

WU07

Notice of progress report in a winding-up by the court



Companies House

MONDAY



A94CLYPK

A09

04/05/2020

#320

COMPANIES HOUSE

1 Company details

Company number 05403101

Company name in full Smoke Barbecue Limited

→ Filling in this form

Please complete in typescript or in
bold black capitals.

2 Liquidator's name

Full forename(s) John William

Surname Butler

3 Liquidator's address

Building name/number Westminster Business Centre

Street 10 Great North Way

Nether Poppleton

Post town York

County/Region North Yorkshire

Postcode YO266RB

Country

4 Liquidator's name ①

Full forename(s) Andrew James

Surname Nichols

① Other liquidator

Use this section to tell us about
another liquidator.

5 Liquidator's address ②

Building name/number Westminster Business Centre

Street 10 Great North Way

Nether Poppleton

Post town York

County/Region North Yorkshire

Postcode YO266RB

Country

② Other liquidator

Use this section to tell us about
another liquidator.

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6 Period of progress report

From date	^d 0	^d 8	^m 0	^m 3	^y 2	^y 0	^y 1	^y 9
To date	^d 0	^d 7	^m 0	^m 3	^y 2	^y 0	^y 2	^y 0

7 Progress report

☒ The progress report is attached

8 Sign and date

Liquidator's signature

Signature

X 

X

Signature date

^d 2	^d 4	^m 0	^m 4	^y 2	^y 0	^y 2	^y 0
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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

Company name

Address

Post town

County/Region

Postcode

Country

DX

Telephone

**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

Redman | Nichols | Butler

Corporate Recovery
Licensed Insolvency Practitioners

The Chapel
Bridge Street
Driffield
YO25 6DA
Tel: 01377 257788

Suite 8b
Normanby Gateway
Lysaghts Way
Scunthorpe
DN15 9YG

Tel: 01724 230060

Westminster Business Centre
10 Great North Way
Nether Poppleton
York
YO26 6RB
Tel: 01904 520116

info@redmannicholsbutler.co.uk
www.redmannicholsbutler.co.uk

To all known creditors

28 April 2020

Dear Sirs

Smoke Barbecue Limited - in liquidation
Leeds District Registry, No 119 of 2018

Please find enclosed my annual progress report on the conduct of this liquidation for the period 8 March 2019 to 7 March 2020 and to date.

Should you have any queries, please contact John Butler of my York office.

Yours faithfully



J W Butler
Joint Liquidator

Our ref: John Butler of our York office.

Redman | Nichols | Butler

**SMOKE BARBECUE LIMITED –
IN COMPULSORY LIQUIDATION**

In the Leeds District Registry No 119 of 2018

Annual Progress Report

Smoke Barbecue Limited
– in compulsory liquidation ("the Company")
Joint Liquidators' Annual Progress Report for the period 8 March 2019 to 7 March 2020

Statutory information

Company number: 05403101
 Name of company: Smoke Barbecue Limited
 Previous name(s) of company (if any): None
 Trading name / style under which: Ginger Monkey

- Company carried on business and
- Any debt owed to a creditor was incurred

Type of Liquidation: Compulsory Liquidation
 Winding up Order: 8 January 2019
 Court name and number: In the Leeds District Registry No 119 of 2018

Address of Registered office: Westminster Business Centre, 10 Great North Way, Nether Poppleton, York, YO26 6RB

Principal trading address: Unit 6, Arena Quarter, Merrion Way, The Merrion Centre, Leeds.

Liquidator(s) name(s), address(es) and contact number: J W Butler and A J Nichols of Redman Nichols Butler, Westminster Business Centre, 10 Great North Way, Nether Poppleton, York, YO25 6DA
 T: 01377 257788

Office holder number(s): 9591 & 8367
 Date of appointment: 8 March 2019
 Is there a liquidation committee? No

Administration (including statutory reporting)

The work undertaken which is classified as Administration for the period of this report is summarised below. Some of the work included within this category is in respect of asset realisations and investigations.

Case Management

- case set-up, record-keeping, completion of checklists, periodic case reviews
- devising an appropriate strategy for dealing with the case and giving instructions to staff to undertake the work on the case
- dealing with all routine correspondence and emails relating to the case
- undertaking periodic reviews of the progression of the case

Statutory and Compliance

- case bonding; Companies House filings and returns; advertising of notices
- preparation and delivery of periodic reports to creditors and other stakeholders
- convening and holding meetings of creditors (as applicable)
- completion and submission of post appointment corporation tax returns
- completing and submission of post appointment VAT returns
- corresponding with HMRC in relation to cessation of PAYE and VAT schemes
- initial and final reporting to creditors

- request and review of bank statements
- case filing

Cashiering

- monthly account reconciliations; general cashiering preparation and maintenance of cashbook and receipts and payments account

This work does not produce any direct financial benefit for creditors but is required by statute and best practice guidelines.

Asset realisations

The work undertaken which is classified as Asset realisations is summarised below;

Asset	Estimated to realise per the Official Receiver's report (£)	Actual realisations to date (£)	Comments
Cash at Bank	2,463.00	2,444.71	The credit balance held in an RBS bank account at the date of appointment.
Directors Loan Accounts	TBC	0.00	It was confirmed the amounts had been repaid. The director is a creditor of the company.
Bank Interest Net	0.00	0.00	The sum received to date is nil.

This work may produce financial benefit for creditors and is required by statute and best practice guidelines.

Statement of Insolvency Practice 13 – Transactions with connected parties

Statement of Insolvency Practice 13 provides that I am required to disclose to creditors and members at the first available opportunity after my appointment any transactions with connected parties.

In this case, no assets were sold to a connected party.

Investigations

Statement of Insolvency Practice 2 – Investigations by office holders

I have continued to assist the Insolvency Service with their investigations into the company, however, it is my understanding is that they are now complete.

Creditors (claims and distributions)

The work undertaken which is classified as Creditors for the period of this report is summarised below: -

- general communication with creditors

This work may produce financial benefit for creditors but is required by statute and best practice guidelines.

Costs and expenses of the liquidation

Remuneration of office holders

A creditors' guide to an Insolvency Practitioner's fees is available at www.creditorinsolvencyguide.co.uk or www.insolvency-practitioners.org.uk/regulation-and-guidance/guides-to-fees. A copy of the creditors' guide to Redman Nichols Butler fees and expenses is attached to this report which details my firm's current charge out rates.

Basis of amount of remuneration, who agreed that basis and when

No fee estimate has been prepared and therefore no fee resolution obtained. There are insufficient realisations to pay the costs of the liquidation.

Redman Nichols Butler time costs in administering this case

The time costs to date in dealing with the proper administration of this liquidation from 8 March 2019 to 7 March 2020 total £8,069.97 being 34.60 hours at an average rate of £233.23. An estimated analysis by reference to the types of work carried out on this liquidation is attached to this report.

Redman Nichols Butler expenses

Attached to this report is a breakdown of the expenses incurred on behalf of the liquidation estate. To date, I have incurred £441.09.

Funds drawn to date on account of remuneration

The joint liquidators have drawn the sum of £nil in respect of liquidators' fees and £nil in respect of expenses.

The director has paid £5,000 to Redman Nichols Butler as security for costs.

Fee estimate

None prepared

Professionals engaged to assist the liquidator to carry out his duties

The following professionals have been engaged to assist me in carrying out my duties in this case: -

Firm	Estimated costs (£)	Costs incurred to date (£)	Costs paid to date (£)	Basis of those fees	Brief description of work carried out & reasons for costs exceeding estimate	Basis of review of reasonableness of fees
Petition Costs	tbc	n/k	0.00	Costs incurred	I have not received details of the costs of the petitioning creditors solicitors, however, there are insufficient funds to pay them	Reasonable
Official Receiver	0.00	(5,810.51)	0.00	Balance due on handover	Statutory requirement	Reasonable
Insolvency Services Account	0.00	(88.00)	0.00	Bank charges (£22 per quarter)	Bank charges	

Creditors' request for further information

Within 21 days of receipt of this report: -

- i) a secured creditor; or

- ii) a unsecured creditor with the concurrence of at least 5% in value of the unsecured creditors (including the creditor in question); or

with the permission of the court upon an application made within the 21 days any unsecured creditor may make a request in writing to the liquidator for further information about remuneration or expenses set out in the draft report.

The liquidator must, within 14 days of receipt of the request, respond accordingly.

Right of challenge

If a creditor believes that the office holders' remuneration is, in all the circumstances excessive, the basis inappropriate, or the expenses incurred by the office holder are, in all the circumstances, excessive he may, provided certain conditions are met, apply to the court.

The application to court may be made by:

- 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

The application must, subject to any order of the court, be made no later than 8 weeks (or, in a case where a creditors' meeting to is convened to receive a liquidator's resignation, 4 weeks) after receipt by the applicant of the report which first reports the charging of the remuneration or the incurring of the expenses in question.

Outcome for creditors

Detail creditor claims

Creditor claims per OR report (£)	Creditor claims received to date (£)	Total number of Creditors	Number of Creditors not submitted claims to date
972,546.75	1,903,600.15	48	5

The prescribed part

Where a floating charge is created after 15 September 2003 a prescribed part of the company's net property shall be made available to unsecured creditors. There is no known creditor who holds floating charge security over the Company's assets.

Secured creditor

There is no secured creditor in this case.

Preferential creditors

No preferential unsecured creditors have submitted claims in this case.

Dividend prospects for non-preferential unsecured creditors

It appears that there may be a dividend to the unsecured creditors. I would be grateful if any creditor who has not, to date, submitted their claim, now do so. I have attached a proof of debt form to this report.

EU REGULATIONS (whether proceedings are main proceedings or territorial)

The Company's centre of main interest was in the UK as their registered office address and trading address were in England and therefore it is considered that the EU Regulations apply. These proceedings are main proceedings as defined in the EU Regulation.

Summary of outstanding issues

There are no outstanding matters which are now preventing the case from being closed

Closure

My case files will be shortly closed in respect of this matter. Should any creditor require any further information please contact me.

A handwritten signature in black ink, appearing to read 'J W Butler'.

J W Butler
Joint Liquidator
24 April 2020

Smoke Barbecue Limited - In Compulsory Liquidation**Receipts and Payments Account****27-Apr-20****Date of winding up order****08/01/2019**

	Official Receiver's report £	Receipts and payments To date £
Assets not specifically pledged		
Interest	0	0
Cash at bank	2,463	2,445
Directors Loan Account	tbc	0
	<hr/>	<hr/>
Total	2,463	2,445
Costs and expenses of liquidation		
 Cheque fee / bank charge	 0	 (110)
Official Receivers' Fees	0	(5,811)
Petitioning creditor costs	0	tbc
Office holder's remuneration	0	0
Office holder's expenses	0	0
	<hr/>	<hr/>
Total costs		(5,921)
Balance in hand		(3,476)

Redman Nichols Butler

TIME & CHARGEOUT SUMMARIES

Smoke Barbecue Ltd

From 8 Mar 2019 to 7 Mar 2020

HOURS							
Classification Of work Function	Partner	Manager	Other Senior Professional	Assistants & Support Staff	Total Hours	Time Cost £	Average Hourly Rate £
Administration & Planning	4.02	19.73	0.83	6.38	30.97	7,261.10	234.48
Creditors	0.00	2.63	0.33	0.67	3.63	808.87	222.62
Investigations	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Realisation of Assets	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Trading	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Total Fees Claimed £	1,225.09	5,681.14	263.66	900.08		8,069.97	
Total Hours	4.02	22.37	1.17	7.05	34.60		
Average Rate	305.00	254.00	226.01	127.67			

Type & Purpose			Amount £
17/04/2019	Category 1 - Bordereau	Bordereau	45.00
05/04/2019	Category 1 - Redirection of Post	Redirection of post	211.00
01/04/2019	Category 2 - Printing & Photocopying	Notice of appointment	57.60
01/04/2019	Category 2 - Postage	Notice of appointment	31.49
09/04/2019	Category 2 - Archive Boxes	5 archive boxes	25.00
26/06/2019	Category 1 - Advertising	Appointment of liquidator	71.00
			441.09

A creditor's guide to the fees and disbursements charged by Redman Nichols Butler

Insolvency Practitioner's Fees

Where it has been agreed by a resolution of creditors or the creditors' committee that the office holders' remuneration will be calculated by reference to the time properly given by the office holder and his staff in attending to matters arising in the administration of the insolvency estate, at the following hourly charge out rates:-

Grade	Rate (£) to 30 April 2014	Rate (£) from 1 May 2014
Partner	280	305
Senior Manager	250	278
Manager	230	254
Assistant Manager	205	226
Administrator	155	166
Support staff	90	97

These rates are our current hourly charge out rates and are exclusive of value added tax. Our charge-out rates are reviewed periodically and creditors will be advised of any alteration thereto. Time is recorded in one minute units.

Disbursements of Redman Nichols Butler

From time to time, we will incur disbursements on behalf of insolvent estates. The reimbursement of these disbursements will be a charge against the insolvent estate to which they relate. These disbursements can be split into two categories, Category 1 and Category 2.

Category 1 disbursements are disbursements which are directly referable to the insolvent estate and relate to a payment to an independent third party. We seek to recover these types of disbursement. Approval is not required to recover these disbursements and these include insolvency bonds, advertising, company searches and post redirection orders.

Category 2 disbursements are directly referable to the insolvent estate in question but the payment is not to an independent third party. They may include shared or allocated costs that can be allocated to the insolvent estate on a proper and reasonable basis, for example, business mileage. These disbursements are recoverable in full from the estate, subject to the basis of the disbursement charge being approved by creditors in advance.

Category 2 disbursements are recharged at the following rates:

Mileage	45 pence per mile
Printing & Photocopying	10 pence per sheet
Postage	Prevailing rates
Archive boxes	£5 per box

The charges above are subject to annual increments and creditors will be advised of these in future circulars.

From time to time we instruct a firm of agents, Ulllyotts, to act for the insolvent estate. Ulllyotts are an associated business. Where Ulllyotts are instructed, their fees will either be charged by reference to time costs properly incurred, calculated in one minute units at an hourly rate of between £150 – £225, plus their disbursements, or on a percentage basis. These costs are typical of agents in this geographical area.

A guidance note and further information in relation to office holders' fees is available at www.R3.org.uk or www.insolvency-practitioners.org.uk/regulation-and-guidance/guides-to-fees.