

LIQ03

Notice of progress report in voluntary winding up



Companies House

WEDNESDAY



A11 *A814QPWR* #414
13/03/2019
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 | Pintea |

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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Period of progress report

| | | | | | | | | | | | | | | | | |
|-----------|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| From date | d | 1 | d | 6 | m | 0 | m | 1 | y | 2 | y | 0 | y | 1 | y | 8 |
| To date | d | 1 | d | 5 | m | 0 | m | 1 | y | 2 | y | 0 | y | 1 | y | 9 |

7

Progress report

☒ The progress report is attached

8

Sign and date

Liquidator's signature

Signature

X 

X

Signature date

| | | | | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| d | 1 | d | 1 | m | 0 | m | 3 | y | 2 | y | 0 | y | 1 | y | 9 |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|

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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)

ANNUAL PROGRESS REPORT FOR THE YEAR TO 15 JANUARY 2019

11 MARCH 2019

CONTENTS

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- 2** Progress of the Liquidation
- 3** Creditors
- 4** Liquidator's Remuneration
- 5** Creditors' Rights
- 6** Next Report

ATTACHMENTS

Receipts and Payments Account from 16 January 2018 to 15 January 2019

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

ABSOLUTE ABODE EMPORIUM LIMITED (IN LIQUIDATION)

1 Introduction and Statutory Information

- 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 Company Limited ('the Company') on 16 January 2018. This progress report covers the period from 16 January 2018 to 15 January 2019 ('the Period').
- 1.2 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.
- 1.3 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.
- 1.4 The registered office of the Company is Unit 2 Spinnaker Court, 1C Becketts Place, Hampton Wick, Kingston upon Thames KT1 4EQ. Its registered number is 08596767.

2 Progress of the Liquidation

- 2.1 This section of the report provides creditors with an update on the progress made in the liquidation during the Period.
- 2.2 Attached is my receipts and payments account for the Period.

Administration (including statutory compliance & reporting)

- 2.3 An office holder must comply with certain statutory obligations under the Insolvency Act 1986 and other related legislation. Details about the work I anticipated would need to be done in this area was outlined to creditors in my initial fees information issued on 17 January 2018 and again in my subsequent fees information issued on 5 October 2018.
- 2.4 As noted in the fees information, this work will not necessarily bring any financial benefit to creditors, but is required on every case by statute.

Realisation of Assets

Leasehold Property, Fixtures, Fittings, Equipment & Stock

- 2.5 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.
- 2.6 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.
- 2.7 Upon my appointment I instructed Marriotts Valuers Limited to assist me with the valuation of the assets, negotiating with potential buyers and ultimately progressing

ABSOLUTE ABODE EMPORIUM LIMITED (IN LIQUIDATION)

the sale of the Company's chattel assets in situ at the premises and the transfer of the leasehold interest to Kitchenetta Limited ("Kitchenetta").

- 2.8 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.
- 2.9 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 time to carry out refurbishment works to the premises. The finalised agreement was therefore for £55,875 plus VAT.
- 2.10 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

- 2.11 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.
- 2.12 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.
- 2.13 An amount of £12,203.36 was duly received on 2 February 2018.

Other Assets

- 2.14 The only other asset is a small amount which has been realised with regards to gross bank interest. No other assets remain to be realised.
- 2.15 It is anticipated that the work the Liquidator and his staff have undertaken to date will bring a financial benefit to preferential creditors, as the realisations made are sufficient to meet the costs and expenses of the liquidation and to declare a dividend to preferential creditors.

Creditors (claims and distributions)

- 2.16 Further information on the anticipated outcome for creditors in this case can be found at section 3 of this report. A Liquidator is not only required to deal with correspondence and claims from unsecured creditors (which may include retention of title claims), 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.

ABSOLUTE ABODE EMPORIUM LIMITED (IN LIQUIDATION)

- 2.17 Claims from preferential creditors typically involve employee claims and payments made on behalf of the Company by the Redundancy Payments Service following dismissal.
- 2.18 The above work will not necessarily bring any financial benefit to creditors generally; however, a Liquidator is required by statute to undertake this work. Similarly, if a distribution is to be paid to any class of creditor, work will be required to agree those claims and process the dividend payments to each relevant class of creditor. The more creditors a company has, the more time and cost will be involved by the Liquidator in dealing with those claims.

Investigations

- 2.19 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.
- 2.20 I can confirm that I have submitted a report on the conduct of the Directors of the Company to the Department for Business, Energy & Industrial Strategy under the CDDA 1986. As this is a confidential report, I am unable to disclose the contents.
- 2.21 Shortly after appointment, I made an initial assessment of whether there could be any matters that might lead to recoveries for the estate and what further investigations may be appropriate. This assessment took into account any information provided by creditors. My investigations have not revealed any issues requiring further report or any further potential recoveries which could be pursued for the benefit of creditors.

Matters still to be dealt with

- 2.22 The only outstanding matter is to finalise the preferential claims in order that a preferential dividend may be paid. It is anticipated that this will be completed shortly following the issue of this report.

3 Creditors

Secured Creditors

- 3.1 There are no secured creditors.

Preferential Creditors

- 3.2 The director's statement of affairs estimated preferential claims at £3,518.08.
- 3.3 I have received a claim from the National Insurance Fund for £5,724.45 in respect of payments made to former employees of the Company. There are also two excess preferential employee claims above the statutory limit of Redundancy Payments Service totalling £93.98.

ABSOLUTE ABODE EMPORIUM LIMITED (IN LIQUIDATION)

- 3.4 It is anticipated that a dividend to preferential creditors will be payable in the period immediately following this report.

Unsecured Creditors

- 3.5 I have received claims totalling £1,625,579.40 from 38 creditors.
- 3.6 It is not anticipated that there will be sufficient funds to pay a dividend to unsecured creditors.

4 Liquidator's Remuneration

- 4.1 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 above, I proposed a revised fee resolution for creditors' consideration.
- 4.2 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 in the Period.
- 4.3 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. I have drawn these fees in full during the Period.
- 4.4 Attached is additional information in relation to this firm's policy on staffing, the use of subcontractors, disbursements, and details of our current charge-out rates by staff grade. Since my appointment, no category 2 disbursements have been taken.
- 4.5 A copy of 'A Creditors' Guide to Liquidators' Fees' is available on request or can be downloaded from <http://wsm.co.uk/insolvency/creditors-guides>.

5 Creditors' Rights

- 5.1 Within 21 days of the receipt of this report, a secured creditor, or an unsecured creditor (with the concurrence of at least 5% in value of the unsecured creditors) may request in writing that the Liquidator provide further information about his remuneration or expenses which have been itemised in this progress report.
- 5.2 Any secured creditor, or an unsecured creditor (with the concurrence of at least 10% in value of the unsecured creditors) may within 8 weeks of receipt of this progress report make an application to court on the grounds that, in all the circumstances, the basis fixed for the Liquidator's remuneration is inappropriate and/or the remuneration charged or the expenses incurred by the Liquidator, as set out in this progress report, are excessive.

ABSOLUTE ABODE EMPORIUM LIMITED (IN LIQUIDATION)

6 Next Report

- 6.1 I am required to provide a further report on the progress of the liquidation within two months of the next anniversary of the liquidation, unless I have concluded matters prior to this, in which case I will write to all creditors with my final account.



D J Pinteau
Liquidator
11 March 2019

Absolute Abode Emporium Limited
(In Liquidation)
Liquidator's Summary of Receipts & Payments
To 15/01/2019

| S of A £ | | £ | £ |
|-----------------------|--------------------------------|-----------|-----------------|
| | ASSET REALISATIONS | | |
| 200.00 | Leasehold Property | NIL | |
| 5,500.00 | Fixtures, Fittings & Equipment | 55,875.00 | |
| 4,500.00 | Stock/WIP | NIL | |
| | Cash at Bank | 12,203.36 | |
| | Bank Interest Gross | 10.22 | |
| | | | 68,088.58 |
| | COST OF REALISATIONS | | |
| | Specific Bond | 276.00 | |
| | Preparation of S. of A. | 6,000.00 | |
| | Office Holders Fees | 20,000.00 | |
| | Agents/Valuers Fees | 18,333.58 | |
| | Legal Fees | 17,518.00 | |
| | Storage Costs | 1,105.62 | |
| | Statutory Advertising | 149.50 | |
| | ERA Solutions | 320.00 | |
| | | | (63,702.70) |
| | PREFERENTIAL CREDITORS | | |
| (3,518.08) | Employee Arrears/Hol Pay | NIL | |
| | | | NIL |
| | UNSECURED CREDITORS | | |
| (72,045.62) | Trade & Expense Creditors | NIL | |
| (7,971.65) | Employees | NIL | |
| (1,453,006.42) | Directors | NIL | |
| (57,755.55) | HM Revenue & Customs PAYE | NIL | |
| (27,814.17) | HM Revenue & Customs VAT | NIL | |
| | | | NIL |
| | DISTRIBUTIONS | | |
| (1.00) | Ordinary Shareholders | NIL | |
| | | | NIL |
| (1,611,912.49) | | | 4,385.88 |
| | REPRESENTED BY | | |
| | Vat Receivable | | (1,229.90) |
| | Current A/c | | 4,990.78 |
| | Vat Payable | | 625.00 |
| | | | 4,385.88 |

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 the Period £ | Anticipated further cost £ | Total anticipated cost £ |
|-------------------------|------------------------|---------------------------------|-----------------------------------|---------------------------------|
| Payroll Fees | 150.00 | Nil | 150.00 | 150.00 |
| 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 | 30.00 | 30.00 |
| Creditor report hosting | Nil | Nil | 22.00 | 22.00 |

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.