

LIQ14

Notice of final account prior to dissolution in CVL



Companies House

WEDNESDAY



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A14

22/07/2020

#39

COMPANIES HOUSE

1 Company details

Company number 0 8 5 9 6 7 6 7

Company name in full Absolute Abode Emporium Limited

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

2 Liquidator's name

Full forename(s) Douglas John

Surname Pinteau

3 Liquidator's address

Building name/number Unit 2 Spinnaker Court

Street 1C Becketts Place

Post town Hampton Wick

County/Region Kingston upon Thames

Postcode K T 1 4 E Q

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

[Handwritten Signature]

X

Signature date

d

2

d

1

m

0

m

7

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 Douglas John Pinteau

Company name WSM Marks Bloom LLP

Address Unit 2 Spinnaker Court

1C Becketts Place

Post town Hampton Wick

County/Region Kingston upon Thames

Postcode K T 1 4 E Q

Country

DX

Telephone 020 8939 8240



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

Absolute Abode Emporium Limited
(In Liquidation)
Liquidator's Summary of Receipts & Payments

Statement of Affairs £	From 16/01/2020 To 21/07/2020 £	From 16/01/2018 To 21/07/2020 £
	ASSET REALISATIONS	
	Bank Interest Gross	NIL 11.83
	Cash at Bank	NIL 12,203.36
5,500.00	Fixtures, Fittings & Equipment	NIL 55,875.00
200.00	Leasehold Property	NIL NIL
4,500.00	Stock/WIP	NIL NIL
		<u>NIL 68,090.19</u>
	COST OF REALISATIONS	
	Agents/Valuers Fees	NIL 18,333.58
	ERA Solutions	NIL 320.00
	Legal Fees	NIL 17,518.00
	Office Holders Fees	NIL 20,000.00
	Other Property Expenses	NIL 4,373.09
	Preparation of S. of A.	NIL 6,000.00
	Specific Bond	NIL 276.00
	Statutory Advertising	NIL 149.50
	Storage Costs	NIL 1,105.62
	The Creditor Gateway	NIL 12.00
	VAT - Irrecoverable	NIL 2.40
		<u>NIL (68,090.19)</u>
	PREFERENTIAL CREDITORS	
(3,518.08)	Employee Arrears/Hol Pay	NIL NIL
		<u>NIL NIL</u>
	UNSECURED CREDITORS	
(1,453,006.42)	Directors	NIL NIL
(7,971.65)	Employees	NIL NIL
(57,755.55)	HM Revenue & Customs PAYE	NIL NIL
(27,814.17)	HM Revenue & Customs VAT	NIL NIL
(72,045.62)	Trade & Expense Creditors	NIL NIL
		<u>NIL NIL</u>
	DISTRIBUTIONS	
(1.00)	Ordinary Shareholders	NIL NIL
		<u>NIL NIL</u>
<u>(1,611,912.49)</u>		<u>NIL 0.00</u>
	REPRESENTED BY	
		<u><u>NIL</u></u>

ABSOLUTE ABODE EMPORIUM LIMITED (IN LIQUIDATION)

LIQUIDATOR'S FINAL ACCOUNT TO CREDITORS AND MEMBERS

21 JULY 2020

CONTENTS

- 1 Introduction
- 2 Receipts and Payments
- 3 Work undertaken by the Liquidator
- 4 Outcome for Creditors
- 5 Liquidator's Remuneration & Expenses
- 6 Conclusion

ATTACHMENTS

Receipts and Payments Account from 16 January 2020 to 21 July 2020, together with a Cumulative Receipts and Payments Account for Period from 16 January 2018 to 21 July 2020

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

ABSOLUTE ABODE EMPORIUM LIMITED (IN LIQUIDATION)

1 Introduction

- 1.1 I, Douglas John Pinteau of WSM Marks Bloom LLP, Unit 2 Spinnaker Court, 1C Becketts Place, Hampton Wick, Kingston upon Thames KT1 4EQ, was appointed as Liquidator of Absolute Abode Emporium Limited ('the Company') on 16 January 2018. 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 76-78 Coombe Lane, London, SW20 0AX ("the premises"). The principal trading activity was as a cafe. The business traded under the Company's name.
- 1.3 The registered office of the Company is Unit 2 Spinnaker Court, 1C Becketts Place, Hampton Wick, Kingston upon Thames KT1 4EQ and its registered number is 08596767.
- 1.4 Information about the way that we will use and store personal data on insolvency appointments can be found in the Privacy Notice at <http://wsm.co.uk/insolvency/>. If you are unable to download this, please contact us and a hard copy will be provided to you.

2 Receipts and Payments

- 2.1 Attached is an account of my receipts and payments for the Period with a comparison to the director's 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

- 3.1 This section of the report provides creditors with an overview of the work undertaken in the liquidation since my last progress report, together with information on the overall outcome of the liquidation.

Administration (including statutory compliance & reporting)

- 3.2 The Liquidator must comply with certain statutory obligations under the Insolvency Act 1986 and other related legislation. Details about the work I anticipated undertaking in this regard were outlined previously in the summary of work to be undertaken circulated to creditors on 17 January 2018 and again in my subsequent fees information issued on 5 October 2018.
- 3.3 As noted in my initial fees information, this work has not necessarily brought any financial benefit to creditors, but is work required on every case by statute.

ABSOLUTE ABODE EMPORIUM LIMITED (IN LIQUIDATION)

Realisation of Assets

Leasehold Property, Fixtures, Fittings, Equipment & Stock

- 3.4 The director's statement of affairs estimated that these assets held a combined estimated realisable value of £10,200, relating to assets in situ at the Company's premises.
- 3.5 The Company's stock was sold by the director prior to my appointment generating cash as detailed below, and therefore, I have not realised any value from this asset class.
- 3.6 Upon my appointment I instructed Marriotts Valuers Limited to assist me with the valuation of the assets, negotiating with potential buyers and ultimately progressing the sale of the Company's chattel assets in situ at the premises and the transfer of the leasehold interest to Kitchenetta Limited ("Kitchenetta").
- 3.7 Clarke Wilmott LLP solicitors were instructed to assist me with finalising the asset sale agreement with Kitchenetta and dealing with transferring the Company's interest in the premises to the purchaser. The purchase consideration agreed with Kitchenetta was £59,000 plus VAT.
- 3.8 However, as part of the consideration I agreed that a contribution of £3,750, equal to one month's rent, would be deducted from the sale consideration, to provide a rent free period for Kitchenetta to carry out refurbishment works to the premises. The finalised agreement was therefore for £55,875 plus VAT.
- 3.9 As per the asset sale agreement, the value realised in the liquidation was ascribed for the purchase of the Company's chattel assets being the assets situated at the premises, goodwill and intellectual property rights. In addition the Company's interest in the rent deposit held by the landlord was transferred to Kitchenetta.

Cash at Bank

- 3.10 The statement of affairs did not advise that there would be any realisable cash at bank. However, in the period immediately prior to my appointment and the Company's cessation of trade, the director held a fire sale of stock at the Company's premises, which resulted in cash being generated for the benefit of the liquidation.
- 3.11 Upon my appointment I sought to close the Company's accounts held with Barclays Bank Plc ("Barclays") and requested that any funds held on account be transferred to the liquidation account.
- 3.12 An amount of £12,203.36 was duly received on 2 February 2018.

Other Assets

- 3.13 The only other asset is a small amount which has been realised with regards to gross bank interest.

ABSOLUTE ABODE EMPORIUM LIMITED (IN LIQUIDATION)

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. The 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. In this case I had to assist with the processing of 17 employee claims. I then spent time agreeing the preferential claims of both the Redundancy Payments Service and employees' excess claims for wages and holiday pay, with a view to making a distribution to them from the liquidation, further details of which are recorded in part 4 below.
- 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. In this case I have spent additional time seeking to calculate excess preferential claims, liaising with HM Revenue & Customs regarding a VAT overpayment and seeking to agree a solution with Merton Council regarding a rates payment due.

Investigations

- 3.17 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.

4 Outcome for Creditors

Secured Creditors

- 4.1 The Company did not grant fixed or floating charges over the Company's assets to any secured creditors and no distributions have been made to such creditors as a result in the liquidation.

Preferential Creditors

- 4.2 Preferential creditors were estimated on the director's statement of affairs to total £3,518.08.
- 4.3 I received a claim from the National Insurance Fund for £5,724.45 in respect of payments made to former employees of the Company. There were also two excess preferential employee claims above the statutory limit of Redundancy Payments Service totalling £93.98.
- 4.4 Whilst work was undertaken on agreeing preferential claims with a view to making a preferential distribution, I received a claim from the Merton Council for business rates in respect the Company's post-liquidation occupation of the former trading premises. After taking legal advice on the merits of the claim from the Council, I discharged the liability from funds held, as detailed in the attached receipts and

ABSOLUTE ABODE EMPORIUM LIMITED (IN LIQUIDATION)

payments account under property expenses, thereby extinguishing funds that would otherwise have been used for a preferential dividend. Accordingly, realisations were insufficient to make a distribution to preferential creditors.

Unsecured Creditors

- 4.5 I have received claims totalling £1,625,579.40 from 38 creditors.
- 4.6 No floating charges were granted to secured creditors by the Company. Accordingly, there was no requirement under s176A of the Insolvency Act 1986 to create a fund out of the Company's net floating charge property for unsecured creditors, known as the Prescribed Part.
- 4.7 I can confirm that the realisations are insufficient to declare a dividend to the unsecured creditors.

5 Liquidator's Remuneration & Expenses

- 5.1 The basis of the Liquidator's remuneration was initially agreed by creditors as a set amount of £10,000 plus VAT by passing a resolution by correspondence on 16 February 2018. However, due to the significant additional work that was required in dealing with the asset sale as detailed previously, I proposed a revised fee resolution for creditors' consideration.
- 5.2 Accordingly, the basis of the Liquidator's remuneration was subsequently agreed by creditors as a set amount of £20,000 plus VAT by passing a resolution by correspondence on 16 November 2018. These fees have been drawn in full.
- 5.3 In addition, it was resolved by passing a resolution by correspondence on 16 January 2018 that my pre-appointment fees fixed at £6,000 plus VAT, would be drawn from the assets in the liquidation. These fees have also been drawn in full.
- 5.4 A narrative explanation of the work undertaken during the Period can be found at section 3 of this report.
- 5.5 Attached is additional information in relation to the Liquidator's fees and the expenses and disbursements incurred in the liquidation.
- 5.6 A copy of 'A Creditors' Guide to Liquidators' Fees' is available on request or can be downloaded from www.wsm.co.uk/insolvency/creditors-guides/.

6 Conclusion

- 6.1 This final account will conclude my administration of this case. 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.



D J Pinteau
Liquidator
21 July 2020

ABSOLUTE ABODE EMPORIUM LIMITED (IN LIQUIDATION)

ADDITIONAL INFORMATION IN RELATION TO THE LIQUIDATOR'S FEES, EXPENSES & DISBURSEMENTS

Policy

Detailed below is WSM Marks Bloom LLP's policy in relation to staff allocation and the use of subcontractors, professional advisors and disbursements.

Staff allocation and the use of subcontractors

The 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, a Manager, and an Administrator or Assistant. The exact constitution of the case team will depend on the anticipated size and complexity of the assignment and the experience requirements of the assignment.

On this case we have not used the services of any sub-contractors:

Professional advisors

On this case 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
Clarke Wilmott LLP (legal advice)	Hourly rate and disbursements
Marriotts Valuers Limited (asset valuation and disposal advice)	Fixed fee of £17,500 plus VAT and disbursements
ERA Solutions Ltd (employee claims calculation)	Fixed fee of £320

Liquidator's Expenses & Disbursements

The following expenses have been incurred during the Period, and have been paid from the funds in the liquidation account. These are comparable with the costs estimate provided with my fees information circulated to creditors on 5 October 2018:

	Cost Estimate £	Paid during prior periods £	Paid during the Period £	Total cost £
ERA Fees	150.00	320.00	Nil	320.00
Storage Costs	1,105.62	1,105.62	Nil	1,105.62
Statutory advertising	149.50	149.50	Nil	149.50
Specific penalty bond	276.00	276.00	Nil	276.00
Stationery & Postage	30.00	Nil	Nil	Nil
Creditor report hosting	Nil	12.00	12.00	12.00
Business Rates	Nil	4,373.09	Nil	4,373.09

ABSOLUTE ABODE EMPORIUM LIMITED (IN LIQUIDATION)

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.

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, or document storage. We would confirm that this firm does not seek to charge any Category 2 disbursements.