

# LIQ03

## Notice of progress report in voluntary winding up



Companies House

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

1

Company details

Company number

08763790

Company name in full

MBI Clifton Moor Limited

→ Filling in this form

Please complete in typescript or in bold black capitals.

2

Liquidator's name

Full forename(s)

Robert

Surname

Armstrong

3

Liquidator's address

Building name/number

The Shard

Street

32 London Bridge Street

Post town

London

County/Region

Postcode

SE19SG

Country

United Kingdom

4

Liquidator's name ①

Full forename(s)

Andrew

Surname

Knowles

① Other liquidator

Use this section to tell us about another liquidator.

5

Liquidator's address ②

Building name/number

The Chancery

Street

58 Spring Gardens

Post town

Manchester

County/Region

Postcode

M21EW

Country

United Kingdom

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	2	m	0	m	8	y	2	y	0	y	2	y	2
To date	d	1	d	1	m	0	m	8	y	2	y	0	y	2	y	3

7	Progress report														
<input checked="" type="checkbox"/> The progress report is attached															

8	Sign and date															
Liquidator's signature	Signature															
	<div>X</div> <div></div> <div>X</div>															
Signature date	d	2	d	2	m	0	m	9	y	2	y	0	y	2	y	3

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	Perry Eleftheriou
Company name	Kroll Advisory Ltd.
Address	The Chancery
	58 Spring Gardens
Post town	Manchester
County/Region	
Postcode	M 2 1 E W
Country	United Kingdom
DX	
Telephone	0161 827 9000



**Checklist**

**We may return forms completed incorrectly or with information missing.**

**Please make sure you have remembered the following:**

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



**Important information**

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



**Where to send**

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

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



**Further information**

For further information please see the guidance notes on the website at [www.gov.uk/companieshouse](http://www.gov.uk/companieshouse) or email [enquiries@companieshouse.gov.uk](mailto:enquiries@companieshouse.gov.uk)

This form is available in an alternative format. Please visit the forms page on the website at [www.gov.uk/companieshouse](http://www.gov.uk/companieshouse)

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22 September 2023

# **Progress Report to Creditors**

## **MBI Clifton Moor Limited (In Creditors' Voluntary Liquidation)**

*Joint Liquidators' Progress Report to Creditors  
for the period from 12 August 2022 to 11 August 2023*

**Kroll Advisory Ltd.**  
The Chancery  
58 Spring Gardens  
Manchester  
M2 1EW

## Definitions

Word or Phrase	Definition
the Act	The Insolvency Act 1986 (as amended)
the Agents	Sanderson Weatherall LLP, independent agents who were instructed to value and sell the assets of the Company
the Appointment Date	12 August 2022, being the date of appointment of the Joint Liquidators if there have been changes to the original IPs, ensure that the date is correct and that the background is explained either here or in the next section or the introduction to the report i.e. all previous names of IPs and dates of tenure
the Administration Appointment Date	16 August 2020, being the date of appointment of the Former Joint Administrators
Category 1 Expenses	The Joint Liquidators' expenses, in dealing with the liquidation, to persons providing the service to which the expense relates and who are not an associate of the Liquidator. These expenses can be paid without prior approval
Category 2 Expenses	The Joint Liquidators' expenses, in dealing with the liquidation, to associates or where there is an element of shared costs. Such expenses require approval by creditors before payment
the Company	MBI Clifton Moor Limited (In Creditors' Voluntary Liquidation) (Company Number: 08763790)
the Director	Gavin Woodhouse, the sole director of the Company
the Former Joint Administrators	Robert Armstrong and Andrew Knowles of Kroll
HMRC	HM Revenue and Customs
the Joint Liquidators	Robert Armstrong and Andrew Knowles of Kroll
Kroll	Kroll Advisory Ltd., The Chancery, 58 Spring Gardens, Manchester, M2 1EW
NPD Group	The group of companies associated with NPD
the Original Administration	The period from 16 August 2019 to 15 August 2020

Word or Phrase	Definition
Preferential Creditor/s	A creditor with a claim that ranks in priority to other unsecured creditors, to floating charge holders and the prescribed part. Preferential debts are either 'ordinary', such as certain employee claims, or 'secondary', such as HMRC's claims for VAT and PAYE income tax, which will rank for payment after the ordinary preferential claims are paid in full
Prescribed Part	Pursuant to Section 176A of the Act, where a floating charge is created after 15 September 2003, a designated amount of the Company's net property (floating charge assets less costs of realisation) shall be made available to Unsecured Creditors
RAH	Robert Ashley Hall & MJF Pension Trustees, the holder of a fixed and floating charge over the Company's assets
the Reporting Period	The period from 12 August 2022 to 11 August 2023
Rockbridge	Rockbridge Lending Limited, the holder of a fixed and floating charge over the Company's assets
RPS	Redundancy Payments Service
the Rules	The Insolvency (England & Wales) Rules 2016 (as amended)
the Secured Creditors	RAH and Rockbridge
SIP 9	Statement of Insolvency Practice 9 – Industry Best Practice for Insolvency Practitioners in relation to disclosure of remuneration and expenses
the Website	Available at: <a href="http://www.kroll.com/ukrestructuring">www.kroll.com/ukrestructuring</a>

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4. Statement of Creditors' Rights
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## **1. Introduction**

The purpose of this progress report is to detail the Joint Liquidators' acts and dealings together with the conduct of the Liquidation since the Appointment Date.

## **2. Progress of the Liquidation**

### **2.1 Land**

The main asset of the Company was the underdeveloped land in Tyldesley, Greater Manchester. The site comprises of the Land which is registered at HM Land Registry under the title numbers MAN34746 and MAN34869. The Land was secured and insured by the Former Joint Administrators.

As previously reported, the Former Joint Administrators submitted application to Court for permission to sell the Land. In addition, an application to Court was submitted by RAH under Para 43 of Schedule B1 to the Act seeking possession of the Land on the basis that it would complete a sale of the Land.

The Former Joint Administrators consented to the application on the condition that their outstanding costs in preserving and dealing with the proposed sale of the Land be held in an escrow account following any future sale.

During the Administration, RAH successfully completed a sale of the Land in their capacity as mortgagee in possession for a total consideration of £315,000. A full and final settlement was agreed by the Former Joint Administrators with RAH, and the sum of £66,876 was remitted to the Former Joint Administrators.

There were insufficient funds arising from the sale of the Land to enable a distribution to Rockbridge under its security.

### **2.2 Intercompany Debtors**

Following a full reconciliation of the intercompany position, the total amount owed to the Company from other companies within the NPD Group is £479,000.

All of the associated companies are in a formal insolvency process, and it is uncertain whether any of these debts are recoverable.

An update in this regard will be provided in future Liquidation reports.

### **2.3 Surplus from Administration**

During the Reporting Period, the Joint Liquidators have received a surplus of £26,237 from the credit balances held in the Administration estate bank account.

In addition, there was a VAT refund due to the Company whilst in Administration of £6,723. Such funds will be remitted to the Liquidation estate once received from HMRC.

No further funds will be received in this regard.



## **2.4 Other Assets**

The Joint Liquidators continue to conduct investigations into the Company's books and records to establish if there are any further assets to be realised for the benefit of the Administration estate.

During the Reporting Period, the Joint Liquidators received bank interest of £51 on the credit balances held in the Liquidation estate bank account.

Based upon current investigations, there are unlikely to be any further assets to realise other than what has been disclosed.

## **2.5 Statutory and Compliance Matters**

Certain work has been performed solely to comply with statutory and compliance requirements. Whilst many of these tasks do not have a direct benefit in enhancing realisations, they assist in the efficient compliant progress of the Liquidation, ensuring that work is carried out to a high professional standard.

Such matters in this period cover certain aspects of reporting to Creditors, cashiering (including the preparation of Receipts and Payments accounts), bonding, case reviews and insurance matters.

## **3. Investigations**

The Joint Liquidators' investigations into the Company's affairs remain ongoing. The Joint Liquidators cannot at this stage, detail the nature of these investigations as it may hamper any further action that may be required. However, should any of the Company's Creditors have information concerning the Company's affairs that they would like to bring to the Joint Liquidators' attention, please contact this office.

The Joint Liquidators have now issued legal proceedings against the former legal advisors of the Company and served on the defendants ("the Proceedings"). The Company is one of 43 claimant companies in the NPD Group participating in the Proceedings and the costs of the claim will be shared across the insolvent estates of the claimant companies.

The Joint Liquidators' legal advisors are in correspondence with the defendants and their legal advisors. Litigation funding has been obtained to fund the pursuit of the claim. The details of the Proceedings and of the litigation funding are confidential and privileged.

Since 12 August 2022, Kroll staff engaged in work relating to the Proceedings have been recording their time to a separate shared time code.

During the Reporting Period, £80,289 has been recorded to this shared time code, representing 131 hours at an average hourly rate of £615 of which 1/43rd is chargeable to the Company. This time has been incurred in:

- Reviewing company books and records for information required to bring the aforementioned claims;

- Preparing and maintaining an estimated outcome statement in relation to the litigation;
- Preparing particulars of claim;
- Liaising with the litigation funder; and
- Meetings with solicitors and other relevant parties.
- Save as specified in this report, the details of the above work are privileged and confidential. The work is expected to continue whilst the Proceedings are ongoing, as well as other ad hoc duties which are required to facilitate the Proceedings, the details of which are also privileged and confidential.

A further update will be provided in the next report.

#### **4. Liabilities and Dividends**

##### **4.1 Secured Creditors**

###### RAH

In consideration for the monies advanced under a loan facility, the Company granted RAH a debenture on 16 May 2014, which confers fixed and floating charges over all of the assets of the Company.

As at the Administration Appointment Date, the Company's indebtedness to RAH was approximately £212,000 plus accruing interest and charges.

Following a sale of the Land on 3 September 2021 a distribution was made to RAH during the Administration in the total sum of £248,124. This was in full and final settlement of the amount due to RAH and as such, RAH is deemed to have been repaid in full during the Administration.

###### Rockbridge

In consideration for the monies advanced under a loan facility, the Company granted Rockbridge a debenture on 21 December 2018, which confers fixed and floating charges over all of the assets of the Company.

Following the sale of the Land, a distribution was not available to Rockbridge under its security in the Administration.

###### Lien Holders

Where an investor has paid substantially all of the purchase price of a lease but not received a completed lease then they may hold an equitable lien in respect of the Land and this is classed as a form of security under the Act.

Following the distribution to RAH there were insufficient funds from the realisation of the Land to enable a distribution to the lien holders in the Administration.

Lienholders have retained their claims in the Liquidation, and these will rank as unsecured claims.

#### **4.2 Preferential Creditors**

The Company did not employ any staff and therefore there are no Preferential Creditors.

#### **4.3 Unsecured Creditors**

According to the Former Joint Administrators' Estimated Financial Position, the Company's Unsecured Creditors total £10,793 and balances of £474,211 are due to associated companies.

To date, claims of £2,497,862 have been received in respect of Unsecured Creditors.

The total level of claims received from investors totals £2,495,000 and is included in the above figure.

It is currently uncertain as to whether there will be a distribution to the Unsecured Creditors as this is depended on the outcome of the recovery action in respect of the ongoing investigations.

The quantum and timing of any such distribution, if available is subject to the costs of the previous Administration and subsequent Liquidation.

An update in this regard will be provided in future reports.

Creditors who have yet to lodge their claim should complete the Proof of Debt form included at Appendix 5 and return this to the Joint Liquidators' office.

#### **4.4 Prescribed Part**

The Company granted a floating charge to RAH and Rockbridge on 16 May 2014 and 21 December 2018 respectively and therefore the Prescribed Part provisions will apply.

Given Rockbridge has not received a distribution from the sale of the Land, it will have to rely upon its floating charge to receive a distribution from the Company. Therefore, the Prescribed Part will apply.

The quantum and timing of any Prescribed Part distribution is dependent on the level of future floating charge realisations and the costs of the Administration and subsequent Liquidation.

Based upon current estimates, it is anticipated there will be insufficient funds to enable a Prescribed Part distribution to Unsecured Creditors.

A further update will be provided in future reports.

## **5. Costs and Expenses**

### **5.1 Statutory Advertising**

The Joint Liquidators are required under statute to advertise their appointment in the London Gazette.

As such, statutory advertising costs of £104 have been incurred and paid during the Reporting Period.

### **5.2 Joint Liquidators' Remuneration**

The Former Joint Administrators have yet to draw any remuneration in respect of the time costs incurred during the Administration.

The total time costs incurred during the Administration period total £239,008. This includes time costs of £168,987 that were incurring during the Original Administration.

The Former Joint Administrators, with the assistance of Addleshaw Goddard made an application to Court for the approval of the basis of the Joint Administrators' fees and fee estimate. The application made a further request of the court to make provision for how to fix the quantum of the Former Joint Administrators' fees. The Former Joint Administrators were legally obliged to make the application as the relevant timeframe in which to apply to Court is 18 months from the Administration Appointment Date where the basis of remuneration cannot be agreed with Creditors.

An initial one-hour directions hearing took place on 15 June 2021 and, in line with the Former Joint Administrators' request, the Court adjourned the applications so that they could be considered on an efficient basis once more information regarding the outcome of the Administration was known.

A further directions hearing took place during the Reporting Period on 10 October 2022. No Creditors sought to attend the hearing and the Court made a further direction order broadly in the terms sought by the Joint Liquidators. In summary, the Court ordered a timetable ahead of a final hearing of the Former Joint Administrators' applications for the approval of their fees and fee estimate.

The Joint Liquidators subsequently made an application on 9 February 2023 to extend the timetable, which will now be as follows.

- The applicants have permission to file further evidence in support of the applications by 9 February 2024;
- By 23 February 2024, notice shall be given to all Creditors of the companies of a link or data room from which they can access the evidence;
- By 5 April 2024, any Creditor who wishes to oppose the Former Joint Administrators' application must file a "notice of opposition";

- Within 14 days of the expiry of the time for Creditors to file a notice of opposition, the Joint Liquidators must write to the Court to confirm whether any notices of opposition have been received; and
- If there is no opposition, the final hearing shall be listed for a 1-day hearing on the first available date after 10 May 2024.

If there is opposition, the one day hearing on or after 10 May 2024 shall be retained but the Joint Liquidators will liaise with the Opposer(s) and the Court to determine whether a longer final hearing might be needed (in which case the hearing may need to be relisted), or if a separate hearing dealing just with the opposition might be appropriate.

The Joint Liquidators will provide further updates as and when this matter has progressed. In accordance with the further directions order, Creditors will be informed once the further evidence in support of the applications has been filed.

Finally, Creditors should also note that as part of the application to Court for the Former Joint Administrators' remuneration, approval is also being sought for the Joint Liquidators' remuneration.

During the Reporting Period, the Joint Liquidators have incurred time costs of £12,415 representing 35 hours at an average hourly rate of £353.

In accordance with SIP 9, the Joint Liquidators have provided Creditors with additional information regarding major areas where time has been recorded below:

- Statutory Matters (Meetings & Reports & Notices) - this relates to time incurred preparing statutory notices to Creditors, drafting progress reports and all other statutory matters relating to the Liquidation.
- Case Review and Diary Management - this relates to time spent reviewing the progress of the case and managing all case diary lines to ensure statutory deadlines are met.
- Communication with Creditors / Employees – this relates to correspondence with creditors regarding their claims against the Company and providing updates on the Liquidation.

### 5.3 Expenses

Expenses are any payments from the Liquidation which are neither a Liquidator's remuneration nor a distribution to a Creditor or member. Expenses also include disbursements. Disbursements are payments which are first met by the Liquidator and then reimbursed to the Liquidator from the Liquidation.

Expenses are divided into those that do not need approval before they are charged to the Liquidation (Category 1) and those that do (Category 2).

Category 1 Expenses are payments to persons providing the service to which the expense relates who are not an associate of the Liquidator.

Category 2 Expenses are payments to associates or which have an element of shared costs and require approval from Creditors in the same manner as the Liquidator's remuneration, whether paid directly from the estate or as a disbursement.

Appendix 2 details the expenses incurred and paid for the Reporting Period.

In addition, Appendix 2 details an Expenses Estimate. This illustrates the anticipated expenses for the whole of the Liquidation and is for information purposes only (and does not require approval by any class of Creditor).

In the Reporting Period, Category 1 Expenses of £4,556 were incurred of which £104 was paid.

In the same period, no Category 2 Expenses were incurred or paid.

#### **6. Joint Liquidators' Receipts and Payments Account**

A detailed Receipts and Payments Account for the Reporting Period is shown in Appendix 1.

As at the period end date there was a cash balance of £26,163.

#### **7. Creditors' Rights**

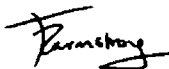
Information regarding the fees and expenses of Liquidators, including the rights to challenge such costs, are attached at Appendix 4.

#### **8. Conclusion**

Creditors will receive formal reports annually until the conclusion of the Liquidation.

Based upon present information, it is not expected that this Liquidation will be concluded within the next 12 months due to the ongoing investigations into the Company and the wider NPD Group along with the ongoing nature of the above Proceedings.

In the meantime, if you require any further information, please contact Perry Eleftheriou of this office.



**Robert Armstrong**  
Joint Liquidator

## **Appendix 1**

### **Joint Liquidators' Receipts and Payments Account**

**MBI Clifton Moor Limited**  
**(In Liquidation)**  
**Joint Liquidators' Summary of Receipts and Payments**  
**To 11 August 2023**

<b>RECEIPTS</b>	<b>Statement of Affairs (£)</b>	<b>Total (£)</b>
Surplus from Administration		26,236.82
Bank Interest Gross		50.52
Transfer of VAT control from ADM		6,723.13
		<hr/>
		33,010.47
		<hr/>
<b>PAYMENTS</b>		
Statutory Advertising		103.50
		<hr/>
		103.50
		<hr/>
Net Receipts/(Payments)		32,906.97
		<hr/>
 <b>MADE UP AS FOLLOWS</b>		
Floating/main current account		26,163.14
VAT Receivable / (Payable)		6,743.83
		<hr/>
		32,906.97
		<hr/>



## Appendix 2 – Analysis of Expenses Incurred and Expenses Estimate

### Joint Liquidators' Expenses: Category 1 and Category 2

Category 1 Expenses			Reporting Period	
Company	Activity	Fee Basis	Incurred (£)	Paid (£)
Addleshaw Goddard	Legal fees and disbursements	As incurred	4,452	Nil
Courts Advertising	Statutory advertising costs	Fixed fee	104	104
<b>Total</b>			<b>4,556</b>	<b>104</b>

### Notes

The above costs exclude VAT.

The Joint Liquidators' choice of professional advisors was based on their perception of the experience and ability of the respective firms/individuals to perform their work, the complexity and nature of the assignment and the basis of their fee.

Kroll Advisory Ltd, being the employer of the Liquidator and the staff working on the Liquidation, is considered an associate of the Liquidator.

It is considered that these expenses are fair and reasonable and proportionate to the Liquidation.

No Category 2 Expenses have been incurred or paid during the Reporting Period.

Expenses Estimate

## MBI Clifton Moor Limited (In Liquidation)

### Joint Liquidators' Estimated Expenses for the duration of the Liquidation

Notes	Company	Activity	Fee Basis	Current Expense Estimate
1	Category 1 Expenses			
2	Solicitors - Addleshaw Goddard	Legal fees and disbursements	Time cost basis, plus expenses	10,000.00
3	Courts Advertising Limited	Statutory Advertising	Fixed fee per advert	103.50
		<b>Sub-total</b>		<b>10,103.50</b>
4	Category 2 Expenses			
5	Travel and sundry expenses		As incurred	100.00
		<b>Sub-total</b>		<b>100.00</b>
	<b>Total Estimated Expenses</b>			<b>10,203.50</b>

\*All costs provided are exclusive of VAT

#### Notes

- 1 The Joint Liquidators' choice of professional advisers/services firms will be based on their perception of the experience and ability of the respective firms/individuals to perform the work, the complexity and nature of the assignment and the basis of their fees.
- 2 Addleshaw Goddard have been instructed by the Joint Liquidators to assist with legal matters that may arise during the Liquidation.
- 3 Statutory advertising in the London Gazette is required under insolvency legislation. This estimate is in respect of advertising the Joint Liquidators' appointment.
- 4 Category 2 Expenses are payments to associates or which have an element of shared costs and require approval from creditors in the same manner as the Joint Liquidators' remuneration, whether paid directly from the estate or as a disbursement.
- 5 This provision has been included for expenses which may be incurred in attending site for meetings with agents, such as travel and sundries, and also includes provision for other reasonable expenses that may be incurred during the ordinary course of business within the Liquidation.

## **Appendix 3 – Analysis of Time Charged**

### **Joint Liquidators' Fees**

Refer to the table overleaf for a detailed breakdown on the Joint Liquidators' time and cost summary in accordance with SIP 9.

130728 MBI CLIFTON MOOR LIMITED

ANALYSIS OF LIQUIDATORS TIME COSTS FOR THE PERIOD 12/08/2022 to 11/08/2023

CVL-Creditors Vol Liquidation - Post Appt

Classification of Work Function	Hours					Total Hours	Time Cost £	Avg Hourly Rate £
	Managing Director	Manager	Senior	Assistant	Support			
<b>Administration and Planning</b>								
Case review & Case Diary management	0.00	0.40	0.00	2.30	0.00	2.70	998.00	369.63
Cashiering & accounting	0.00	0.40	7.00	2.20	0.00	9.60	3,934.00	409.79
IPS set up & maintenance	0.00	0.00	0.00	0.20	0.00	0.20	53.00	265.00
Statutory matters (Meetings & Reports & Notices)	0.00	2.75	0.00	1.65	0.00	4.40	1,996.50	453.75
Strategy planning & control (incl engagement financial control)	0.00	0.00	0.00	5.55	0.00	5.55	1,059.50	190.90
Tax Compliance / Planning	0.00	0.00	0.00	2.75	0.00	2.75	1,036.00	376.73
<b>Creditors</b>								
Dealings with creditors and employees	0.00	2.70	0.30	5.75	0.00	8.75	2,922.00	333.94
Non Pref Creditors / Employee claims handling	0.00	0.00	0.40	0.80	0.00	1.20	416.00	346.67
<b>Total Hours:</b>	<b>0.00</b>	<b>6.25</b>	<b>7.70</b>	<b>21.20</b>	<b>0.00</b>	<b>35.15</b>		<b>353.20</b>
<b>Total Fees Claimed: £</b>	<b>0.00</b>	<b>3,687.50</b>	<b>3,534.00</b>	<b>5,193.50</b>	<b>0.00</b>		<b>12,415.00</b>	

**108634 NORTHERN POWERHOUSE DEVELOPMENTS LIMITED**

**ANALYSIS OF TIME COSTS FOR THE PERIOD 12/08/2022 to 11/08/2023**

NPD Litigation

Classification of Work Function	Hours					Total Hours	Time Cost £	Avg Hourly Rate £
	Managing Director	Manager	Senior	Assistant	Support			
	20.10	102.90	7.50	0.00	0.00	130.50	80,288.50	615.24
<b>Total Hours:</b>	<b>20.10</b>	<b>102.90</b>	<b>7.50</b>	<b>0.00</b>	<b>0.00</b>	<b>130.50</b>		<b>615.24</b>
<b>Total Fees Claimed: £</b>	<b>15,250.00</b>	<b>62,188.50</b>	<b>2,850.00</b>	<b>0.00</b>	<b>0.00</b>		<b>80,288.50</b>	

## **Appendix 4 - Statement of Creditors' Rights**

### **STATEMENT OF CREDITORS RIGHTS**

*Rule numbers refer to Insolvency (England & Wales) Rules 2016 (as amended)*

*Section numbers refer to Insolvency Act 1986*

*'Office-holder' is the current Administrator or Liquidator as applicable*

#### **Information for creditors on remuneration and expenses of liquidators**

Information regarding the fees and expenses of Liquidators, including details of Kroll's expense policy and hourly charge out rates for each grade of staff that may undertake work on this case, can be viewed and downloaded from the Kroll website at:

<https://www.kroll.com/en-gb/services/restructuring-advisory/creditor-guides-and-employee-fact-sheets>

Click on the document - Creditor Guides (amended for changes introduced by the Insolvency (England & Wales) Rules 2016 from 6 April 2017) – Liquidations.

Should you require a copy (at no cost), please contact this office.

#### **Creditors have the right to request information from the office-holder under rule 18.9**

A secured creditor, an unsecured creditor with the concurrence of at least 5% in value of the unsecured creditors (including the creditor in question) or any unsecured creditor with the permission of the court may make a written request to the office-holder for further information concerning remuneration or expenses. Such a request must be made within 21 days of receipt of this report and a response will be provided within 14 days of receipt of the request.

Creditors have recourse to court, application to be made within 21 days of the office-holder giving reasons for not providing all the information requested or the expiry of the 14 days within which an office-holder must respond to a request.

#### **Creditors have the right to challenge the office-holder's remuneration and expenses under rule 18.34**

A secured creditor, an unsecured creditor with the concurrence of at least 10% in value of the unsecured creditors (including that creditor) or any unsecured creditor with the permission of the court, may make an application to court on the grounds that the remuneration charged or expenses incurred are excessive and/or that the basis fixed for the office-holder's remuneration is inappropriate. The application to court must be made no later than eight weeks after receipt of the Progress Report where the charging of the remuneration or the incurring of expenses in question occurs.

## **Appendix 5 – Proof of Debt Form**



## Proof of Debt – General Form

**MBI Clifton Moor Limited (In Creditors' Voluntary Liquidation)**  
**Company No. 08763790**

**Relevant Date for Claims: 16 August 2020 (Administration)**

1.	Name of creditor (If a company please also give company registration number and if non-UK, country of registration)	
2.	For correspondence: Address of creditor	
	Contact telephone number of creditor	REF:
	Email address of creditor	
3.	Total amount of claim, including any Value Added Tax and outstanding uncapitalised interest (please advise of any set off claimed)	
4.	Details of any documents by reference to which the debt can be substantiated (please attach)	
5.	If amount in 3 above includes outstanding uncapitalised interest please state amount.	£
6.	Particulars of how and when debt incurred (If you need more space append a continuation sheet to this form).	
7.	Particulars of any security held, the value of the security, and the date it was given.	
8.	Particulars of any reservation of title claimed in respect of goods supplied to which the claim relates.	
9.	Signature of creditor or person authorised to act on his behalf	
	Name in BLOCK LETTERS	DATE
	Are you the sole member of the creditor?	YES / NO
	Position with or in relation to creditor:  Address of person signing (if different from 2 above):	
Admitted to vote for		Admitted for dividend for
£		£
Date		Date
Liquidator		Liquidator