0.00	0.08	0.08	47.08	564.96
STATUTORY : Statutory Duties	0.50	2.42	0.25	2.58	17.17	21.75	5,842.00	268.80
<b>Administration &amp; Planning</b>	<b>0.58</b>	<b>2.42</b>	<b>0.25</b>	<b>2.58</b>	<b>17.25</b>	<b>21.92</b>	<b>5,914.91</b>	<b>269.88</b>
CREDITOR : Creditor Related Work	0.00	0.00	0.00	0.00	0.58	0.58	87.50	150.00
<b>Creditors</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.58</b>	<b>0.58</b>	<b>87.50</b>	<b>150.00</b>
INVJUNIT : Initial Investigations	0.08	0.00	0.67	0.00	7.83	8.58	2,735.02	318.64
PARACOST : Parallel Costs	0.00	0.00	1.00	0.00	3.83	4.83	1,578.34	326.55
POOLED COST : Pooled Costs	0.00	0.00	0.00	0.00	1.00	1.00	310.00	310.00
<b>Investigations</b>	<b>0.08</b>	<b>0.00</b>	<b>1.67</b>	<b>0.00</b>	<b>12.67</b>	<b>14.42</b>	<b>4,623.36</b>	<b>320.70</b>
<b>Total Hours</b>	<b>0.67</b>	<b>2.42</b>	<b>1.92</b>	<b>2.58</b>	<b>30.50</b>	<b>36.92</b>	<b>10,625.77</b>	<b>287.83</b>
<b>Total Fees Claimed</b>							<b>0.00</b>	

**Blue Lounge (Rochdale) Ltd  
In Creditors' Voluntary Liquidation**

Grant Thornton UK LLP's time analysis for the period 20 March 2017 to 19 March 2018  
and for the entire period of the appointment together with details of charge out rates ,  
provided in accordance with the Statement of Insolvency Practice 9



Blue Loyings (Bod) (date) Limited - in CVL - B30202184 - SIP 9 TIME COST ANALYSIS

Job No : 148868 - CVL

Transaction period : 20/03/2017 to : 19/03/2018

Export version - standard      Export version - detail      Detailed Version

Standard	Partner		Manager		Executive		Administrator		Total	
	Hrs	£	Hrs	£	Hrs	£	Hrs	£	Hrs	£ Avg. Hry Rate
Administration and Planning										
Creditors										
Hiatus period										
Investigations										
Pensions										
Realisation of Assets										
Taxation										
Trading										
Total										

Total fees billed to date (Time) : £



**BLIS Property (Scotland) Limited - in CVL - B30202184 - SIP 9 TIME COST ANALYSIS**

JOB#: 1448789 - CVL

Transaction period : 20/03/2015 to : 10/03/2018

Export version - standard

Export version - detail

Detailed Version

Standard	Partner		Manager		Executive		Administration		Total	
	Hrs	£	Hrs	£	Hrs	£	Hrs	£	Hrs	£
Administration and Planning					.15	31.5			.15	31.5
Creditors										
Hiatus period										
Investigations										
Pensions										
Realisation of Assets										
Taxation										
Trading					.15	31.5			.15	31.5
Total										
Total fees billed to date (Time) : £										
										210

## **EXPLANATION OF GRANT THORNTON UK LLP CHARGING AND DISBURSEMENT RECOVERY POLICIES**

### **INTRODUCTION**

The following information is provided in connection with the liquidator's remuneration and disbursements in accordance with Statement of Insolvency Practice ("SIP") 9.

### **TIME COSTS**

All partners and staff are charged out at hourly rates appropriate to their grade. The hourly charge-out rates are updated annually on 1 July. Details of the hourly charge-out rates are made available to creditors or committees at the time of fixing the basis of our fees. Support staff (ie secretaries, cashiers and filing clerks) are charged to the case for the time they work on it.

Detailed rates in use per year.

<b>Staff Grade</b>	<b>From 1 July 2012</b>	<b>From 1 July 2013</b>	<b>From 1 July 2014 and still in use as at 1 July 2015</b>
	£	£	£
Partners	465 - 580	480 - 600	495 - 615
Directors	440 - 480	455 - 500	470 - 515
Managers and Associate Directors	270 - 440	280 - 455	290 - 470
Executives	220 - 285	230 - 295	240 - 305
Administrators	150 - 210	155 - 220	160 - 230
Assistants and Support Staff	140 - 165	145 - 170	150 - 175

<b>Staff Grade</b>	<b>From 1 July 2009</b>	<b>From 1 July 2010</b>	<b>From 1 July 2011</b>
	£	£	£
Partners	410 - 510	425 - 535	445 - 560
Directors	385 - 420	405 - 440	425 - 460
Managers and Associate Directors	235 - 385	245 - 405	260 - 425
Executives	195 - 250	200 - 260	210 - 275
Administrators	135 - 190	140 - 195	145 - 205
Assistants and Support Staff	125 - 150	130 - 155	135 - 160

### **DISBURSEMENTS**

Category 1 disbursements as defined by SIP 9, which can be specifically identified as relating to the administration of the case, will be charged to the estate as a cost, with no uplift. These include but are not limited to such items as case advertising, storage, bonding and other insurance premiums and properly reimbursed expenses incurred by personnel in connection with the case. Out of pocket expenses are charged at cost. Mileage is charged at standard rates which comply with HM Revenue and Customs limits, or AA recommended rates. Category 2 or indirect Disbursements as defined by SIP 9 are not charged to the case.

**Blue Lounge (Rochdale) Ltd  
In Creditors' Voluntary Liquidation**

Statutory and Creditor Compliance Tasks



### **Post-Appointment Statutory and Professional Compliance**

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

- On appointment, set the case up on our insolvency database and maintain and separately record all financial records on the case, including the recording of creditors and employees;
- Notify creditors of my appointment; and advertise the appointment in the Gazette
- 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 Joint 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 Joint Liquidator;
- Convene and hold a meeting of creditors to provide creditors with the opportunity to establish a Liquidation Committee;
- Undertake a one month case review to ensure that all initial statutory matters have been completed, asset realisation and initial investigations commenced;
- Establish whether the company has an occupational pension scheme and, if so, comply with Section 120 Pensions Act 2004 and submit a S120 Notice to the Pension Protection Fund, The Pension Regulator and to the Trustees of the Pension Fund if applicable.

### **Annual Statutory and Professional Compliance**

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

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

### **Closing Statutory and Professional Compliance**

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

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



- If the creditors have so resolved, obtain my release from the Secretary of State;
- Retain and store the liquidation records for a minimum of 6 years after the vacation of office.

#### **Tasks in relation to creditors' claims**

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





**Blue Lounge (Rochdale) Ltd  
In Creditors' Voluntary Liquidation**

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



## **Insolvency (England & 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").

