

Liquidator's Progress Report

Pursuant to Sections 92A, 104A and 192 of the
Insolvency Act 1986

S. 192

To the Registrar of Companies

Company Number

05052348

Name of Company

(a) Insert full name of
company

(a)

Premier Vintners Ltd

(b) Insert full name(s)
address(es)

I/We (b)

Tim Clunie
SG Banister & Co
Baltic House
4-5 Baltic Street East
London
EC1Y 0UJ

the liquidator(s) of the company attach a copy of my/our Progress Report under
section 192 of the Insolvency Act 1986

The Progress Report covers the period from 14 November 2015
to 13 November 2016

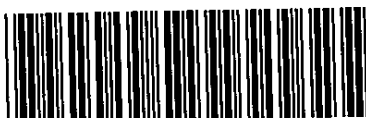
Signed



Date 11 January 2016

Presenter's name
address and
reference
(if any)

COMPANIES HOUSE



L5Y08A97

LD2

13/01/2017

#14

FRIDAY

Re: Premier Vintners Ltd
(In Creditors' Voluntary Liquidation)

Liquidator's Annual Progress Report to Members & Creditors
[Period: Year Ended 13 November 2016]

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1 INTRODUCTION

This report has been prepared by the Liquidator of Premier Vintners Ltd ("the Company") under Rule 4 49C of the Insolvency Rules 1986 (As Amended) ("the Rules") and covers the anniversary of the liquidation for the year ended 13 November 2016

2 STATUTORY REQUIREMENTS

Under the provisions of Rule 4 49C, as the liquidator, I am required in accordance with Section 104A of the Insolvency Act 1986 ("the Act") to send to each creditor known to the liquidator an annual progress report for each anniversary of the liquidation

3 BACKGROUND

Details of the Company's statutory information are shown in *Appendix 1*

Pre-Liquidation

A detailed narrative of the company's trading history and financial results was reported in my initial circular to creditors. I do not, therefore, propose to reproduce the said information that covered the pre-liquidation period

Post-Liquidation

During the course of the administration of this liquidation there have been numerous matters that have required further investigation and action. Below is a summary of those events and issues that have been covered in the relevant period -

Office Premises

The company vacated its Wandsworth office shortly after the commencement of the liquidation as notice to vacate had previously been served by the landlords

Solicitors

Messrs Wilkin Chapman LLP were instructed to advise the liquidator on matters relating to the company's stock, particularly ownership of 'clients stock' held in the bonded warehouse at Seabrook Warehousing Ltd and claims by customers for missing wines and their legal rights to claim similar or identical wines from the company's 'general' wine stock. Legal advice was received and circulated to the Liquidation Committee and the liquidator has proceeded to act upon the advice obtained

Agents

The agents 'BidforWines' ("BFW"), a wine division of auctioneers Dreweatt & Neate, were instructed to dispose of the 'VAT and Duty paid' wines held at Access Self Storage Ltd and 'under bond' wines at Seabrook Warehousing Ltd

BFW have conducted online sales and physical sales. The stock 'under bond' at Seabrook has been offered to buyers as 'in bond' whereby they are responsible to pay VAT and duty charges on wines purchased. BFW had allocated stock to all suitable sales and the wines are being exposed directly to an audience of over 26,000 registered bidders as well as other parties via listings on wine-searcher and auction aggregation sites such as thesaleroom.com. As a direct consequence of the quantities of company's wine stock to be sold (over 2,400 cases), the agents considered it was prudent to release the stock in discrete parcels (typically not more than 15 cases of a given wine at a time) to avoid depressing prices to an unacceptable level. In some cases the company was holding large quantities of single lines, for example over 200 cases of Watershed Shiraz 2002

Other avenues of seeking bulk disposals of such parcels to the trade have been pursued but the sums realisable via these routes have been substantially less than via sale at auction. Additionally some wines are well beyond their optimal drinking window (Rose from 2006, Sauvignon Blanc of

a similar age) and these have proved difficult to sell BFW have now been taken over by Dreweatts & Bloomsbury Auctions, who will continue to dispose of the company's wines

Stock at Access Self Storage Ltd

BFW moved the wine stock from Access Self Storage Ltd to their own warehouse facilities in Weybridge, Surrey The director had valued the stock at £15,000 and BFW have sold this stock at 'live' auctions and online sales

Stock at Seabrook Warehousing Ltd

The company has a General Account and Clients' Account for 'under bond' stock held at Seabrook Warehousing Ltd ("Seabrook") BFW agreed with Seabrook to sell off the General Account stock and for Seabrook to dispatch the sold wines to customers BFW had valued the General Account stock at £80,000 to £108,000

Stock held under the Clients' Account is classified a segregated stock belonging to designated clients, who have been contacted by the liquidator to agree the release of their stock subject to accrued storage and associated charges being settled

Under bond Clients

The director had estimated that there were 50 clients with a claim against the company for missing wines that should have been held 'under bond' in the company's Clients Account However, further claims have been made by additional clients and a final figure of such claims will not be known until the stock in the Clients Account has been released to clients

Storage Charges

Historical records show that the company did not regularly bill clients for ongoing storage charges for wines held 'under bond' There was a tendency to raise storage charge invoices as and when clients requested the release of their stock Moreover, the company did not operate dedicated software to accurately calculate such charges and therefore the process of doing so has been considerably time consuming, made more complex due to numerous inaccuracies on the clients' ledgers In the majority of cases, 'under bond' clients have been liaising with the liquidator to resolve their stockholding and this matter is still ongoing Several 'under bond' clients have sought to set-off the cost of their missing wines against pre-liquidation storage charges Additionally, some client's accounts have been overstated due to delivered wines not being removed from their accounts and this has now resulted in such wines being transferred to the company's General Stock, for future disposal by agents

4. DETAILS OF THE APPOINTMENT OF THE LIQUIDATOR

Tim Clunie of SG Barister & Co was appointed Liquidator of the Company at meetings of members and creditors convened on 14 November 2013.

5. RECEIPTS & PAYMENTS ACCOUNT

Attached at *Appendix 2* is a summary receipts and payments account covering the period for the year ended 13 November 2016, in accordance with the requirements of the Statement of Insolvency Practice 7 (England & Wales)

6. ASSET REALISATIONS

Apart from those items shown above, there have been no other asset realisations to date in this liquidation With reference to the items shown on the account, I would make the following comment -

Debtors (Storage Charges)

As previously reported, the company are owed storage charges from the majority of clients with stock still 'in bond'. Several clients will have counter-claims for missing wines and the sum due from each client is subject to a detailed review to ensure that correct charges are levied and their stockholding verified from the available records. Payments received from clients have been made directly to Seabrook in reduction of the company's ongoing storage charges.

Stock (Seabrook Warehousing Ltd & Access Self Storage Ltd)

The agents BFW have sold the 'VAT & Duty' paid wines formerly held at the storage facilities at Access Self Storage. The stock held in the 'General Account' with Seabrook continues to be sold by BFW both online and at its physical auctions. The company's own database of clients has been circulated with detail of ongoing auctions and many have made significant purchases as a result.

Fixtures & Fittings

This comprised racking equipment at Access Self Storage Ltd that had to be removed upon vacating the storage unit and subsequently scrapped by agents. Therefore this asset did not produce a realisation.

Office Furniture & Equipment

There was a small quantity of office furniture and equipment that was considered to have a nominal value by the director. These items have remained in the company's former offices as it would have been uneconomical to remove.

Sale of IPR

The sale of the company's intellectual property rights was sold by professional agents.

7. ESTIMATED FUTURE REALISATIONS

Those items shown on the company's statement of affairs that have not been realised are as follows -

Debtors (Storage Charges)

Where possible, clients have been contacted to settle outstanding storage charges on wines held 'under bond' in the company's Clients Account with Seabrook. The sums that are recoverable is uncertain because of potential counter-claims for missing wines and further details of recoveries will be reported in future circulars to creditors.

Stock (Seabrook Warehousing Ltd)

Agents are still actively selling the stock of wines both online and at live auctions. However, this process has been protracted due to the general slump in the demand for wines in the UK and the diversity of the wines to be sold. Based on results to date, an estimate of the value of stock remaining is probably less than £10,000. Unfortunately, the overall result will be substantially less than originally forecast as many of the lines have proved substantially less attractive to buyer's than expected despite substantial efforts to market the stock at all available opportunities.

8. ESTIMATED CLAIMS IN THE LIQUIDATION

With reference to the Director's Estimated Statement of Affairs prepared at the outset of the liquidation, I would comment on the liabilities of the Company as follows -

Preferential Creditor(s)

No preferential claims were projected and none have been received to date.

Floating Charge Creditor(s)

There were no borrowings to the company by the holder of a relevant floating charge and therefore

the Prescribed Part provisions, pursuant to section 176A of the Insolvency Act 1986 ("the Act"), do not apply to this insolvency. The prescribed part is a part of the insolvency estate of a company which, but for section 176A, would have been available to the holders of debentures secured by floating charges.

Unsecured Creditor(s)

The proven unsecured creditors, comprising crown, trade, expense and client claims amounting to £420,542.56

9. INVESTIGATIONS

In accordance with the Company Directors Disqualification Act 1986, I have submitted a confidential report to The Insolvency Service on the directors' conduct. However, this is a standard requirement and does not necessarily reflect on the directors' administration of the Company.

10. OTHER MATTERS

There have been no transactions with connected parties since my appointment as liquidator, pursuant to SIP13.

In accordance with SIP2, I have conducted a review of all information available to me on the company to establish if there are any matters that might lead to an additional recovery for the benefit of creditors. The initial assessment has not revealed any potential claims that might be brought against parties either connected to or who have had former dealings with the company.

All routine enquiries into the Company's affairs are now complete and there are no matters that require further investigation.

11. DIVIDEND PROSPECTS

It is unlikely that sufficient funds will materialise from future realisations to afford a distribution to unsecured creditors.

12. LIQUIDATOR'S REMUNERATION

Attached at *Appendix 3* is a summary of my firm's charge out rates by grades of staff based on our prevailing charge out rates for the period in question.

My time as liquidator is based on time costs that are charged in six-minute units. I have provided a summary of my firm's time costs by grade and by task at *Appendix 4*. Time costs to date show the overall hours worked at 491.7, this gives an overall cost of £165,175.00, with an average hourly rate of £335.93. No remuneration has been drawn and the basis of the liquidator's remuneration will be agreed by the liquidation committee, in due course.

It should be noted that over 100 clients have been in communication with the liquidator's office in relation to their wines. Understandably, clients were alarmed to discover that their wines, thought to have been held in storage by the company for many years, has either not been ordered or transferred from the company's General Account of wines. Furthermore, clients have expressed their concerns over the director's various reasons for missing wines on their account and sought an explanation why they had not previously been notified of the losses prior to the company's winding up. The absence of dedicated stock control systems and use of ad hoc computer software to accurately maintain client records has resulted in client queries being a protracted and time consuming exercise. In short, with few exceptions, clients had simply trusted the company to store their wines and had not had reason to verify the stockholding until wines were retrieved from storage.

13 CREDITORS' CLAIM TO CHALLENGE REMUNERATION AND/OR EXPENSES

Any secured creditor, or any unsecured creditor with either the concurrence of at least 10% in value of the creditors (including that creditor) or the permission of the court, may apply to the court for one or more of the orders (pursuant to Rule 4 131 of the Rules) on the grounds that (a) the remuneration charged by the liquidator, (b) the basis fixed for the liquidator's remuneration under Rule 4 127, or (c) expenses incurred by the liquidator, is or are, in all the circumstances, excessive or, in the case of an application under subparagraph (b), inappropriate

Such an application must, subject to any order of the court under Rule 4 49E (5), be made no later than 8 weeks after receipt by the applicant of the progress report, or the draft report under Rule 4 49D, which first reports the charging of the remuneration or the incurring of the expenses in question, in accordance with Rule 4 131 (1B) of the Rules

14. CREDITORS' RIGHTS TO REQUEST INFORMATION

In accordance with the provisions of Rule 4 49E of the Rules, any secured creditor or unsecured creditor with the concurrence of at least 5% in value of the unsecured creditors (including the creditors in question) or, with the permission of the Court, may, in writing, request the liquidator to provide additional information regarding his remuneration and/or expenses to that already supplied within this report. Such requests must be made within 21 days of receipt of this report

15. FURTHER INFORMATION

To the best of the liquidator's knowledge, there are several creditors who have not proved in the liquidation. If this applies to you, then you are at liberty to submit details of your claim to the liquidator and a proof of debt form is attached at *Appendix 5* for your completion and return to this office. Should you have any further queries in respect of this liquidation, please do not hesitate to contact this office

Dated: 11 January 2017

Tim Clunie
LIQUIDATOR

Appendix 1

STATUTORY INFORMATION

<u>Company Number</u>	05052348		
<u>Date of Incorporation</u>	23 February 2004		
<u>Previous Names</u>	N/a		
<u>Nature of Business</u>	Wine Merchants		
<u>Trading Address</u>	Unit 6, Block E, Riverside Business Centre, Bendon Valley, London SW18 4UQ		
<u>VAT Reg No</u>	863 6294 94		
<u>Current Registered Office</u>	Baltic House, 4-5 Baltic Street East, London EC1Y 0UJ		
<u>Previous Registered Office</u>	Heathmans House, 19 Heathmans Road, London SW6 4TJ		
<u>Director(s)</u>	<u>Name</u>	<u>Appointed</u>	<u>Resigned</u>
(Previous 3 Years)	George Ledger	14 December 2004	N/a
	Michael Says	27 June 2006	19 November 2011
<u>Company Secretary</u>	<u>Name</u>	<u>Appointed</u>	<u>Resigned</u>
(Previous 3 Years)	Haggards Crowther	14 April 2005	N/a
<u>Authorised Share Capital</u>	500,000 Ordinary Shares with a nominal value of £1 each		
<u>Shares Issued</u>	<u>Name</u>	<u>No. of Shares</u>	
	George Ledger	136,000	
	Michael Says	<u>24,000</u>	
		<u>160,000</u>	
<u>Associated, Parent</u>			
<u>& Subsidiary Companies</u>	<u>Name</u>		
	None		
<u>Bankers</u>	Barclays Bank plc Wandsworth Branch 83 High Street London SW18 2PR		
<u>Accountants</u>	Haggards Crowther Heathmans House 19 Heathmans Road Parsons Green London SW6 4TJ		

Appendix 2

LIQUIDATOR'S ABSTRACT RECEIPTS & PAYMENTS ACCOUNT
(Period: Year Ended 13 November 2016)

<u>Per</u> <u>Statement</u> <u>of Affairs</u>	<u>Year Ended</u> <u>13/11/2015</u> <u>Total (£)</u>	<u>Year Ended</u> <u>13/11/2015</u> <u>Total (£)</u>	<u>Total To</u> <u>13/11/2016</u> <u>Total (£)</u>	<u>Total To</u> <u>13/11/2016</u> <u>Total (£)</u>
Total (£)				
RECEIPTS				
5,000 Debtors (Storage Charges)		8,604 51		8,604 51
150,000 Stock at Seabrook Warehousing Ltd				
15,000 Stock at Access Self Storage Ltd				
Less Excise Duty Paid		65,460 06		72,071 27
100 Fixtures & Fittings		0 00		0 00
200 Office Furniture & Equipment		0 00		0 00
0 Sale of Intellectual Property [IPR]		5,000 00		5,000 00
0 Deposit Interest - Gross		99 76		203 81
<u>£170,300</u>		<u>79,164 33</u>		<u>85,879 59</u>
LESS PAYMENTS				
Statement of Affairs Fee	8,000 00		8,000 00	
Agents' Costs & Commission [Wines]	8,789 45		9,132 16	
Agents' Costs & Commission [IPR]	1,437 50		1,437 50	
Web Hosting Fees	690 00		690 00	
Storage Charges [Seabrook]	14,807 61		17,072 91	
Room Hire Charge	100 00		100 00	
Storage Charges [Access]	253 67		253 67	
Insolvency Bond	600 00		600 00	
Legal Fees	2,500 00		2,500 00	
Storage Boxes	87 60		87 60	
Statutory Advertising	169 20	37,435 03	169 20	40,043 04
		<u>41,729 30</u>	<u>40,043 04</u>	<u>45,836 55</u>
VAT Account.				
VAT - Output	10,952 29		10,952 29	
VAT - Input	(7,824 63)	3,127 66	(8,346 23)	2,606 06
		<u></u>	<u></u>	<u></u>
Balance in Hand	<u>(£7,824 63)</u>	<u>£44,856 96</u>	<u>£31,696.81</u>	<u>£48,442.61</u>

Appendix 3

SUMMARY OF CHARGE OUT RATES BY GRADE

The following table is shown as the rate per hour

	Rates at Appointment Date (£)	Current Rates (£)
Principal	350 00 - 390 00	350 00 - 400 00
Manager	330 00	350 00
Manager 2	240 00	250 00
Senior	190 00	200 00
Assistance & Support	140 00	150 00
Assistance & Support 2	100 00	110 00

Note In common with other professional firms, the charge out rates may increase from time to time over the period of the administration of the insolvent case

Category 2 Disbursements

Postage, Photocopying, Stationery, Telephone, Facsimile and Printing	£2 50 per creditor, per statutory meeting
Mileage Charges	£0 75 per mile
Storage Boxes	£5 00 per box
Storage costs	£5 00 per box per quarter
Destruction of Books and Records costs	£5 00 per box
Files (inc Indexes)	£10 00 each
Additional Files	£6 00 each
Room Hire for each meeting of creditors and committee meetings (internal costs only External room hire to be charged as Category 1 disbursements, at cost)	£100
Company Searches	£35 per search

Costs may increase as a result of inflation Such costs will be reported annually

Appendix 4

TIME & CHARGEOUT SUMMARIES
[Period: 14 November 2013 to 13 November 2016]

HOURS							
Classification of work Function	Partner	Manager	Other Senior Professional	Assistants & Support Staff	Total Hours	Time Cost £0 00	Average Hourly Rate £0 00
Administration & Planning	7 00	64 30	0 00	0 00	71 30		
Investigations	0 00	42 70	0 00	0 00	42 70		
Realisation of Assets	0 00	346 30	0 00	0 00	346 30		
Trading	0 00	0 00	0 00	0 00	0 00		
Creditors	0 00	31 40	0 00	0 00	31 40		
Total Fees Claimed £	2,600 00	162,575 00	0 00	0 00		165,175 00	
Total Hours	7 00	484 70	0 00	0 00	491 70		
Average Rate £							335 93

Appendix 5

PROOF OF DEBT - GENERAL FORM

RULE 4 73

FORM 4 25

Premier Vintners Ltd - In Liquidation

Resolution for voluntary winding-up - 14 November 2013

1	Name of creditor (If a company please also give company registration number)	
2	Address of creditor for correspondence	
3	Total amount of claim including any Value Added Tax and outstanding uncapitalised interest as at the date the company went into liquidation	£
4	Details of any documents by reference to which the debt can be substantiated (Note There is no need to attach them now but the liquidator may call for any document or evidence to substantiate the claim at his discretion as may the chairman or convenor of any meeting)	
5	If amount in 3 above includes outstanding uncapitalised interest please state amount	£
6	Particulars of how and when debt incurred (If you need more space append a continuation sheet to this form)	
7	Particulars of any security held, the value of the security and the date it was given	
8	Particulars of any reservation of title claimed in respect of goods supplied to which the claim relates	
9	Dated _____	
10	Signature of creditor or person authorised to act on his behalf _____	
11	Name in BLOCK LETTERS _____	
12	Position with or in relation to creditor Address of person signing (if different from 2 above) _____	
13	Email Address & Telephone Number	
Admitted to vote for		Admitted for dividend for
£		£
Date		Date
Liquidator		Liquidator