In accordance with Rule 18.7 of the Insolvency (England & Wales) Rules 2016 and Sections 92A, 104A and 192 of the Insolvency Act 1986.

LIQ03

Notice of progress report in voluntary winding up

Companies House

WEDNESDAY

A8INZCZC

A31 20/11/2019 #232

COMPANIES HOUSE

1 Company details

Company number	0 3 9 4 8 7 4 2
Company name in full	Marston Hotels Holdings Limited

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

2 Liquidator's name

Full forename(s)	Anthony Harry
Surname	Hyams

3 Liquidator's address

Building name/number	Allan House
Street	10 John Princes Street
Post town	London
County/Region	
Postcode	W 1 G 0 A H
Country	

4 Liquidator's name ❶

Full forename(s)	
Surname	

❶ **Other liquidator**
Use this section to tell us about another liquidator.

5 Liquidator's address ❷

Building name/number	
Street	
Post town	
County/Region	
Postcode	
Country	

❷ **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 2 d 7	m 0 m 9	y 2 y 0 y 1 y 8
To date	d 2 d 6	m 0 m 9	y 2 y 0 y 1 y 9

7 Progress report

☑ The progress report is attached

8 Sign and date

Liquidator's signature	Signature X	X
Signature date	d 1 d 4	m 1 m 1 y 2 y 0 y 1 y 9

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: Bina Kotecha

Company name: Insolve Plus Ltd

Address: Allan House
10 John Princes Street

Post town: London

County/Region:

Postcode: W1G 0AH

Country:

DX:

Telephone: 020 7495 2348

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

Marston Hotels Holdings Limited
(In Liquidation)
Liquidator's Summary of Receipts & Payments

Declaration of Solvency £		From 27/09/2018 To 26/09/2019 £	From 27/09/2018 To 26/09/2019 £
		NIL	**NIL**
	REPRESENTED BY		
			NIL

insolve

Allan House
10 John Princes Street
London W1G 0AH
020 7495 2348

www.insolveplus.com

14 November 2019

Our ref: LM/M073T/3.1

Liquidator's Progress Report to Members

Marston Hotels Holdings Limited – In Members Voluntary Liquidation

For the year ending 26 September 2019

1. Introduction

Following my appointment as Liquidator of the Company on 27 September 2018 and in accordance with Section 92A of the Insolvency Act 1986 and all associated provisions of the Insolvency (England & Wales) Rules 2016, I hereby report on the progress of the Liquidation.

2. Statutory Information

Company name:	Marston Hotels Holdings Limited
Registered office:	4th Floor Allan House, 10 John Princes Street, London W1G 0AH
Former registered office:	Wellington House, Cliffe Park, Bruntcliffe Road, Morley, Leeds LS27 0RY
Registered number:	03948742
Liquidator's name:	Anthony Harry Hyams
Liquidator's address:	4th Floor Allan House, 10 John Princes Street, London, W1G 0AH
Liquidator's date of appointment:	27 September 2018

As the Company had its only place of business at premises in the UK, the EC regulations apply, these proceedings are Main Proceedings as defined in Article 3 of the EC Regulation.

3. Liquidator's actions for the period 27 September 2018 to 26 September 2019

Following my appointment as Liquidator I attended to my statutory obligations. I arranged for the relevant notices to be placed in the London Gazette to include notice of my appointment as Liquidator, notice of the Special Resolution passed by members to wind-up the Company and notice for creditors to prove their claims in the Liquidation.

The Company's in-house accountant was requested to prepare any outstanding accounts and Corporation Tax returns and file them with HM Revenue & Customs ("HMRC").

Anthony Hyams FCCA FABRP is licensed in the United Kingdom to act as an insolvency practitioner by the Association of Chartered Certified Accountants
Lloyd Hinton FIPA FABRP is licensed to act in the United Kingdom as an insolvency practitioner by the Insolvency Practitioners Association
Mark Newton MIPA is licensed to act in the United Kingdom as an Insolvency Practitioner by the Insolvency Practitioners Association
Insolve Plus is a trading style of Insolve Plus Ltd
Insolve Plus Ltd is registered in England no. 08640857

Due to the late filing of the pre-Liquidation return, a penalty of £100 was issued by HMRC which I was advised would be discharged by another company within the group.

I have received confirmation from the Company's in-house accountant that the outstanding Corporation Tax returns have been filed. I have contacted HMRC for clearance to close the case which has been received from the Corporation Tax department.

I have contacted HMRC for clearance to close the case in respect of VAT and PAYE and I currently await receipt of the clearance.

4. Liquidator's Receipts & Payments Account

Attached to this report is a full account of receipts and payments for the period from 27 September 2018 to the first anniversary of my appointment, being 26 September 2019 from which the member will note there have been no receipts or payments during the period.

5. The costs spent in the conduct of the Liquidation

5.1 Pre-Appointment Fees

I confirm that no fees were charged in respect of any pre-appointment work carried out by Insolve Plus Ltd.

5.2 Liquidator's Post Appointment Fees

A resolution was passed at the General Meeting of Members held on 27 September 2018 whereby the Liquidator's remuneration be charged on a fixed fee basis of £1,500 plus disbursements plus VAT. The sum of £1,500 plus VAT and disbursements, as set out below in Section 5.3.1 below, was paid in full by Delta Norton Park Holdings Limited in respect of my post-appointment fee.

A Members' Guide to Fees, which provides guidance as to how an insolvency practitioner's remuneration is authorised, may be obtained from the Insolve Plus Ltd website via the following link, www.insolveplus.com/services/creditors-guides/. Alternatively, you may telephone this office requesting a copy of the document, and one will be sent to you free of charge.

5.3 Liquidator's Disbursements

5.3.1 Category 1 Disbursements

During the first year of the Liquidation, I have incurred expenses of £132 as set out below, and these have been reimbursed in full by Delta Norton Park Holdings Limited.

Category 1 Disbursements	**£**
Specific Bond	32
Statutory Advertising	95
Swearing Fee for Declaration of Solvency	5
	132

5.3.2 Category 2 Disbursements

You will note that during the course of the Liquidation no Category 2 Disbursements have been

incurred.

Attached to this report is also a statement of the members' rights to request further information in accordance with Rule 18.9 of the Insolvency (England & Wales) Rules 2016, and their right to challenge my remuneration and expenses in accordance with Rule 18.34 of The Insolvency (England & Wales) Rules 2016.

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 my 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 and/or basis of my fees and the amount of any proposed expenses or expenses already incurred, within 8 weeks of receipt of this report.

6. Liabilities

6.1 *Secured Creditors*

An examination of the Company's mortgage register held by the Registrar of Companies, showed that the Company had granted a total of 13 charges, of which 12 had been satisfied as at the date of Liquidation. The outstanding charge at the date of Liquidation in favour of Santander UK Plc was satisfied on 6 September 2019.

6.2. Preferential Creditors

According to the Declaration of Solvency it was not anticipated that there would be any preferential creditors and I can confirm that no claims have been received.

6.3 Unsecured Creditors

The Declaration of Solvency did not include any unsecured creditors and I confirm that no claims have been received.

7. Outstanding Issues

As mentioned above, I am awaiting clearance from HMRC in respect of PAYE and VAT and once received I will take steps to close the Liquidation.

8. Distributions to the Member

I confirm that no distribution has been or will be made to the shareholder in this matter.

9. *Professional Advisors Appointed*

No agents or professional advisors have been utilised by me in this matter.

10. Summary

The Liquidation will remain open until clearance has been received from HMRC. Once received, the Liquidation will be finalised and my files will be closed. I anticipate that this will take a maximum three months.

If members have any queries regarding the conduct of the Liquidation, they should contact Layla Marsh on 020 7495 2348, or by email at laylamarsh@insolveplus.com.

Yours faithfully

Anthony Hyams FCCA
Liquidator

Marston Hotels Holdings Limited
(In Liquidation)

Summary of Receipts & Payments
27 September 2018 to 26 September 2019

RECEIPTS	Total (£)
	0.00
PAYMENTS	
	0.00
Balance In Hand	0.00
	0.00

Rule 18.34 – Remuneration and expenses: application to court by a creditor or member on grounds that remuneration or expenses are excessive

18.34.—(1) This rule applies to an application in an administration, a winding-up or a bankruptcy made by a person mentioned in paragraph (2) on the grounds that—

(a)the remuneration charged by the office-holder is in all the circumstances excessive;

(b)the basis fixed for the office-holder's remuneration under rules 18.16, 18.18, 18.19, 18.20 and 18.21 (as applicable) is inappropriate; or

(c)the expenses incurred by the office-holder are in all the circumstances excessive.

(2) The following may make such an application for one or more of the orders set out in rule 18.36 or 18.37 as applicable—

(a)a secured creditor,

(b)an unsecured creditor with either—

(i)the concurrence of at least 10% in value of the unsecured creditors (including that creditor), or

(ii)the permission of the court, or

(c)in a members' voluntary winding up—

(i)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

(ii)a member of the company with the permission of the court.

(3) The application by a creditor or member must be made no later than eight weeks after receipt by the applicant of the progress report under rule 18.3, or final report or account under rule 18.14 which first reports the charging of the remuneration or the incurring of the expenses in question ("the relevant report").

Rule 18.9 – Creditors' and members' requests for further information in administration, winding up and bankruptcy

18.9.—(1) The following may make a written request to the office-holder for further information about remuneration or expenses (other than pre-administration costs in an administration) set out in a progress report under rule 18.4(1)(b), (c) or (d) or a final report under rule 18.14—

(a)a secured creditor;

(b)an unsecured creditor with the concurrence of at least 5% in value of the unsecured creditors (including the creditor in question);

(c)members of the company in a members' voluntary winding up with at least 5% of the total voting rights of all the members having the right to vote at general meetings of the company;

(d)any unsecured creditor with the permission of the court; or

(e)any member of the company in a members' voluntary winding up with the permission of the court.

(2) A request, or an application to the court for permission, by such a person or persons must be made or filed with the court (as applicable) within 21 days of receipt of the report by the person, or by the last of them in the case of an application by more than one member or creditor.

(3) The office-holder must, within 14 days of receipt of such a request respond to the person or persons who requested the information by—

(a)providing all of the information requested;

(b)providing some of the information requested; or

(c)declining to provide the information requested.

(4) The office-holder may respond by providing only some of the information requested or decline to provide the information if—

(a)the time or cost of preparation of the information would be excessive; or

(b)disclosure of the information would be prejudicial to the conduct of the proceedings;

(c)disclosure of the information might reasonably be expected to lead to violence against any person; or

(d)the office-holder is subject to an obligation of confidentiality in relation to the information.

(5) An office-holder who does not provide all the information or declines to provide the information must inform the person or persons who requested the information of the reasons for so doing.

(6) A creditor, and a member of the company in a members' voluntary winding up, who need not be the same as the creditor or members who requested the information, may apply to the court within 21 days of—

(a)the office-holder giving reasons for not providing all of the information requested; or

(b)the expiry of the 14 days within which an office-holder must respond to a request.

(7) The court may make such order as it thinks just on an application under paragraph (6).