

In accordance with
Rule 6.28 of the
Insolvency (England &
Wales) Rules 2016 and
Section 106(3) of the
Insolvency Act 1986.

LIQ14

Notice of final account prior to dissolution in CVL



Companies House

THURSDAY



A951XWPB

A15

14/05/2020

#274

COMPANIES HOUSE

1 Company details

Company number 0 6 0 9 7 8 2 5

Company name in full First Response Law Limited

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

2 Liquidator's name

Full forename(s) Kerry

Surname Bailey

3 Liquidator's address

Building name/number 3 Hardman Street

Street

Post town Manchester

County/Region

Postcode M 3 3 A T

Country

4 Liquidator's name

Full forename(s) Edward

Surname Kerr

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

5 Liquidator's address

Building name/number C/o BDO LLP, Regent House

Street Clinton Avenue

Post town Nottingham

County/Region

Postcode N G 5 1 A Z

Country

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

LIQ14

Notice of final account prior to dissolution in CVL

6

Liquidator's release

☐ Tick if one or more creditors objected to liquidator's release.

:

7

Final account

☒ I attach a copy of the final account.

8

Sign and date

Liquidator's signature

Signature

X



X

Signature date

d

1

d

4

m

0

m

5

y

2

y

0

y

2

y

0

LIQ14

Notice of final account prior to dissolution in CVL



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	Kerry Bailey
Company name	BDO LLP
Address	5 Temple Square Temple Street
Post town	Liverpool
County/Region	
Postcode	L 2 5 R H
Country	
DX	
Telephone	01512 374 500



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

**First Response Law Limited
(In Liquidation)
Joint Liquidators' Summary of Receipts & Payments**

Statement of Affairs £	From 21/03/2019 To 13/03/2020 £	From 21/03/2014 To 13/03/2020 £
ASSET REALISATIONS		
NIL	19.20	185.90
NIL	NIL	54,172.22
8,374.00	NIL	11,343.54
49,000.00	NIL	49,000.00
NIL	NIL	1,565.00
NIL	NIL	577.50
NIL	NIL	18.00
	19.20	116,862.16
COST OF REALISATIONS		
	NIL	516.03
	62.63	69.33
	6.23	12.43
	NIL	265.00
	NIL	33,704.30
	12,631.72	76,699.06
	NIL	5,122.50
	NIL	473.51
	(12,700.58)	(116,862.16)
57,374.00	(12,681.38)	0.00
REPRESENTED BY		
		NIL

Note:



Tel: +44 (0)151 237 4500
Fax: +44 (0)151 237 4545
www.bdo.co.uk

5 Temple Square
Temple Street
Liverpool
L2 5RH

Private and Confidential

TO ALL KNOWN CREDITORS AND SHAREHOLDERS

16 March 2020

Our Ref: 00240891/C3/KB/TB

Please ask for: Teddy Blankson
Direct Dial: 0151 237 4421
Email: BRCMT@bdo.co.uk

Dear Madams/Sirs

First Response Law Limited - In Creditors' Voluntary Liquidation ('the Company')
Registered number: 06097825

I am now in a position to conclude this Liquidation and below is our final report as required by Section 106(1) of the Insolvency Act 1986 and Rule 18.14 of the Insolvency (England and Wales) Rules 2016 (hereafter 'the Rules'). This report covers the period 21 March 2019 to 13 March 2020 ('the Final Period') and should be read in conjunction with my previous reports.

The Company's affairs are fully wound up and unless any substantive issues are raised by creditors, no further report will be issued and this report will be presented as the final report.

A notice to creditors confirming there will be no dividend to creditors is attached as required by Rule 14.36 of the Rules.

Professional information regarding the Joint Liquidators

The Joint Liquidators are currently Kerry Bailey (officeholder No: 8780) of BDO LLP, 3 Hardman Street, Manchester, M3 3AT and Edward Kerr (officeholder No: 9021) of BDO LLP, Regent House, Clinton Avenue, Nottingham, NG5 1AZ. The Liquidation commenced on 21 March 2014 and the Joint Liquidators carry out their functions jointly and severally meaning any action can be done by one Liquidator or by both of them.

Receipts and Payments

I enclose a copy of the final Receipts and Payments account to 13 March 2020 showing a nil balance in hand. I confirm that this account has been reconciled.

During the Final Period, bank interest of £19 has been received. The transactions shown in the Receipts and Payments account are self-explanatory; the payment made in relation to the Joint Liquidators' Fees is discussed later on in this report.

BDO LLP, a UK limited liability partnership registered in England and Wales under number OC305127, is a member of BDO International Limited, a UK company limited by guarantee, and forms part of the international BDO network of independent member firms. A list of members' names is open to inspection at our registered office, 55 Baker Street, London W1U 7EU. BDO LLP is authorised and regulated by the Financial Conduct Authority to conduct investment business

The Joint Liquidators are Data Controllers as defined by the General Data Protection Regulations. BDO LLP will act as Data Processor on the instruction of the Data Controllers. Personal data will be kept secure and processed only for matters relating to the Liquidation of First Response Law Limited. Please see the privacy statement at <https://www.bdo.co.uk/en-gb/privacy-notice/insolvencies>

Costs in the Liquidation

I can confirm that no professional fees or other expenses have been accrued and not yet paid in the Final Period.

Progress of the Liquidation

The Joint Liquidators have now completed their statutory duties in the Liquidation and all outstanding matters are dealt with. The Company will move to dissolution three months after the filing of the final report at the Registrar of Companies.

Assets

There are no remaining assets to be realised in this Liquidation.

I can confirm that there are no assets of a peculiar or special nature which cannot be sold. Consequently, there has been no distribution of unsold assets to creditors, as mentioned in Rules 18.10/14.13.

Outcome to Creditors*Secured creditors*

As reported previously, the Company had pledged security to Clydesdale Bank Plc ('the Bank') by way of a fixed and floating charge debenture over the Company's assets. However, by the date of the Joint Liquidators' appointment, the Company had no indebtedness to the Bank.

Preferential creditors

The Redundancy Payments Service has lodged a preferential claim of £3,000 that represents employees' unpaid holiday arrears. There were insufficient funds to make a distribution to preferential creditors in this matter.

Unsecured creditors

Due to insufficient funds, a dividend will not be paid to unsecured creditors.

Prescribed Part

Under Section 176A of the Insolvency Act 1986 where after 15 September 2003 a company has granted a floating charge to a secured creditor, a proportion of the net property of said company must be made available purely for the unsecured creditors.

The Company did grant a fixed and floating charge after this date, however, as there was no remaining indebtedness upon the appointment of the Joint Liquidators, the prescribed part did not apply in this Liquidation.

Investigations

The Joint Liquidators have a duty to investigate the affairs of the Company and also the conduct of the directors and in respect of the latter, to submit a confidential statutory report to the Secretary of State. I confirm that a report has been submitted.

I have completed the review of the Company's affairs and assets to establish whether there are any actions that can be investigated for the benefit of the creditors and concluded there are no causes of action to be pursued.

Joint Liquidators' Remuneration

Pursuant to the Rules, the Joint Liquidators are obliged to fix their remuneration in accordance with Rule 18.16. This permits remuneration to be fixed either:

- (1) As a percentage of the assets realised and distributed; and/or
- (2) By reference to the time the Joint Liquidators and the staff have spent attending to matters in the Liquidation; and/or
- (3) As a set amount; and/or
- (4) As a combination of the above.

The Joint Liquidators' remuneration has been approved on the basis of time properly spent in dealing with issues in the Liquidation. During the Final Period, Joint Liquidators' fees of £12,632 have been drawn and paid. Since appointment, the Joint Liquidators have drawn £76,699 in respect of remuneration as shown on the enclosed Receipts and Payments account.

I attach two schedules detailing the time costs incurred to date. The first schedule covers the Final Period and records time costs of £3,926 which represents 28 hours spent at an average charge out rate of £140 per hour.

The second schedule covers the whole period of appointment and records time costs of £94,604 which represents 410 hours spent at an average charge out rate of £231 per hour.

Detail of Work Undertaken

Time costs incurred in the Final Period relate to submitting final Corporation Tax and VAT Returns, obtaining HMRC clearance and dealing with other statutory matters in relation to moving the Company to dissolution.

This work was led by a Manager and delegated to an Assistant Manager, Senior Administrator and Administrator, as appropriate.

For guidance, I enclose a document that outlines the policy of BDO LLP in respect of fees and disbursements.

Disbursements

Where disbursements are recovered in respect of precise sums expended to third parties there is no necessity for these costs to be authorised. These are known as category 1 disbursements. Since my last report, no category 1 disbursements have been incurred.

Some Liquidators recharge expenses, for example printing, photocopying and telephone costs, which cannot economically be recorded in respect of each specific case. Such expenses, which are apportioned to cases, require the approval of the creditors before they can be drawn, and

these are known as category 2 disbursements. The policy of BDO LLP in respect of this appointment is not to charge any category 2 disbursements with the exception of mileage on the basis of the mileage scale approved by HMRC, being 45p per mile unless otherwise disclosed to the creditors. No category 2 disbursements have accrued during the Final Period.

Total disbursements of £3,456 have been incurred and drawn in this Liquidation as detailed below.

Narrative	Cat. 1 (£)	Cat. 2 (£)	Total (£)
Statutory Bonding	155.00	-	155.00
Company Records Storage	157.69	-	157.69
Legal Advice Costs	2,950.00	-	2,950.00
Travel and out of pocket expenses	86.47	-	86.47
Mileage	-	106.45	106.45
Total	3,349.16	106.45	3,455.61

Creditor Enquiries

Creditors with the concurrence of at least 5% in value of the unsecured creditors may within 21 days of this report request in writing further information regarding the remuneration and expenses set out in this report. In accordance with Rule 18.9(3) of the Rules within 14 days of a request we will provide further information or explain why further information is not being provided. Creditors may access information setting out creditors' rights in respect of the approval of Liquidator's remuneration at <https://www.bdo.co.uk/en-gb/insights/advisory/business-restructuring/creditors-guides>

A creditor (who need not be the creditor who asked for the information) may, with the concurrence of at least 5% or more in value of the creditors (including the creditor in question), apply to the court within 21 days of our response or the expiry for the period of my response and the court may make such order as it thinks fit (Rule 18.9(6) and (7) of the Rules). Creditors with the concurrence of at least 10% of the creditors may apply to the court if they consider that the remuneration of the liquidators, or the basis fixed for the remuneration of the liquidator or expenses charged by the liquidator are excessive (Rule 18.34 of the Rules). Such an application must be made within 8 weeks of receiving this draft report. The text of Rules 18.9 and 18.34 are set out at the end of this report.

Release of Joint Liquidators

The Joint Liquidators will be released from office under section 173 of the Insolvency Act 1986 at the same time as vacating office, unless any creditor objects. A creditor who wishes to object to the release must deliver a notice in writing to the liquidators within eight weeks of this report or, if creditors raise other matters under Rules 18.9 or 18.34 as mentioned above, when those matters are finally determined by the court.

The Insolvency Service has established a central gateway for considering complaints in respect of Insolvency practitioners. In the event that you make a complaint to me but are not satisfied with the response from me then you should visit <https://www.gov.uk/complain-about->

insolvency-practitioner where you will find further information on how you may pursue the complaint.

The Joint Liquidators are bound by the Insolvency Code of Ethics when carrying out all professional work relating to this appointment. A copy of the code is at:
<http://www.icaew.com/en/members/regulations-standards-and-guidance/ethics/code-of-ethics-d>

Please contact me or my colleague Teddy Blankson at BRCMT@bdo.co.uk if you require further information.

Yours faithfully
for and on behalf of
First Response Law Limited



Kerry Bailey
Joint Liquidator
Authorised by the Institute of Chartered Accountants in England & Wales in the UK

Enclosures

Notice of Final Account
Last Notice to Creditors about Dividend
Receipts and Payments Account
SIP 9 Time Cost Report for the Final Period
SIP 9 Time Cost Report for the Period of Liquidation
BDO LLP Policy in Respect of Fees and Disbursements
Statement of Creditors' Rights in respect of Fees and Disbursements



NOTICE OF FINAL ACCOUNT UNDER SECTION 106 OF THE INSOLVENCY ACT 1986 & RULE 6.28 OF THE INSOLVENCY (ENGLAND AND WALES) RULES 2016 ('the Rules')

First Response Law Limited - In Creditors' Voluntary Liquidation ('the Company')
Registered number: 06097825

NOTICE THAT:

The Company's affairs are fully wound up.

Creditors, with the concurrence of at least 5% in value of the unsecured creditors, may within 21 days of this notice request in writing further information regarding the remuneration and expenses set out in the attached report (Rule 18.9).

Creditors may apply to the court under Rule 18.34 if they consider that the remuneration of the Joint Liquidators, or the basis fixed for the remuneration of the Joint Liquidators or expenses charged by the Joint Liquidators are excessive.

A creditor may object to the release of the Joint Liquidators within eight weeks of this notice or, if creditors raise other matters under Rules 18.9 or 18.34, such time as those matters are finally determined by the court.

The Joint Liquidators will vacate office under section 171 of the Insolvency Act 1986 when they deliver the attached account and report to the registrar of companies, stating whether any creditor has objected to their release.

The Joint Liquidators will be released under section 173 of the Insolvency Act 1986 at the same time as vacating office, unless any of the Company's creditors objected to the Joint Liquidators' release.

The Joint Liquidators are Kerry Bailey (officeholder No: 8780) of BDO LLP, 3 Hardman Street, Spinningfields, Manchester, M3 3AT and Edward Kerr (officeholder No: 9021) of BDO LLP, Regent House, Clinton Avenue, Nottingham NG5 1AZ. The Joint Liquidators were appointed on 21 March 2014. The Joint Liquidators may also be contacted via Teddy Blankson at BRCMT@bdo.co.uk.

Dated: 16 March 2020

A handwritten signature in black ink, appearing to be 'K Bailey', written over a horizontal line.

Kerry Bailey
Joint Liquidator
Authorised by the Institute of Chartered Accountants in England & Wales in the UK



Last Notice to Creditors about Dividend (Rule 14.36) of the Insolvency (England and Wales) Rules 2016)

**First Response Law Limited - In Creditors' Voluntary Liquidation ('the Company')
Registered number: 06097825**

In the Matter of the Insolvency Act 1986

All the Company's assets have been realised and the funds received have been used to settle professional costs incurred in administering the Liquidation. There will be no distributions made to creditors.

A handwritten signature in black ink, appearing to be 'Kerry Bailey', written over a dotted line.

.....
Kerry Bailey
Joint Liquidator
Authorised by the Institute of Chartered Accountants in England & Wales in the UK

The Joint Liquidators are Kerry Bailey (officeholder No: 8780) of BDO LLP, 3 Hardman Street, Spinningfields, Manchester, M3 3AT and Edward Kerr (officeholder No: 9021) of BDO LLP, Regent House, Clinton Avenue, Nottingham NG5 1AZ. The Liquidation commenced on 21 March 2014. The Joint Liquidators may also be contacted via Teddy Blankson at BRCMT@bdo.co.uk

First Response Law Limited
(In Liquidation)
Joint Liquidators' Summary of Receipts & Payments

Statement of Affairs £		From 21/03/2019 To 13/03/2020 £	From 21/03/2014 To 13/03/2020 £
	ASSET REALISATIONS		
NIL	Bank Interest Gross	19.20	185.90
NIL	Book Debts	NIL	54,172.22
8,374.00	Cash at Bank	NIL	11,343.54
49,000.00	Directors Loans	NIL	49,000.00
NIL	Furniture & Equipment	NIL	1,565.00
NIL	Stock	NIL	577.50
NIL	Sundry Refunds	NIL	18.00
		19.20	116,862.16
	COST OF REALISATIONS		
	Agents/Valuers Fees (1)	NIL	516.03
	Bank Charges	62.63	69.33
	Corporation Tax	6.23	12.43
	Insurance of Assets	NIL	265.00
	Legal Fees (1)	NIL	33,704.30
	Liquidator's Fees	12,631.72	76,699.06
	Preparation of S. of A.	NIL	5,122.50
	Statutory Advertising	NIL	473.51
		(12,700.58)	(116,862.16)
57,374.00		(12,681.38)	0.00
	REPRESENTED BY		
			NIL

Note:

Detail of Time Charged and Rates Applicable for the Period From 21/03/2014 to 13/03/2020

Description	PARTNER		MANAGER		ASSISTANT MANAGER		SENIOR ADMINISTRATOR		ADMINISTRATOR		OTHER STAFF		GRAND TOTAL	
	Hours	£	Hours	£	Hours	£	Hours	£	Hours	£	Hours	£	Hours	£
B. Steps on Appointment														
02 Statutory Documentation														
04 Meet Directors UNBIO etc														
07 Attendance at Premises														
08 Detail Documentation Review														
12 Setting up Internal Files														
99 4 Hour Minutes														
sub total :	3.00	1,506.00	29.60	7,148.00									32.60	8,734.00
B. Steps on Appointment														
C. Planning and Strategy														
04 Assessment of Management	1.00	509.00												509.00
07 Strategy Planning	2.00	922.00	2.25	617.00										1,539.00
08 Reporting			4.25	1,270.50					2.00	352.00				1,622.50
sub total :	3.00	1,431.00	7.50	1,887.50					2.00	352.00			12.50	3,670.50
C. Planning and Strategy														
D. General Administration														
01 Insurance Matters			0.40	81.20	0.25	31.00							0.40	81.20
02 VAT			0.45	141.00					1.95	368.85			2.40	652.85

Name of Assignment

First Response Law Limited - C

00240891

Detail of Time Charged and Rates Applicable for the Period From 21/03/2014 to 13/03/2020

Description	PARTNER		MANAGER		ASSISTANT MANAGER		SENIOR ADMINISTRATOR		ADMINISTRATOR		OTHER STAFF		GRAND TOTAL	
	Hours	Total	Hours	Total	Hours	Total	Hours	Total	Hours	Total	Hours	Total	Hours	Total
03 Location			1.80	407.60									1.80	407.60
04 Instructional Note Notes	8.50	4,114.00	21.75	5,337.75									30.25	9,451.75
05 Investigations			3.90	991.50									3.90	991.50
07 Receipts Payments Accounts			4.70	1,004.05	16.75	1,376.70	1.45	246.65	30.70	3,200.65	6.35	413.80	62.45	8,281.25
09 Statutory Matters			7.75	1,837.40					4.70	760.90			12.45	2,598.30
14 General Discussions			0.20	42.60									0.20	42.60
14 Gen Admin & correspondence	3.80	1,768.10	10.05	4,812.40			0.65	70.15	5.80	413.35	1.80	128.20	32.00	3,251.70
16 Maintain Internal Files			0.50	135.50									0.50	135.50
sub total :	12.50	5,882.10	61.40	14,873.60	10.00	1,407.70	2.10	325.20	43.15	4,779.75	8.15	992.00	146.10	29,860.35
B. General Administration														
E. Assets Realisation/Dealing														
03 Asset Tracking			28.00	8,000.00									28.00	8,000.00
07 Title Collection			60.75	13,972.50									60.75	13,972.50
08 Dealing with Charged Assets			1.40	348.00									1.40	348.00
09 Other Matters			4.00	1,340.00									4.00	1,340.00

Detail of Time Charged and Rates Applicable for the Period From 21/03/2014 to 13/03/2020

Description	PARTNER		MANAGER		ASSISTANT MANAGER		SENIOR ADMINISTRATOR		ADMINISTRATOR		OTHER STAFF		GRAND TOTAL	
	Hours	Total	Hours	Total	Hours	Total	Hours	Total	Hours	Total	Hours	Total	Hours	Total
sub total -														
E. Assets Realisation/Dealing														
G. Employee Matters														
01 EPA Matters			0.50	101.50	4.50	823.50			0.00	80.00	1.70	168.50	7.00	1,182.40
sub total -														
G. Employee Matters														
H. Creditor Claims														
03 Preferential Creditors			1.20	716.80									3.20	716.80
04 Non-Preferential Creditors			13.75	5,162.50									13.75	5,162.50
sub total -														
H. Creditor Claims														
I. Reporting														
01 Statutory Reporting	0.55	282.70	24.05	6,464.40	3.50	503.70	2.20	255.20	8.80	650.00			39.10	8,156.00
02 Reporting to Appointee	1.00	500.00											1.00	500.00
04 Reporting to Creditors	1.75	933.75	12.25	3,027.50									14.00	3,960.25
06 Reporting to other Bodies			8.00	2,600.00									8.00	2,600.00
sub total														
I. Reporting														
01 Statutory Reporting	3.30	1,723.45	44.30	12,171.90	3.50	503.70	2.20	255.20	8.80	650.00			62.10	15,904.25
J. Distribution and Closure														
01 Closure Planning			10.00	2,962.00	1.50	327.00			0.75	1,716.00			12.25	4,905.00

Name of Assignment

First Response Law Limited - C

00240891

Detail of Time Charged and Rates Applicable for the Period From 21/03/2014 to 13/03/2020

Description	PARTNER		MANAGER		ASSISTANT MANAGER		SENIOR ADMINISTRATOR		ADMINISTRATOR		OTHER STAFF		GRAND TOTAL	
	Hours	Total	Hours	Total	Hours	Total	Hours	Total	Hours	Total	Hours	Total	Hours	Total
04 Closure Documentation			17.25	2,218.50					1.35	219.15			10.00	2,437.65
06 Closing Statutory Duties							6.50	851.50					6.50	851.50
99 Other Matters									0.25	37.75			0.25	17.50
sub total -			17.25	5,100.50	1.50	327.00	6.50	851.50	13.15	1,972.90			18.00	2,311.90
J. Distribution and Closure														
Net Total														94,603.00
Secretarial Expense														0.00
Other Disbursements														0.00
Billed														0.00
Grand Total														94,603.00



First Response Law Limited - In Creditors' Voluntary Liquidation

In accordance with best practice, we provide below details of policies of BDO LLP in respect of fees and expenses for work in relation to the above insolvency.

The current charge out rates per hour of staff within our firm who may be involved in working on the insolvency, is as follows:

GRADE	£
Partner	549
Manager	242-380
Assistant Manager	218
Senior Administrator	206
Administrator	119-185
Other Staff	73-77

This in no way implies that staff at all such grades will work on the case. The rates charged by BDO LLP are reviewed on a regular basis and are adjusted to take account of inflation and the firm's overheads.

Time spent on casework is recorded directly to the relevant case using a computerised time recording system and the nature of the work undertaken is recorded at that time. Units of time can be as small as 3 minutes. BDO LLP records work in respect of insolvency work under the following categories:-

Pre Appointment
Steps upon Appointment
Planning and Strategy
General Administration
Asset Realisation/Management
Trading Related Matters
Employee Matters
Creditor Claims
Reporting
Distribution and Closure
Other Issues.

Under each of the above categories the work is recorded in greater detail in sub categories. Please note that the 11 categories provide greater detail than the six categories recommended by the Recognised Professional Bodies who are responsible for licensing and monitoring insolvency practitioners.

Where an officeholder's remuneration is approved on a time cost basis the time invoiced to the case will be subject to VAT at the prevailing rate.

Where remuneration has been approved on a time costs basis a periodic report will be provided to any committee appointed by the creditors or in the absence of a committee to the creditors. The report will provide a breakdown of the remuneration drawn and will enable the recipients to see the average rates of such costs.

Other Costs

Where expenses are incurred in respect of the insolvent estate they will be recharged. Such expenses can be divided into two categories.



1) Category 1

This heading covers expenses where BDO LLP has met a specific cost in respect of the insolvent estate where payment has been made to a third party. Such expenses may include items such as advertising, couriers, travel (by public transport), land registry searches, fees in respect of swearing legal documents etc. In each case the recharge will be reimbursement of a specific expense incurred.

2) Category 2

We propose to recover from the estate the cost of travel where staff use either their own vehicles or company cars in travelling connected with the insolvency. In these cases a charge of 45p per mile is raised which is in line with the HM Revenue & Customs Approved Mileage Rates (median - less than 10,000 miles per annum) which is the amount the firm pays to staff. Where costs are incurred in respect of mileage, approval will be sought in accordance with the Insolvency (England and Wales) Rules 2016 to recover this disbursement.

Where applicable, all disbursements will be subject to VAT at the prevailing rate.

BDO LLP
March 2020

Statement from the Insolvency (England and Wales) Rules 2016 regarding the rights of creditors in respect of the Joint Liquidators' fees and expenses:

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

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).

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

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").

Applications under rules 18.34 and 18.35 where the court has given permission for the application

18.36.—(1) This rule applies to applications made with permission under rules 18.34 and 18.35.

- (2) Where the court has given permission, it must fix a venue for the application to be heard.
- (3) The applicant must, at least 14 days before the hearing, deliver to the office-holder a notice stating the venue and accompanied by a copy of the application and of any evidence on which the applicant intends to rely.
- (4) If the court considers the application to be well-founded, it must make one or more of the following orders—
 - (a) an order reducing the amount of remuneration which the office-holder is entitled to charge;
 - (b) an order reducing any fixed rate or amount;
 - (c) an order changing the basis of remuneration;
 - (d) an order that some or all of the remuneration or expenses in question is not to be treated as expenses of the administration, winding up or bankruptcy;
 - (e) an order for the payment of the amount of the excess of remuneration or expenses or such part of the excess as the court may specify by —
 - (i) the administrator or liquidator or the administrator's or liquidator's personal representative to the company, or
 - (ii) the trustee or the trustee's personal representative to such person as the court may specify as property comprised in the bankrupt's estate;
 - (f) any other order that it thinks just.
- (5) An order under paragraph (4)(b) or (c) may only be made in respect of periods after the period covered by the relevant report.
- (6) Unless the court orders otherwise the costs of the application must be paid by the applicant, and are not payable as an expense of the administration, winding up or bankruptcy.

Applications under rule 18.34 where the court's permission is not required for the application

18.37.—(1) On receipt of an application under rule 18.34 for which the court's permission is not required, the court may, if it is satisfied that no sufficient cause is shown for the application, dismiss it without giving notice to any party other than the applicant.

- (2) Unless the application is dismissed, the court must fix a venue for it to be heard.
- (3) The applicant must, at least 14 days before any hearing, deliver to the office-holder a notice stating the venue with a copy of the application and of any evidence on which the applicant intends to rely.
- (4) If the court considers the application to be well-founded, it must make one or more of the following orders—
 - (a) an order reducing the amount of remuneration which the office-holder is entitled to charge;
 - (b) an order reducing any fixed rate or amount;
 - (c) an order changing the basis of remuneration;
 - (d) an order that some or all of the remuneration or expenses in question be treated as not being expenses of the administration or winding up or bankruptcy;
 - (e) an order for the payment of the amount of the excess of remuneration or expenses or such part of the excess as the court may specify by —
 - (i) the administrator or liquidator or the administrator's or liquidator's personal representative to the company, or
 - (ii) the trustee or the trustee's personal representative to such person as the court may specify as property comprised in the bankrupt's estate;
 - (f) any other order that it thinks just.
- (5) An order under paragraph (4)(b) or (c) may only be made in respect of periods after the period covered by the relevant report.
- (6) Unless the court orders otherwise the costs of the application must be paid by the applicant, and are not payable as an expense of the administration or as winding up or bankruptcy.