

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

SATURDAY



A06 \*A77R1BI0\* 09/06/2018 #144  
COMPANIES HOUSE

### 1 Company details

Company number 0 6 4 4 1 0 2 4

Company name in full Maison Bertaux (Patisserie Francaise) Ltd

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

### 2 Liquidator's name

Full forename(s) Ian

Surname Yerrill

### 3 Liquidator's address

Building name/number Gateway House Highpoint Business Village

Street Henwood

Post town Ashford

County/Region Kent

Postcode T N 2 4 8 D H

Country

### 4 Liquidator's name ①

Full forename(s)

Surname

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

### 5 Liquidator's address ①

Building name/number

Street

Post town

County/Region

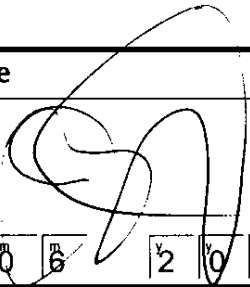
Postcode

Country

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

# LIQ03

## Notice of progress report in voluntary winding up

<b>6</b>	<b>Period of progress report</b>																
From date	<sup>d</sup>	3	<sup>d</sup>	1	<sup>m</sup>	0	<sup>m</sup>	5	<sup>y</sup>	2	<sup>y</sup>	0	<sup>y</sup>	1	<sup>y</sup>	7	
To date	<sup>d</sup>	3	<sup>d</sup>	0	<sup>m</sup>	0	<sup>m</sup>	5	<sup>y</sup>	2	<sup>y</sup>	0	<sup>y</sup>	1	<sup>y</sup>	8	
<b>7</b>	<b>Progress report</b>																
<input checked="" type="checkbox"/> The progress report is attached																	
<b>8</b>	<b>Sign and date</b>																
Liquidator's signature	<div>Signature</div> <div>  </div> <div>X</div>																
Signature date	<sup>d</sup>	0	<sup>d</sup>	6	<sup>m</sup>	0	<sup>m</sup>	6	<sup>y</sup>	2	<sup>y</sup>	0	<sup>y</sup>	1	<sup>y</sup>	8	

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

Company name

Yerrill Murphy

Address

Gateway House

Highpoint Business Village

Post town

Henwood, Ashford

County/Region

Postcode

T N 2 4 8 D H

Country

DX

Telephone

01233 666280



**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](http://www.gov.uk/companieshouse) or email [enquiries@companieshouse.gov.uk](mailto: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](http://www.gov.uk/companieshouse)

**Maison Bertaux (Patisserie Francaise) Ltd**  
**(In Liquidation)**  
**Liquidator's Summary of Receipts & Payments**

Statement of Affairs £		From 31/05/2017 To 30/05/2018 £	From 31/05/2017 To 30/05/2018 £
	<b>ASSET REALISATIONS</b>		
700.00	Fixtures & Fittings (1)	1,400.00	1,400.00
1,500.00	Catering Equipment (2)	3,350.00	3,350.00
200.00	Stock (3)	750.00	750.00
Uncertain	Intellectual Property & Website (4)	3,666.68	3,666.68
507.00	Cash at Bank (5)	369.41	369.41
	Bank Interest Gross	0.41	0.41
		<u>9,536.50</u>	<u>9,536.50</u>
	<b>COST OF REALISATIONS</b>		
	Specific Bond	150.00	150.00
	Statement of Affairs Fees	6,000.00	6,000.00
	Liquidators Remuneration	2,500.00	2,500.00
	Statutory Advertising	169.20	169.20
		<u>(8,819.20)</u>	<u>(8,819.20)</u>
	<b>UNSECURED CREDITORS</b>		
(22,273.00)	Trade & Expense Creditors (6)	NIL	NIL
(117,023.00)	HM Revenue & Customs - PAYE/NIC/	<u>NIL</u>	<u>NIL</u>
		NIL	NIL
	<b>DISTRIBUTIONS</b>		
(1.00)	Ordinary Shareholders (8)	<u>NIL</u>	<u>NIL</u>
		NIL	NIL
<u>(136,390.00)</u>		<u><b>717.30</b></u>	<u><b>717.30</b></u>
	<b>REPRESENTED BY</b>		
	VAT Receivable		200.00
	Lloyds TSB		517.30
			<u><b>717.30</b></u>



Ian Yerrill  
Liquidator

Gateway House  
Highpoint Business Village  
Henwood, Ashford  
Kent TN24 8DH

Our Ref. CVL1458M/JL/3

Your Ref.

T: 01233 666280

F: 01233 666281

Date: 8<sup>th</sup> June 2018

E: [mail@yerrillmurphy.co.uk](mailto:mail@yerrillmurphy.co.uk)

W: [www.yerrillmurphy.com](http://www.yerrillmurphy.com)

**TO ALL CREDITORS**

Dear Sirs

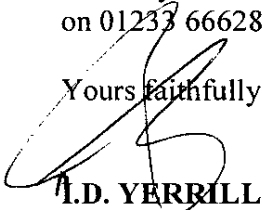
**MAISON BERTAUX (PATISSERIE FRANCAISE) LIMITED**  
**In Creditors' Voluntary Liquidation**

I refer to my appointment as Liquidator of Maison Bertaux (Patisserie Francaise) Limited on 31<sup>st</sup> May 2017.

Please find here attached my Progress Report covering the period of 12 months commencing with the date of my appointment and ending on 30<sup>th</sup> May 2018, submitted in accordance with the requirements of rule 18.7 of the Insolvency (England and Wales) Rules 2016.

Should you have any queries regarding the above or the enclosures, please contact Jolyn Lemar on 01233 666280 or [jolyn.lemar@yerrillmurphy.co.uk](mailto:jolyn.lemar@yerrillmurphy.co.uk).

Yours faithfully

  
**I.D. YERRILL**  
Liquidator

*Yerrill Murphy is bound by the Insolvency Code of Ethics when carrying out all professional work in relation to an insolvency appointment.*

**MAISON BERTAUX (PATISSERIE FRANCAISE) LIMITED**  
**In Creditors' Voluntary Liquidation**

Progress Report for the period 31<sup>st</sup> May 2017 to 30<sup>th</sup> May 2018

Progress Report submitted in accordance with rule 18.7 of the Insolvency (England and Wales) Rules 8<sup>th</sup> June 2018 by the Liquidator, I. D. Yerrill of Yerrill Murphy, Gateway House, Highpoint Business Village, Henwood, Ashford, Kent TN24 8DH.

**MAISON BERTAUX (PATISSERIE FRANCAISE) LIMITED**  
**Creditors' Voluntary Liquidation**

**Contents of Report:**

1. Statutory Information
2. Progress of the Liquidation in the period of the Report
3. Liquidator's Receipts and Payments Account
  - Asset realisations
  - Unrealised assets
  - Expenses paid
  - Expenses accrued
4. Pre-Appointment Costs
5. Liquidator's Remuneration
6. Dividend Prospects and Creditor Claims
7. EC Regulations
8. Opting Out
9. Ongoing Issues

## **1. Statutory Information**

<i>Company name</i>	Maison Bertaux (Patisserie Francaise) Limited
<i>Company's registration number</i>	06441024
<i>Company's former registered office</i>	30 Percy Street, London, W1T 2DB
<i>Company's Registered Office</i>	Gateway House, Highpoint Business Village, Henwood, Ashford, Kent, TN24 8DH

<i>Liquidators' name</i>	Ian Douglas Yerrill
<i>Liquidator's License</i>	Insolvency Practitioners Association (8924)
<i>Liquidator's address</i>	Gateway House Highpoint Business Village Henwood Ashford Kent TN24 8DH
<i>Liquidator's e-mail address</i>	mail@yerrillmurphy.co.uk
<i>Liquidator's telephone number</i>	01233 666280
<i>Liquidator's facsimile number</i>	01233 666281

## **2. Progress of the Liquidation in the period of the Report**

Instructions were issued to Yerrill Murphy to assist in winding-up the Company under a creditors' voluntary liquidation on 10<sup>th</sup> May 2017 and the appointment of Ian Yerrill as Liquidator was made on 31<sup>st</sup> May 2017.

The Liquidator's progress in dealing with the assets of the Company is detailed in section (3) below.

The Liquidator was obliged to investigate the affairs and dealings of the Directors of the Company and to submit a Report on their findings to the Department for Business Energy and Industrial Strategy, in accordance with the requirements of the Company Directors Disqualification Act 1986.

This Report has been submitted, however we are not permitted to disclose the contents of the same.

The Liquidator has in addition undertaken enquiries in accordance with the best practice directives of Statement of Insolvency Practice 2 "Investigations by Office Holders in Administrations and Insolvent Liquidations" to ascertain whether there are potential areas of recovery or matters of public interest requiring further more detailed investigation. The Liquidator's initial assessment was that no further detailed investigations were appropriate and nothing further has been brought to his attention during the period covered by this Report.

Creditor claims received to date have been dealt with as detailed in section (5) below.



### **3. Liquidator's Receipts & Payments Account**

#### *Asset realisations*

Transactions with connected parties

#### **Fixtures & Fittings, Catering Equipment, Stock, & Intellectual Property & Website**

Since the Liquidator's appointment a sale to a connected party has occurred.

The Liquidator instructed Axia Valuation Services of 23 Tallon Road, Hutton, Essex, CM13 1TE who are professional independent agents, to dispose of the Company's assets using the most advantageous method available.

Blue French Roses Limited expressed an interest in purchasing the Company's Chattel Assets together with the Intellectual Property and Website. Blue French Roses Limited maybe deemed a connected party by virtue to the fact that Michele Caroline Wade, the Director of Maison Bertaux (Patisserie Francaise) Limited, whilst not a Director or Shareholder of Blue French Roses Limited, appears to have some involvement with that concern.

Therefore Blue French Roses Limited was invited to contact Axia Valuation Services to progress their interest. Axia Valuation Services concluded that Blue French Roses Limited's offer was very likely to represent the best net realisation for the assets and they recommended to the Liquidator that the offer be accepted.

Consequently, the Company's assets, Intellectual Property & Website was sold to Blue French Roses Limited on 20<sup>th</sup> June 2017 for £12,500 plus VAT. This represents: £1,400 plus VAT for the Fixtures and Fittings; £3,350 plus VAT for the Catering Equipment; £750 plus VAT for the Stock; £2,000 plus VAT for the Website; together with £5,000 plus VAT for the Intellectual Property. During the period covered by this report amounts totalling £9,536.50 plus VAT have been received. It is understood that the remaining balance has been lodged with Axia Valuation Services and these funds will be transferred into the Liquidation account shortly.

#### **Cash at Bank**

An amount of £369.41 has been received in respect of the credit balance held in the Company's bank account.

In addition bank deposit interest totalling £0.41 has been earned on the estate account.

#### *Unrealised Assets*

There are no unrealised assets in this matter.

#### *Expenses paid*

Expenses paid during the period covered by this Report consist of payment of the Specific Bond in the sum of £150 plus VAT together with payment of the Statutory Advertising Costs of £169.20 plus VAT.

#### *Expenses accrued*

No expenses have been accrued during the period covered by this report other than undrawn liquidator's remuneration as detailed below.

#### *Balance in Hand*

There is a balance in hand of £517.30 together with VAT receivable of £200 at the end of the period covered by this report.

#### **4. Pre Appointment Costs**

*Fixed fee agreed with the Director and ratified by members and creditors*

The creditors authorised the fee of £6,000 plus VAT for assisting the director in calling the relevant meetings and with preparing the Statement of Affairs on 25<sup>th</sup> July 2017.

Payment of the fee for assisting with the Statement of Affairs and meetings was paid from first realisations on appointment in the sum of £6,000 plus VAT and is shown in the enclosed receipts and payments account.

#### **5. Liquidator's Remuneration**

Incorporated within the initial report dated 26<sup>th</sup> June 2017 circularised to all known creditors of the Company by the Liquidator was his fee estimate; details of the functions of the Liquidator; and a voting memorandum. Based on this information the creditors were asked to consider the following proposals:

That the Liquidator's fees be fixed by reference a fixed charge of £2,500 together with 20% of aggregate realisations, all plus VAT.

One creditor vote was received approving the Liquidator's fee's estimate. Accordingly the Liquidator is deemed to have authority to draw any remuneration for work carried out in administering this winding up, up to the value of the fixed charge of £2,500 together with 20% of aggregate realisations, all plus VAT.

In accordance with the requirements of Statement of Insolvency Practice 9 'Payments to Office Holders and their associates' the Liquidator is required to provide creditors with an explanation of the work to be carried out by him in his administration of the winding up at the outset of the proceedings and in any subsequent reports provide a written narrative of works carried in the period covered.

I can confirm that the Liquidator has carried out his functions as outlined in the annexe to his previous report. A further analysis of those functions can be made available if required by contacting this office.

During the period covered by this Report Liquidator's remuneration totalling £2,500 plus VAT has been drawn.

Within 21 days of receipt of this report, any secured creditor, or an 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 that period of 21 days, any unsecured creditor, may make a request in writing to the Liquidator for further information about remuneration or expenses detailed in this Report.

The Liquidator should, within 14 days of receipt of the request, provide all of the information asked for. However if the Liquidator consider that the time or cost of preparation of the information would be excessive; or disclosure of the information would be prejudicial to the conduct of the liquidation or might reasonably be expected to lead to violence against any person; or the liquidator is subject to an obligation of confidentiality in respect of the information; he may withhold the information and give reasons for not providing the same.

If the Liquidator fails to provide the information within the 14 days of the initial request, or gives reasons for withholding the information, then a creditor may apply to the court within the ensuing 21 days and the Court may make such Order as it see fit.

I would additionally draw your attention to the provisions of rules 18.28 and 18.34 of the Rules.

Any secured creditor, or any unsecured creditor with either the concurrence of 10% in value of the unsecured creditors (including the creditor in question), or with the permission of the Court, may apply to the Court for one of the following Orders:

- a) An Order reducing the amount of remuneration that the Liquidators are entitled to charge.
- b) An Order fixing the basis of remuneration at a reduced rate or amount.
- c) An Order changing the basis of remuneration.

- d) An Order that some or all of the remuneration or expenses in question be treated as not being expenses of the Liquidation.
- e) An Order that the Liquidators or the Liquidators' personal representative pay to the Company the amount of the excess of remuneration or expenses or such part of the excess as the Court may specify.

Alternatively the Court may make any other Order that it thinks just but Orders under 'b' or 'c' above may be made only in respect of periods after the period of this report.

The costs of the application should be paid by the applicant unless the Court orders otherwise.

Any application must be made within eight weeks of receipt of the first report in which the remuneration and/or expenses in question are detailed, although the Court may extend the period by such further period as the court thinks just.

"A Creditors Guide to Liquidators' Fees" is available for download at: [https://www.r3.org.uk/media/documents/publications/professional/Guide to Liquidators Fees Oct 2015.pdf](https://www.r3.org.uk/media/documents/publications/professional/Guide%20to%20Liquidators%20Fees%20Oct%202015.pdf).

Should you require a paper copy, please send your request in writing to the Liquidator at the address on the front of this report and this will be provided to you at no cost.

## **6. Dividend Prospects and Creditors Claims**

There are no registered Charges against the Company and there were no anticipated preferential claims. I would advise that no claims of either status have been received.

With regard to the Unsecured Creditors, which totalled £139,296 per the Statement of Affairs, I can confirm that to date I have received four claims totalling £163,740.17 although in the absence of any prospect of distribution to the unsecured creditors the formalities of formally agreeing the claims of the creditors has not been undertaken.

### *Prescribed part*

In accordance with the provisions of Section 176A of the Act where property of a Company is subject to a Floating Charge a prescribed part of the net property available under that charge shall be set aside to enable a distribution to unsecured creditors. The prescribed part equates to 50% of the first £10,000 of the net property available together with 20% of the balance thereafter up to a maximum prescribed part of £600,000.

The provisions do not apply where the net property is less than £10,000 or where the Court orders on an application by the Officer Holder that the costs of making a distribution to unsecured creditors would be disproportionate to the benefits.

The Company has not granted a floating charge to any creditor and consequently there will be no prescribed part in this Liquidation.

### *Dividend prospects*

Claims received have yet to be formally agreed and will only be agreed in the unlikely event that funds are sufficient to facilitate a distribution to the unsecured creditors.

Creditors with claims outstanding will be invited to submit same in the unlikely event that a dividend distribution becomes available.

On present information it is not anticipated that there will be any funds available to enable a distribution to any class of creditor in this matter.

#### **7. EC Regulations (Whether Proceedings are Main Proceedings Or Territorial)**

The Company's centre of main interest was in 30 Percy Street, London, W1T 2DB and 28 Greek Street, Soho, London, W1D 5DQ and therefore it is considered that the EC Regulations will apply. These proceedings are main as defined in Article 3 of the EC Regulation.

#### **8. Opting Out**

Please note that creditors have a right to opt out of receiving further communications from the Liquidator (except where there is a continuing statutory requirement to communicate). In this regard your attention is drawn to the attached 'Opting Out of Receiving Documents'.

#### **9. Ongoing Issues**

The Liquidator anticipates being in a position to finalise his administration in this matter within the next three months.



**I.D. YERRILL**  
Liquidator

*Licensed to act as an Insolvency Practitioner by the Insolvency Practitioners Association*

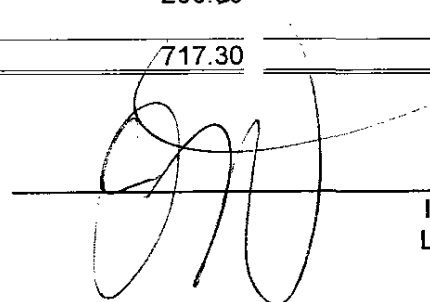
**Maison Bertaux (Patisserie Francaise) Ltd  
(In Liquidation)**

**LIQUIDATOR'S RECEIPTS AND PAYMENTS ACCOUNT**

	Statement of affairs £	From 31/05/2017 To 30/05/2018 £	From 31/05/2017 To 30/05/2018 £
<b>RECEIPTS</b>			
Fixtures & Fittings (1)	700.00	1,400.00	1,400.00
Catering Equipment (2)	1,500.00	3,350.00	3,350.00
Stock (3)	200.00	750.00	750.00
Intellectual Property & Website (4)	Uncertain	3,666.68	3,666.68
Cash at Bank (5)	507.00	369.41	369.41
Bank Interest Gross		0.41	0.41
		<u>9,536.50</u>	<u>9,536.50</u>
<b>PAYMENTS</b>			
Specific Bond		150.00	150.00
Statement of Affairs Fees		6,000.00	6,000.00
Liquidators Remuneration		2,500.00	2,500.00
Statutory Advertising		169.20	169.20
Trade & Expense Creditors (6)	(22,273.00)	0.00	0.00
HM Revenue & Customs - PAYE/NIC/VAT	(117,023.00)	0.00	0.00
Ordinary Shareholders (8)	(1.00)	0.00	0.00
		<u>8,819.20</u>	<u>8,819.20</u>
Net Receipts/(Payments)		<u>717.30</u>	<u>717.30</u>

**MADE UP AS FOLLOWS**

Lloyds TSB	517.30	517.30
VAT Receivable / (Payable)	200.00	200.00
	<u>717.30</u>	<u>717.30</u>

  
 Ian Yerrill  
 Liquidator

## **OPTING OUT OF RECEIVING DOCUMENTS**

### **The consequences of opting-out**

Creditors have the right to elect to opt out of receiving further documents about the Liquidation unless:

- (i) the Insolvency Act 1986 requires a document to be delivered to all creditors without expressly excluding opted-out creditors;
- (ii) it is a notice relating to a change in the office-holder or the office-holder's contact details; or
- (iii) it is a notice of a dividend or proposed dividend or a notice which the court orders to be sent to all creditors or all creditors of a particular category to which the creditor belongs.

Opting-out will not affect the creditor's entitlement to receive dividends should any be paid to creditors.

Unless the Insolvency (England & Wales) Rules 2016 provide to the contrary, opting-out will not affect any right the creditor may have to vote in a decision procedure or a participate in a deemed consent procedure in the proceedings although the creditor will not receive notice of it.

A creditor who opts out will be treated as having opted out in respect of any consecutive insolvency proceedings of a different kind in respect of the same company.

### **How to opt out**

A creditor may at any time elect to be an opted-out creditor.

The creditor's election to opt out must be by a notice in writing authenticated and dated by the creditor.

The creditor must deliver the notice to the Liquidator (details below).

### **How to opt back in**

The creditor may at any time revoke the election to opt out by a further notice in writing, authenticated and dated by the creditor and delivered to the Liquidator (details below).

### **Contact details**

Name of Liquidator:	Ian Yerrill
Address of Liquidator:	Gateway House, Highpoint Business Village, Henwood, Ashford, Kent, TN24 8DH
IP Number:	8924
Date of Appointment:	31 May 2017
Contact Name:	Jolyn Lemar
Email Address:	Jolyn.lemar@yerrillmurphy.co.uk
Telephone Number:	01233 666280