

# LIQ03

## Notice of progress report in voluntary winding up



Companies House

For further information, please  
refer to our guidance at  
[www.gov.uk/companieshouse](http://www.gov.uk/companieshouse)

### 1 Company details

Company number 0 7 3 3 3 2 8 2

Company name in full PAK Supermarket Washwood Heath Limited

#### → Filling in this form

Please complete in typescript or in  
bold black capitals.

### 2 Liquidator's name

Full forename(s) David A

Surname Ingram

### 3 Liquidator's address

Building name/number 30 Finsbury Square

Street

Post town London

County/Region

Postcode E C 2 A 1 A G

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.

LIQ03

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**6** Period of progress report

From date	<sup>d</sup> 1	<sup>d</sup> 5	<sup>m</sup> 0	<sup>m</sup> 1	<sup>y</sup> 2	<sup>y</sup> 0	<sup>y</sup> 2	<sup>y</sup> 1
To date	<sup>d</sup> 1	<sup>d</sup> 4	<sup>m</sup> 0	<sup>m</sup> 1	<sup>y</sup> 2	<sup>y</sup> 0	<sup>y</sup> 2	<sup>y</sup> 2

**7** Progress report

☒ The progress report is attached

**8** Sign and date

Liquidator's signature

Signature

X



X

Signature date

<sup>d</sup> 2	<sup>d</sup> 3	<sup>m</sup> 0	<sup>m</sup> 2	<sup>y</sup> 2	<sup>y</sup> 0	<sup>y</sup> 2	<sup>y</sup> 2
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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 **Aamirah M Patel**

Company name **Grant Thornton UK LLP**

Address **11th Floor**

**Landmark St Peter's Square**

Post town **1 Oxford St**

County/Region **Manchester**

Postcode **M 1 4 P B**

Country

DX

Telephone **0161 953 6900**

**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)**



Our ref: DAI/MXD/AMP/LKG/P01564//7/cv11403  
Your ref:

To the creditors and members

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**Insolvency and asset recovery**  
Grant Thornton UK LLP  
11th Floor  
Landmark St Peter's Square  
1 Oxford St  
Manchester  
M1 4PB  
T +44 (0)161 953 6900

22 February 2022

Dear Sir / Madam

**PAK Supermarket Washwood Heath Limited - In liquidation (the Company)**

**1 Introduction**

- 1.1 I was appointed Joint Liquidator of the Company with Alisdair Findlay of Findlay James on 15 January 2015. Alisdair Findlay resigned as Joint Liquidator on 9 November 2018, leaving me as the sole Liquidator.
- 1.2 In accordance with section 104A of the Insolvency Act 1986 I now report on the progress of the liquidation for the year ended 14 January 2022 (the Period) and attach:
  - Appendix A, an account of my receipts and payments for the Period and also for the whole liquidation to date
  - Appendix B, Statement of Insolvency Practice 9 disclosure.
- 1.3 I am authorised to act as an insolvency practitioner by the Insolvency Practitioners Association. I am bound by the Insolvency Code of Ethics when carrying out all professional work relating to an insolvency appointment.

**2 Statutory information**

- 2.1 The Company's registered number is 07333282.

**3 Assets**

- 3.1 I previously reported that I am pursuing potential claims against the Company's director and former director (the Respondents). A breakdown of these claims can be found in my previous report dated 3 March 2021.
- 3.2 As previously advised, the sealed application notice, including my witness statement and Points of Claim were filed at court on 4 February 2021 and were subsequently served to the Respondents by post on 8 February 2021.
- 3.3 A hearing took place on 23 March 2021 in which one of the Respondents attempted to strike out the claims however the strike out application was subsequently dismissed by the Judge.

- 3.4 I received the Defences to my Points of Claim from the Respondents on 13 July 2021 and corresponded with my legal team, ASW Solicitors (ASW) to consider the Defences.
- 3.5 Considerable work was undertaken in reviewing these Defences and in response, on 20 August 2021, I submitted Part 18 requests to obtain additional information and documentation from the Respondents. I received responses from the First and Second Respondent on 15 September 2021 and 19 October 2021 respectively; these responses were considered in detail with ASW. Following this, I submitted my Points of Reply to the First and Second Respondent on 23 September 2021 and 2 November 2021 respectively.
- 3.6 I have undertaken further research and evidence collection to support the claims and have had ongoing correspondence with ASW and my legal counsel. This has also included the engagement of experts to consider aspects of my claims.
- 3.7 The settlement window was set for between 2 November 2021 and 2 January 2022, however the mediation was agreed between the parties for 2 February 2022. Lyndsey de Mestra QC was instructed as the mediator, the cost of which has been split equally between the three parties.
- 3.8 During the mediation of 2 February 2022, an agreement was reached in principle between the directors of the Company and me to settle the claims. This will be finalised shortly. I confirm that while this is outside of the Period of this report, it is a substantial development in the liquidation, and I have therefore included it in this report.

#### **4 Creditors and dividend prospects**

##### **Secured and preferential creditors**

- 4.1 There are no secured or preferential creditors in this matter.

##### **Unsecured creditors**

- 4.2 I have received unsecured claims totalling £1,165,108. This figure has changed slightly from the figure stated in my last report.
- 4.3 Unfortunately, there are insufficient funds available for a distribution to be made to creditors.

#### **5 Investigations into the affairs of the Company**

- 5.1 Based on the outcome of my investigations into the affairs of the Company to date there are no matters identified that need to be reported to the creditors.

#### **6 Remuneration and expenses**

- 6.1 My remuneration is being charged on a time cost basis as agreed by the creditors of the Company.
- 6.2 I have incurred time costs and expenses in the Period amounting to £90,348 and £732 respectively, bringing the cumulative totals to £479,563 and £6,570 of which £0 and £6,398 has been paid.
- 6.3 Further details about remuneration and expenses are provided in Appendix B to this report.

#### **7 Contact from third parties**

- 7.1 Please be aware fraudsters have been known to masquerade as the Liquidator. Fraudsters may contact creditors asking for an upfront fee or tax to release an investment or to enable payment of a dividend / the release of money payable to the creditor. A Liquidator would never ask for such a payment nor instruct a third party to make such a request.

**8 Data protection**

- 8.1 Any personal information held by the Company will continue to be processed in accordance with completing the liquidation of the Company and in accordance with meeting our requirements under applicable Data Protection Legislation/law in the United Kingdom. Our privacy notice on our website ([www.grantthornton.co.uk/en/privacy](http://www.grantthornton.co.uk/en/privacy)) contains further details as to how we may use, process and store personal data.

**9 Covid-19**

- 9.1 This report has been produced during the Covid-19 restrictions. I have taken every reasonable step to ensure that the information is accurate, however if any material inaccuracies are identified I will provide an explanation and corrected information in the next progress report.

**10 Contact**

- 10.1 Should you have queries please contact CMUsupport@uk.gt.com.

Yours faithfully

for and on behalf of PAK Supermarket Washwood Heath Limited



David Ingram  
Liquidator

Enc

Note:  
Statement of Insolvency Practice 7 states the headings used in the Receipts and Payments Account should follow those used in any prior Statement of Affairs (**SOA**) or estimated outcome statement. The SOA was provided by the Company's directors at the commencement of the Liquidation and provided estimated to realise values for the categories of assets to be realised. The receipts above represent funds passed into the Liquidation from the previous Liquidator, and as such, a meaningful comparison to the SOA by category cannot be made.

Step

17 January 2022 12:09

## Appendix B - Payments to the Liquidator and his associates

### Statement of Insolvency Practice 9 disclosure

This appendix has been prepared in accordance with the requirements of the Insolvency Act 1986, the Insolvency (England and Wales) Rules 2016 (the Rules) and Statement of Insolvency Practice 9 (SIP9). In summary, it covers:

- fee basis
- work done by the Liquidator and his team during the Period
- expenses
- sub-contracted out work
- payments to associates
- relationships requiring disclosure
- information for creditors (rights, fees, committees)



## Fee basis of the Liquidator

On 15 January 2015 the creditors resolved that remuneration be fixed on a time costs basis. These fees were agreed to be paid at the Liquidator's discretion, as and when funds became available.

During the Period, time costs were incurred totalling £90,348 represented by 239 hours at an average of £378/hr (as shown in the 'Work done' section below). This brings cumulative recorded time costs at the Period end to £479,563, of which no amount has been paid. A description of the work done in the Period is provided in the respective section below.

## Work done by the Liquidator and their team during the Period

I am required to detail costs of actual work done in the Period, including any expenses incurred in connection with it. I am also required to provide narrative explanation of the work done. The following tables (narrative followed by numerical) set out this information for the Liquidator's fees incurred. Details of the respective expenses are provided in the 'Disbursements and expenses' section below.

Area of work	Work done	Why the work was necessary	Financial benefit to creditors	Fees (time costs) incurred		
<b>Investigations</b>				<b>142 hrs</b>	<b>£59,807</b>	<b>£420/hr</b>
<b>Debtor/ directors/ senior employees</b>	<ul style="list-style-type: none"> <li>Research to obtain the up to date asset positions of the directors</li> </ul>	<ul style="list-style-type: none"> <li>To ensure that the directors are in a position to pay the claims brought against them</li> <li>To assess the viability of the claims</li> </ul>	<ul style="list-style-type: none"> <li>This work was necessary to help realise financial value for the benefit of the estate and for a distribution to creditors should sufficient funds become available</li> </ul>			
<b>Claims</b>	<ul style="list-style-type: none"> <li>Reviewing the Points of Deference received from the Respondents</li> <li>Preparing the Part 18 request and reviewing the replies to the Part 18 request</li> <li>Preparing my reply to the Respondent's replies</li> <li>Correspondence with my solicitors and counsel to obtain advice on the claims</li> <li>Carrying out additional research and evidence gathering</li> <li>Arranging and correspondence regarding mediation</li> <li>Reviewing ATE cover</li> </ul>	<ul style="list-style-type: none"> <li>To maximise the chances of success in bringing claims</li> <li>To progress claims against the Respondents</li> <li>To protect against adverse costs and enable the Liquidator to pursue recovery of claims</li> </ul>	<ul style="list-style-type: none"> <li>This work was necessary to realise financial value for the estate and for a distribution to creditors should sufficient funds become available</li> </ul>			
<b>Creditors</b>				<b>5 hrs</b>	<b>£1,703</b>	<b>£334/hr</b>
<b>Unsecured</b>	<ul style="list-style-type: none"> <li>Correspondence with unsecured creditors</li> <li>Amending creditor claims in the liquidation estate</li> </ul>	<ul style="list-style-type: none"> <li>To comply with insolvency law and regulations</li> </ul>	<ul style="list-style-type: none"> <li>This work was necessary to discharge the office holders' duties. As explained under 'Why the work was necessary', although it</li> </ul>			

might not add financial value to the estate  
it adds value to the insolvency process

<b>Administration</b>				<b>91 hrs</b>	<b>£28,839</b>	<b>£316/hr</b>
<b>Case management</b>	<ul style="list-style-type: none"> <li>Undertaking regular review of case strategy and case matters</li> <li>Monitoring compliance with internal and regulatory compliance requirements</li> <li>Completing internal review reports on case progression</li> </ul>	<ul style="list-style-type: none"> <li>To effectively organise matters by reviewing case process and action points to identify the most effective route to pursuing potential assets and claims for the benefit of creditors</li> </ul>	<ul style="list-style-type: none"> <li>This work was necessary to help realise financial value for the benefit of the estate and for a distribution to creditors should sufficient funds become available</li> </ul>			
	<b>Reports to creditors, notices &amp; decisions</b> <ul style="list-style-type: none"> <li>Drafting and circulation of the Liquidator's annual report to creditors</li> </ul>	<ul style="list-style-type: none"> <li>To comply with statutory duties of updating creditors on the progress of the liquidation through annual reports</li> </ul>	<ul style="list-style-type: none"> <li>This work was necessary for administrative purposes and/or complying with statutory requirements and it had no direct financial benefit to the estate</li> </ul>			
<b>Shareholders/ debtor/ director communications</b>						
	<ul style="list-style-type: none"> <li>Discussions regarding director correspondence</li> </ul>	<ul style="list-style-type: none"> <li>To comply with statutory duties</li> </ul>	<ul style="list-style-type: none"> <li>This work was necessary for administrative purposes and/or complying with statutory requirements and it had no direct financial benefit to the estate</li> </ul>			
<b>Treasury, billing &amp; funding</b>						
	<ul style="list-style-type: none"> <li>Operating the estate's bank account and cash book</li> </ul>	<ul style="list-style-type: none"> <li>To comply with statutory and regulatory duties of operating a separate liquidation estate account</li> </ul>	<ul style="list-style-type: none"> <li>This work was necessary for administrative purposes and/or complying with statutory requirements and it had no direct financial benefit to the estate</li> </ul>			
<b>Tax</b>						
	<ul style="list-style-type: none"> <li>Review of tax position, tax compliance and correspondence with HMRC</li> <li>Review of VAT position, compliance, and various queries</li> </ul>	<ul style="list-style-type: none"> <li>To ensure that the appropriate statutory obligations are fulfilled, and relevant taxes are paid</li> </ul>	<ul style="list-style-type: none"> <li>This work was necessary for administrative purposes and/or complying with statutory requirements and it had no direct financial benefit to the estate</li> </ul>			
<b>Total remuneration charged in the Period</b>				<b>239 hrs</b>	<b>£90,348</b>	<b>£378/hr</b>

## Detailed SIP9 time cost analysis for the Period

Period from 15/01/2021 to 14/01/2022

Area of work	Partner		Manager		Executive		Administrator				Period total			Cumulative total as at Period end		
	Hrs	£	Hrs	£	Hrs	£	Hrs	£	Hrs	£	Hrs	£	£/hr	Hrs	£	£/hr
<b>Realisation of assets:</b>																
Insurance	-	-	-	-	-	-	-	-	-	-	-	-	-	216.55	62,542.65	288.81
Property	-	-	-	-	-	-	-	-	-	-	-	-	-	5.70	1,462.90	256.65
Stock & WIP	-	-	-	-	-	-	-	-	-	-	-	-	-	13.30	4,181.00	314.36
Other assets	-	-	-	-	-	-	-	-	-	-	-	-	-	2.30	482.50	209.78
General	-	-	-	-	-	-	-	-	-	-	-	-	-	36.85	7,879.75	213.83
	-	-	-	-	-	-	-	-	-	-	-	-	-	158.40	48,536.50	306.42
<b>Investigations:</b>											<b>142.30</b>	<b>59,806.75</b>	<b>420.29</b>	<b>908.50</b>	<b>292,140.25</b>	<b>321.56</b>
Debtor / director / senior employees	-	-	2.25	1,068.75	14.50	5,002.50	3.25	910.00	2.00	690.00	22.00	7,671.25	348.69	80.65	28,048.00	347.77
Claims	20.70	15,732.00	33.30	15,800.00	23.20	8,352.00	40.85	11,438.00	2.25	813.50	120.30	52,135.50	433.38	194.25	77,121.25	397.02
General	-	-	-	-	-	-	-	-	-	-	-	-	-	633.60	186,971.00	295.09
<b>Creditors:</b>											<b>5.10</b>	<b>1,703.00</b>	<b>333.92</b>	<b>34.90</b>	<b>9,112.50</b>	<b>261.10</b>
Employees & pensions	-	-	-	-	-	-	-	-	-	-	-	-	-	0.50	82.50	165.00
Unsecured	-	-	1.00	475.00	1.00	360.00	3.10	868.00	-	-	5.10	1,703.00	333.92	34.40	9,030.00	262.50
<b>Administration:</b>											<b>91.40</b>	<b>28,838.50</b>	<b>315.52</b>	<b>402.81</b>	<b>115,774.45</b>	<b>287.42</b>
Case management	1.10	770.00	6.70	3,106.50	21.15	7,590.00	26.40	6,692.00	-	-	55.35	18,158.50	328.07	110.55	32,863.00	297.27
Reports to creditors, notices & decisions	-	-	3.40	1,515.00	4.25	1,401.00	9.75	2,455.00	-	-	17.40	5,371.00	308.68	31.50	9,310.50	295.57
Shareholders / debtor / director communications	-	-	0.50	237.50	-	-	-	-	-	-	0.50	237.50	475.00	0.50	237.50	475.00
Treasury, billing & funding	-	-	0.95	451.25	1.05	237.25	4.00	850.00	-	-	6.00	1,538.50	256.42	21.80	4,997.00	229.22
Tax	-	-	0.70	344.50	0.75	225.00	10.70	2,963.50	-	-	12.15	3,533.00	290.78	42.50	11,293.00	265.72
Pensions	-	-	-	-	-	-	-	-	-	-	-	-	-	0.80	193.00	241.25
General	-	-	-	-	-	-	-	-	-	-	-	-	-	169.31	50,866.95	300.44
Other IPs, OR, AIB	-	-	-	-	-	-	-	-	-	-	-	-	-	25.85	6,013.50	232.63
<b>Total</b>	<b>21.80</b>	<b>16,502.00</b>	<b>48.80</b>	<b>22,998.50</b>	<b>65.90</b>	<b>23,167.75</b>	<b>98.05</b>	<b>26,176.50</b>	<b>4.25</b>	<b>1,503.50</b>	<b>238.80</b>	<b>90,348.25</b>	<b>378.34</b>	<b>1,562.76</b>	<b>479,563.35</b>	<b>306.87</b>

## Notes:

- Partner includes partners and directors
- Manager includes associate directors and managers
- Executive includes assistant manager and executives
- Total time costs paid to date: £0

- Please note that the actual time incurred in the Period may slightly differ to that reported in the table above. This is due to lags between time being recorded on our internal system by staff and then being posted to the case. We do not expect any differences to be material and any such discrepancies will be noted in our next report.

## Statement of expenses incurred in the Period

This table provides details of expenses incurred in the Period in connection with the work done by the Liquidator, description of which is provided in the 'Work done' section above.

Category	Incurred in the Period (£)	Cumulatively incurred as at Period end (£)	Of which paid by the estate as at Period end (£)
<b>Category 1 expenses</b>			
Courier	0	250	250
Storage	0	51	51
Travel	0	2,413	2,413
Insolvency Practitioners' bond	0	100	100
Land Registry Searches	72	479	307
Subsistence	0	3	3
Legal Disbursements : ASW Legal Limited	660	940	940
Professional Fees	0	2,263	2,263
<b>Category 2 expenses</b>			
Mileage	0	71	71
<b>Total expenses</b>	<b>732</b>	<b>6,570</b>	<b>6,398</b>

<b>Alasdair Findlay</b>			
Category	Incurred in the Period (£)	Cumulatively incurred as at Period end (£)	Of which paid by the estate as at Period end (£)
<b>Category 1 disbursements</b>			
Valuation Fees	0	2,561	2,561
Property Advice	0	2,000	2,000
Insurance of Assets	0	795	795
Statutory Advertising	0	204	204
<b>Total expenses and disbursements</b>	<b>0</b>	<b>5,560</b>	<b>5,560</b>

Expenses are any payments from the estate which are neither the Liquidator's remuneration nor a distribution to a creditor or member, but they may include disbursements which are payments first met by and then reimbursed to the Liquidator from the estate. Expenses fall into two categories:

### Category 1 expenses

These are also known as 'out of pocket expenses' and are payments to third parties not associated with the Liquidator where there is specific expenditure directly referable to the insolvent estate; they can be drawn without prior approval from creditors.

Commercial in confidence

ASW Solicitors and my legal Counsel are currently working on a Damages Based Agreement (DBA) and will only be paid if I realise assets.

**Category 2 expenses**

These are expenses directly referable to the insolvent estate but payments that are either to an associate, or that include shared or allocated costs that may be incurred by the Liquidator or their firm and that can be allocated to the appointment on a proper and reasonable basis. Category 2 expenses require approval in the same manner as the Liquidator's remuneration.

To the extent that recovery of category 2 disbursements is sought, this will be for mileage only. Mileage is charged at 45p a mile. VAT is added as appropriate. Details of these costs are provided in the table above.

## Payments to associates

Where I have enlisted the services of others I have sought to obtain the best value and service. I disclose below services I have sought from within my firm or from a party with whom (to the best of my knowledge) my firm, or an individual within my firm, has an association.

To the extent that services have been enlisted from Grant Thornton UK LLP's specialist teams, for example tax, pensions, digital forensics, or any others, the narrative for and cost of their work is included in the work done narrative and SIP9 time costs analysis details in the Work done by the Liquidator and their team during the Period section above.

## Relationships requiring disclosure

I confirm that I am not aware of any business or personal relationships with any parties responsible for approving the Liquidator's fee basis, or who provide services to me as Liquidator, which may give rise to a potential conflict.

## Sub-contracted work

I confirm that, in the Period, I have not sub-contracted any work that could otherwise have been carried out by me or my team.

## Information for creditors and members

Information to help creditors and members to understand their rights in insolvency and regarding officeholders' (ie administrators or liquidators) fees, and the roles and functions of committees is available via Grant Thornton's website:

<https://www.grantthornton.co.uk/portal>

Alternatively, I will supply this information by post, free of charge, on request.