

# 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 1 0 2 8 5 4 5 2

Company name in full The Vegan Deli Ltd T/a Samphire Brasserie

#### → Filling in this form

Please complete in typescript or in  
bold black capitals.

### 2 Liquidator's name

Full forename(s) Richard Frank

Surname Simms

### 3 Liquidator's address

Building name/number Alma Park, Woodway Lane

Street Claybrooke Parva

Post town Lutterworth

County/Region Leicestershire

Postcode L E 1 7 5 F B

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

## Notice of progress report in voluntary winding up

<b>6</b>	<b>Period of progress report</b>																
From date	<sup>d</sup>	1	<sup>d</sup>	8	<sup>m</sup>	0	<sup>m</sup>	7	<sup>y</sup>	2	<sup>y</sup>	0	<sup>y</sup>	1	<sup>y</sup>	9	
To date	<sup>d</sup>	1	<sup>d</sup>	7	<sup>m</sup>	0	<sup>m</sup>	7	<sup>y</sup>	2	<sup>y</sup>	0	<sup>y</sup>	2	<sup>y</sup>	0	
<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	Signature <b>X</b> <i>Richard Simms</i> <b>X</b>																
Signature date	<sup>d</sup>	1	<sup>d</sup>	4	<sup>m</sup>	0	<sup>m</sup>	9	<sup>y</sup>	2	<sup>y</sup>	0	<sup>y</sup>	2	<sup>y</sup>	0	

# 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 **Adrienne Savidge**

Company name **F A Simms & Partners Limited**

Address **Alma Park, Woodway Lane  
Claybrooke Parva**

Post town **Lutterworth**

County/Region **Leicestershire**

Postcode **L E 1 7 5 F B**

Country

DX

Telephone **01455 555 444**



### 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)**

**The Vegan Deli Ltd T/a Samphire Brasserie  
(In Liquidation)  
Liquidator's Summary of Receipts & Payments**

Statement of Affairs £		From 18/07/2019 To 17/07/2020 £	From 18/07/2019 To 17/07/2020 £
	ASSET REALISATIONS		
	Bank Interest Gross	0.48	0.48
200.00	Cash at Bank	NIL	NIL
8,900.00	Cash in Hand	8,900.00	8,900.00
Uncertain	Directors Loan Account	NIL	NIL
		8,900.48	8,900.48
	COST OF REALISATIONS		
	Agents/Valuers Fees (1)	1,640.00	1,640.00
	Insolvency Bond	44.00	44.00
	IT Charges	25.00	25.00
	Pension Agents	1,100.00	1,100.00
	Preparation of S. of A.	5,000.00	5,000.00
	Statutory Advertising	214.94	214.94
		(8,023.94)	(8,023.94)
	UNSECURED CREDITORS		
(10,053.03)	H M Revenue & Customs (PAYE)	NIL	NIL
(47,910.79)	H M Revenue & Customs (VAT)	NIL	NIL
(21,107.16)	Trade & Expense Creditors	NIL	NIL
		NIL	NIL
	DISTRIBUTIONS		
(10.00)	Ordinary Shareholders	NIL	NIL
		NIL	NIL
<b>(69,980.98)</b>		<b>876.54</b>	<b>876.54</b>
	REPRESENTED BY		
	Interest Bearing Current A/C		726.54
	Vat Control Account		150.00
			<b>876.54</b>

*Richard Simms*

Richard Frank Simms  
Liquidator

Licensed Insolvency Practitioners  
Business Rescue Professionals

14 September 2020

**Private and Confidential**

Dear Sirs

**The Vegan Deli Ltd T/a Samphire Brasserie ("the Company") – In Creditors' Voluntary Liquidation**

This is my report to members and creditors following the first anniversary of my appointment as Liquidator.

In the absence of a Liquidation Committee it falls to the creditors to approve, or reject, my request for fee approval. I am seeking a decision by correspondence from the creditors. If you wish to vote on the decision, you must complete and return the enclosed voting form to me by no later than 23.59 on 9 October 2020, the decision date. If you have not already submitted proof of your debt, please complete the enclosed proof of debt form and return it to me, together with the relevant supporting documentation. Your vote on the decision will not count unless you have lodged proof of your debt by no later than 23.59 on 9 October 2020.

You are also invited to determine whether to form a Liquidation Committee, and a notice of invitation to form a Liquidation Committee and further instructions are enclosed. To enable you to make an informed decision as to whether you wish to either seek to form a Committee, or to nominate yourself to serve on a Committee, further information about the role of the Committee and what might be expected from its members has been prepared by R3 and can be found is available at the link <https://www.r3.org.uk/what-we-do/publications/professional/creditors-guides>.

The following documents are enclosed with this report at Appendix 4:

- Fees estimate;
- Notice of decisions for which approval is sought;
- Voting Form;
- Notice of invitation to form a Liquidation Committee; and
- Proof of debt form.

**Please note that I must receive at least one vote by the decision date or the decision will not be made. I would therefore urge you to respond promptly.**

**Offices Nationwide**

**Head Office** - Alma Park, Woodway Lane, Claybrooke Parva, Lutterworth, Leicestershire LE17 5FB

**01455555444**

**01455552572**

**info@fasimms.com**

**www.fasimms.co.uk**

Member of the Insolvency Practitioners Association. Registered in England Number: 6003034

**Managing Director:** Richard F Simms FCA, FIPA, FABRP

**Director:** Patricia A Simms MICM

R F Simms, & T M Harris are licensed to act as Insolvency Practitioners in the UK by the Insolvency Practitioners Association.

As Insolvency Practitioners, when carrying out all professional work relating to an insolvency appointment, Richard Frank Simms and Thomas Mark Harris are bound by the Insolvency Code of Ethics, as well as by the regulations of their professional body. More details about these matters and general information about F A Simms & Partners Limited that is of relevance to creditors can be found at [www.fasimms.co.uk/download](http://www.fasimms.co.uk/download).

Should any creditor or group of creditors wish to request a physical meeting of creditors, they must do so within 5 business days of the delivery of the notice that accompanies this letter. Such requests must be supported by proof of their debt, if not already lodged. I will convene a meeting if creditors requesting a meeting represent a minimum of 10% in value or 10% in number of creditors or simply 10 creditors, where "creditors" means "all creditors."

As Insolvency Practitioners, when carrying out all professional work relating to an insolvency appointment, I am bound by the Insolvency Code of Ethics, as well as by the regulations of our professional body. More details about these matters and general information about F A Simms & Partners Limited that is of relevance to creditors can be found at [www.fasimms.co.uk/download](http://www.fasimms.co.uk/download).

I can confirm that I have not identified any threats to the ethical fundamental principles in respect of this case.

If creditors have any queries regarding the conduct of the Liquidation, or if they want hard copies of any of the documents made available on-line, they should contact Adrienne Savidge by email at [asavidge@fasimms.com](mailto:asavidge@fasimms.com), or by phone on 01455 555 444.

Yours faithfully

*Richard Simms*

**Richard Frank Simms**  
**LIQUIDATOR**

Enc.

**The Vegan Deli Ltd T/a Samphire Brasserie – In Creditors' Voluntary Liquidation  
Formerly**

**LIQUIDATORS' PROGRESS REPORT TO CREDITORS AND MEMBERS**

**For the 18 July 2019 to 17 July 2020**

**EXECUTIVE SUMMARY**

- Richard Frank Simms and Carolynn Best were appointed as Joint Liquidators of the Company on 18 July 2019.
- The appointment was confirmed by the creditors.
- On 21 August 2019, Carolynn Best resigned from F A Simms & Partners Limited and was duly released from her office as Liquidator, following an application to the court. A copy of the order is available at Companies House.
- The Liquidator has realised assets totalling £8,900.48 during this reporting period.
- Work remains ongoing in respect of the pension scheme and overdrawn directors loan account.

**STATUTORY INFORMATION**

Company name:	The Vegan Deli Ltd T/a Samphire Brasserie
Registered office:	FA Simms & Partners Ltd Alma Park Woodway Lane Claybrooke Parva Lutterworth Leicestershire LE17 5FB
Former registered office:	111 Mayflower Street Plymouth PL1 1SD
Registered number:	10285452
Liquidator's names:	Richard Frank Simms
Liquidator's address:	Alma Park, Woodway Lane, Claybrooke Parva, Lutterworth, Leicestershire, LE17 5FB
Liquidator's date of appointment:	18 July 2019
Actions of Joint Liquidators'	Any act required or authorised under any enactment to be done by a Liquidator may be done by either or both of the Liquidators acting jointly or alone.
Name, address and appointment details of the former Liquidator:	Carolynn Best has left FA Simms and Partners Limited, by Order of 21 August 2019, made in proceedings number CR- 2019-005570 in the High Court of Justice, he was removed as Liquidator of the Company with immediate effect. I am therefore now the sole Liquidator of the Company.

## LIQUIDATORS' ACTIONS SINCE APPOINTMENT

There is certain work that I am required by the insolvency legislation to undertake work in connection with the liquidation that provides no financial benefit for the creditors. A description of the routine work undertaken since my appointment as Liquidator is contained in Appendix 1.

## RECEIPTS AND PAYMENTS

My Receipts & Payments Account for the period from 18 July 2019 to 17 July 2020 is attached at Appendix 2.

The balance of funds are held in an interest bearing estate bank account. The total of £0.48 has been received in bank interest to date.

## ASSETS

### SIP13 Disclosure

The sum of £8,900 was held in a clients' account controlled by Eddisons Commercial Limited following a pre appointment sale of the Company's assets. These funds represent a sale of the Company's assets to a connected party pursuant to section 249 of the Insolvency Act 1986.

Upon the Liquidators formal appointment, this sum was transferred to the estate bank account, less the fee to be charged by Eddisons Commercial Limited. The sum of £6,932.00 has been received following the deduction of the agents fee of £1,640.00 plus VAT.

On 26 June 2019, the Company sold the goodwill, fixtures, fittings and residual stock to Mr P R Wadge a person connected with the Company. Mr Wadge is a connected party under section 249 of the Insolvency Act 1986 as he is an associate of Mr Joe Wadge pursuant to section 435 of the Insolvency Act 1986. Mr Wadge is also a shareholder of the Vegan Deli Limited. It is not known whether or not the purchaser obtained their own legal advice in relation to this acquisition. The assets were valued by Eddisons Commercial Limited, an independent firm of valuers who have confirmed that they hold Professional Indemnity Insurance.

The Company's accounts state that depreciation on fixed assets is charged at an annual rate of 20% in order to write off over the useful life.

Therefore as at 15 July 2019, the date of the statement of affairs, the categories of asset held the following book values;

- Plant & Machinery £3,947
- Goodwill £8,175.34

The assets were sold for £8,900. An outline of the different types of asset sold and the amount for which they were sold, together with a comparison against the valuation realised,

Asset category	Valuation basis & amount (£)		Sale Consideration
	In –Situ	Ex-Situ	£
<u>Fixed &amp; Floating charge/uncharged assets</u>			
Goodwill	5,000	Nil	5,000
Fixtures & Fittings P&M	2,700	1,000	2,700
Stock	1,200	1,200	1,200
<b>Total</b>	<b>8,900</b>	<b>2,200</b>	<b>8,900</b>



#### Decision to make a sale to a connected party

The decision to make a sale to a connected party was in order to realise the best value for the assets for the benefit of the company's creditors. The connected party was able to pay the highest in-situ value as given by the independent agents which enabled the maximum amount to be realised for the sale of the assets. The costs involved with a sale to a connected party were therefore kept to a minimum as no costs for removal had to be incurred. The sale was also concluded upon appointment thus preventing a lengthy sale process via auction. For these reasons, a sale to a connected party was the most beneficial to the company's creditors.

#### All alternatives considered:

##### Selling the assets via Auction

This was an alternative method of sale considered whereby the independent valuation agent would remove the assets and place the items into an online public auction. The assets would therefore sell to the highest bidder. Whilst this option would be an alternative method of sale, there would be considerable extra costs involved with removing the assets from site, insuring the assets, cataloguing the items and listing them for sale. These extra costs would have reduced the amount realised into the Liquidation estate for the benefit of the company's creditors.

##### Selling to a third party

This was another alternative method of sale considered whereby the assets of the company could be sold to a third party. This method of sale would only be available should a third party express interest in purchasing these assets and in this matter, no third party expressed such interest. In order to sell the assets to a third party, marketing of the business/assets would have to be conducted to raise awareness of the items for sale thereby meaning the sale would have taken longer to conclude. There would also be the additional costs of marketing the assets. There would be no guarantee that a third party sale would have resulted in a higher value of the assets being achieved as the connected party was willing to pay the highest in-situ value as given by the independent agents.

##### Cash in Hand

The Statement of Affairs showed cash in hand in the amount of £8,900.00. This related to funds held in Eddisons Commercial Limited client's account following the sale of the Company's assets as stated above.

##### Cash at Bank

The Statement of Affairs showed £200.00 credit at the Company's bank account with NatWest Bank Plc. Upon writing to the bank it was discovered that the account is in the Partnership name, not the limited Company.

##### Directors Loan Account

The Company's account for the year ended 2018 showed that both Directors, Rebecca Speare and Joe Wadge had an overdrawn loan account in the amount of £3,119.50. A review of the loan accounts is to be carried out in order to establish the position when the Company ceased to trade. Repayment of the same shall be pursued.

## **LIABILITIES**

##### Secured Creditors

An examination of the Company's mortgage register held by the Registrar of Companies, showed that the Company has no current charges over its assets.

The legislation requires that if the Company has created a floating charge after 15 September 2003, a prescribed part of the Company's net property (i.e. the money that would otherwise be available to the charge holder) should be ring-fenced for distribution to unsecured creditors. In this case there were no creditors secured by a floating charge such that the prescribed part provisions do not apply.

#### Preferential Creditors

There are no preferential creditors.

#### Crown Creditors

The statement of affairs included £57,963.82 owed to HMRC. To date HMRC have not submitted a claim in this case

#### Non-preferential unsecured Creditors

The statement of affairs included 4 non-preferential unsecured creditors with an estimated total liability of £21,107.16. I have received claims from 1 creditor at a total of £94.50. I have not received claims from 3 creditors with original estimated claims in the statement of affairs of £21,012.66.

### **DIVIDEND PROSPECTS**

#### Secured creditors

There are no secured creditors.

#### Preferential creditors

There are no preferential creditors.

#### Non-preferential unsecured creditors

There is no prospect of a dividend to unsecured creditors.

### **INVESTIGATION INTO THE AFFAIRS OF THE COMPANY**

I undertook an initial investigation into the Company's affairs to establish whether there were any potential asset recoveries or conduct matters that justified further investigation, taking account of the public interest, potential recoveries, the funds likely to be available to fund an investigation, and the costs involved. I am required by the Statements of Insolvency Practice to undertake such an initial investigation and the work detailed below has been undertaken in connection with that initial investigation. Specifically, I recovered, listed and reviewed the Company's accounting records; obtained and reviewed copy bank statements for the 24 months prior to the Company ceasing to trade from the Company's bankers; and compared the information in the Company's last set of accounts with that contained in the statement of affairs lodged in the Liquidation and made enquiries about the reasons for the changes.

There were no matters that justified further investigation in the circumstances of this appointment.

Within three months of my appointment as Liquidator, I am required to submit a confidential report to the Secretary of State to include any matters which have come to my attention during the course of my work which may indicate that the conduct of any past or present Director would make them unfit to be concerned with the management of the Company. I would confirm that my report has been submitted.)

Matters requiring further investigation that may lead to potential recovery actions have been identified, and the work outlined above was undertaken to further those investigations with a view to making recoveries for the benefit of the creditors.)

## **PRE-APPOINTMENT REMUNERATION**

The creditors previously authorised the payment of a fee of £5,000.00 plus VAT for my assistance with preparing the statement of affairs and arranging the decision procedure for creditors to appoint a liquidator.

The fee for preparing the statement of affairs and arranging the decision procedure for creditors to appoint a liquidator was paid from first realisations on appointment and is shown in the enclosed receipts and payments account.

## **LIQUIDATORS' REMUNERATION**

Post appointment Liquidators' remuneration has not been approved to date. The fees estimate acts as a cap and I cannot draw remuneration in excess of that estimate without first seeking approval from either the creditors or Liquidation Committee. My total time costs to 17 July 2020 amount to £8,156.50, representing 53.15 of hours work at a blended charge out rate of £153.46 per hour. The actual blended charge out rate incurred compares with the estimated blended charge out rate of £176.87 in my fees estimate.

I have not been able to draw any remuneration in this matter as I do not have fee approval.

As indicated in the approved fees estimate, the following areas of work will be charged on a time cost basis: namely administration and planning, creditors, investigations and case specific matters. The following explains about the areas of work undertaken on a time cost basis, whilst full information about the work that I will undertake on a time cost basis is contained in Appendix 1.

### Administration and planning

This represents the work that is involved in the routine administrative functions of the case by the office holder and their staff, together with the control and supervision of the work done on the case by the office holder and their managers. It does not give direct financial benefit to the creditors, but has to be undertaken by the office holder to meet their requirements under the insolvency legislation and the Statements of Insolvency Practice, which set out required practice that office holders must follow.

### Investigations

The insolvency legislation gives the office holder powers to take recovery action in respect of what are known as antecedent transactions, where assets have been disposed of prior to the commencement of the insolvency procedure and also in respect of matters such as misfeasance and wrongful trading. The office holder is required by the Statements of Insolvency Practice to undertake an initial investigation in all cases to determine whether there are potential recovery actions for the benefit of creditors and the time costs recorded represent the costs of undertaking such an initial investigation. If potential recoveries or matters for further investigation are identified then the office holder will need to incur additional time costs to investigate them in detail and to bring recovery actions where necessary, and further information will be provided to creditors and approval for an increase in fees will be made as necessary. Such recovery actions will be for the benefit of the creditors and the office holder will provide an estimate of that benefit if an increase in fees is necessary.

The office holder is also required by legislation to report to the Department for Business, Energy and Industrial Strategy on the conduct of the directors and the work to enable them to comply with this statutory obligation is of no direct benefit to the creditors, although it may identify potential recovery actions.

### Realisation of Assets

This is the work that needs to be undertaken to protect and then realise the known assets in the case. If this work is undertaken, the office holder anticipates that the assets will realise the estimated to realise amounts provided to creditors.

### Creditors

Claims of creditors - the office holder needs to maintain up to date records of the names and addresses of creditors, together with the amounts of their claims as part of the management of the case, and to

ensure that notices and reports can be issued to the creditors. The office holder will also have to deal with correspondence and queries received from creditors regarding their claims and dividend prospects as they are received. The office holder is required to undertake this work as part of his statutory functions.

#### Case specific matters

The officer holder will deal with the company's pension scheme by de-registering the company for auto-enrolment purposes, issue s120 notices, liaise with the pension provider/pension agents to make contributions up to date and close the scheme.

A detailed schedule of my time costs incurred to 17 July 2020 is attached as Appendix 3 and a comparison with my original fees estimate is detailed below:

Category	Estimated Time Costs	Actual Time Costs in the period 18 July 2019 to 17 July 2020	Difference
	£	£	£
Administration & Planning Including Cashiering	7,907.50	5,859.00	2,048.50
Case Specific Matters	1,612.50	410.00	1,202.50
Creditors	2,070.00	640.00	1,430.00
Investigations	4,625.00	1,117.50	3,507.50
Realisation of Assets	1,737.50	130.00	1,607.50
Trading	Nil	Nil	
<b>Total</b>	<b>17,952.50</b>	<b>8,156.50</b>	<b>9,796.00</b>

As at 17 July 2020 I do not anticipate that the total time costs I will incur in this matter in respect of the categories of work for which I am being remunerated on a time cost basis will exceed the total estimated remuneration I set out in my fees estimate which I am seeking approval for.

Further information about creditors' rights can be obtained by visiting the creditors' information micro-site published by the Association of Business Recovery Professionals (R3) at <http://www.creditorinsolvencyguide.co.uk/>. A copy of 'A Creditors Guide to Liquidators' Fees' also published by R3, together with an explanatory note which shows F A Simms & Partners Limited's fee policy are available at the link [www.fasimms.co.uk/download](http://www.fasimms.co.uk/download). Please note that there are different versions of the Guidance Notes and in this case you should refer to the April 2017 version.

#### **LIQUIDATORS' EXPENSES**

I have incurred expenses to 17 July 2020 of £3,023.94 which I have drawn in full.

I have incurred the following expenses in the period since my appointment as Liquidator.

Type of expense	Amount incurred/ accrued in the reporting period
Statutory Advertising	£214.94
Insolvency Bond	£44.00
IT Charge	£25.00
Valuation Agents	£1,640.00
Pension Agents	£1,100.00
<b>Total</b>	<b>£3,023.94</b>

I have incurred no category 2 disbursement and I do not have approval to draw category 2 disbursements.

I have used the following agents or professional advisors in the reporting period:

<b>Professional Advisor</b>	<b>Nature of Work</b>	<b>Basis of Fees</b>
Eddisons Commercial Limited	Valuer/Auctioneer	Fee & 10% Commission
Clumber Consultancy	Pension Advisors	Fixed fee

The choice of professionals was based on my perception of their experience and ability to perform this type of work and the complexity and nature of the assignment. I also considered that the basis on which they will charge their fees represented value for money. I have reviewed the charges they have made and am satisfied that they are reasonable in the circumstances of this case.

Eddisons Commercial Limited were instructed to deal with the sale of assets to a connected party. A sale agreement was signed and Eddisons collected and held the purchase funds in their clients' account pre appointment, the funds were then transferred to the liquidation account upon appointment after deducting their fees and commission.

Clumber Consultancy Limited were instructed to assist with the Company's pension scheme. A pension report was produced in order to establish the duties of the Liquidation in dealing with the pension scheme and claims have been submitted to the Redundancy Payments Office for unpaid pension contributions. Once contributions have been bought up to date the pension agents will assist in closing the scheme.

<b>Nature of expense</b>	<b>Estimated expenses</b>	<b>Expenses incurred to date</b>
Insolvency Bond	£44.00	£44.00
Storage Costs	£80.00	Nil
Statutory Advertising	£168.94	£214.94
IT Charge	£25.00	£25.00
Agents Costs	£2,000.00	£2,740.00
<b>Total</b>	<b>£2,317.94</b>	<b>£3,023.94</b>

As at 17 July 2020 you can see from the information provided in this report, the expenses I have incurred in this matter have exceeded the total expenses I estimated I would incur. The reasons I have exceeded the expenses estimate are the requirement to instruct pension agents to deal with the Company's pension scheme.

## **FURTHER INFORMATION**

An unsecured creditor may, with the permission of the Court, or with the concurrence of 5% in value of the unsecured creditors (including the creditor in question), request further details of the Joint Liquidators' remuneration and expenses within 21 days of their receipt of this report. Any secured creditor may request the same details in the same time limit.

An unsecured creditor may, with the permission of the Court, or with the concurrence of 10% in value of the unsecured creditors (including the creditor in question), apply to Court to challenge the amount of remuneration charged by the Joint Liquidators as being excessive, and/or the basis of the Joint Liquidators' remuneration, and/or the amount of the expenses incurred as being excessive, within 8 weeks of their receipt of this report. Any secured creditor may make a similar application to court within the same time limit.

To comply with the Provision of Services Regulations, some general information about F A Simms & Partners Limited can be found at [www.fasimms.co.uk/download](http://www.fasimms.co.uk/download).

During the course of F A Simms & Partners Limited's engagement with the Company prior to the formal appointment of an officeholder, the Board and/or the shareholders of the Company may disclose personal data to us in order that we may provide our services to the Company. The processing of personal data is regulated in the UK by the General Data Protection Regulation EU 2016/679, as supplemented by the Data Protection Act 2018, together with other laws which relate to privacy and

electronic communications. In this clause, we refer to these laws as "Data Protection Law". In providing our services, we act as an independent controller and are, therefore, responsible for complying with Data Protection Law in respect of any personal data we process in providing our services to the Company. Our privacy statement can also be accessed at [www.fasimms.co.uk/download](http://www.fasimms.co.uk/download), explains how we process personal data. The Company is also an independent controller responsible for complying with Data Protection Law in respect of the personal data you process and, accordingly, where you disclose personal data to us you confirm that such disclosure is fair and lawful and otherwise does not contravene Data Protection Law. Terms used in this clause bear the same meanings as are ascribed to them in Data Protection Law.

## **SUMMARY**

The Liquidation will remain open until the pension scheme has been dealt with and the Director's loan account's have been reviewed and fully resolved. I estimate that this will take approximately 12 months and once resolved the Liquidation will be finalised and our files will be closed.

If creditors have any queries regarding the conduct of the Liquidation, or if they want hard copies of any of the documents made available on-line, they should contact Adrienne Savidge on 01455 555 444, or by email at [asavidge@fasimms.com](mailto:asavidge@fasimms.com).

*Richard Simms*

**Richard Frank Simms**  
**LIQUIDATOR**

## **Appendix 1**

### Administration:

This represents the work involved in the routine administrative functions of the case by the office holder and their staff, together with the control and supervision of the work done on the case by the office holder and their managers. It does not give direct financial benefit to the creditors, but has to be undertaken by the office holder to meet their requirements under the insolvency legislation and the Statements of Insolvency Practice, which set out required practice that office holders must follow.

Case planning - devising an appropriate strategy for dealing with the case and giving instructions to the staff to undertake the work on the case.

Setting up physical/electronic case files (as applicable).

Setting up the case on the practice's electronic case management system and entering data.

Issuing the statutory notifications to creditors and other required on appointment as office holder, including gazetting the office holder's appointment.

Obtaining a specific penalty bond (this is insurance required by statute that every insolvency office holder has to obtain for the protection of each estate).

Convening and holding decision procedures and general meetings of members (as applicable).

Dealing with all routine correspondence and emails relating to the case.

Opening, maintaining and managing the office holder's estate bank account.

Creating, maintaining and managing the office holder's cashbook.

Undertaking regular reconciliations of the bank account containing estate funds.

Reviewing the adequacy of the specific penalty bond on a quarterly basis.

Undertaking periodic reviews of the progress of the case.

Overseeing and controlling the work done on the case by case administrators.

Preparing, reviewing and issuing annual progress reports to creditors and members.

Filing returns at Companies House.

Preparing and filing VAT returns.

Preparing and filing Corporation Tax returns.

### Realisation of assets:

Liaising with the bank regarding the closure of the account.

Instructing agents to value known assets.

### Creditors:

Claims of creditors - the office holder needs to maintain up to date records of the names and addresses of creditors, together with the amounts of their claims as part of the management of the case, and to ensure that notices and reports can be issued to the creditors. The office holder also needs to deal with correspondence and queries received from creditors regarding their claims and dividend prospects as they are received. The office holder is required to undertake this work as part of his statutory functions.

Reviewing proofs of debt received from creditors

### Investigations:

Recovering the books and records for the case.

Listing the books and records recovered.

Submitting an online return on the conduct of the directors as required by the Company Directors Disqualification Act.

Conducting an initial investigation with a view to identifying potential asset recoveries by seeking and obtaining information from relevant third parties, such as the bank, accountants, solicitors, etc.

Reviewing books and records to identify any transactions or actions the office holder may take against a third party in order to recover funds for the benefit of creditors

Case Specific Matters:

De-registering the company for auto-enrolment purposes

Issue s120 notices

Liaise with the pension provider/pension agents to make contributions up to date



**The Vegan Deli Ltd T/a Samphire Brasserie**  
**(In Liquidation)**  
**Liquidator's Summary of Receipts & Payments**

Statement of Affairs £		From 18/07/2019 To 17/07/2020 £	From 18/07/2019 To 17/07/2020 £
	ASSET REALISATIONS		
	Bank Interest Gross	0.48	0.48
200.00	Cash at Bank	NIL	NIL
8,900.00	Cash in Hand	8,900.00	8,900.00
Uncertain	Directors Loan Account	NIL	NIL
		8,900.48	8,900.48
	COST OF REALISATIONS		
	Agents/Valuers Fees (1)	1,640.00	1,640.00
	Insolvency Bond	44.00	44.00
	IT Charges	25.00	25.00
	Pension Agents	1,100.00	1,100.00
	Preparation of S. of A.	5,000.00	5,000.00
	Statutory Advertising	214.94	214.94
		(8,023.94)	(8,023.94)
	UNSECURED CREDITORS		
(10,053.03)	H M Revenue & Customs (PAYE)	NIL	NIL
(47,910.79)	H M Revenue & Customs (VAT)	NIL	NIL
(21,107.16)	Trade & Expense Creditors	NIL	NIL
		NIL	NIL
	DISTRIBUTIONS		
(10.00)	Ordinary Shareholders	NIL	NIL
		NIL	NIL
<b>(69,980.98)</b>		<b>876.54</b>	<b>876.54</b>
	REPRESENTED BY		
	Interest Bearing Current A/C		726.54
	Vat Control Account		150.00
			<b>876.54</b>

# Time Entry - SIP9 Time & Cost Summary

11252 - The Vegan Deli Ltd T/a Samphire Brasserie  
All Post Appointment Project Codes  
From: 18/07/2019 To: 17/07/2020

Classification of Work Function	Partner	Manager	Other Senior Professionals	Assistants & Support Staff	Total Hours	Time Cost (£)	Average Hourly Rate (£)
Administration & Planning	4.10	20.70	7.90	9.85	42.55	5,859.00	137.70
Case Specific Matters	0.90	0.00	0.90	0.00	1.80	410.00	227.78
Creditors	0.00	0.00	3.20	0.00	3.20	640.00	200.00
Investigations	1.30	0.00	3.80	0.00	5.10	1,117.50	219.12
Non Chargeable	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Realisation of Assets	0.40	0.00	0.10	0.00	0.50	130.00	260.00
Trading	0.00	0.00	0.00	0.00	0.00	0.00	0.00
<b>Total Hours</b>	<b>6.70</b>	<b>20.70</b>	<b>15.90</b>	<b>9.85</b>	<b>53.15</b>	<b>8,156.50</b>	<b>153.46</b>
<b>Total Fees Claimed</b>						<b>0.00</b>	
<b>Total Disbursements Claimed</b>						<b>283.94</b>	

# Time Entry - SIP9 Time & Cost Summary

## All Disbursements

11252 - The Vegan Deli Ltd T/a Samphire Brasserie  
From: 18/07/2019 To: 17/07/2020

Other amounts paid or payable to the office holders firm or to party in which the office holder or his firm or any associate has an interest.

Transaction Date	Type and Purpose	Disbursement Category	Amount
30/07/2019	Statutory Advertising: TSO	Category 1	127.88
07/08/2019	Insolvency Bond: AUA	Category 1	44.00
06/08/2019	IT Charge: IT Charges - DocuSoft	Category 1	25.00
Total			196.88

**THE VEGAN DELI LIMITED T/A SAMPHIRE BRASSERIE IN CREDITORS VOLUNTARY LIQUIDATION FEE ESTIMATE SUMMARY**

The office holder is seeking to be remunerated on a time cost basis. We use charge out rates appropriate to the skills and experience of a member of staff and the work that they perform, recording time spent in 6 minute units. Narrative is recorded to explain the work undertaken and the time spent is analysed into different categories of work. In this document the estimated time that will be spent undertaking the work in each category of work has been multiplied by the applicable charge out rate for each member of staff that it is anticipated will undertake work in that category to arrive at the estimated total time costs attributable to that category of work on the case. We have then divided that estimated total by the estimated number of hours to arrive at a blended hourly charge out rate for that category of work. The sum of all the estimates for the different categories of work is the total estimated time costs to undertake all the necessary work on the case. Again, we have then divided that estimated total by the estimated number of hours to arrive at a blended hourly charge out rate for the case as a whole.

The charge out rates that will be used on this case are:

	£
Insolvency Practitioner	200-275
Senior Manager	125-150
Manager	75-135
Supervisor / Senior Administrator	
Case Administrator	
Cashier	
Support staff	45-110

**Administration and Planning**

Description of the work to be undertaken	Estimated time to be taken to undertake the work	Estimated value of the time costs to undertake the work £	Blended charge out rate to undertake the work £
Preparing the documentation and dealing with the formalities of appointment	2		362.50
Statutory notifications and advertising	1.5		287.50
Preparing the documentation required	1		150.00
Dealing with all routine correspondence	2		362.50

Maintaining physical case files and electronic case details on case

management software	1	150.00
Review and storage	1	150.00
Case Bordereau	2.5	437.50
Case planning and administration	1.5	412.50
Preparing reports to members and creditors	6.5	1,277.50
Undertaking periodic reviews of the progress of the case	8	1,570.00
Obtaining, maintaining and managing the cashbook and bank account	3	375.00
Undertaking bank reconciliations	4	675.00
Filing returns at Companies House	4.5	747.50
Preparing and filing VAT returns	1.5	287.50
Preparing and filing Corporation Tax returns	3.5	662.50

**Total:**

43.5 7,907.50 181.78

This category of work has a higher blended rate than the case as a whole as it includes file reviews to be undertaken by senior managers and office holders who have higher charge out rates than other members of the team.

**Creditors**

Description of the work to be undertaken	Estimated time to be taken to undertake the work	Estimated value of the time costs to undertake the work £	Blended charge out rate to undertake the work £
--	--	--	--

Dealing with creditor correspondence, emails and telephone conversations

7 1,035.00

Maintaining up to date creditor information on the case management systems  
 Reviewing and adjudicating on proofs of debt received from creditors

4 460.00  
 3 575.00

**Total:** 14 2,070.00 147.86

This category of work has a lower blended rate than the case as a whole as the work will primarily be undertaken by members of staff with lower charge out rates

### Investigations

	Estimated time to be taken to undertake the work	Estimated value of the time costs to undertake the work	Blended charge out rate to undertake the work
		£	£

### Description of the work to be undertaken

Recovering the books and records for the case	2	300.00	
Review and storage of books and records	4	600.00	
Preparing a report or return on the conduct of the directors as required by the Company Directors Disqualification Act	4.5	925.00	
Conducting an initial investigation with a view to identifying potential asset recoveries by seeking and obtaining information from relevant third parties, such as the bank, accountants, solicitors etc	3.5	775.00	
Reviewing books and records to identify any transactions or actions the office holder may take against a third party in order to recover funds for the benefit of creditors	11	2,025.00	

**Total:** 25 4,625.00 185.00

This category of work has a higher blended rate than the case as a whole as it includes file reviews of investigation work undertaken by the case manager to be undertaken by senior managers and office holders who have higher charge out rates than other members of the team.

**Realisation of assets**

Description of the work to be undertaken	Estimated time to be taken to undertake the work	Estimated value of the time costs to undertake the work £	Blended charge out rate to undertake the work £
--	--	--	--

Corresponding with the debtors and attempting to collect outstanding book debts  
Liaising with the bank regarding the closure of the account

8 1,450.00  
1.5 287.50

**Total:** 9.5 1,737.50 182.89

This category of work has a higher blended rate than the blended rate for the case as a whole as it includes strategy and decision making processes that will require the time of the office holders who have a higher charge out rate than other members of staff working on the assignment.

**Case specific matters (specify)**

<b>Description of the work to be undertaken</b>	<b>Estimated time to be taken to undertake the work</b>	<b>Estimated value of the time costs to undertake the work</b> £	<b>Blended charge out rate to undertake the work</b> £
De-registering the Company for the auto enrolment scheme	2.5	437.50	
Issuing s120 notices	1.5	287.50	
Liaising with the Pension provider / pension agents to close the pension scheme	5.5	887.50	
<b>Total:</b>	9.5	1,612.50	169.74
This category of work has a lower blended rate than the case as a whole as the work will primarily be undertaken by members of staff with lower charge out rates			
<b>Grand total for all categories of work:</b>	101.5	17,952.50	176.87

Note 1: This estimate has been provided to creditors at an early stage in the administration of the case and before the office holder has full knowledge of the case. Whilst all possible steps have been taken to make this estimate as accurate as possible, it is based on the office holder's current knowledge of the case and their knowledge and experience of acting as office holder in similar cases. As a result, the estimate does not take into account any currently unknown complexities or difficulties that may arise during the administration of the case. If the time costs incurred on the case by the office holder exceed the estimate, or is likely to exceed the estimate, the office holder will provide an explanation as to why that is the case in the next progress report sent to creditors. Since the office holder cannot draw remuneration in excess of this estimate without first obtaining approval to do so, then where the office holder considers it appropriate in the context of the case, they will seek a resolution to increase the fee estimate so that they will then be able to draw additional remuneration over and above this estimate.



**THE VEGAN DELI LIMITED T/A SAMPHIRE BRASSERIE IN CREDITORS VOLUNTARY LIQUIDATION FEE  
ESTIMATE SUMMARY**

The office holder is seeking to be authorised to recover direct and indirect disbursements. In this document the estimated disbursements that are likely to be incurred are listed.

**Direct Disbursements**

£

Insolvency Bond	44.00
Storage Costs	80.00
Statutory Advertising	168.94
IT Charges	25.00
Agents Costs	2,000.00

<b>TOTAL</b>	<b><u>2,317.94</u></b>
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## **Notice of decisions by correspondence**

### **THE VEGAN DELI LTD T/A SAMPHIRE BRASSERIE - In Creditors' Voluntary Liquidation**

**(Company Number 10285452)**

**NOTICE IS GIVEN** by Richard Frank Simms to the creditors of The Vegan Deli Ltd T/a Samphire Brasserie that set out below are resolutions for your consideration under rule 18.16 of The Insolvency (England and Wales) Rules 2016. Please complete the voting section below indicating whether you are in favour or against the following decision(s):

i). That the Liquidator's fees will be charged by reference to the time properly spent by him and his staff in dealing with the matters relating to the Liquidation, such time to be charged at the hourly charge out rate of the grade of staff undertaking the work at the time the work is undertaken and subject to the fees estimate set out in the report prepared in connection with fee approval and issued with the notice of this decision procedure.

ii). That the Liquidator be permitted to recover category 2 disbursements.

**The final date for votes is 9 October 2020, the decision date.**

1. In order for their votes to be counted creditors must submit to me their completed voting form so that it is received at F A Simms & Partners Limited, Alma Park, Woodway Lane, Claybrooke Parva, Lutterworth, Leicestershire, LE17 5FB by no later than 23.59 hours on 9 October 2020. It must be accompanied by proof of their debt, (if not already lodged). Failure to do so will lead to their vote(s) being disregarded.
2. Creditors must lodge proof of their debt (if not already lodged) at the offices of Richard Frank Simms by no later than 23.59 on 9 October 2020, without which their vote will be invalid.
3. Creditors with claims of £1,000 or less must have lodged proof of their debt for their vote to be valid.
4. Any creditors who have previously opted out from receiving documents in respect of the insolvency proceedings are entitled to vote on the decision(s) provided they have lodged proof of their debt.
5. Creditors may, within 5 business days of delivery of this notice to them, request a physical meeting of creditors be held to determine the outcome of the decision(s) above. Any request for a physical meeting must be accompanied by valid proof of their debt (if not already lodged). A meeting will be convened if creditors requesting a meeting represent a minimum of 10% in value or 10% in number of creditors or simply 10 creditors, where "creditors" means "all creditors."
6. Creditors have the right to appeal a decision of the convener made under Chapter 8 of Part 15 of The Insolvency (England and Wales) Rules 2016 about Creditors' Voting Rights and Majorities, by applying to court under Rule 15.35 of The Insolvency (England and Wales) Rules 2016 within 21 days of 9 October 2020, the Decision Date.

Creditors requiring further information regarding the above, should either contact me at Alma Park, Woodway Lane, Claybrooke Parva, Lutterworth, Leicestershire, LE17 5FB, or contact Adrienne Savidge by telephone on 01455 555 444, or by email at [asavidge@fasimms.com](mailto:asavidge@fasimms.com).

DATED THIS 14TH DAY OF SEPTEMBER 2020

*Richard Simms*

**Richard Frank Simms**  
**Liquidator**

THE VEGAN DELI LTD T/A SAMPHIRE BRASSERIE - In Creditors' Voluntary Liquidation

(Company Number 10285452)

**Voting on Decision**

i). That the Liquidators' fees will be charged by reference to the time properly spent by them and their staff in dealing with the matters relating to the Liquidation, such time to be charged at the hourly charge out rate of the grade of staff undertaking the work at the time the work is undertaken and subject to the fees estimate set out in the report prepared in connection with fee approval and issued with this notice.

For / Against

ii). That the Liquidators be permitted to recover category 2 disbursements.

For / Against

**TO BE COMPLETED BY CREDITOR WHEN RETURNING FORM:**

Name of creditor: \_\_\_\_\_

Signature of creditor: \_\_\_\_\_

(Complete the following if signing on behalf of creditor, e.g. director/solicitor)

Capacity in which  
signing document: \_\_\_\_\_

Date: \_\_\_\_\_

## **Notice of invitation to form a Liquidation Committee**

### **The Vegan Deli Ltd T/a Samphire Brasserie - IN CREDITORS' VOLUNTARY LIQUIDATION**

**(Company Number 10285452)**

**NOTICE IS GIVEN** by Richard Frank Simms to the creditors of The Vegan Deli Ltd T/a Samphire Brasserie of an invitation to establish a Liquidation Committee under rule 6.19 of The Insolvency (England and Wales) Rules 2016.

1. In addition to seeking a decision on the matters set out in the accompanying notice, creditors are also invited to determine by correspondence, at the same time, whether a Liquidation Committee should be established.
2. A Committee may be formed if a minimum of 3 and a maximum of 5 creditors are willing to become members.
3. Nominations can only be accepted for a creditor to become a member of the Committee if they are an unsecured creditor and have lodged a proof of their debt that has not been disallowed for voting or dividend purposes.
4. The specified date for receipts of nominations for creditors to act as a member of the Committee under rule 6.19 of The Insolvency (England and Wales) Rules 2016 is 9 October 2020, the Decision Date.
5. Please complete the form sent with this notice and include the name and address of any person you wish to nominate to act as a member of the Committee. The completed document should be returned to F A Simms & Partners Limited of Alma Park, Woodway Lane, Claybrooke Parva, Lutterworth, Leicestershire, LE17 5FB so that it is received by no later than 23.59 hours on 9 October 2020, the decision date.

Note: Further information on the rights, duties and the functions of a Committee is available in a booklet published by the Association of Business Recovery Professionals (R3). This booklet can be accessed at <https://www.r3.org.uk/what-we-do/publications/professional/creditors-guides>. If you require a hard copy of the booklet please contact Adrienne Savidge of F A Simms & Partners Limited by email at [asavidge@fasimms.com](mailto:asavidge@fasimms.com), or by phone on 01455 555 444.

### **The final date for votes to establish a committee is 9 October 2020, the decision date.**

1. In order for their votes to be counted creditors must submit to me their completed voting form so that it is received at F A Simms & Partners Limited, Alma Park, Woodway Lane, Claybrooke Parva, Lutterworth, Leicestershire, LE17 5FB by no later than 23.59 hours on 9 October 2020. It must be accompanied by proof of their debt, (if not already lodged). Failure to do so will lead to their vote(s) being disregarded.
2. Creditors must lodge proof of their debt (if not already lodged) at the offices of Richard Frank Simms by no later than 23.59 on 9 October 2020, without which their vote will be invalid.
3. Creditors with small debts, that is claims of £1,000 or less, must have lodged proof of their debt for their vote to be valid.
4. Any creditors who have previously opted out from receiving documents in respect of the insolvency proceedings are entitled to vote on the decision provided they have lodged proof of their debt.
5. Creditors may, within 5 business days of delivery of this notice to them, request a physical meeting of creditors be held to determine the outcome of the decision above. Any request for a physical meeting must be accompanied by valid proof of their debt (if not already lodged). A

meeting will be convened if creditors requesting a meeting represent a minimum of 10% in value or 10% in number of creditors or simply 10 creditors, where "creditors" means "all creditors."

6. Creditors have the right to appeal a decision of the convener made under Chapter 8 of Part 15 of The Insolvency (England and Wales) Rules 2016 about Creditors' Voting Rights and Majorities, by applying to court under Rule 15.35 of The Insolvency (England and Wales) Rules 2016 within 21 days of 9 October 2020, the Decision Date.

Creditors requiring further information regarding the above, should either contact me at Alma Park, Woodway Lane, Claybrooke Parva, Lutterworth, Leicestershire, LE17 5FB, or contact Adrienne Savidge by telephone on 01455 555 444, or by email at [asavidge@fasimms.com](mailto:asavidge@fasimms.com).

DATED THIS 14TH DAY OF SEPTEMBER 2020

*Richard Simms*

**Richard Frank Simms**  
**LIQUIDATOR**

**The Vegan Deli Ltd T/a Samphire Brasserie - IN CREDITORS' VOLUNTARY LIQUIDATION**

**(Company Number 10285452)**

**Decision**

1. That a Liquidation Committee should be established.

For/Against

**Please note that if creditors vote to establish a Committee, then unless at least 3 nominations for creditors to act as Committee members are received at the same time, it will be necessary to convene a further decision procedure to decide which creditors are to act as Committee members. That will involve incurring additional costs, so if you intend to vote to establish a Committee, please also nominate either yourself or another creditor to act as a Committee member.**

I wish to nominate the following creditor to act as a member of the Committee:

Name of nominated creditor \_\_\_\_\_

**TO BE COMPLETED BY CREDITOR WHEN RETURNING FORM:**

Name of creditor: \_\_\_\_\_

Signature of creditor: \_\_\_\_\_

(Complete the following if signing on behalf of creditor, e.g. director/solicitor)

Capacity in which signing document: \_\_\_\_\_

Dated: \_\_\_\_\_

Note: The completed form should be delivered to Richard Frank Simms, either by posting it to F A Simms & Partners Limited of Alma Park, Woodway Lane, Claybrooke Parva, Lutterworth, Leicestershire, LE17 5FB, or by emailing it to [asavidge@fasimms.com](mailto:asavidge@fasimms.com).

**Rule 14.4 The Insolvency (England and Wales) Rules 2016**

**Proof of Debt – General Form**

<b>Name of Company in Liquidation:</b>	<b>The Vegan Deli Ltd T/a Samphire Brasserie</b>
<b>Company Registration Number:</b>	10285452
<b>Date of Liquidation:</b>	18 July, 2019
1 Name of creditor  (If a company, please also provide the company registration number).	
2 Correspondence address of creditor (including any email address)	
3 Total amount of claim (£) (include any Value Added Tax)	
4 If amount in 3 above includes (£) outstanding uncapitalised interest, state amount.	
5 Details of how and when the debt was incurred. (If you need more space, attach a continuation sheet to this form)	
6 Details of any security held, the value of the security and the date it was given.	
7 Details of any reservation of title claimed in respect of goods supplied to which the debt relates.	
8 Details of any document by reference to which the debt can be substantiated	

9 Signature of creditor  
(or person authorised to act on the creditor's  
behalf)

10 Address of person signing if different from 2  
above

11 Name in BLOCK LETTERS:

12 Position with, or relation to, creditor

13 Date of signature

Admitted to vote for

Amount (£)

Date

Admitted for dividend for

Amount (£)

Date

Richard Frank Simms  
LIQUIDATOR

Richard Frank Simms  
LIQUIDATOR

Notes:

1. There is no need to attach them now but the office holder may ask you to produce any document or other evidence which is considered necessary to substantiate the whole or any part of the claim, as may the chairman or convenor of any qualifying decision procedure.

2. This form can be authenticated for submission by email by entering your name in block capitals and sending the form as an attachment from an email address which clearly identifies you or has been previously notified to the office holder. If completing on behalf of a company, please state your relationship to the company.