

LIQ03

Notice of progress report in voluntary winding up



Companies House

For further information, please
refer to our guidance at
www.gov.uk/companieshouse

1 Company details

Company number O C 3 0 8 9 7 3

Company name in full RCLM LLP

→ Filling in this form

Please complete in typescript or in
bold black capitals.

2 Liquidator's name

Full forename(s) Ben

Surname Woodthorpe

3 Liquidator's address

Building name/number 22 York Buildings

Street

Post town London

County/Region

Postcode W C 2 N 6 J U

Country

4 Liquidator's name ①

Full forename(s) Russell

Surname Payne

① Other liquidator

Use this section to tell us about
another liquidator.

5 Liquidator's address ②

Building name/number 22 York Buildings

Street

Post town London

County/Region

Postcode W C 2 N 6 J U

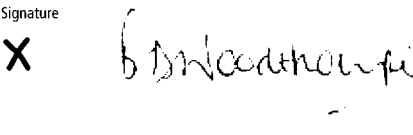
Country

② Other liquidator

Use this section to tell us about
another liquidator.

LIQ03

Notice of progress report in voluntary winding up

6	Period of progress report															
From date	^d	0	^d	5	^m	0	^m	7	^y	2	^y	0	^y	2	^y	2
To date	^d	0	^d	4	^m	0	^m	7	^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	<div>Signature</div> <div>  </div>															
Signature date	^d	0	^d	1	^m	0	^m	9	^y	2	^y	0	^y	2	^y	3

**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 **Ben Woodthorpe**

Company name **ReSolve Advisory Limited**

Address **22 York Buildings**

Post town **London**

County/Region

Postcode **W C 2 N 6 J U**

Country

DX

Telephone **020 7702 9775**

**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

1. Statutory information

Name:	RCLM LLP
Registration number:	OC308973
Registered Office:	C/O ReSolve Advisory Limited 22 York Buildings London WC2N 6JU
Former Registered Office:	C/O Clintons 55 Drury Lane Covent Lane London WC2B 5RZ
Date of appointment:	5 July 2022
Appointed by:	The members
Liquidators:	Ben Woodthorpe and Russell Payne ReSolve Advisory Limited 22 York Buildings London WC2N 6JU

2. Liquidators' receipts and payments account

In this section, I present my receipts and payments account for the Reporting Period, that includes a comparison to the assets and liabilities recorded in the Directors' Declaration of Solvency.

I have also included explanatory notes for the transactions during the Reporting Period.

RCLM LLP (In Liquidation) Joint Liquidators' Summary of Receipts & Payments

Declaration of Solvency £		From 05/07/2022 To 04/07/2023 £	From 05/07/2022 To 04/07/2023 £
	ASSET REALISATIONS		
	Bank Interest Gross	316.19	316.19
56,713.00	Cash at Bank	56,721.72	56,721.72
	Contribution from Shareholders	88,877.31	88,877.31
		<u>145,915.22</u>	<u>145,915.22</u>
	COST OF REALISATIONS		
	HMRC NIC receipts	119,959.08	119,959.08
	Office Holders Expenses	330.00	330.00
	Office Holders Fees	4,500.00	4,500.00
	Preparation of Declaration of Solvency	3,000.00	3,000.00
	VAT - Irrecoverable	1,566.00	1,566.00
		<u>(129,355.08)</u>	<u>(129,355.08)</u>
	UNSECURED CREDITORS		
	Statutory Interest	9,281.22	9,281.22
		<u>(9,281.22)</u>	<u>(9,281.22)</u>
<u>56,713.00</u>		<u>7,278.92</u>	<u>7,278.92</u>
	REPRESENTED BY		
	Int Bearing Estate Acc - NIB 21/06/23		7,278.92
			<u>7,278.92</u>

Note:

Receipts

Cash at bank

The Director's Declaration of Solvency ("DOS") advised cash at bank of £56,713. The sum of £56,721 has been received from the Company's pre-liquidation bank account and no further sums are expected. A further £9.17 was received from the Company's second pre-liquidation bank account and no further sums are expected. The bank accounts have been closed.

Bank interest

Bank interest of £316.19 has been earned on funds held in the liquidation bank account.

Contribution from shareholders

The sum of £88,877 was provided by the Company's shareholders for the purpose of settling the final HMRC liability.

Payments

Office holders' expenses

The sum of £330 was incurred and paid relating to office holders' expenses. Details of the expenses incurred are advised in Section 5 of this report.

Office holders' fees

The sum of £4,500 has been drawn in respect of office holders' fees. Further information regarding the office holders' fees is provided in Section 5 of this report.

Preparation of Declaration of Solvency

The sum of £3,000 was paid as per the agreed fee to prepare the DOS. This payment was agreed upon instruction and is detailed in ReSolve's letter of engagement.

Irrecoverable VAT

The Company is not registered for VAT. The sum of £1,566 relates to VAT which is irrecoverable given the Company was not VAT registered.

HMRC NIC receipts

Although not listed on the DOS, a tax liability claim from HMRC was received in the total amount of £119,959.08, broken down into multiple tax matters. The Shareholder agreed with the validity of the claim, and subsequently transferred contributions of £88,877.31 into the liquidation account. The claim was then settled in full.

Statutory Interest

Pursuant to the Insolvency Act 1986, creditors in a Member's Voluntary Liquidation are entitled to receive statutory interest on any claim admitted in the liquidation. The rate is set at 8% and is calculated from date of commencement of the winding up, to date of payment. The sum of £9,281.22 was calculated and paid to HMRC in respect of Statutory interest in respect of the above HMRC claim.

3. Summary of the Joint Liquidators acts and dealings in the Reporting Period

The following acts and dealings have been undertaken during the Reporting Period:

Following my appointment, I filed notice of my appointment at Companies House and provided a copy of the notification to all relevant parties. I also advertised notice of my appointment in the London Gazette.

A circular was sent to all known creditors inviting them to submit a claim for any outstanding sums due from the Company.

I opened a liquidation bank account and I have set up and maintained a liquidation cash book to track all receipts and payments during the liquidation.

Notice was sent HMRC requesting details of all outstanding returns together with details on any unpaid tax liabilities.

I have ensured that all outstanding returns for the period prior to my appointment have been submitted and arranged for all tax liabilities to be settled including the payment of statutory interest.

I have carried out periodic file reviews, including reviews of ethical, anti-money laundering and anti-bribery safeguards. These are matters undertaken during the solvent liquidation process and provide no direct benefit to the members, but such work is required to meet statutory and regulatory requirements, and best practice guidance. See Appendix I for a detailed narrative on such work and activity.

Finally, I have prepared this report to the Company's Members.

4. Summary of distributions to shareholders in the Reporting Period

During the reporting period there have been no distributions to the Company's shareholders.

A first and final distribution is expected to be made to the shareholders once the liquidation is ready to be closed.

5. Explanation of the Joint Liquidators remuneration and expenses in the Reporting Period

A copy of ReSolve's remuneration and expense policy is attached at Appendix II and a copy of 'A Members' Guide to Liquidators' Fees' issued by the Association of Business Recovery Professionals is attached at Appendix III.

Joint Liquidators' remuneration

My remuneration was previously authorised by the Members via written determinations dated 5 July 2022 to be drawn on a time cost basis. A schedule of hours charged, and time-costs incurred, pursuant to Statement of Insolvency Practice 9 ("SIP9") during the reporting period is attached at Appendix IV.

Total time costs recorded my staff and I during the reporting period amount to £20,491, representing 51.80 hours work at an average charge out rate of £395.58 per hour.

I have drawn £4,500 during the Reporting Period with the approval of Members.

As advised above, I agreed a fixed of £3,000 plus VAT with the Company for costs associated with planning and advice prior to placing the Company into liquidation. I have drawn £3,000 in this respect. It is proposed that the remaining pre liquidation time has been written off.

Joint Liquidators' expenses

Expenses are any payment from the estate which is neither office holder's remuneration nor a distribution to a creditor or a member. Expenses also includes disbursements, which are payments which are first met by the office holder and then reimbursed to the office holder from the estate.

Expenses are categorised as Category 1 expenses, which are payments to persons providing the service to which the expense relates who are not an associate of the office holder or Category 2 expenses, which are payments to associates which have an element of shared costs. Category 2 expenses require approval in the same manner as an office holder's remuneration.

The following expenses have been incurred during the reporting period and / or paid so far:

Post-appointment	Category 1	Category 2	Total	Incurred in period	Paid to date	Estimated future
	£	£	£	£	£	£
AML Searches	12.00	-	12.00	12.00	12.00	-
Solicitor Fees	12.00	-	12.00	12.00	12.00	-
Bond (insurance)	30.00	-	30.00	30.00	30.00	-
Advertising	276.00	-	276.00	276.00	276.00	-
Total	330.00	-	330.00	330.00	330.00	-

Further information on fees

A Member may, with the permission of the court or with at least 5% of the total voting rights of all the Members having the right to vote at general meetings of the company request further details of the Joint Liquidators' remuneration and expenses, within 21 days of receipt of this report.

A Member may, with the permission of the court or with at least 10% of the total voting rights of all the Members having the right to vote at general meetings of the company, apply to Court to challenge the amount of remuneration charged by the Joint Liquidators as being excessive, and/or the basis of the Joint Liquidators' remuneration, and/or the amount of the expenses incurred as being excessive, within 8 weeks of their receipt of this report. Any secured creditor may make a similar application to court within the same time limit.

At ReSolve we always strive to provide a professional and efficient service. However, we recognise that it is in the nature of insolvency proceedings for disputes to arise from time to time. As such, should you have any comments or complaints regarding the administration of this case then in the first instance you should contact one of the Joint Liquidators at the address given in this letter.

If you consider that your comments or complaint have not been dealt with appropriately you should then put details of your concerns in writing to our complaints officer at complaints@resolvegroupuk.com who will then formally invoke our complaints procedure and we will endeavour to deal with your complaint under the supervision of a partner unconnected with the appointment.

If you still feel that you have not received a satisfactory response, then you may be able to make a complaint to the Complaints Gateway operated by the Insolvency Service. Any such complaints should be completed online using the form here: www.gov.uk/complain-about-insolvency-practitioner. If you have difficulty accessing the online complaints form, you can also make your complaint through the Insolvency Service Enquiry Line at insolvency.enquiryline@insolvency.gov.uk or telephone: 0300 678 0015. The Complaints Gateway will in turn determine if such complaint should be addressed by the regulatory body.

Further details of the relevant policies applicable to you can be found here <http://www.resolvegroupuk.com/policies2/>.

Appendix I

Narrative on work required to meet statutory and administrative requirements

Details of work undertaken in the Liquidation
(some or all may apply)

Administration:

Representing work involved in the routine administrative functions of the liquidation by the Liquidators and their staff, together with the control and supervision of the work done on the liquidation by the Liquidators (and their managers). It does not give direct financial benefit to the members but must be undertaken by the Liquidators to meet their requirements under the insolvency legislation and the Statements of Insolvency Practice, which set out required practice that office holders must follow.

This includes, but is not limited to:

- Liquidation planning - devising an appropriate strategy for dealing with the winding-up and giving instructions to the staff to undertake the work. Documents and file-notes recording such.
- The Liquidators may undertake additional procedures and processes deemed necessary to avoid Cyber Fraud and other similar threats and to comply with Anti-Money Laundering and Anti-Bribery and Corruption Laws, and GDPR.
- Setting up electronic case files on the practice's electronic case management system and entering data.
- Issuing the statutory notifications to creditors and others required on appointment as Liquidators, including gazetting the Liquidators' appointment.
- Obtaining a specific penalty bond (this is insurance required by statute that every insolvency office holder must obtain for the protection of each liquidation). Reviewing the adequacy of the specific penalty bond on a quarterly basis.
- Convening and holding general meetings of members.
- Dealing with all routine correspondence and emails relating to the liquidation.
- Opening, maintaining, and managing the liquidation bank account.
- Creating, maintaining, and managing the liquidation cashbook.
- Undertaking regular reconciliations of the bank account containing liquidation funds.
- Undertaking periodic reviews of the progress of the liquidation.

- Overseeing and controlling the work done on the liquidation by the liquidators' staff.
- Preparing, reviewing, and issuing annual progress reports to members.
- Filing returns at Companies House.
- Preparing and filing VAT returns (or instructing Agents and monitoring their progress).
- Preparing and filing Corporation Tax returns and any other tax return required to be lodged (or instructing Agents and monitoring their progress).
- Seeking closure clearance from HMRC and other relevant parties.
- Preparing, reviewing, and issuing a draft final account of the liquidation and a final account of the liquidation to members. Filing final returns at Companies House.

Creditors and Ex-Employees:

The Liquidators need to maintain up to date records of the names and addresses of creditors (actual and contingent, including ex-employees) and members, together with the amounts of their claims as part of the management of the liquidation. The Liquidators need to deal with correspondence and queries received from creditors regarding their claims and dividend prospects as they are received, including calculation of statutory interest pursuant to the Insolvency Act 1986. The Liquidators are required to undertake this work as part of their statutory functions.

Payment and Distributions:

The Liquidators must undertake certain statutory formalities to enable them to make a distribution to members and pay creditors. This includes reviewing the Memorandum and Articles of Association, and ensuring all Members receive a share of the surplus assets in accordance with the Company's Articles. This may also include writing to all creditors who lodged proofs of debt and reviewing the claims and supporting documentation lodged by creditors to formally agree their claims, which may involve requesting additional information and documentation from the creditors. The Liquidators may also undertake additional procedures and processes deemed necessary to avoid Cyber Fraud and other similar threats and to comply with Anti-Money Laundering and Anti-Bribery and Corruption Laws and GDPR.

Appendix II

Liquidators' remuneration and expense policy and charge out rates

Joint Liquidators' charge out rates.

The Joint Liquidators are remunerated on a time cost basis. Charge out rates used are appropriate to the skills and experience of a member of staff and the work that they perform. Time is recorded in six-minute units. Narrative is recorded to explain the work undertaken and the time spent is analysed into different categories of work. The hourly charge out rates to be used on this case are as follows:

Staff grade	Rate per hour from 1 August 2022 (£)	Rate per hour from 1 May 2021 (£)	Rate per hour from 1 January 2020 (£)
Partner	705 - 795	625 - 755	625 - 755
Director	615	515 - 535	515
Senior Manager	500	435	435
Manager	420	375	375
Assistant Manager	375	305	305
Senior Administrator	300	255	255
Administrator	245	220	220
Junior Administrator	175	175	175

Secretarial and support staff are not charged to the cases concerned, being accounted for as an overhead of ReSolve Advisory Limited. Our cashier is charged at the Senior Administrator rate.

Expense policy

In accordance with Statement of Insolvency Practice 9, the basis of expense allocation must be fully disclosed to members. Expenses are categorised as either Category 1 or Category 2 expenses:

Category 1

These are payments to persons providing the service to which the expense relates who are not an associate of the office holder. Category 1 expenses can be paid without member approval. Examples of Category 1 expenses are statutory advertising, external meeting room hire, external storage, specific bond insurance, external information hosting charges, and Company search fees.

Category 2

These are payments to associates or which have an element of shared costs. Before being paid, Category 2 expenses require approval in the same manner as an office holder's remuneration. Category 2 expenses require approval whether paid directly from the estate or as a disbursement. Category 2 expenses that are likely to be incurred, and require specific approval include:

Mileage	45 pence per mile paid to staff working on the insolvency appointment
Photocopying	20 pence per sheet of paper for reporting purposes (correspondence will be digital where at all possible to minimise this expense)

Category 1 and Category 2 expenses are subject to the rights of members to seek further information about them or challenge them.

Appendix III

Association of Business Recovery Professionals (“R3”) Members Guide to Fees

1. Introduction

When a Company goes into Members' Voluntary Liquidation, the costs of the proceedings are paid out of its assets of the Company, or if there are no assets, by an external party. A declaration of solvency is made by the directors indicating that the creditors will be paid in full with statutory interest from the Company's assets, with the remaining assets being distributed to the members. As a result, it is the members who have a direct interest in the level of costs, and in particular the remuneration of the Insolvency Practitioner appointed to act as Liquidator. The insolvency legislation recognises this interest by providing a mechanism for members to fix the basis of the Liquidator's fees. This guide is intended to help members be aware of their rights to approve and monitor fees, explains the basis on which fees are fixed and how members can seek information about expenses incurred by the Liquidator and challenge those they consider to be excessive.

2. Liquidation procedure

- 2.1 Liquidation (or 'winding up') is the most common type of corporate insolvency procedure. Liquidation is the formal winding up of a Company's affairs entailing the realisation of its assets and the distribution of the proceeds in a prescribed order of priority. Liquidation may be either voluntary, when it is instituted by resolution of the shareholders, or compulsory, when it is instituted by order of the Court.
- 2.2 Voluntary Liquidation is the more common of the two. A solvent voluntary liquidation is called a Members' Voluntary Liquidation (often abbreviated to 'MVL'). In this type of liquidation an Insolvency Practitioner acts as Liquidator throughout and the members appoint the Liquidator at a general meeting of the Company.
- 2.3 In an MVL the Company must have an ability to pay all creditors in full with statutory interest within the period stated in the declaration of solvency otherwise the Liquidator will have to convene a meeting of creditors and convert it to a Creditors' Voluntary Liquidation, i.e., an insolvent liquidation.

3. Fixing the Liquidator's remuneration

3.1 Basis

The basis for fixing the Liquidator's remuneration is set out in Rule 18.16 of The Insolvency (England and Wales) Rules 2016. The Rule states that the remuneration shall be fixed:

- as a percentage of the value of the assets which are realised or distributed or both,

- by reference to the time properly given by the Liquidator and his staff in attending to matters arising in the liquidation, or

- as a set amount.

Any combination of these bases may be used to fix the remuneration, and different bases may be used for different things done by the Liquidator. Where the remuneration is fixed as a percentage, different percentages may be used for different things done by the Liquidator.

3.2 Who fixes the remuneration?

Rule 18.19 indicates that it is for the members at a general meeting of the Company to determine on which of these bases, or combination of bases, the remuneration is to be fixed. Where it is fixed as a percentage, it is for the members to determine the percentage or percentages to be applied and Rule 18.16(9) says that in arriving at their decision the members shall have regard to the following matters:

- the complexity (or otherwise) of the case.
- any responsibility of an exceptional kind or degree which falls on the Liquidator in connection with the winding up.
- the effectiveness with which the Liquidator appears to be carrying out, or to have carried out, his or her duties; and
- the value and nature of the assets with which the Liquidator has to deal.

- 3.3 A resolution specifying the terms on which the Liquidator is to be remunerated may be taken at the general meeting of the Company which appoints the Liquidator.

- 3.4 If the remuneration is not fixed as above, it will be fixed by the Court on application by the Liquidator, but the Liquidator may not make such an application unless he has first tried to get his or her remuneration fixed by the members as described above, and in any case not later than 18 months after his or her appointment.

4. Review of remuneration

Where there has been a material and substantial change in circumstances since the basis of the liquidator's fees was fixed, the liquidator may request that it be changed. The request must be made to the same body as initially approved the fees, and the same rules apply as to the original approval.

5. What information should be provided by the Liquidator?

5.1 General principles

5.1.1 The Liquidator should provide those responsible for approving his or her remuneration with sufficient information to them to make an informed judgement about the reasonableness of the Liquidator's request. The information should be presented in a manner which is transparent, consistent throughout the life of the case and useful to members, while being proportionate to the circumstances of the case.

5.1.2 The Liquidator should disclose:

- a) all payments, remuneration and expenses arising from the administration paid to the Liquidator or his or her associates.
- b) the form and nature of any professional or personal relationships between the liquidator and their associates.

5.1.3 The Liquidator should inform members of their rights under insolvency legislation and should advise them how they may access suitable information setting out their rights within the first communication with them and in each subsequent report. An insolvency practitioner may provide a fee estimate, within pre-appointment communications (such as when assisting directors in commencing a liquidation).

5.1.4 Where the Liquidator sub-contracts out work that could otherwise be carried out by the Liquidator or his or her staff, this should be drawn to the attention of members with an explanation of why it is being done, what is being done and how much it will cost.

5.2 Key Issues

5.2.1 The key issues of concern to those with a financial interest in the level of payments from the insolvency estate will commonly be:

- the work the Liquidator anticipates will be done, and why that work is necessary.
- the anticipated payment for that work.
- whether it is anticipated that the work will provide a financial benefit to members, and if so what benefit (or if the work provided no direct financial benefit but was required by statute).
- the work actually done and why that work was necessary.

- the actual payment for the work.

- whether the work has provided a financial benefit to members, and if so what benefit (or if the work provided no direct financial benefit but was required by statute).

When providing information about payments, fees and expenses, the Liquidator should do so in a way which facilitates clarity of understanding of these key issues. Narrative explanations should be provided to support any numerical information supplied.

5.2.2 When approval for a fixed amount or a percentage basis is sought, the Liquidator should explain why the basis requested is expected to produce a fair and reasonable reflection of the work that the Liquidator anticipates will be undertaken.

5.3 Expenses

5.3.1 Expenses are any payments from the liquidation which are neither a liquidator's remuneration nor a distribution to a creditor or a member. Expenses also include disbursements. Disbursements are payments which are first met by the liquidator, and then reimbursed to the liquidator from the liquidation.

5.3.2 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: These are payments to persons providing the service to which the expense relates who are not an associate of the liquidator. Category 1 expenses can be paid without prior approval.
- Category 2 expenses: These are payments to associates or which have an element of shared costs. Before being paid, category 2 expenses require approval in the same manner as a liquidator's remuneration. Category 2 expenses require approval whether paid directly from the estate or as a disbursement (paid by the insolvency practitioners' firm).

5.3.3 When seeking approval of category 2 expenses, the liquidator should explain, for each expense, the basis on which the expense is being charged to the liquidation. If the liquidator has obtained approval for the basis of category 2 expenses, that basis may continue to be used in a sequential appointment where further approval of the basis of remuneration is not required, or where the liquidator is replaced.

5.3.4 Any shared or allocated payments incurred by the liquidator, or their firm are to be treated as category 2 expenses and approval sought before payment.

- 5.3.5 The following are not permissible as either remuneration or an expense:
- a) an expense or any other charge calculated as a percentage of remuneration;
 - b) an administration fee or charge additional to a liquidator's remuneration.
 - c) the recovery of any overheads other than those absorbed in the charge out rate
6. Progress reports and requests for further information
- 6.1 The Liquidator is required to send annual progress reports to members. In addition to the items described above and especially those in paragraph 5.2.1, the reports must include:
- details of the basis fixed for the fee of the liquidator (or if not fixed at the date of the report, the steps taken during the period of the report to fix it).
 - if the basis has been fixed, the fee charged during the period of the report, irrespective of whether it was actually paid during that period (except where it is fixed as a set amount, in which case it may be shown as that amount without any apportionment for the period of the report).
 - if the report is the first to be made after the basis has been fixed, the fee charged during the periods covered by the previous reports, together with a description of the things done during those periods, irrespective of whether payment was actually made during the period of the report.
 - if the fees have been fixed on a time costs basis, the actual hours and average rate (or rates) of the costs charged for each part of the work.
 - a statement of the expenses incurred by the liquidator during the period of the report, irrespective of whether payment was actually made during that period.
 - details of progress during the period of the report, including a summary of the receipts and payments during the period.
 - details of what needs to be done.
 - where appropriate, a statement setting out whether, at the date of the report –
 - the fee expected to be charged is likely to exceed the fees estimate or any approval given.
 - the expenses incurred or expected to be incurred are likely to exceed, or have exceeded, the details given to the members prior to the determination of the basis of fees; and
 - the reason for that excess.
- 6.2 Within 21 days of receipt of a progress report, a member may request the Liquidator to provide further information about the remuneration and expenses set out in the report. A request must be in writing and may be made by a member or members representing at least 5% in value of the total voting rights of members (including himself), or any member with the permission of the Court.
- 6.3 The Liquidator must provide the requested information within 14 days, unless he or she considers that:
- the time and cost involved in preparing the information would be excessive; or
 - disclosure would be prejudicial to the conduct of the liquidation or might be expected to lead to violence against any person; or
 - the Liquidator is subject to an obligation of confidentiality in relation to the information requested,
- in which case he must give the reasons for not providing the information.
- 6.4 Any member may apply to the Court within 21 days of the Liquidator's refusal to provide the requested information, or the expiry of the 14 days' time limit for the provision of the information.
7. Provision of information – additional requirements
- 7.1 The Liquidator must provide certain information about the time spent on the case, free of charge, upon request by any creditor, director, or member of the Company. The information which must be provided is –
- the total number of hours spent on the case by the Liquidator or staff assigned to the case.
 - for each grade of staff, the average hourly rate at which they are charged out.

- the number of hours spent by each grade of staff in the relevant period.
- 7.2 The period for which the information must be provided is the period from appointment to the end of the most recent period of six months reckoned from the date of the Liquidator's appointment, or where he has vacated office, the date that he vacated office.
- 7.3 The information must be provided within 28 days of receipt of the request by the Liquidator, and requests must be made within two years from vacation of office.
8. What if a member is dissatisfied?
- 8.1 If a member believes that the basis of the Liquidator's remuneration is inappropriate, or the remuneration charged or expenses incurred by the Liquidator are in all the circumstances excessive he may, provided certain conditions are met, apply to the Court.
- 8.2 Application may be made to the Court by any member or members representing at least 10 per cent in value of voting rights (including himself), or by any member with the permission of the Court. Any such application must be made within 8 weeks of the applicant receiving the Liquidator's progress report in which the charging of the remuneration or incurring of the expenses in question is first reported (see paragraph 6.1 above). If the Court does not dismiss the application (which it may if it considers that insufficient cause is shown), the applicant must give the Liquidator a copy of the application and supporting evidence at least 14 days before the hearing.
- 8.3 If the Court considers the application well founded, it may order that the remuneration be reduced, the basis be changed, or the expenses be disallowed or repaid. Unless the Court orders otherwise, the costs of the application must be paid by the applicant and not out of the assets of the Company being wound up.
9. What if the Liquidator is dissatisfied?
- 9.1 If the Liquidator considers that the remuneration fixed by the members is insufficient or that the basis used to fix it is inappropriate, he or she may apply to the Court for the amount or rate to be increased or the basis changed.
- 9.2 If he or she decides to apply to the Court he must give at least 14 days' notice to the members, or such one or more of the members as the Court may direct, to appear or be represented at the Court hearing. The Court may order the costs of the application or of any member appearing at the Court hearing to be paid out of the assets.

SIP 9 – Summary of hours charged, and costs incurred

Time Entry - SIP9 Time & Cost Summary

MVL RCLM01 - RCLM LLP
All Post Appointment Project Codes
From 05/07/2022 To 04/07/2023

Classification of Work Function	Partner	Manager	Other Senior Professionals	Assistants & Support Staff	Total Hours	Time Cost (£)	Average Hourly Rate (£)
Admin & Planning	9.00	4.00	16.00	0.00	29.00	10,974.00	378.41
Advisory	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Creditors	3.50	5.30	0.00	0.00	9.70	4,370.00	450.52
Investigations	2.80	0.00	0.00	0.00	2.80	1,498.00	535.00
Pre Appointment	0.00	0.10	0.30	0.00	1.20	441.00	441.00
Realisation of Assets	0.20	1.10	0.00	0.00	1.30	569.00	437.69
Statutory	1.00	2.10	4.30	0.00	8.20	2,639.00	329.88
Statutory Compliance	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Trading	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Total Hours	17.70	12.60	21.50	0.00	51.80	20,491.00	395.58
Total Fees Claimed						4,500.00	
Total Disbursements Claimed						318.00	