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

SATURDAY

A8GE9RBD

A14 19/10/2019 #194

COMPANIES HOUSE

1 Company details

Company number	0 4 3 7 0 7 3 3
Company name in full	Derry Construction Limited

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

2 Liquidator's name

Full forename(s)	David Frederick
Surname	Wilson

3 Liquidator's address

Building name/number	29 Park Square West
Street	Leeds
Post town	LS1 2PQ
County/Region	
Postcode	
Country	

4 Liquidator's name ❶

Full forename(s)	
Surname	

❶ **Other liquidator**
Use this section to tell us about another liquidator.

5 Liquidator's address ❷

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

❷ **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	d 3 d 1	m 0 m 8	y 2 y 0 y 1 y 8
To date	d 3 d 0	m 0 m 8	y 2 y 0 y 1 y 9

7 Progress report

☑ The progress report is attached

8 Sign and date

Liquidator's signature	Signature X		X
Signature date	d 0 d 9	m 1 m 0	y 2 y 0 y 1 y 9

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	David Frederick Wilson
Company name	DFW Associates
Address	29 Park Square West
	Leeds
Post town	LS1 2PQ
County/Region	
Postcode	
Country	
DX	
Telephone	01133907940

Checklist

We may return forms completed incorrectly or with information missing.

Please make sure you have remembered the following:

- ☐ The company name and number match the information held on the public Register.
- ☐ You have attached the required documents.
- ☐ You have signed the form.

Important information

All information on this form will appear on the public record.

Where to send

You may return this form to any Companies House address, however for expediency we advise you to return it to the address below:

The Registrar of Companies, Companies House,
Crown Way, Cardiff, Wales, CF14 3UZ.
DX 33050 Cardiff.

Further information

For further information please see the guidance notes on the website at www.gov.uk/companieshouse or email enquiries@companieshouse.gov.uk

This form is available in an alternative format. Please visit the forms page on the website at www.gov.uk/companieshouse

The affairs, business and property of the company are being dealt with by the Liquidator, who acts as the company's agent and without personal liability.

Liquidator's Annual Report to Members and Creditors

Derry Construction Limited – In Liquidation

For the period to 31st August 2018 to 30th August 2019

This report has been produced by the Liquidator solely to comply with his statutory duty to report to creditors on the progress of the Liquidation. The report is private and confidential and may not be relied upon, referred to, reproduced or quoted from, in whole or in part, by creditors for any purpose other than this report to them, or by any other person for any purpose whatsoever.

Contents

1. Statutory Information
2. Progress during the Period
3. Outcome for Creditors
4. Pre-appointment Costs
5. The Liquidator's Remuneration, Expenses & Disbursements
6. Investigations into the Affairs of the Company
7. Matters that Remain Outstanding
8. Conclusion

Appendices

1. Receipts and Payments Account for the period 31st August 2018 to 30th August 2019
2. Details of the Time Incurred in accordance with Statement of Insolvency Practice 9 for the period 31st August 2018 to 30th August 2019
3. DFW Charging Policy
4. Extract from Rules 18.9 and 18.34 (Creditors' Rights)

Abbreviations

For the purposes of this report the following abbreviations shall be used:

"the Act"	Insolvency Act 1986 (as amended)
"the Rules"	Insolvency (England and Wales) Rules 2016
"CVL"	Creditors' Voluntary Liquidation
"the Liquidator"	David Frederick Wilson

EC Regulations

Council Regulation (EU) No 1346/2000 applies and these are classed as 'main proceedings' as defined in Article 3(1) of that regulation.

1. STATUTORY INFORMATION

Company Number:	04370733
Date of Incorporation:	11th February 2002
Principal Activity:	42990 – Construction of other civil engineering projects not elsewhere classified 43110 – Demolition 43999 - Other specialised construction activities not elsewhere classified

	77320 – Renting and leasing of construction and civil engineering machinery and equipment
Previous Name:	Shane Limited (Changed 3rd August 2006)
Trading Name:	Chase Joinery
Previous Registered Office:	3 Park Square East, Leeds, West Yorkshire LS1 2NE
Registered Office:	29 Park Square West, Leeds, LS1 2PQ
Former Trading Address:	48 Camwal Road, Starbeck, Harrogate HG1 4PT
Share Capital:	20,000 Ordinary shares of £1 each
Shareholders:	Shane Derry (20,000 Ordinary Shares)

		Appointed	Resigned
Directors:	Shane Derry	11th November 2002	-

Mortgage and charges:

1) An outstanding Debenture in favour of Lloyds TSB Bank Plc created on 24th February 2009 and registered on 26th February 2009.

2) An outstanding Mortgage in favour of Lloyds TSB Bank Plc, created on 11th March 2009 and registered on 12th March 2009.

3) An outstanding Charge in favour of Lloyds Bank Commercial Finance Limited, created on 22nd June 2015 and registered on 22nd June 2015.

2. PROGRESS DURING THE PERIOD

I have continued to pursue the outstanding book debt ledger with the assistance of Schofield Sweeney Solicitors. The majority of book debts have been written off as either the value of the debt is not worth pursuing or cost of pursuing these debts through a legal procedure would outweigh any potential realisation. I have therefore concluded the book debt realisations.

After investigating the affairs of the company, it appeared that there was a preference claim against the Director. I can confirm efforts were made to recover this balance but after doing a full assessment of his means it was deemed this would not lead to any successful realisations for the benefit of the estate.

Attached is a receipts and payments account for the period 31st August 2018 to 30th August 2019, the relevant details are listed below.

Receipts

Bank Interest Gross

The sum of £0.81 has been realised from the funds held in the Liquidator's bank account.

Rates Refund

The sum of £476.26 was received from Harrogate Borough Council in respect of a business rates refund.

Book Debts

The sum of £106.71 has been received from outstanding debts.

Payments

The only payment during the period was Office Holders Fees of £587.98 further details can be found in section 5 of this report.

3. OUTCOME FOR CREDITORS

Secured Creditors

On present information, it appears that there will be insufficient asset realisations to allow a dividend distribution to this class of creditor.

Preferential Creditors

Preferential creditors amount to £2,889.97 representing the amount outstanding for wages and holiday pay due to the employees. On present information, it appears that there will be insufficient asset realisations to allow a dividend distribution to this class of creditor.

Unsecured Creditors

The statement of affairs, presented to creditors estimated total unsecured debts of £196,436.40. To date, the Liquidator has received claims of £97,130.54. On present information, it appears that there will be insufficient asset realisations to allow a dividend distribution to this class of creditor.

Prescribed part for unsecured creditors pursuant to Section 176a of the Act

Section 176a of the Act provides that, where the company has created a floating charge on or after 15 September 2003, the Liquidator must make a prescribed part of the company's net property available for the unsecured creditors. The prescribed part does not apply in this Liquidation as there will be no distribution to the secured creditor.

4. PRE-APPOINTMENT COSTS

On 3rd November 2017, at a decision procedure held by correspondence, resolutions were presented in conjunction with DFW charging policy. The following resolution was duly passed unanimously, alongside other resolutions

"That Pre-Liquidation costs of £10,219.56 plus disbursements plus VAT be approved."

In this regard, total pre-appointment costs of £9,000.00 have been paid to DFW Associates.

5. THE LIQUIDATOR'S REMUNERATION, EXPENSES & DISBURSEMENTS

I detailed in my last progress report that my fees had been approved in line with the fees estimate previously provided. I will therefore provide an update on the time costs and the fees drawn in this period.

Generally, time spent has been in-line with the fee estimate. The variances are detailed below with a short explanation and details.

	Fee Estimated	**Actual (from SIP 9 time cost report)**	**£ Difference (-/+)**
Admin & Planning	8,022.53	6,226.50	-1,796.03
Investigations	1,262.50	763.00	-499.50
Realising Assets	15,765.50	12,618.00	-3,147.50
Trading	NIL	NIL	NIL
Creditors	12,829.05	10,460.00	-2,369.05

Case Specific	NIL	NIL	NIL
Total			**-7,812.08**

As illustrated in the table above, the Liquidator's original cost estimate have not been exceeded in the period has fallen short by £7,812.08, however as I am yet conclude outstanding matters in the Liquidation. I expect not to have met the original time cost estimate by the time the Liquidation has concluded. However, there are insufficient asset realisations to defray all of my fees in full.

The total time spent on the Liquidation by myself and my staff from the date of appointment on 31st August 2018 to 30th August 2019 is 20.50 hours equating to time costs £4,147.50 at an average rate of £202.32 per hour. During the period of this report I have drawn Liquidator fees in the sum of £587.89 on account of these time costs.

The following further information in relation to the Liquidator's time costs is enclosed with this report:

- Table of time spend and charge-out value for the period 31st August 2018 to 30th August 2019
- DFW Associates charging policy for disbursements; and
- Details of creditors' rights: (Creditors' and members' requests for further information and details of remuneration and expenses: application to court by a creditor or members on grounds that remuneration or expenses are excessive in accordance with Rule 18.9 and 18.34 of the Insolvency (England & Wales) Rules 2016).

Please note an explanatory leaflet "A Creditor's Guide to Liquidator's Remuneration", is also available on request from my office.

Disbursements

There have been no category 1 disbursements paid during the period of this report.

There have been no category 2 disbursements paid during the period of this report.

Creditors Rights

An unsecured creditor may, with the permission of the court or with the concurrence of 5% in value of the unsecured creditors (including the creditor in question) request further details of the Liquidator's remuneration and expenses, within 21 days of receipt of this report. Any secured creditor may make a similar application to court within the same time limit.

An unsecured creditor may, with the permission of the court or with the concurrence in 10% in value of the creditors (including the creditor in question), apply to court to challenge the amount and/or basis of the Liquidator's fees and the amount of any proposed expenses or expenses already incurred, within 8 weeks of receipt of this report. Any secured creditor may make a similar application to court within the same time limit.

6. INVESTIGATIONS INTO THE AFFAIRS OF THE COMPANY

Report on the conduct of Directors

The Liquidator has a statutory duty to investigate the conduct of the Directors and any person he considers to be or have been a shadow or de facto Director during the period of three years before the date of their appointment, in relation to their management of the affairs of the company and the causes of its failure. The Liquidator is obliged to submit confidential reports to the Department for Business Innovation and Skills. I can confirm that I have discharged my duties in this regard.

Best practice guidance requires a Liquidator to make enquiries of creditors regarding the way in which the Company's business has been conducted, or any potential recoveries that they may be aware of, for the estate. If you would like to bring any such issues to our attention, please do so in writing to my office. Such a request for information is standard practice and does not imply any criticism, or cause of action against any person concerned in the management of the company's affairs.

7. MATTERS THAT REMAIN OUTSTANDING

I am awaiting a final VAT refund in respect of some invoices raised during the period of the Liquidation. As soon as I have received this, I will discharge any outstanding time costs and proceed to close the Liquidation.

8. CONCLUSION

I will contact you again at the next annual reporting period or at the conclusion of the Liquidation whichever is the sooner. Should you have any further queries please contact my office on 0113 390 7940, alternatively direct any emails to james.nuttall@dfwassociates.co.uk.

David Frederick Wilson
Liquidator of Derry Construction Limited

Date: 9th October 2018

Derry Construction Limited
(In Liquidation)

LIQUIDATOR'S RECEIPTS AND PAYMENTS ACCOUNT

	Statement of affairs £	From 31/08/2018 To 30/08/2019 £	From 31/08/2017 To 30/08/2019 £
RECEIPTS			
Book Debts	NIL	0.00	0.00
Plant & Machinery	20,000.00	0.00	15,585.76
Stock	500.00	0.00	500.00
Book Debts	30,000.00	106.71	306.71
Cash at Bank		0.00	7.81
Rates refund		476.26	476.26
Bank Interest Gross		0.81	2.04
Vat Receivable		2,878.60	(117.60)
		3,462.38	16,760.98
PAYMENTS			
Book Debts		0.00	0.00
Lloyds Commercial Services	(7,246.00)	0.00	0.00
Lloyds Bank Plc	(172,000.00)	0.00	0.00
Specific Bond		0.00	520.00
Preparation of S. of A.		0.00	9,000.00
Office Holders Fees		587.98	587.98
Agents/Valuers Fees		0.00	5,981.00
Payroll Services		0.00	121.00
Statutory Advertising		0.00	159.00
Insurance of Assets		0.00	392.00
DE Arrears & Holiday Pay	(4,000.00)	0.00	0.00
Trade & Expense Creditors	(61,294.67)	0.00	0.00
Employees	(12,000.00)	0.00	0.00
Directors Loan Account	(50,000.00)	0.00	0.00
HMRC - VAT	(61,480.73)	0.00	0.00
Corporation Tax	(3,661.00)	0.00	0.00
Contingent Liability Re Leasing	(8,000.00)	0.00	0.00
Ordinary Shareholders	(20,000.00)	0.00	0.00
Vat Receivable		(2,878.60)	117.60
Vat Payable		3,217.15	0.00
		926.53	16,878.58
BALANCE - 30 August 2019			**(117.60)**

David Frederick Wilson
Liquidator

Time Entry - SIP9 Time & Cost Summary

CVL0095 - Derry Construction Limited
Project Code: POST
From: 31/08/2017 To: 30/08/2019

Classification of Work Function	Partner	Manager	Other Senior Professionals	Assistants & Support Staff	Total Hours	Time Cost (£)	Average Hourly Rate (£)
Admin & Planning	2.70	0.40	0.00	28.30	31.40	6,226.50	198.30
Case Specific Matters	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Creditors	4.40	0.40	0.00	48.40	53.20	10,460.00	196.62
Investigations	0.70	0.50	0.00	2.10	3.30	763.00	231.21
Realisation of Assets	14.30	0.30	0.00	39.90	54.50	12,618.00	231.52
Trading	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Total Hours	**22.10**	**1.60**	**0.00**	**118.70**	**142.40**	**30,067.50**	**211.15**

Time Entry - SIP9 Time & Cost Summary

CVL0095 - Derry Construction Limited
Project Code: POST
From: 31/08/2018 To: 30/08/2019

Classification of Work Function	Partner	Manager	Other Senior Professionals	Assistants & Support Staff	Total Hours	Time Cost (£)	Average Hourly Rate (£)
Admin & Planning	1 30	0.40	0 00	1.80	3 50	931 50	266 14
Case Specific Matters	0 00	0 00	0 00	0 00	0 00	0 00	0 00
Creditors	0 00	0.40	0 00	4.90	5 30	980.00	184 91
Investigations	0 40	0.50	0.00	0.00	0 90	272 50	302 78
Realisation of Assets	0.00	0 30	0 00	10 50	10.80	1,963 50	181 81
Trading	0 00	0.00	0 00	0.00	0 00	0 00	0 00
Total Hours	**1.70**	**1.60**	**0.00**	**17.20**	**20.50**	**4,147.50**	**202.32**

DFW Associates Charging Policy
Introduction

This note applies where a licenced insolvency practitioner in the firm is acting as an office holder of an insolvent estate and seeks creditor approval to draw remuneration on the time properly spent in dealing with the case. It also applies where further information is to be provided to creditors regarding the office holder's fees. Following a passing of the resolution for the office holder to be remunerated on a time cost basis. Best practice guidance requires that such information should be disclosed to those who are responsible for approving remuneration.

In addition, this note applies where creditor approval is sought to make a separate charge by way of expenses or disbursements to recover the costs of facilities provided by the firm and where payments are to be made to outside parties in which the office holder or his firm or any associate has an interest. Best practice guidance requires that such charges should be disclosed to those who are responsible for approving the office holder's remuneration, together with an explanation of how those charges are calculated.

Office Holder's Fees in Respect of the Administration of the insolvent estate.

The office holder will delegate tasks to colleagues. Such delegation assists the office holder as it allows him/her to deal with the more difficult aspects of the case and ensures that work is allocated and completed at the appropriate level. There are various staff that are employed by the office holder and these appear below.

The firm operates a time recording system which allows the staff working on the case with the office holder to allocate their time to the case. The time is recorded at the individual hourly rate in force at that time which is detailed below.

Expenses Incurred By Office Holder In Respect Of the Administration of Insolvent Estates

Best practice guidance classifies expenses into two broad categories

- Category 1 disbursements (approval not required) – specific expenditure that is directly related to the case usually outsourced to a third party. Once these items of expenditure are incurred they are immediately charged to the case.
- Category 2 disbursements (approval required) – items of incidental expenditure directly incurred on the case which include an element of shared or allocated cost and which are based on a reasonable method of calculation.

(A) The following items of expenditure are charged to the case (subject to approval)
- Car Mileage is charged at a rate of 45p per mile
- Expenses which should be treated as Category 2 disbursements (approval required) – in addition to the 2 categories referred to above best practice guidance indicates that where payments are made to outside parties in which the office holder or his firm or any associate has an interest these should be treated as category 2 disbursements

(B) The following items of expenditure will normally be treated as general office overheads and will not be charged to the case although a charge may be made where the precise cost to the case can be determined because the item satisfies the test of a category 1 disbursement.
- Telephone and facsimile
- Printing and photocopying
- Stationery

DFW Charge-out Rate – Post 1 May 2016
Time is recorded in 6 minute units.

Principal Associate	375
Senior Associate	220
Junior	180

DFW Charge-out Rate – From 20th November 2018
Time is recorded in 6 minute units.

Principal Associate	395
Associate	245

DFW Associates

Privacy Statement for Data Subjects who are Individuals

Introduction

A Privacy Statement is a document explaining to you, if you are an individual, how your personal data will be used by us and what your rights are.

This Statement describes in general terms how we collect and use personal data about you. It has been prepared to meet the requirements of the General Data Protection Regulation (GDPR), the Data Protection Act and any other national implementing laws, regulations and secondary legislation, as amended or updated from time to time, in the UK ('Data Protection Legislation').

Please read the following carefully to understand our practices regarding your personal data.

Data Controller

DFW Associates is a Firm ('the Firm') of Insolvency Practitioners whose sole Principal is David Frederick Wilson ('Mr Wilson'). His and the Firm's contact details are given below. Mr Wilson is licensed to act as an insolvency practitioner in the United Kingdom by the Institute of Chartered Accountants in England and Wales.

Mr Wilson trading as DFW Associates is a Data Controller within the meaning of the Data Protection Legislation when the Firm is engaged to provide a service under the terms of a contract which requires it to process personal data. (The client in respect of whom personal data is being processed is also a Data Controller).

Where Mr Wilson is acting as an Officeholder (Administrative Receiver, Administrator, Liquidator, Nominee or Supervisor of a Voluntary Arrangement or a Trustee in Bankruptcy) under insolvency legislation he is the Data Controller for data processed by him as part of his statutory duties.

In this situation the Company or other legal entity over which he has been appointed as Officeholder will remain the Data Controller in respect of personal data collected and processed by it prior to his appointment (albeit it should now be contacted via the Officeholder).

For all purposes in relation to this Privacy Statement Mr Wilson can be contacted at:

DFW Associates
29 Park Square West
Leeds
LS1 2PQ

E: david.wilson@dfwassociates.co.uk
T: 0113 390 7940

Personal Data

Personal data means any information about an individual from which that person can be identified.

We may collect, use, store and transfer different kinds of personal data about you as follows:

- Identity Data – the information we use to identify you, which may include data contained in photographs.
- Contact Data – the information we use to contact you.
- Financial Data – details of your income and expenditure, assets and liabilities and ancillary data such as your bank account details
- *Transaction Data - includes details about payments to and from you*
- Communications Data - your communication preferences, for example any opt out exercised by you under Insolvency legislation.

We may collect some 'special category' personal data from you including (but not restricted to) details of your health, or whether you are a member of a Trade Union, where this is necessary to meet our legal or regulatory obligations. We may also collect information about criminal convictions and offences and whether you have been previously involved in any personal or corporate insolvency proceedings.

How we collect Personal Data

The personal data we initially used to contact you was provided by the Company or Individual on whose instructions DFW Associates is acting or in relation to which Mr Wilson has been appointed as Officeholder. Your personal data may also be collected from the following sources:

- Records that our client or the insolvent Company or individual already holds about you.
- Questionnaires and Forms completed and submitted by you, for example to the Redundancy Payments Service or to us.
- Correspondence and other communications or meetings between you and the Firm.
- Information provided to the Firm by third parties in relation to an appointment, for example your bank, your professional advisers or the Insolvency Service.
- Information held in the public domain (for example, at Companies House and the Land Registry).

Other data controllers (including clients) may also provide your personal data to us.

How we use Personal Data

Most processing is carried out to comply with the Officeholder's legal and regulatory obligations or to enable DFW Associates to provide a service in accordance with its contractual terms. Personal data will be used to verify identity (where this is required), for communications, to maintain records and process transactions. It may also be used to facilitate the performance of investigations (including the prevention of fraud), the realisation of assets and the agreement and settlement of financial claims. Your personal data may therefore be used for more than one purpose.

Disclosure of your personal data

Mr Wilson and the Firm have a legal obligation, in certain circumstances, to disclose personal data to:

- Mr Wilson's regulatory body, the Institute of Chartered Accountants in England and Wales.
- The Secretary of State (including, but not restricted to, the Official Receiver).

Mr Wilson and the Firm may also be under an obligation to provide your personal data to other third parties who have a statutory right to request it (for example, HMRC and Law Enforcement Agencies) or who have obtained an appropriate court order.

We may also share your personal data with:

- Our accountants, solicitors, insurers and sub-contractors
- Other Governmental or relevant regulatory bodies.
- Third parties who support us in providing our IT systems, including our website, e mails, data backup and storage.
- Third parties who archive our paper records
- Third party professional service providers instructed on a case by case basis by the Officeholder or the Firm, including (but not restricted to) accountants and tax advisers, solicitors, valuers, debt collection agencies and service providers who may assist with the calculation of employee claims or pension deficits and contributions. They will only process your data on our instructions and they are under a professional duty of confidentiality.

Protection of your personal data

Policies and commercially reasonable and appropriate procedures are in place to safeguard your personal data from loss, misuse and improper disclosure.

- Staff training
- Digital personal data is held in secure data centres potentially located worldwide (and therefore potentially outside of the EEC).
- Paper personal data is held at the Firm's offices in Leeds, or, if the case has been closed, in a secure off-site third party storage facility.

We also have procedures to deal with any suspected personal data breach and will notify you and any applicable regulator of a breach where we are legally required to do so.

All our third-party service providers are required to take appropriate security measures to protect your personal information. We only allow third-party service providers to process your personal information for specified purposes and in accordance with our instructions.

Retention of Personal Data

We will only retain your personal data for as long as necessary. This necessity includes the purposes of satisfying any legal, accounting, regulatory or reporting requirements.

In line with these requirements personal data will generally be held for no longer than 6 years after the closure of an assignment or insolvency appointment.

If you have opted out of receiving future correspondence from us, your contact details will remain on our opt-out list to prevent you from receiving any further correspondence from us except where we are obliged to contact you by insolvency legislation.

Your rights

We will maintain an accurate record of personal data submitted to us. Please inform us of any changes to your information.

You are entitled to:

- Be notified that we hold and may process your personal data. This Notice meets that requirement
- Request access to and correction of your personal data.
- Request erasure of your personal data (unless we hold it under a legal obligation)
- Object to the processing of your personal data or seek to restrict its scope (unless we hold it under a legal obligation).
- Request the transfer of your personal data to you or to a third party (unless we hold it under a legal obligation).
- Withdraw consent at any time, where we are relying on consent to process your personal data. (Where the data received was not based on obtaining consent the right to withdraw consent does not apply).

To exercise any relevant rights, or to update your personal data, please contact Mr Wilson at david.wilson@dfwassociates.co.uk. We will seek to respond promptly and no later than 28 days.

We may need you to help us to confirm your identity or to ask you for further information to ensure that personal data is not disclosed to any person who has no right to receive it.

EXTRACT FROM THE INSOLVENCY RULES (ENGLAND AND WALES) 2016

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

Rule 18.9

(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).

EXTRACT FROM THE INSOLVENCY RULES (ENGLAND AND WALES) 2016

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

Rule 18.34

(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").