

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 0 1 7 0 3 6 3 3

Company name in full Emery Estates Limited

→ Filling in this form

Please complete in typescript or in
bold black capitals.

2 Liquidator's name

Full forename(s) Matthew

Surname Ingram

3 Liquidator's address

Building name/number The Shard

Street 32 London Bridge Street

Post town London

County/Region

Postcode S E 1 9 S G

Country

4 Liquidator's name ①

Full forename(s) Steven

Surname Muncaster

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 M2 1EW

County/Region

Postcode

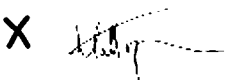
Country

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	1	^d	1	^m	0	^m	7	^y	2	^y	0	^y	2	^y	2
To date	^d	1	^d	0	^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	1	^d	6	^m	0	^m	8	^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 **Caroline Campbell**

Company name **Kroll Advisory Ltd.**

Address **The Shard**

32 London Bridge Street

Post town **London SE1 9SG**

County/Region

Postcode

Country

DX

Telephone

+44 (0) 20 7089 4700

**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

Progress Report to the Members

16 August 2023

**Emery Estates Limited
Emery Leisure Sales Limited
Domestic and General Finance
Company Limited
Lotus Housing Developments Limited
(All in Members' Voluntary Liquidation)**

*Joint Liquidators' Progress Report to the Members
for the period from 11 July 2022 to 10 July 2023*

Kroll Advisory Ltd.
4B Cornerblock
2 Cornwall Street
Birmingham
B3 2DX

Definitions

Word or Phrase	Definition
the Accountant	Harrison Jones & Co., Unit 4a Falcon House, Falcon Park, Claymore, Wilnecote, Tamworth, Staffordshire B77 5DQ
the Act	The Insolvency Act 1986 (as amended)
the Appointment Date	11 July 2019, being the date of appointment of the Joint Liquidators 29 April 2022, being the date of appointment of Steven Muncaster as Joint Liquidator following the resignation of Joint Liquidator Tyrone Shaun Courtman
Category 1 Disbursements	The Joint Liquidators' external and incidental costs and expenses in dealing with the Liquidation
Category 2 Disbursements	The Joint Liquidators' internal costs and expenses in dealing with the Liquidation
the Companies	Emery Estates Limited ("EE") (Company Number: 01703633) Emery Leisure Sales Limited ("EL") (Company Number: 01641018) Domestic and General Finance Company Limited ("D&G") (Company Number: 00929284) Lotus Housing Developments Limited ("LH") (Company Number: 02393513) (All in Members' Voluntary Liquidation)
the Cumulative period	11 July 2019 to 10 July 2023
the DoS	Declaration of Solvency, including a statement of assets and liabilities of the Companies as at 8 July 2019, which has been sworn by the Directors on 9 July 2019
the Directors / Trustees	Fiona Elizabeth Debney and Paul Fredrick Griffiths, the Directors of the Companies as at the Appointment Date
Kroll	Kroll Advisory Ltd., 4B Cornerblock, 2 Cornwall Street, Birmingham B3 2DX
HMRC	HM Revenue and Customs

the Joint Liquidators	Matthew Ingram and Steven Muncaster of Kroll Advisory Ltd., 4B Cornerblock, 2 Cornwall Street, Birmingham B3 2DX Office telephone: 0121 214 1120 Email: caroline.campbell@kroll.com Contact name: Caroline Campbell
the Reporting Period	11 July 2022 to 10 July 2023
the Rules	The Insolvency (England & Wales) Rules 2016 (as amended)
SIP 9	Statement of Insolvency Practice 9 – Industry Best Practice for Insolvency Practitioners in relation to disclosure of remuneration and disbursements
the Solicitor	Clarke Wilmott LLP, 55 Spring Gardens, Manchester M2 2BY

Contents

1. Introduction
2. Progress of the Liquidation
3. Joint Liquidators' Costs and Expenses
4. Joint Liquidators' Receipts and Payments Account
5. Statement of Member's Rights
6. Conclusion

Appendices

1. Joint Liquidators' Receipts and Payments Accounts
2. Schedule of Joint Liquidators' Disbursements
3. Schedule of Joint Liquidators' Expenses
4. Analysis of the Joint Liquidators' Time Costs and Disbursements
5. Statement of Member's Rights

1. Introduction

- 1.1 Matthew Ingram and Steven Muncaster of Kroll were appointed Joint Liquidators of the Company on the Appointment Date, by resolution of the Members.
- 1.2 The purpose of this report is to provide the Members with details of the progress of the Liquidation for the Reporting Period.

2. Progress of the Liquidation

- 2.1 The manner in which the affairs and business of the Company have been managed since the appointment of Joint Liquidators are set out below.

Asset Realisations

- 2.2 The DoS reports the total value of Companies estimated realisable assets as follows;

Company	Estimated realisable value of assets as per the DoS (£)
EE	1,173,913.00
EL	2,029,597.00
D&G	1,126,412.00
LH	935,360.00

These assets comprised principally of cash held in the Companies' bank accounts and inter-company loan accounts.

Cash at Bank

- 2.3 As previously reported, the Companies' bank accounts were closed in August 2019 and the balance were transferred to the relevant Liquidation accounts. The amounts received are in line with the amount estimated on the DoS.

Company	Cash at Bank balance as per the DoS (£)	Cash received into the Liquidation bank accounts (£)	Difference (£)
EE	1,237.00	1,236.54	(0.46)
EL	1,171,846.00	1,172,658.35	812.35
D&G	1,143,230.00	1,144,082.32	852.32
LH	908,973.00	909,602.62	629.62

Intercompany Loan Accounts

- 2.4 According to the DoS, the intercompany loan accounts were as follows:

Company owing	Company owed			
	EE	EL	D&G	LH
EE	Nil	Nil	Nil	Nil
EL	212,724.81	Nil	418,817.93	Nil
D&G	423,055.52	Nil	Nil	Nil
LH	217,465.75	66.00	Nil	Nil
Total owed (£)	853,246.08	66.00	418,817.93	Nil

It is anticipated that these balances will be settled in full following the receipt of tax clearance from HMRC. The Joint Liquidators anticipate that the entitlement to statutory interest on these amounts will be waived.

- 2.5 There are no other known matters or assets to be dealt with.

Liabilities

- 2.6 As reported in the DoS, the sum of £133,298 is due to the Solicitors in respect of Emery Estates Limited. To date, no claim has been received from the Solicitors.
- 2.7 The DoS reports an outstanding liability of £20,829 on Emery Leisure Sales Limited. During the Reporting Period, a total of £3,235 has been paid by the Company to HMRC in respect of Corporation Tax charges.

Creditors

- 2.8 The DoS reports that the Company has no creditors.
- 2.9 In accordance with their statutory duty, the Joint Liquidators advertised the Liquidation in the London Gazette and requested that any creditors prove their debts. No creditor claims have been received.

Other Matters

- 2.10 The Joint Liquidators have requested Corporation Tax, VAT and PAYE clearances in the Reporting Period and once these have been received, steps will be taken to conclude the Liquidations.

Member's Distribution

- 2.11 A detailed breakdown of the first and interim distributions are as follows:

Company	First distribution 22 November 2021 (£)	Interim distribution 9 June 2022 (£)	Total distribution (£)
EE	581,910.07	580,000.00	1,161,910.07
EL	566,225.11	Nil	566,225.11
D&G	567.55	Nil	567.55
LH	450,031.11	Nil	450,031.11
Totals	1,598,733.84	580,000.00	2,178,733.84

- 2.12 It is expected that there will be a second and final cash distribution to the Members following Corporation Tax, VAT and PAYE clearances on all Companies from HMRC.

3. Joint Liquidators' Costs and Expenses

- 3.1 A written resolution was passed on 11 July 2019 that the remuneration of the Joint Liquidators be fixed at their charging rates accordingly to the time properly spent by them and members of their staff in attending to matters arising in the winding up of the Company.
- 3.2 As previously advised there are a number of statutory and regulatory tasks that the Joint Liquidators needs to perform, some of which do not provide a direct benefit to creditors and members. However, they do assist in the efficient and compliant progression of the Liquidations and ensuring work is carried out to high professional standards.

4. Joint Liquidators' Receipts and Payments Account

- 4.1 A detailed receipts and payments account for the Reporting Period is shown at Appendix 1.

5. Statement of Member's Rights

- 5.1 Further information regarding the Member's rights obtaining further information or challenging the Joint Liquidators' fees is attached at Appendix 5.

6. Conclusion

- 6.1. As referred to in 2.12, the Joint Liquidators will be in the position to close the Liquidation on receipt of Corporation Tax, VAT and PAYE clearances.
- 6.2. If you have any queries or require any further assistance, please do not hesitate to contact my colleague Caroline Campbell of this office.

Yours faithfully
For and on behalf of
The Companies



Matthew Ingram
Joint Liquidator
Encs.

Appendix 1 – Joint Liquidators Receipts and Payments Account

Emery Estates Limited (In Liquidation) Joint Liquidators' Summary of Receipts & Payments

Declaration of Solvency £		From 11/07/2022 To 10/07/2023 £	From 11/07/2019 To 10/07/2023 £
	ASSET REALISATIONS		
	Bank Interest Gross	1.01	3,348.91
1,171,846.00	Cash at Bank	NIL	1,172,658.35
2,067.00	Debtors	NIL	NIL
		1.01	1,176,007.26
	COST OF REALISATIONS		
	Accountants Disbursements	NIL	13.00
	Accountants Fees	NIL	1,000.00
	Corporation Tax charges	673.90	673.90
	Floating bank charges	NIL	15.00
	Irrecoverable VAT	NIL	1,717.49
	Late Filing Penalties Receipts	NIL	1,500.00
	Liquidators' disbursements	NIL	225.00
	Liquidators' remuneration	NIL	7,500.00
	Statutory Advertising	NIL	87.48
	Storage Costs	NIL	47.92
		(673.90)	(12,779.79)
	UNSECURED CREDITORS		
(133,298.00)	Amounts owed to Solicitors	NIL	NIL
		NIL	NIL
	DISTRIBUTIONS		
	Ordinary Shareholders	NIL	1,161,910.07
		NIL	(1,161,910.07)
1,040,615.00		(672.89)	1,317.40
	REPRESENTED BY		
	Floating/main current account		1,262.82
	Vat Receivable		54.58
			1,317.40

**Emery Leisure Sales Limited
(In Liquidation)
Joint Liquidators' Summary of Receipts & Payments**

Declaration of Solvency £	From 11/07/2022 To 10/07/2023 £	From 11/07/2019 To 10/07/2023 £
	ASSET REALISATIONS	
	Bank Interest Gross	793.53
1,143,230.00	Cash at Bank	NIL
886,301.00	Completion monies held by solicitors	NIL
66.00	Debtors	NIL
	793.53	1,148,143.93
	COST OF REALISATIONS	
	Accountants Disbursements	NIL
	Accountants Fees	NIL
	Company House Penalties	NIL
	Corporation Tax charges	774.63
	Floating bank charges	NIL
	Irrecoverable VAT	NIL
	Liquidators' disbursements	NIL
	Liquidators' remuneration	NIL
	Statutory Advertising	NIL
	Storage Costs	NIL
	(774.63)	(16,606.43)
	UNSECURED CREDITORS	
(631,572.00)	Amounts owed to group undertakings	NIL
(20,829.00)	Other liabilities	NIL
	NIL	NIL
	DISTRIBUTIONS	
	Ordinary Shareholders	NIL
	NIL	566,225.11
		(566,225.11)
1,377,196.00	18.90	565,312.39
	REPRESENTED BY	
	Floating/main current account	565,257.81
	Vat Receivable	54.58
		565,312.39

**Domestic and General Finance Company Limited
(In Liquidation)
Joint Liquidators' Summary of Receipts & Payments**

Declaration of Solvency £		From 11/07/2022 To 10/07/2023 £	From 11/07/2019 To 10/07/2023 £
	ASSET REALISATIONS		
418,848.00	Amount owed by group companies	NIL	NIL
	Bank Interest Gross	1.20	4.74
1,237.00	Cash at Bank	NIL	1,236.54
706,327.00	Distribution received from subsidiary	NIL	NIL
		<u>1.20</u>	<u>1,241.28</u>
	COST OF REALISATIONS		
	Irrecoverable VAT	NIL	17.50
	Statutory Advertising	NIL	87.48
		<u>NIL</u>	<u>(104.98)</u>
	UNSECURED CREDITORS		
(423,056.00)	Amounts owed to Emery Estates Limit	NIL	NIL
		<u>NIL</u>	<u>NIL</u>
	DISTRIBUTIONS		
	Ordinary Shareholders	NIL	567.55
		<u>NIL</u>	<u>(567.55)</u>
703,356.00		<u>1.20</u>	<u>568.75</u>
	REPRESENTED BY		
	Floating/main current account		568.75
			<u>568.75</u>

**Lotus Housing Developments Limited
(In Liquidation)
Joint Liquidators' Summary of Receipts & Payments**

Declaration of Solvency £		From 11/07/2022 To 10/07/2023 £	From 11/07/2019 To 10/07/2023 £
	ASSET REALISATIONS		
	Bank Interest Gross	834.92	3,430.02
908,973.00	Cash at Bank	NIL	909,602.62
26,057.00	Completion monies held by solicitors	NIL	NIL
330.00	Debtors	NIL	NIL
		<u>834.92</u>	<u>913,032.64</u>
	COST OF REALISATIONS		
	Accountants Disbursements	NIL	13.00
	Accountants Fees	NIL	1,000.00
	Corporation Tax charges	1,786.76	1,786.76
	Floating bank charges	NIL	15.00
	House Company Penalties	NIL	1,500.00
	Irrecoverable VAT	NIL	1,717.50
	Liquidators' disbursements	NIL	225.00
	Liquidators' remuneration	NIL	7,500.00
	Statutory Advertising	NIL	87.48
	Storage Costs	NIL	47.92
		<u>(1,786.76)</u>	<u>(13,892.66)</u>
	UNSECURED CREDITORS		
(217,533.00)	Amounts owed to related companies	NIL	NIL
		<u>NIL</u>	<u>NIL</u>
	DISTRIBUTIONS		
	Ordinary Shareholders	NIL	450,009.77
		<u>NIL</u>	<u>(450,009.77)</u>
<u>717,827.00</u>		<u>(951.84)</u>	<u>449,130.21</u>
	REPRESENTED BY		
	Floating/main current account		449,075.63
	Vat Receivable		54.58
			<u>449,130.21</u>

Appendix 2 – Schedule of Joint Liquidators' Disbursements

Emery Estate Limited

Disbursements	Category 1		Category 2	
	Paid (£)	Unpaid (£)	Paid (£)	Unpaid (£)
Statutory Advertising	87.48	-	-	-
Bond	-	225.00	-	-
	87.48	225.00	-	-

Emery Leisure Sales Limited

Disbursements	Category 1		Category 2	
	Paid (£)	Unpaid (£)	Paid (£)	Unpaid (£)
Statutory Advertising	87.48	-	-	-
Bond	-	225.00	-	-
	87.48	225.00	-	-

Domestic and General Finance Company Limited

Disbursements	Category 1		Category 2	
	Paid (£)	Unpaid (£)	Paid (£)	Unpaid (£)
Statutory Advertising	87.48	-	-	-
Bond	-	225.00	-	-
	87.48	225.00	-	-

Lotus Housing Developments Limited

Disbursements	Category 1		Category 2	
	Paid (£)	Unpaid (£)	Paid (£)	Unpaid (£)
Statutory Advertising	87.48	-	-	-
Bond	-	225.00	-	-
	87.48	225.00	-	-

Appendix 3 - Schedule of Joint Liquidators' Expenses

Emery Estate Limited

Schedule of Expenses	Incurred & paid in the Reporting Period Paid (£)	Incurred & not paid in the Reporting Period Paid (£)
HMRC – Corporation Tax charges	673.90	-
Total	673.90	-

Emery Leisure Sales Limited

Schedule of Expenses	Incurred & paid in the Reporting Period Paid (£)	Incurred & not paid in the Reporting Period Paid (£)
HMRC - Corporation Tax charges	774.63	-
Total	774.63	-

Lotus Housing Developments Limited

Schedule of Expenses	Incurred & paid in the Reporting Period Paid (£)	Incurred & not paid in the Reporting Period Paid (£)
HMRC – Corporation Tax charges	1,786.76	-
Total	1,786.76	-

Appendix 4

Emery Estates Limited (In Members' Voluntary Liquidation) ("the Company")

Analysis of the Joint Liquidators' time costs for the Reporting Period

Classification of Work Function	Hours					Total Hours	Time Cost (£)	Avg. Hourly Rate (£)
	Managing Director	Manager	Senior	Assistant	Support			
Administration & Planning								
Case review & Case Diary management	0.00	0.00	0.50	0.00	0.00	0.50	61.33	122.66
Cashiering & accounting	0.00	0.40	0.50	1.50	0.00	2.40	781.50	325.63
Statutory matters (Meetings & Reports & Notices)	0.00	0.00	2.00	0.60	0.00	2.60	334.23	128.55
Tax Compliance / Planning	0.00	0.00	17.00	0.50	0.00	17.50	2,087.71	119.30
Total Hours	0.00	0.40	20.00	2.60	0.00	23.00		141.95
Total Fees Claimed (£)	0.00	214.00	2,582.05	468.72	0.00		3,264.77	

Emery Leisure Sales Limited (In Members' Voluntary Liquidation) ("the Company")

Analysis of the Joint Liquidators' time costs for the Reporting Period

Classification of Work Function	Hours					Total Hours	Time Cost (£)	Avg. Hourly Rate (£)
	Managing Director	Manager	Senior	Assistant	Support			
Administration & Planning								
Case review & Case Diary management	0.00	0.00	5.00	0.00	0.00	5.00	613.34	122.67
Cashiering & accounting	0.00	0.00	0.60	1.00	0.00	1.60	500.00	312.50
Statutory matters (Meetings & Reports & Notices)	0.00	0.00	5.00	0.60	0.00	5.60	702.24	125.40
Strategy planning & control (incl engagement financial	0.00	0.20	0.00	0.00	0.00	0.20	140.00	700.00
Tax Compliance / Planning	0.00	0.00	20.00	1.20	0.00	21.20	2,584.33	121.90
Total Hours	0.00	0.00	10.60	1.60	0.00	12.20		372.12
Total Fees Claimed (£)	0.00	140.00	3,920.19	479.72	0.00		4,539.91	

Domestic and General Finance Company Limited (In Members' Voluntary Liquidation) ("the Company")

Analysis of the Joint Liquidators' time costs for the Reporting Period

Classification of Work Function	Managing Director	Manager	Hours			Total Hours	Time Cost (£)	Avg. Hourly Rate (£)
			Senior	Assistant	Support			
Administration & Planning								
Case review & Case Diary management	0.00	0.00	1.50	0.00	0.00	1.50	184.00	122.67
Cashiering & accounting	0.00	0.00	0.60	1.40	0.00	2.00	585.00	292.50
Statutory matters (Meetings & Reports & Notices)	0.00	0.00	2.50	0.60	0.00	3.10	395.56	127.60
Tax Compliance / Planning	0.00	0.00	16.50	0.50	0.00	17.00	2,025.63	119.15
Total Hours	0.00	0.00	4.60	2.00	0.00	6.60		483.36
Total Fees Claimed (£)	0.00	0.00	2,751.47	438.72	0.00		3,190.19	

Lotus Housing Developments Limited (In Members' Voluntary Liquidation) ("the Company")

Analysis of the Joint Liquidators' time costs for the Reporting Period

Classification of Work Function	Managing Director	Manager	Hours			Total Hours	Time Cost (£)	Avg. Hourly Rate (£)
			Senior	Assistant	Support			
Administration & Planning								
Case review & Case Diary management	0.00	0.00	1.00	0.00	0.00	1.00	122.67	122.67
Cashiering & accounting	0.00	0.60	0.50	2.00	0.00	3.10	998.50	322.10
Statutory matters (Meetings & Reports & Notices)	0.00	0.00	2.50	0.60	0.00	3.10	395.56	127.60
Tax Compliance / Planning	0.00	0.00	17.00	0.50	0.00	17.50	2,094.33	119.68
Total Hours	0.00	0.60	4.00	2.60	0.00	7.20		501.54
Total Fees Claimed (£)	0.00	321.00	2,711.34	578.72	0.00		3,611.06	

Appendix 5

STATEMENT OF MEMBERS' RIGHTS

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

Section numbers refer to Insolvency Act 1986

Members have the right to request information from the Liquidator under rule 18.9

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 and any member with the permission of the court may make a written request to the Liquidator 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.

Members have recourse to court, application to be made within 21 days of the Liquidator giving reasons for not providing all the information requested or the expiry of the 14 days within which the Liquidator must respond to a request

Members have the right to challenge the Liquidator's remuneration and expenses under rule 18.34

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 and any member 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 Liquidator'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.