

Winding-up petition response checklist

From LTD Turnaround (ltdturnaround.co.uk). Free to use and adapt. General information, not legal or insolvency advice. A winding-up petition is the most serious creditor action a company can face and the deadlines are unforgiving: get advice from a Licensed Insolvency Practitioner (and, for disputes, a solicitor) the day the petition arrives.

THE CLOCK YOU ARE ON

Under rule 7.10 of the Insolvency (England and Wales) Rules 2016, a creditor's petition cannot be advertised in The Gazette until at least 7 business days after it is served on the company, and it must be advertised at least 7 business days before the hearing. That first window (service to advert) is your best chance to act, because once the advert appears your bank will normally freeze the company's accounts.

Source: <https://www.legislation.gov.uk/ukxi/2016/1024> (rule 7.10, accessed 27 July 2026)

Timeline tool: <https://ltdturnaround.co.uk/tools/winding-up-petition-timeline/>

STAGE 1: THE DAY YOU ARE SERVED

- ☐ Note the date of service, the hearing date and the petitioning creditor.
- ☐ Get advice the same day. The 7-business-day pre-advert window is short.
- ☐ Do NOT pay random creditors or move assets. After a petition is presented, dispositions of company property are void if a winding-up order is later made, unless the court validates them (Insolvency Act 1986, s.127).

Source: <https://www.legislation.gov.uk/ukpga/1986/45/section/127>

- ☐ If the company genuinely needs to keep paying essentials (wages, rent), ask your advisers about a validation order. Do not just keep paying and hope.

STAGE 2: BEFORE THE ADVERT (roughly the first 7 business days)

Your realistic options, with advice:

- ☐ Pay the debt in full (plus costs) if it is affordable, and get the petition withdrawn or dismissed.
- ☐ Dispute the debt, if there is a genuine and substantial dispute; the court can restrain advertisement of a disputed petition.
- ☐ Negotiate with the petitioner (some will agree to adjourn or withdraw on terms).
- ☐ Consider a formal route: CVA, administration, or a creditors' voluntary liquidation on advice. Note that entering these with a petition on foot needs professional handling; timing and court permission issues arise.

STAGE 3: AFTER THE ADVERT

- ☐ Expect the bank account to be frozen once the advert appears in The Gazette.
- ☐ Other creditors can now support or take over the petition, so paying only the petitioner may no longer end the matter.
- ☐ Keep taking advice; options narrow but do not vanish before the hearing.

STAGE 4: THE HEARING

- ☐ The court can dismiss the petition, adjourn it, or make a winding-up order.
- ☐ If a winding-up order is made, the Official Receiver takes control, the directors' powers cease, and the company is in compulsory liquidation.

THROUGHOUT

- ☐ Minute every board decision (template: <https://ltdturnaround.co.uk/templates/board-minutes-insolvency/>).
- ☐ Do not incur new credit you doubt the company can repay.

Guides: <https://ltdturnaround.co.uk/winding-up-petition/> and <https://ltdturnaround.co.uk/compulsory-liquidation/>