

LIQ14

Notice of final account prior to dissolution in CVL



Companies House

TUESDAY



A8KYGWMA

A21

24/12/2019

#181

COMPANIES HOUSE

1 Company details

Company number 0 6 7 7 6 8 0 9

Company name in full Fresh Side Limited

→ Filling in this form

Please complete in typescript or in
bold black capitals.

2 Liquidator's name

Full forename(s) Mark

Surname Reynolds

3 Liquidator's address

Building name/number Glade House

Street 52-54 Carter Lane

Post town London

County/Region

Postcode E C 4 V 5 E F

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 ②

Building name/number

Street

Post town

County/Region

Postcode

Country

② Other liquidator

Use this section to tell us about
another liquidator.

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6

Liquidator's release

☐ Tick if one or more creditors objected to liquidator's release.

7

Final account

☒ I attach a copy of the final account.

8

Sign and date

Liquidator's signature

Signature

X



X

Signature date

d 2

d 3

m 1

m 2

y 2

y 0

y 1

y 9

Fresh Side Limited
(In Liquidation)
Liquidator's Abstract of Receipts & Payments
From 30 October 2017 To 20 December 2019

Statement of Affairs £		£	£
	HIRE PURCHASE		
29,033.00	Factored Book Debts	NIL	
(32,820.00)	Bibby Factors	NIL	
Uncertain	Rent Deposit Deed	NIL	
			NIL
	ASSET REALISATIONS		
200.00	Fixtures & Fittings/Office Equipment	NIL	
2,000.00	Stock	NIL	
NIL	Book Debts (non-factored)	NIL	
	Rates Refund	1,219.52	
487.00	Cash at Bank	4,724.29	
	Goodwill	5,000.00	
	Bank Interest Gross	4.14	
			10,947.95
	COST OF REALISATIONS		
	Pre-Appointment Fees/Expenses	5,000.00	
	Office Holders Fees - Fixed/Percentage	5,947.95	
			(10,947.95)
	UNSECURED CREDITORS		
(263,957.00)	Trade & Expense Creditors	NIL	
(15,000.00)	Directors' Loans	NIL	
(17,500.00)	HM Revenue & Customs - PAYE/NIC (NIL	
(7,500.00)	HM Revenue & Customs - VAT	NIL	
			NIL
	DISTRIBUTIONS		
(95.00)	Ordinary Shareholders	NIL	
			NIL
(305,152.00)			(0.00)

REPRESENTED BY

NIL



Mark Reynolds
Liquidator

**Liquidator's Final Account
to Creditors and Members**

**Fresh Side Limited
- In Liquidation**

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- 3** Work undertaken by the Liquidator
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- 5** Liquidator's Remuneration & Expenses
- 6** Conclusion

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- A** Receipts and Payments Account for Period from 30 October 2018 to 21 October 2019 and Cumulative Receipts and Payments Account from 30 October 2017 to 21 October 2019
- B** Additional Information in Relation to the Liquidator's Fees, Expenses & Disbursements

1 Introduction

- 1.1 I, Mark Reynolds, of Valentine & Co, Glade House, 52 - 54 Carter Lane, London, EC4V 5EF, was appointed as Liquidator of Fresh Side Limited (the **Company**) on 30 October 2017. The affairs of the Company are now fully wound-up and this is my final account of the liquidation, which covers the period since my last progress report (the **Period**).
- 1.2 The principal trading address of the Company was 1-3 Unit 1 Hanover Trading Estate, North Road, London, N7 9HD.
- 1.3 The registered office of the Company was changed to c/o Valentine & Co, Glade House, 52 – 54 Carter Lane, London, EC4V 5EF and its registered number is 06776809.

2 Receipts and Payments

- 2.1 At Appendix A, I have provided an account of my Receipts and Payments for the Period with a comparison to the directors' statement of affairs values, together with a cumulative account since my appointment, which provides details of the remuneration charged and expenses incurred and paid by the Liquidator.

3 Work undertaken by the Liquidator

Administration (including statutory compliance & reporting)

- 3.1 The Liquidator must comply with certain statutory obligations under the Insolvency Act 1986 and other related legislation. Details about the work undertaken in this regard has been outlined previously.
- 3.2 Where the costs of statutory compliance work or reporting to creditors exceeded the initial estimate, it will usually be because the duration of the case has taken longer than anticipated, possibly due to protracted asset realisations, which have in turn placed a further statutory reporting requirement on the Liquidator.
- 3.3 As noted in my initial fees estimate/information, this work has not necessarily brought any financial benefit to creditors, but is work required on every case by statute.
- 3.4 The time spent on this case since my appointment relates to the following matters:
- Attending to correspondence and telephone calls with creditors
 - Recording and acknowledging creditors' claims
 - Investigations into the affairs of the Company
 - Preparation and submission of statutory report to the Secretary of State
 - Obtaining bonding and completing bond reviews to enable the Liquidator to continue to act
 - Cashiering and updating insolvency computer system
 - Quarterly review and statutory compliance which includes submissions to Companies House
 - Liaising with valuation agents

- 3.5 The time spent on this case during the period of this Final Progress Report relates to the following matters:
- Obtaining bonding and completing bond reviews to enable the Liquidator to continue to act
 - Cashiering and updating insolvency computer system
 - Reviews of case
 - Statutory compliance which includes submissions to Companies House
 - Liaising with valuation agents
 - Liaising with debt collection agent / collection of book debts

Realisation of Assets

- 3.6 Independent Agents, Herts. Valuations, were instructed to value the Company's tangible assets which comprised Fixtures & Fittings and Stock. Following discussions with the Director and a subsequent site visit, the Agent advised that the assets comprised only of some bolted racking and sample garments, most of which had accumulated over a number of years and would not have proved economic to remove and dispose of.
- 3.7 The Company's book debts were factored through Bibby Financial Services. Action was taken by Bibby's against the Guarantors as there was a balance due of approximately £15,000 and no further funds collectable from the ledgers.
- 3.8 A rent deposit of £12,534.00 was paid to the landlords of the premises occupied by the Company at 1-3 Unit 1 Hanover Trading Estate, North Road, London, N7 9HD. The lease commenced on 21 December 2013 for a term of 5 years, at a rent of £35,000pa. The landlords have submitted a claim in the liquidation for £88,800 relating to contractual obligations and dilapidations. The rent deposit was therefore not recoverable.
- 3.9 A rate refund of £1,219.52 was received from Islington Borough Council representing an overpayment made in respect of business rates.
- 3.10 The sum of £4,724.29 was received from Barclays bank plc. representing the balance of the Company's bank account.
- 3.11 The sum of £5,000 was received for the goodwill of the Company.
- 3.12 All funds received within the liquidation are placed in a specifically designated interest bearing account and the gross interest received to date totals £4.14.
- 3.13 At the first meeting of creditors, the liquidator was authorised to draw as an expense of the liquidation, the sum of £5,000 plus disbursements and VAT, in respect of the preparation of the Statement of Affairs and the convening of the creditors meeting. I confirm that £5,000 plus VAT has been drawn during the Period.

Creditors (claims and distributions)

- 3.14 Further information on the outcome for creditors in this case can be found at section 4 of this report. A liquidator is not only required to deal with correspondence and claims from unsecured creditors, but also those of any secured and preferential creditors of the Company. This may involve separate reporting to any secured creditor and dealing with distributions from asset realisations caught under their security, most typically a debenture as well as dealing with the general handling of communications with stakeholders, such as customers and suppliers.

- 3.15 Claims from preferential creditors typically involve employee claims and payments made on behalf of the Company by the Redundancy Payments Service following dismissal. I would confirm that in this case, there were eight preferential creditors.
- 3.16 The above work will not necessarily bring any financial benefit to creditors generally and the more creditors there are on an assignment, the higher the resultant cost will usually be however a liquidator is required by statute to undertake this work.

Investigations

- 3.17 You may recall from my first progress report to creditors that some of the work the Liquidator is required to undertake is to comply with legislation such as the Company Directors' Disqualification Act 1986 (CDDA 1986) and Statement of Insolvency Practice 2 – Investigations by Office Holders in Administration and Insolvent Liquidations and may not necessarily bring any financial benefit to creditors, unless these investigations reveal potential asset recoveries that the Liquidator can pursue for the benefit of creditors.
- 3.18 My report on the conduct of the Directors of the Company to the Department for Business, Energy & Industrial Strategy (BEIS) under the CDDA 1986 was submitted during the first year of the liquidation and is confidential.
- 3.19 Since my last progress report I would advise that no further asset realisations have come to light that may be pursued by me for the benefit of creditors.

Connected party transactions

- 3.20 In accordance with Statement of Insolvency Practice 13, I would advise you that the following assets were sold to Chunk Limited (a company with common directors):

Date of transaction	Assets involved & nature of transaction	Consideration paid & date	Sold to	Relationship
18 December 2017	Goodwill of the Company including the right to re-use the name "Chunk Clothing" and logo, domain name and any associated websites	£5,000 plus VAT	Chunk Limited	Common Director

4 Outcome for Creditors

Secured Creditors

- 4.1 The Company factored its book debts through Bibby Factors. As at the date of liquidation, there were debts due totalling 32,507.70 Euros (£29,033.33) with £32,820.80 owed to Bibby Factors.

Unfortunately, not all debts were collectible and the balance outstanding to Bibby's (not including legal fees) was £14,486.63. Action has been taken against the Guarantors for recovery.

Preferential Creditors

- 4.2 In accordance with Section 386 of The Insolvency Act 1986 and Schedule 6 Category 5 of the Act debts in respect of employees' remuneration and holiday pay, subject to limitations of statute, rank as preferential creditors and in priority to the claims from other unsecured creditors.
- 4.3 The employees made claims under the provisions of the Employment Rights Act 1986 which have been met substantially by the Redundancy Payments Service, who now have a subrogated claim, in place of the employees for an element of the total claim

- 4.4 I received a preferential claim from the Redundancy Payments Service in the sum of £13,232.00. The employees excess preferential claims have not been calculated.
- 4.5 There is no prospect of a dividend to preferential creditors.

Unsecured Creditors

- 4.6 I received claims totalling £524,325.22 from thirteen creditors.
- 4.7 I can confirm that realisations in the liquidation are insufficient to declare a dividend to the unsecured creditors after defraying the expenses of the proceedings.

5 Liquidator's Remuneration & Expenses

- 5.1 The basis of the Liquidator's remuneration was set by way of a fixed fee of £15,000 followed by a percentage of the value of the assets he has to deal with.
- 5.2 The Liquidator has made the following realisations upon which creditors have approved a percentage be taken as remuneration. Details of the realisations to date and associated remuneration drawn on account of those realisations is set out below:

Asset category	Value of assets realised in period	Value of assets realised in prior period	Total value of assets realised since appointment	Remuneration % agreed	Total fees invoiced
Rates Refund	1,219.52	1,219.52	1,219.52	20%	243.90
Cash at Bank	4,724.29	4,724.29	4,724.29	20%	944.85
Goodwill	5,000.00	5,000.00	5,000.00	20%	1,000.00

- 5.3 The Liquidator has drawn £5,947.95 against the total set fee agreed of £15,000.00 approved by creditors.
- 5.4 Attached as Appendix B is additional information in relation to the Liquidator's fees and the expenses and disbursements incurred in the liquidation.
- 5.5 A copy of 'A Creditors' Guide to Liquidators' Fees' is available on request or can be downloaded from <http://www.valentine-co.com/resources/>.

6 Conclusion

- 6.1 This final account will conclude my administration. The Notice accompanying this account explains creditors' rights on receipt of this information and also when I will vacate office and obtain my release as Liquidator.



Mark Reynolds
Liquidator

Appendix A

**Receipts and Payments Account for Period from 30 October 2018 to 21 October 2019
and Cumulative Receipts and Payments Account from 30 October 2017 to 21 October 2019**

Fresh Side Limited
(In Liquidation)
Liquidator's Summary of Receipts & Payments

Statement of Affairs £		From 30/10/2018 To 22/10/2019 £	From 30/10/2017 To 22/10/2019 £
	HIRE PURCHASE		
(32,820.00)	Bibby Factors	NIL	NIL
29,033.00	Factored Book Debts	NIL	NIL
Uncertain	Rent Deposit Deed	NIL	NIL
		<u>NIL</u>	<u>NIL</u>
	ASSET REALISATIONS		
	Bank Interest Gross	NIL	4.14
NIL	Book Debts (non-factored)	NIL	NIL
487.00	Cash at Bank	NIL	4,724.29
200.00	Fixtures & Fittings/Office Equipment	NIL	NIL
	Goodwill	NIL	5,000.00
	Rates Refund	NIL	1,219.52
2,000.00	Stock	NIL	NIL
		<u>NIL</u>	<u>10,947.95</u>
	COST OF REALISATIONS		
	Office Holders Fees - Fixed/Percentag	NIL	5,947.95
	Pre-Appointment Fees/Expenses	NIL	5,000.00
		<u>NIL</u>	<u>(10,947.95)</u>
	UNSECURED CREDITORS		
(15,000.00)	Directors' Loans	NIL	NIL
(17,500.00)	HM Revenue & Customs - PAYE/NIC (NIL	NIL
(7,500.00)	HM Revenue & Customs - VAT	NIL	NIL
(263,957.00)	Trade & Expense Creditors	NIL	NIL
		<u>NIL</u>	<u>NIL</u>
	DISTRIBUTIONS		
(95.00)	Ordinary Shareholders	NIL	NIL
		<u>NIL</u>	<u>NIL</u>
(305,152.00)		<u>NIL</u>	<u>0.00</u>
	REPRESENTED BY		
			<u>NIL</u>


Mark Reynolds
Liquidator

Appendix B

Additional Information in Relation to the Liquidator's Fees, Expenses & Disbursements

Policy

Detailed below is Valentine & Co's policy in relation to:

staff allocation and the use of sub-contractors;

professional advisors; and

disbursements.

Staff Allocation and the use of Sub-contractors

Our general approach to resourcing our assignments is to allocate staff with the skills and experience to meet the specific requirements of the case.

The constitution of the case team will usually consist of a Partner, Senior and Administrator. The exact constitution of the team will depend on the size and complexity of the assignment and on larger, more complex cases, several staff may be allocated to meet the demands of the case.

With regard to support staff, time spent by cashiers in relation to specific tasks on an assignment is charged. Only if there is a large block of time incurred by a member of the secretarial team, will this be charged.

We have not utilised the services of any sub-contractors in this case.

Professional Advisors

On this assignment we have used the professional advisors listed below. We have also indicated alongside, the basis of our fee arrangement with them, which is subject to review on a regular basis.

Name of Professional Advisor	Basis of Fee Arrangement
Herts Valuations (valuation and disposal advice)	% of realisations plus expenses

Our choice was based on our perception of their experience and ability to perform this type of work, the complexity and nature of the assignment and the basis of our fee arrangement with them.

Liquidator's Expenses & Disbursements

An analysis of the expenses paid to the date of this report, together with those incurred but not paid at the date of this report is provided below:

	Paid in prior period £	Paid in the period covered by this report £	Incurred but not paid to date £	Total anticipated cost £
Statutory advertising	0.00	0.00	145.00	145.00
Specific penalty bond	0.00	0.00	60.00	60.00

Category 1 disbursements do not require approval by creditors. The type of disbursements that may be charged as a Category 1 disbursement to a case generally comprise of external supplies of incidental services specifically identifiable to the case, such as postage, case advertising, invoiced travel and external printing, room hire and document storage. Also chargeable will be any properly reimbursed expenses incurred by personnel in connection with the case. These disbursements are included in the tables of expenses above.

Category 2 disbursements do require approval from creditors. These are costs which are directly referable to the appointment in question but are not payments which are made to an independent third party and may include shared or allocated costs that can be allocated to the appointment on a proper and reasonable basis such as internal room hire, document storage or business mileage. Details of Category 2 disbursements charged by this firm (where appropriate) were provided at the time the Liquidator's fees were approved by creditors. Any Category 2 disbursements incurred are specifically highlighted in the tables of expenses above. Valentine & Co reserve the right to alter their charge rates without notice from time to time.

Charge-out Rates

Details of the firm's current charge out rates are as follows (effective from 8 January 2015):

Managing Director		425
Other Directors / Consultants		325 – 375
Manager		200 – 300
Senior Administrator		150 – 200
Administrator		50 – 150
Junior / Support		50 – 100

Please note that this firm records its time in minimum units of 6 minutes.

LIQ14

Notice of final account prior to dissolution in CVL



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 **Mark Reynolds**

Company name **Valentine & Co**

Address **Glade House**

52 - 54 Carter Lane

Post town **London**

County/Region

Postcode

E C 4 V 5 E F

Country

DX

Telephone **0203 959 9595 / 0208 343 3710**



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