

LIQ03

Notice of progress report in voluntary winding up



Companies House



1 Company details

Company number 0 7 6 9 1 9 8 3

Company name in full Serving Sport 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 ①

Full forename(s)

Surname

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

5 Liquidator's address ②

Building name/number

Street

Post town

County/Region


Postcode

Country

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

LIQ03

Notice of progress report in voluntary winding up

6	Period of progress report															
From date	^d	1	^d	8	^m	0	^m	1	^y	2	^y	0	^y	2	^y	0
To date	^d	1	^d	7	^m	0	^m	1	^y	2	^y	0	^y	2	^y	1
7	Progress report															
<input checked="" type="checkbox"/> The progress report is attached																
8	Sign and date															
Liquidator's signature	<div>Signature</div> <div>X</div> <div></div> <div>X</div>															
Signature date	^d	1	^d	5	^m	0	^m	3	^y	2	^y	0	^y	2	^y	1

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 & Creditors

Serving Sport Limited – In Liquidation

For the period 18th January 2020 to 17th January 2021

This report has been produced by the Liquidator solely to comply with his statutory duty to report to members and 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.

Serving Sport Limited

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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.

Data Privacy

Since 25 May 2018 creditors who are individuals (including former employees) now also have enhanced rights under UK Data Protection legislation. The Liquidator is obliged to process personal data in the performance of his statutory duties. Information about the way that we will use, and store personal data on insolvency appointments is enclosed.

1. STATUTORY INFORMATION

Company Number:	07691983		
Date of Incorporation:	4 th July 2011		
Principal Activity:	82990 – Other business activities not elsewhere classified		
Previous Name:	None		
Trading Name:	None		
Registered Office:	29 Park Square West, Leeds LS1 2PQ		
Former Registered Office:	Ryedale Lodge, Station Road, Nunnington, York YO62 5XB		
Former Trading Address:	Ryedale Lodge, Station Road, Nunnington, York YO62 5XB		
Share Capital:	100 ordinary shares of £1 each		
Shareholders:	Charles Andrew John Hindle Jenifer Hindle	50 Ordinary shares 50 Ordinary shares	
		<u>Appointed</u>	<u>Resigned</u>
Directors:	Charles Andrew John Hindle	8 th October 2018	-
	Geoffrey Alexander Ainsley	29 th April 2012	26 th September 2018
	John Graham Cook	17 th August 2015	30 th June 2016
	David William Elson	1 st May 2012	29 th November 2013
	Jonathon Charles Round	4 th July 2011	4 th July 2011
	David Scott	4 th July 2011	31 st December 2011
Mortgage and charges:	None		
Connected Companies:	International Corporate Entertainment Ltd & Venue Hospitality Ltd		

2. PROGRESS DURING THE PERIOD

Update on the progress of the Liquidation

I have not detailed the actions undertaken in my last progress report but have focussed on the actions taken in this period.

The progress of the Liquidation has been hindered by the Covid-19 pandemic and government imposed lockdown. The main focus of the Liquidation has been investigating the various matters detailed in section 6 of this report.

Receipts and Payments during the Period

Receipts

Bank Interest

The gross sum of £2.56 has been realised in interest from RBS Bank Plc in respect of the balance held in the Liquidator's account.

Book Debts

The amount detailed in the statement of affairs amounted to £10,657.50 and I can confirm the sum of £360.53 has been received in respect of book debts during the period, bringing total receipts in the Liquidation to a total of £760.53. There are disputes on all of the book debts and I will seek to update creditors in my next annual progress report.

Preference Claim

Following receipt of the bank statements, a review of the monies paid out of the company's account in the lead up to the insolvency showed that Mr. G. Connelly had setup a company SPSM Limited which had been paid the sum of £8,454 on 6th December 2019. I have requested this sum to be repaid and the sum of £2,680 has been received in this regard and my pursuit of this debt is continuing.

Shareholders Loan Account

As detailed in my last report the shareholder had an outstanding loan account of £46,566.50. A repayment plan has been agreed with the shareholder to repay the balance by April 2022 against which £1,500 has been paid in this period.

Payments

Specific Penalty Bond

The sum of £250 has been paid to Marsh Limited for their provision of the Liquidator's statutory Bond.

Software Costs

It was necessary to reimburse the bookkeeper for their outlays in continuing Xero accounting software, which was necessary to bring the accounts up to date and assist with our investigations. I can confirm the sum of £347.48 has been paid in this regard.

Counsel's Fees

It was necessary to understand the position regarding a company's agreement with Mr Khakari, as detailed in my previous progress report. The Liquidator has obtained Counsel's opinion as to the validity of this agreement and has paid the sum of £1,150 to Eleanor Temple QC.

Legal Fees

Carrick Read have been paid the sum of £125 on account of their outstanding legal costs assisting the Liquidator in advise relating to the various investigation matters.

3. OUTCOME FOR CREDITORS

Secured Creditors

There are no creditors of this classification.

Preferential Creditors

Preferential creditors amount to £9,915.44 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 £288,729.09. To date, the Liquidator has received claims of £110,340.42. On present information, it appears that there will be insufficient asset realisations to allow a dividend distribution to this class of creditors.

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 is no secured creditor.

4. PRE-APPOINTMENT COSTS

I can confirm that a decision by correspondence was held on 20th April 2020 at 23.59 at which the following resolution was passed.

"That DFW Associates costs for assisting the Director to place the company into Creditors Voluntary Liquidation ('Pre-appointment costs') up to a maximum of £6,706.50, plus disbursements plus VAT be drawn on account at the rates notified to creditors."

I can confirm that no payments have yet been made in this regard.

5. LIQUIDATOR'S REMUNERATION DISBURSEMENTS & EXPENSES

On the 20th April 2020 at 23.59 the unsecured creditors resolved by correspondence that

"The basis of the Liquidator's remuneration on a time cost basis at DFW Associates standard charging rates in accordance with his statutory fee estimate, copies of which have been provided to creditors, and that such remuneration be drawn on account at the rates notified to creditors."

My statutory estimate of fees acts as a cap on the amount of remuneration that I can draw out of the assets of the company without further authority from creditors.

By virtue of the approval by creditors to the basis of my remuneration, this cap was set at £75,824.65. The services provided, and to be provided, by me included those required by law and/or professional regulations to deal with the procedure.

I am required to detail whether the below listed actions were for the direct financial benefit of creditors or a Statutory Requirement or both. I have annotated them with either an 'F' for Financial Benefit or 'S' as a Statutory Requirement.

F/S

1 Administration and case planning

Setting case strategy, performing file reviews, delegating tasks and managing workflows	S
Secure and prepare inventory of books and records; create paper and electronic files; data input	S
Keeping the case data up to date throughout as the case progresses; recording decisions	S
Notification, filing and advertising of the appointment; arrange and monitor insolvency bond	S
Opening and operating estate bank accounts under Statement of Insolvency Practice 11	S
Accounting for VAT and Corporation tax; obtaining tax clearance prior to closure	S
Physical meeting formalities	S

2 Investigations

Review of books and records; preliminary investigation under Statement of Insolvency Practice 2	S
Forensic analysis of the company's bank statements and other relevant documents	S
Enquiry into Director Conduct under Statement of Insolvency Practice 2	S
Completion and submission of report on Directors' conduct; liaison with Insolvency Service	S
Investigations into the contract with Mr Khakhria, obtaining counsels opinion	F
Assessing the potential Shadow or De Facto Directors, as detailed in the additional explanatory notes	S
Investigations into the relationship and intercompany accounts with Venue Hospitality	F
Investigations into the subsidiary International Corporate Hospitality Limited and Mr T Cox	F
Investigations into Jeniifer Hindle's Loan Account	F
Pursuing antecedent transactions, particularly the preference to SPSM Limited	F

3 Realising assets

Identifying, securing, storage and insurance of the Company's assets; selling the office equipment
Collecting £10,657 book debts from customers and cash balances from bankers.
Instructing agents to value and dispose of tangible assets.
Dealing with the formalities of vacating the former premises.
Agreeing a repayment plan with Jennifer Hindle for her loan account
Agreeing a repayment of the preference to SPSM Limited
Obtaining the insurance refund from McClarrons Limited
Pursuing Hunter and Hawkridge for their outstanding balance under the deed of guarantee

F
F
S
S
F
F
F
F

4 Trading

No trading conducted in this case

5 Creditors

Dealing with 2 employee claims and the Redundancy Payments Office - liaison, agreement
Dealing with the enquiries and claims of 25 unsecured creditors - liaison, correspondence
Dealing with assets subject to finance
Dealing with the formalities of the physical meeting of creditors on 18th January 2020
Dealing with the request of creditors for a physical meeting (which never materialised)
Issuing the Statutory Fees and Expenses Estimates of the Liquidator
Convening, conducting, reporting on the meeting/resolutions of creditors, file at Companies House
Issuing Progress Reports at statutory intervals; filing at Companies House
Issuing a draft final and a final report; filing at Companies House

F
S
F
S
S
S
S
S

6 Case specific

No case specific matters in this case not dealt with above

7 Potential areas of further work not anticipated in the fee estimate (milestone events)

If it becomes necessary to extend the liquidation beyond 36 months
If a Creditors' Committee is appointed
If it becomes necessary to bring or defend other legal proceedings, or any Employee Tribunal issues
Making a distribution to the preferential creditors
Agreeing unsecured claims and making a distribution

I am required to detail whether the below listed actions were for the direct financial benefit of creditors or a Statutory Requirement or both. I have annotated them with either an 'F' for Financial Benefit or 'S' as a Statutory Requirement.

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	10,885.64	4,601.00	-6,284.64
Investigations	29,415.86	16,866.50	-12,549.36
Realising Assets	17,158.19	9,438.00	-7,720.19
Trading	0.00	0.00	0.00
Creditors	18,364.96	7,362.00	-11,002.96
Case Specific	0.00	0.00	0.00
Total	75,824.65	38,267.50	-37,557.15

As illustrated in the table above, the Liquidator's original cost estimate has not been exceeded in the period has fallen short by £37,557.15, however as I am yet conclude outstanding matters in the Liquidation. I expect to have met or exceeded the original time cost estimate by the time the Liquidation has concluded.

The total time spent on the Liquidation by myself and my staff from the date of appointment on 18th January 2019 is 126.75 hours equating to time costs £38,267.50 at an average rate of £301.91 per hour. The total time spent during the period by myself and my staff is 21.15 hours equating to time costs £6,620.50 at an average rate of £313.03 per hour. During the period of this report I have drawn Liquidator fees in the sum of £Nil 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 18th January 2019 to 17th January 2021
- Table of time spend and charge-out value for the period 18th January 2020 to 17th January 2021
- 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

The following category 1 disbursements have been incurred and paid in the period of this report:

Services Provided	Charged by	Total Incurred in period £	Total Paid in period £	Balance Remaining To be paid £
Specific Penalty Bond	Marsh	150.00	250.00	0.00
Legal Advice	Carrick Read	125.00	125.00	0.00
Legal Advice	Eleanor Temple QC	1,150.00	1,150.00	0.00
Software Costs	Solve Accounting	347.48	347.48	0.00
Total		1,772.48	1,672.48	0.00

I have engaged the services of Carrick Read Solicitors, who have provided legal advice in respect of the various investigative matters and have assisted collecting the outstanding balance from the shareholder. They were selected because of their knowledge and experience and close proximity to the office.

I have also engaged the services of Eleanor Temple QC, who have provided legal advice in respect of the company's agreement with Mr Khakari. It was necessary to establish the validity as any potential that any rights to the claim against the RFU. She was selected because of their knowledge and experience and close proximity to the office.

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.

Should you require any further information extracts from the relevant Insolvency Rules are attached.

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.

I can confirm the following in respect of my investigations.

Mrs. J. Hindle

As detailed in section 2, there was an outstanding balance due by Jennifer Hindle of £46,566.50 and a repayment plan has been agreed which will conclude in April 2022 against which £1,500 has been paid in the period.

Payment to SPSM Limited

I can confirm that the sum of £2,680 has been received against an outstanding balance of £8,454. My pursuit of this debt is continuing and I hope to update creditors in my next report.

Venue Hospitality Limited- In Liquidation

I can confirm that there is no realisable benefit from the intercompany account which existed and therefore no further action can be taken in this regard.

Hunter & Hawkrige

After reviewing the company's former records, there appeared to be a deed of guarantee made between Richard Hunter and Ian Hawkrige and the company in respect of an amount owed by their company HH Events Limited totalling £15,488.00. Whilst attempts have been made to recover the balance, there have been no realisations during the period.

Payments to Mr Khakhria

Details of the payments made to Mr Khakhria were detailed in my last progress report, I can confirm that no realisations were made in the period and investigations are ongoing and I hope to update creditors in my next annual report.

7. MATTERS THAT REMAIN OUTSTANDING

Assets realisations are not complete and I have detailed below the assets which remain to be realised.

Book Debts

There appears to be a number of payments made to individuals which were in exchange for tickets relating to the six nations internationals in 2019. As the company didn't receive these tickets these payments are to be recovered. As detailed in section 2 of this report, receipts amount to £400.00 in this regard however there remains the sum of £10,257.50 outstanding. I do expect to realise further sums in this regard and will seek to update creditors in my next annual report.

Jennifer Hindle Loan Account

As detailed in section 6 of this report, payments will continue to be collected as per the repayment plan which is due to conclude in April 2022.

Payment to SPSM Limited

As detailed in section 6 of this report, I will be continuing to pursue the balance of this debt.

Action against the RFU

The Liquidator has made attempts to sell the rights to the action to third parties, however as the issue with the contract with Mr Khakhria is outstanding no sale can take place. I will seek to update creditors at my next annual report.

Hunter and Hawkridge

As detailed in section 6 of this report, I confirm that no receipts have been received during the period and this figure did not form part of the statement of affairs. I will seek to update creditors at my next annual report.

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.



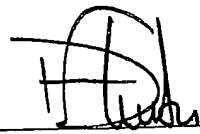
David Frederick Wilson
Liquidator of Serving Sport Limited

Dated: 15th March 2021

Serving Sport Limited
(In Liquidation)

LIQUIDATOR'S RECEIPTS AND PAYMENTS ACCOUNT

	Statement of affairs £	From 18/01/2020 To 17/01/2021. £	From 18/01/2019 To 17/01/2021 £
RECEIPTS			
Furniture & Equipment	150.00	0.00	125.00
Book Debts	10,657.50	360.53	760.53
Shares in ICE	NIL	0.00	0.00
Shareholders Loan account		1,500.00	1,500.00
Preference claim		2,680.00	2,680.00
Insurance Refund		0.00	96.25
Bank Interest Gross		2.56	3.11
Interco. Acct - ICE	NIL	0.00	0.00
Vat Payable		0.00	25.00
		<u>4,543.09</u>	<u>5,189.89</u>
PAYMENTS			
Shares in ICE		0.00	0.00
Interco. Acct - ICE		0.00	0.00
Specific Bond		250.00	400.00
Software costs		347.48	347.48
Legal Fees		125.00	125.00
Counsel's fees		1,150.00	1,150.00
Statutory Advertising		0.00	244.35
Wage Arrears & Holiday Pay	(2,636.13)	0.00	0.00
Trade & Expense Creditors	(255,915.75)	0.00	0.00
Employees	(20,962.66)	0.00	0.00
Directors	(3,000.00)	0.00	0.00
HSBC Bank	(8,850.68)	0.00	0.00
Ordinary Shareholders	(100.00)	0.00	0.00
Vat Receivable		324.50	373.37
		<u>2,196.98</u>	<u>2,640.20</u>
BALANCE - 17 January 2021			<u><u>2,549.69</u></u>



David Frederick Wilson
Liquidator

Time Entry - SIP9 Time & Cost Summary

CVL0109 - Serving Sport Limited
 Project Code: POST
 From: 18/01/2019 To: 17/01/2021

Classification of Work Function	Partner	Manager	Other Senior Professionals	Assistants & Support Staff	Total Hours	Time Cost (£)	Average Hourly Rate (£)
Admin & Planning	1.30	16.50	0.00	0.25	18.05	4,601.00	254.90
Case Specific Matters	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Creditors	4.00	23.60	0.00	0.00	27.60	7,382.00	266.74
Investigations	23.10	31.60	0.00	0.00	54.70	16,866.50	308.35
Realisation of Assets	19.80	6.60	0.00	0.00	26.40	9,438.00	357.50
Trading	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Total Hours	48.20	78.30	0.00	0.25	126.75	38,267.50	301.91

Time Entry - SIP9 Time & Cost Summary

CVL0109 - Serving Sport Limited
Project Code: POST
From: 18/01/2020 To: 17/01/2021

Classification of Work Function	Partner	Manager	Other Senior Professionals	Assistants & Support Staff	Total Hours	Time Cost (£)	Average Hourly Rate (£)
Admin & Planning	0.00	1.70	0.00	0.25	1.95	461.50	236.67
Case Specific Matters	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Creditors	0.70	6.50	0.00	0.00	7.20	1,869.00	259.58
Investigations	3.60	3.00	0.00	0.00	6.60	2,157.00	326.82
Realisation of Assets	5.40	0.00	0.00	0.00	5.40	2,133.00	395.00
Trading	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Total Hours	9.70	11.20	0.00	0.25	21.15	6,620.50	313.03

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").

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).

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 – From 20th November 2018

Time is recorded in 6 minute units.

Principal Associate	395
Associate	245
Junior	180