

LIQ13

Notice of final account prior to dissolution in MVL



Companies House

WEDNESDAY



A18 04/12/2019 #107
COMPANIES HOUSE

1 Company details

Company number 0 0 9 8 5 6 9 7

Company name in full A.B & J. Ekin Limited

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

2 Liquidator's name

Full forename(s) Allan Christopher

Surname Cadman

3 Liquidator's address

Building name/number 16 Oxford Court

Street Bishopsgate

Post town Manchester

County/Region

Postcode M 2 3 W Q

Country

4 Liquidator's name ①

Full forename(s) Stephen James

Surname Wainwright

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

5 Liquidator's address ②

Building name/number 16 Oxford Court

Street Bishopsgate

Post town Manchester

County/Region

Postcode M 2 3 W Q

Country

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

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6

Final account

☒ I have delivered the final account of the winding up to the members in accordance with Section 94(2) and attach a copy.

7

Sign and date

Liquidator's signature

Signature

X



X

Signature date

d

2

d

9

m

1

m

1

y

2

y

0

y

1

y

9

LIQ13

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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 **Matthew Ellidge**

Company name **Poppleton & Appleby**

Address
16 Oxford Court
Bishopsgate

Post town **Manchester**

County/Region

Postcode **M 2 3 W Q**

Country

DX

Telephone **0161 228 3028**



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

A.B & J. EKIN LIMITED
(In Members' Voluntary Liquidation)

FINAL ACCOUNT

Allan Christopher Cadman
Stephen James Wainwright

Poppleton & Appleby
16 Oxford Court, Bishopsgate, Manchester, M2 3WQ

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1. Receipts and Payments Account for the period for the period from 2 December 2016
2. Poppleton & Appleby Charging Policy Document
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1. INTRODUCTION

Allan Christopher Cadman and Stephen James Wainwright of Poppleton & Appleby, 16 Oxford Court, Bishopsgate, Manchester, M2 3WQ were appointed Joint Liquidators of A.B & J. Ekin Limited ("the Company") on 2 December 2016.

The purpose of this Final Account is to summarise the winding-up as a whole and to put members on notice of the Joint Liquidators' intention to seek release from office. The Final Account details the acts and dealing of the Joint Liquidators and it should be read in conjunction with previous correspondence to members.

The details of the Company are as follows:

Registered office:	16 Oxford Court, Bishopsgate, Manchester, M2 3WQ
Former Registered Office:	Dinting Trading Estate, Dinting Lane, Glossop, Derbyshire, SK13 7NU
Registered Number:	00985697

2. A DESCRIPTION OF WORK CARRIED OUT

In addition to the narrative description of work carried out given under 3. Receipts & Payments, below, there is other work which as Joint Liquidator, I am required to carry out in order to meet a considerable number of statutory and regulatory obligations. Whilst many of these tasks do not have a direct benefit, they assist in the efficient and compliant progressing of the liquidation, which ensures that I and my staff carry out our work to high professional standards. The narrative detail in respect of this work is set out below:

General Description	Includes
Administration and Planning	
Statutory/advertising	Filing of documents to meet statutory requirements Advertising in accordance with statutory requirements
Document maintenance/file review/checklist	Filing of documents Periodic file reviews Application of ethical, anti-money laundering and anti-bribery safeguards Maintenance of statutory and case progression diaries
Bank account administration	Preparing correspondence opening and closing accounts Bank account reconciliations Maintenance of the estate cash book Issuing cheques and BACS payments
Planning / Review	Discussions with team members regarding strategies to be pursued
Member reports	Responding to members' queries Correspondence with members regarding HMRC claims Preparing and issuing Liquidators' progress reports Preparing and issuing proposed final account Preparing and issuing final account

Creditors

HMRC

Corresponding with HMRC regarding their claim in the Liquidation.
Receipt of CT Notice and subsequent payment of dividend to HMRC
Calculation of statutory interest
Protracted correspondence regarding statutory interest
Payment of statutory interest
Seeking and obtaining HMRC clearances to close

Distributions to Members

Dividend procedures

Preparation of distribution calculation
Preparation of cheques/BACS to pay dividend
Preparation of correspondence to members enclosing payment of dividend

3. RECEIPTS & PAYMENTS

My Receipts and Payments Account for the whole period of the winding-up is attached at Appendix 1.

I have detailed below key information about asset realisations and payments.

RECEIPTS

Cash at Bank

The Company's bank account was closed and the closing balance of £172,635.90 was transferred to the Liquidation account.

Refund of Shareholders' Dividend

The Joint Liquidators' previous progress report concluded with reference to a verbal request from HMRC not to conclude the liquidation as they intended to seek settlement of statutory interest for the period from date of appointment to the date their claim was settled in full. This relates to the stance taken by HMRC that statutory interest is payable from the date of appointment rather than the historic position of being due from the tax due date.

During the ensuing period, the Joint Liquidators were asked by HMRC to calculate the Company's statutory interest liability which was calculated in the sum of £1,301.07. The Joint Liquidators had been unable to discharge this as all funds were released to shareholders prior to the information that HMRC had changed their stance with regard to statutory interest being available generally.

The Joint Liquidators considered that the Deed of Indemnity executed at the outset of the liquidation by the shareholders requires that these monies are indemnified and should be credited to the liquidation. Considerable correspondence has been undertaken with the shareholders who initially resisted the Joint Liquidators' requests for repayment and provided their own calculation. The total sum of £1,225.48 has now been received into the estate of which the sum of £574.48 has been received since the Joint Liquidators' previous Annual Progress Report.

Interest During the Liquidation Period

Interest has been earned on deposits held in the Liquidators' account in the total sum of £16.52 of which the sum of £2.72 has been received during the current review period including the sum of 94 pence credited since the proposed final account was issued.

Insurance Refund

During the course of the Liquidation, the sum of £341.29 was received in respect of an insurance refund due to the Company.

Disbursements Written Off

As outlined above, there was a shortfall in respect of funds recovered under the shareholders' indemnity and the calculation of interest agreed with HMRC. It was neither cost-effective nor practical to pursue the shareholders further in respect of the relatively nominal sum. In this instance and solely in order to progress the liquidation, the sum of £72.76 has been credited to the estate by the Joint Liquidators and will not be recovered. This amount has changed since the proposed final account in the sum of 94 pence.

PAYMENTS

Statutory Advertising

The Joint Liquidators have placed the following legal notices in the Gazette through their advertising agents, Courts Advertising Limited:

- Notice of Appointment
- Notice to creditors to submit claims

The sum of £253.80 plus VAT has been paid to Courts Advertising Limited in this regard. This is a category 1 disbursement and further information appears below under section 6.

Bond

In all formal insolvency matters, office holders are required to put in place security for the proper performance of their functions. This security is known as a Bond and in this matter the specific premium payable has amounted to £396.00 and was payable to AUA insolvency Risk Services Limited. This is a category 1 disbursement and further information appears below under section 6.

Accountancy Fees

The Company's accountants, PM & M Accountants were engaged to prepare final accounts and final tax computations for the Company. Their fees in this matter amounted to £2,450.00 plus VAT and have been discharged in full.

4. CREDITORS' CLAIMS

Unsecured creditors

A notice to creditors requiring them to submit claims was published in the Gazette. In addition, several letters were sent to HM Revenue & Customs seeking confirmation of their claims following the submission of final accounts and corporation tax returns.

This resulted in HM Revenue & Customs issuing a notice in respect of the outstanding corporation tax liability and this was subsequently discharged in the sum of £23,200.19.

Reference has been made to the change of stance of HMRC in relation to statutory interest during the first year of the liquidation. HMRC sought recovery of the statutory interest in the sum of £1,301.07 which has been discharged during the current reporting period. HMRC have now provided clearance to close the liquidation.

5. DISTRIBUTIONS TO SHAREHOLDERS

The following distributions were made to the shareholders:

Name	Dividend Date	Dividend Rate (p/share)	Dividend Amount (£)
Mr Arthur Brian Ekin	08/12/16	6,996.50	70,034.98
Mrs Joan Ekin	08/12/16	6,996.50	69,965.02
Mr Arthur Brian Ekin	28/02/17	100.00	1,001.00
Mrs Joan Ekin	28/02/17	100.00	1,000.00
Mr Arthur Brian Ekin	22/09/17	74.96	750.37
Mrs Joan Ekin	22/09/17	74.96	749.63
Mr Arthur Brian Ekin	13/11/17	9.54	95.46
Mrs Joan Ekin	13/11/17	9.54	95.37
			143,691.83

6. THE JOINT LIQUIDATORS' REMUNERATION & EXPENSES

Joint Liquidators' Remuneration

The Joint Liquidators' remuneration was approved by a resolution of the members to be paid as a fixed amount of £3,000.00 plus VAT. This fee has been paid in full.

Joint Liquidators' Disbursements

Category 1: Category 1 disbursements are those discharged to independent third parties (e.g. Bordereaux fees, advertising etc). In addition to the expenditure explained above, the following Category 1 disbursements have been incurred. These are clearly disclosed within the attached receipts and payments account (net of VAT):

	In period £	In Liquidation £
Statutory Advertising	NIL	253.80
Specific Bond	NIL	396.00

Category 2: Category 2 disbursements are payments to the office holder which include elements of shared or overhead costs. No Category 2 disbursements have been approved or drawn.

A copy of 'A Creditors Guide to Liquidators' Fees' may be found at:

<https://www.r3.org.uk/index.cfm?page=1210>

A hard copy of the Creditors' Guide may be obtained on request.

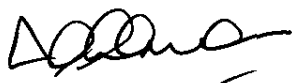
7. FURTHER INFORMATION

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

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 any member with the permission of the court, may apply to court to challenge the amount and/or basis of the Joint Liquidators' fees and the amount of any proposed expenses or expenses already incurred on the grounds that they are excessive or inappropriate, within 8 weeks of receipt of this report.

8. CONCLUSION

The delivery of the final account to members and to the Registrar of Companies concludes the administration of this winding up.



Allan Christopher Cadman
JOINT LIQUIDATOR

A.B & J. Ekin Limited
(In Liquidation)
Joint Liquidators' Summary of Receipts & Payments

Declaration of Solvency £		From 02/12/2018 To 29/11/2019 £	From 02/12/2016 To 29/11/2019 £
	ASSET REALISATIONS		
172,686.00	Cash at Bank	NIL	172,635.90
	Refund of Shareholders Dividend	574.48	1,225.48
	Interest Gross	2.72	17.46
341.00	Insurance Refund	NIL	341.29
	Disbursements Written Off	72.76	72.76
		649.96	174,292.89
	COST OF REALISATIONS		
	Statutory Advertising	NIL	253.80
	Specific Bond	NIL	396.00
(2,500.00)	Accountancy Fees	NIL	2,450.00
	Liquidators Fees	NIL	3,000.00
		NIL	(6,099.80)
	UNSECURED CREDITORS		
	HM Revenue & Customs: CT	1,301.07	24,501.26
		(1,301.07)	(24,501.26)
	DISTRIBUTIONS		
	Ordinary Shareholders	NIL	143,691.83
		NIL	(143,691.83)
170,527.00		(651.11)	0.00
	REPRESENTED BY		
			NIL


Allan Christopher Cadman
Joint Liquidator

CHARGING, EXPENSES AND DISBURSEMENTS POLICY STATEMENT EFFECTIVE FROM 1ST JULY 2019

Introduction

Current insolvency legislation provides for the manner in which insolvency practitioners' fees and disbursements are charged in insolvency assignments. The legislation permits insolvency practitioners to seek the bases for their fees on a time cost basis, a percentage of realisation basis, on a fixed fee basis or on a mix of these bases

The basis of fees for each individual insolvency appointment are subject to approval by a committee of creditors if appointed, failing which by creditors in a decision-making process or by the Court. Further information regarding the approval of office holders' fees in insolvency cases can be found within Statement of Insolvency Practice 9 (SIP9), please see under further information at the foot of this document for information on how to download guides to fees.

Once the basis of office holders' fees has been approved it is reported to any committee and to creditors generally within the next statutory report.

Fixed Fee Basis

It is possible for an insolvency practitioner to seek to be paid on a fixed fee basis. Where this is the case, further information will be provided to explain why this would be considered appropriate.

Percentage Basis

The legislation provides for fees to be charged on a percentage of the value of property with which an insolvency practitioner deals with. Different percentages can be used for different assets or types of assets. When seeking creditor approval for this basis, further information will be provided for creditors to judge the appropriateness of this basis.

Time Cost Basis

Insolvency Practitioners are permitted to seek approval for their fees to be paid on a time cost basis. This is based on hours spent by office holders and their staff in dealing with matters relating to the particular insolvency or specific activities within a case where time costs are sought. When seeking resolutions for fees to be paid on a time cost basis, stakeholders will be provided with a full explanation as to why time costs are considered appropriate together with sufficient information to assist in their making an informed judgement of the office holders' requests.

Partners and staff are allocated an hourly charge out rate which is reviewed annually. The current charge out rates of this Firm are set out as follows:

Grade of Staff	Hourly Chargeout Rate
Office Holder (Partner)	£350.00
Office Holder (Non Partner)	£325.00
Senior Manager	£275.00
Manager	£225.00
Administrator	£160.00
Cashier	£165.00
Trainee/Support Staff	£ 80.00

Staff Allocation and the Use of Sub-Contractors

The general approach to resourcing our assignments is to allocate staff with the skills and experience to meet the specific requirements of the case.

The constitution of the team allocated to insolvency assignments will usually consist of an Office Holder, a Senior Manager and/or Manager and an Administrator or Assistant. The exact constitution of a case team will depend on the anticipated size and complexity of the assignment and the experience requirements of the assignment. The charge out rates scheduled above provides details of all grades of staff and their respective experience levels.

It is not this Firm's policy to sub-contract out any services or tasks which can be provided by this Firm.

Professional Advisors

It is usual in insolvency cases that specialist professional advisors are engaged to advise on matters which are case specific. Ordinarily but not exclusively these will include solicitors, employment law consultants, asset agents and accountants. Stakeholders will be advised of such advisors which could be expected to be used within a case together with an expected fee arrangement.

Our choice will be based on our perception of their qualification, experience and ability to perform the type of work sought including the complexity and nature of the assignment upon which they are asked to assist.

Expenses and Disbursements Policy

Where expenses are incurred in respect of the insolvent estate they will be recharged. Such expenses can be divided into two categories and are disclosed to creditors in the appropriate reports. In each case the recharge will be reimbursed on a quarterly basis.

Category 1

- Category 1 disbursements relate to expenses where this Firm has met a specific cost in respect of the insolvent estate where payment has been made to a third party where the expenditure is directly referable to the appointment in question. These may include items such as legal notices, bond premiums, searches at Companies House, etc. In each case the recharge will be reimbursed on a quarterly basis. It is not necessary for creditors to approve Category 1 disbursements.

Category 2

- These are expenses and disbursements incurred by this Firm which may include an element of shared or allocated costs that can be allocated to the appointment on a proper and reasonable basis. Category 2 disbursements require approval in the same manner as office holder's remuneration prior to being drawn from the individual insolvency estate.
- This Firm will seek to recover Category 2 disbursements in respect of the following:

Storage of records (per box per quarter) £6.00
(when not rechargeable as a Category 1 expense)

Partner/staff mileage (per mile) £0.45

Anti-Money Laundering Searches based upon the following charges:

Type of Search	Cost
Incorporated Entities LTD, LLP	£10.00 per search
Sole Trader, Partnership, PLC and Other	£7.11 per search
Directors Home Address & Additional Information	£2.66 per search
Ultimate Beneficial Owner	£10.00 per search
Individual AML, Sanctions, PEPs & Enhanced Due Diligence	£2.66 per name & address search for each director / shareholder
International Individual Document Check - Basic	£8.00 per document
International Individual Document Check - Enhanced	£16.30 per document

VAT

VAT at the prevailing rate is applied to office holders' fees and disbursements. In Company and Individual Voluntary Arrangements, VAT may not apply following the decision in PAYMEX versus HMRC.

FURTHER INFORMATION: Creditors Rights

SIP9 provides information for creditors in relation to the fees charged by Office Holders. These can be accessed from our website:

<http://www.pandanorthern.co.uk/your-questions-answered/documents/>

Alternatively, a copy can be provided by request to either office.

**16 OXFORD COURT
BISHOPSGATE
MANCHESTER M2 3WQ**

TEL 0161 228 3028
FAX 0161 228 2335

**THE MEDIA CENTRE
7 NORTHUMBERLAND STREET
HUDDERSFIELD HD1 1RL**

TEL 01484 437 432
FAX 01484 483 100

Charles M Brook, Allan C Cadman, Michelle L Chatterton and Stephen J Wanwright are authorised by the Insolvency Practitioners Association to take insolvency appointments in the United Kingdom. Partners or employees acting as Liquidator or Administrator do so as agents of the company to which they are appointed and without personal liability.

Poppleton & Appleby is the trading style of Churchill Corporate Solutions LLP which is a limited liability partnership registered in England and Wales, registered number OC393802. Registered Office: St Crispins House, St Crispins Way, Haslingden, Lancashire BB4 4PW. A full list of members is available for inspection at 16 Oxford Court, Bishopsgate, Manchester, M2 3WQ

WEB [pandanorthern.co.uk](http://www.pandanorthern.co.uk)

GENERAL DATA PROTECTION REGULATION ('GDPR')

Privacy Notice for Shareholders

Introduction

Poppleton & Appleby is a trading style of Churchill Corporate Solutions LLP which is a limited liability partnership registered in England and Wales (Registered Number OC393802). We are regulated and licensed to take insolvency appointments by the Insolvency Practitioners Association.

We are registered with the Information Commissioners office (ICO), the UK data protection regulator and we will be the 'data controller' for the purposes of data protection regulation in respect of any personal data we hold about you.

This notice is designed for Shareholders of companies subject to, or immediately prior to the commencement of formal insolvency proceedings or solvent (Members' Voluntary Liquidation) matters.

This firm's privacy policy is set out in full at our website:

www.pandanorthern.co.uk/wp-content/uploads/2018/05/Privacy-Policy.pdf

Personal Information Required

We will need to deal with ('process') your personal information so that we can perform the necessary duties and obligations of an Insolvency Practitioner (IP) under statute and regulation.

The minimum personal data required to enhance the business relationship will be your full name, business and personal addresses, your date of birth and contact details (telephone numbers and email address). Please note we may already hold some of this data either provided by you, the company or by searches of public information websites (e.g. Companies House). As the case progresses, we may also require any financial details and other case specific detail in order that we may perform our statutory functions.

It is the Firm's intention to not seek any sensitive information, unless legally required for specific purposes. Sensitive information is defined as including data relating to race or ethnic origin, political opinions, religious or other similar beliefs, trade union membership, physical or mental health, sexual orientation, or criminal record.

It is our policy to collect the minimum data required to fulfil our duties and obligations.

Legal basis for processing information

The legal bases upon which we rely to process personal data are:

- where you have given your informed specific and unambiguous consent;
- where we are required to comply with a statutory obligation,
- where we need to perform a contract that we have entered into with you;
- where it is necessary to use your personal information to pursue our legitimate interests or those of a third party;

For the avoidance of doubt, these include the following:

- to comply with our legal obligations to detect and prevent fraud, money laundering, terrorism and other crimes;
- to carry out regulatory checks and meet our obligations to any regulatory authority;
- to assist us in providing our services to you.

Retention of Data and relevant time periods

IPs have an obligation to recover the records of an insolvent entity. The IP does not become 'data controller' of any data processed by a company prior to the date of appointment of the IP. The IP only becomes 'data controller' when any such data is processed by his/her firm.

- Data used as (as data controller) will be retained for a period of 6 years starting with the date that the formal engagement is concluded, in accordance with Insolvency legislation.
- Pre appointment data that is not processed (typically a Company's books and records, physical or electronic) will be retained for a period of 12 months after dissolution of a company

following an insolvency appointment in line with Insolvency legislation.

- Under GDPR, IP's may destroy/delete any data which falls outside of the statutory requirement, and is of no further use during the proceedings at any time.

Sharing of Data

We will only share your data (including with other data controllers) as and when strictly necessary to comply with the legal bases as set out above, or with your consent. Examples of bodies where it is likely we will need to share your data include:

- Members of our staff,
- Agents, and other advisors such as solicitors instructed by us to handle aspects of the particular case, including external providers of ERA work in connection with statutory claims as a result of redundancy,
- Government or local authority agencies in respect of any necessary purpose,
- Any other agency in connection with the prevention of fraud, money laundering or other crime prevention,
- Basic data such as name and address may need to be shared with other stakeholders (e.g. creditors) of specific insolvency matter.

What are your rights?

If at any point you believe the information we process on you is incorrect, you can request to see this information and have it corrected or deleted, if you so wish. If you wish to raise a complaint on how we have handled your personal data, you can contact our Data Protection Office/Head of Privacy, using the email address above, who will investigate the matter.

If you are not satisfied with our response or believe we are not processing your personal data in accordance with the requirements of GDPR, then you are within your rights to lodge a complaint with the Information Commissioner's Office (ICO).

The full list of your rights under GDPR is shown below:

1. The right to access the personal data we hold on you.
2. The right to correct and update the personal data we hold on you.
3. The right to have your personal data deleted where there is no good reason for us to continue to hold or process it.
4. The right to object to processing of your personal data.
5. The right to data portability.
6. The right to withdraw your consent to the processing at any time for any processing of personal data to which consent was sought.
7. The right to lodge a complaint with the Information Commissioner's Office. You can email them via: https://ico.org.uk/global/contact-us/email/, call them on 0303 123 1113, or write to them at the Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF.

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