

LIQ03

Notice of progress report in voluntary winding up



Companies House

For further information, please
refer to our guidance at
www.gov.uk/companieshouse

1 Company details

Company number 0 3 3 0 3 2 1 0
Company name in full JONES & DAVIES (FRUIT) LIMITED

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

2 Liquidator's name

Full forename(s) Alun
Surname Evans

3 Liquidator's address

Building name/number 45
Street High Street
Post town Haverfordwest
County/Region Pembrokeshire
Postcode S A 6 1 2 B P
Country Wales

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 Period of progress report

From date	^d 1	^d 7	^m 0	^m 3	^y 2	^y 0	^y 2	^y 2
To date	^d 1	^d 6	^m 0	^m 3	^y 2	^y 0	^y 2	^y 3

7 Progress report

☒ The progress report is attached

8 Sign and date

Liquidator's signature	Signature X <i>Alan Brown</i> X
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Signature date	^d 0	^d 4	^m 0	^m 4	^y 2	^y 0	^y 2	^y 3
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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	Alun Evans									
Company name	Bevan Buckland LLP									
Address	45 High Street									
Post town	Haverfordwest									
County/Region	Pembrokeshire									
Postcode	S	A	6	1		2	B	P		
Country	Wales									
DX										
Telephone	01437 760666									

**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

JONES & DAVIES (FRUIT) LIMITED – IN MEMBERS VOLUNTARY LIQUIDATION

COMPANY NUMBER: 03303210

REGISTERED OFFICE: 45 HIGH STREET, HAVERFORDWEST, SA61 2BP

FORMER TRADING ADDRESS: CARDIGAN HOUSE, EUROPA WAY, FFORESTFACH, SWANSEA, SA5 4DE

PROGRESS REPORT OF THE LIQUIDATOR UNDER SECTION 92A INSOLVENCY ACT 1986

YEAR ENDED:- 16 March 2023

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- 2 Bevan Buckland LLP Remuneration and Expenses Schedule

JONES & DAVIES (FRUIT) LIMITED – IN MEMBERS VOLUNTARY LIQUIDATION

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PROGRESS REPORT OF THE LIQUIDATOR UNDER SECTION 92A INSOLVENCY ACT 1986

1. INTRODUCTION

As the winding up has continued for more than 12 months I am required (by Section 92A Insolvency Act 1986) to produce a progress report to advise you of developments since my appointment on 1 March 2021.

Attached to this report are the following appendices:

- Appendix 1 - Receipts and Payments Account for the Period 17 March 2022 to 16 March 2023
- Appendix 2 - Bevan Buckland LLP Remuneration and expenses schedule

2. ASSETS NOT SPECIFICALLY PLEDGED

2.1 Balance at bank

The sum of £717,829.21, being the funds held on the company bank account (Lloyds Bank PLC) was transferred into the liquidation account. The declaration of solvency anticipated the sum of £717,822, this being the balance on the account as at the date of the declaration of solvency. Following the closure of the company bank account the small remaining balance of £6.64 was received into the liquidation account.

In addition the sum of £25.44 was paid into the liquidation account following the closure of an old Santander account.

2.2 Trade debtors

The declaration of solvency anticipated the sum of £2,500. No response has been received from the debtors to the liquidator's request for payment. The company directors have attempted to obtain payment. However, this has not been possible. It is not cost effective to pursue the balance due to the costs of realisation.

2.3 Interest

This sum represents interest credited to the liquidation account.

2.4 Details of instruction to third parties

No instructions have been given during this appointment.

2.5 Details of any referral fees or commission

There have been no referral fees or commission payments.

3. CREDITORS

3.1 Preferential creditors

There are no preferential creditors.

3.2 **Unsecured creditors**

The HMRC liability for corporation tax included in the declaration of solvency was paid in the sum of £38,487.54 on 10 March 2022.

The total sum of £248.68 has been paid to Total Produce. This being the sums due to them from customers who paid to Jones & Davies (Fruit) in error following Total Produce taking over the company's business. This amount is less than anticipated in the declaration of solvency but has been agreed with the company directors.

4 **EXPENSES OF THE LIQUIDATION FOR THE CURRENT YEAR**

4.1 **Statutory advertising**

This relates to statutory advertising.

4.2 **Insolvency bond**

This is an insolvency bond that I am required to take out pursuant to insolvency regulations.

4.3 **Bank charges**

These relate to the fees incurred for maintaining the liquidation account. These include transaction charges.

4.4 **Agents fees**

This relates to searches of the Land Registry (PN1 search) and the costs for a search of the register of county court judgements.

4.5 **Accountancy fees**

This relates to the costs for the preparation of the dormant accounts to 16 March 2022.

4.6 **Liquidator's remuneration**

The Liquidator has received authorisation from a general meeting of members on 17 March 2022 to be remunerated on a set fee of £2,500 plus VAT.

I have drawn on account the sum of £2,500 plus VAT.

A copy of "A guide for creditors on insolvency practitioner fees" published by the Association of Business Recovery Professionals is available at the following link:

https://www.r3.org.uk/technical-library/england-wales/technical-guidance/fees/more/29114/page/1/liquidation-a-guide-for-creditors-on-insolvency-practitioner-fees/?utm_source=Association%20of%20Business%20Recovery%20Professionals&utm_medium=email&utm_campaign=12266804_R3%20-%20Technical%20Bulletin-123&dm_i=133C,7AX4K,5JHU4D,TMC33,1

and Statement of Insolvency Practice 9 (revised) is available from the Association of Business Recovery Professionals at link:

<https://www.r3.org.uk/technical-library/england-wales/sips/more/29125/page/1/sip-9-payments-to-insolvency-office-holders-and-their-associates/>.

A hard copy of both Creditors' guides can be obtained on request from the address below.

A description of the routine work undertaken in the liquidation to date is as follows:-

4.5.1 **Administration and Planning**

- Preparing the documentation and dealing with the formalities of appointment.
- Statutory notifications and advertising.
- Preparing documentation required.
- Dealing with all routine correspondence.
- Maintaining physical case files.
- Review and storage.
- Case bordereau.
- Case planning and administration.
- Preparing reports to members
- Corresponding with the members.

4.5.2 Cashiering

- Maintaining and managing the Liquidator's cashbook and bank account.
- Ensuring statutory lodgements and tax lodgement obligations are met.

4.5.3 HMRC

- Correspondence with HMRC to obtain clearance form the corporation tax and MVL teams to complete the liquidation.

4.5.4 Investigations

- Review and storage of books and records.
- Review books and records to identify any transactions or actions a Liquidator may take.

4.5.5 Realisation of assets

- Realisation of funds from company bank account
- Correspondence with debtors

5. DISTRIBUTION TO MEMBERS

5.1 I have paid distributions to members of £660,000 as follows:-

DATE	MEMBER	AMOUNT £
23.03.22	Martin ley	323,400.00
23.03.22	Timothy Ley	336,600.00

Total	<u>660,000.00</u>
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5.2 Details of any connected party transactions

There have been no connected part transactions.

5.3 Details of any distribution of property to members under Rule 18.12 of the Insolvency (England & Wales) Rules 2016

There have been no distributions under Rule 18.12

5.4 Details of shares etc. accepted as consideration for sale of company property. Section 110 of the Insolvency Act 1986 and Rule 18.11 of The Insolvency (England & Wales) Rules 2016

There have been no transactions under section 110 or rule 18.11.

6 MEMBERS' RIGHTS

- 6.1 Under Insolvency Rule 18.9 any member may, with the permission of the court or with at least 5% of the total voting rights of all members having the right to vote at general meetings of the company request further details of the liquidator's remuneration and expenses, within 21 days of receipt of this report.
- 6.2 Additionally, under Insolvency Rule 18.34 an member may, with the permission of the court or with at least 10% of the total voting rights of all members having the right to vote at general meetings of the company, apply to court to challenge the amount and/or basis of the liquidator's fees and the amount of any proposed expenses or expenses already incurred, within 8 weeks of receipt of this report.

7 CONCLUSION

- 7.1 The only outstanding issue is the HMRC corporation tax refund in the sum of £179.10. I am satisfied that all returns have been submitted. Accordingly, the liquidation will be finalised upon receipt of the refund.
- 7.2 I shall report again on the conclusion of the Liquidation or in one years' time whichever is the earlier.



Alun Evans
Liquidator

Date: 4 April 2023

Bevan Buckland LLP
45 High Street
Haverfordwest
SA61 2BP

Email: bethan@bevanbuckland.co.uk

Date of appointment – 17 March 2023

APPENDIX 1

JONES & DAVIES (FRUIT) LIMITED - IN MEMBERS' VOLUNTARY LIQUIDATION

PROJECTED RECEIPTS AND PAYMENTS ACCOUNT FOR THE PERIOD 17 MARCH 2022 TO 16 MARCH 2023

RECEIPTS	Declaration of Solvency (£)	17/03/2022 to 17/03/2023	TOTAL
	£	£	£
Balance at bank	717,822	717,854.65	717,854.65
Trade debtors	2,500	-	-
Interest		14.65	14.65
Total	720,322	717,869.30	717,869.30
PAYMENTS			
	£	£	£
Statutory advertising	311	310.80	310.80
Insolvency bond	173	172.50	172.50
Legal fees & disbursements	1,500	-	-
Bank charges	150	9.65	9.65
Agents fees	20	34.00	34.00
Accountancy fees	-	800.00	800.00
Liquidator's remuneration	2,500	2,500.00	2,500.00
Corporation tax on interest received	100	-	-
HMRC liability	38,487	38,487.54	38,487.54
Other liabilities	1,503	248.68	248.68
Distribution to members	674,678	660,000.00	660,000.00
VAT	900	728.96	728.96
	720,322	703,292.13	703,292.13
			<u>14,577.17</u>

This account should be read in conjunction with the attached report

BEVAN BUCKLAND LLP

REMUNERATION AND EXPENSES SCHEDULE

Effective 1 January 2018

The office holder's remuneration is set as a fixed fee net of VAT. In my view this basis of remuneration is more likely to ensure that the fee charged is proportionate to realisations and will fairly and reasonably reflect the complexity, responsibility, effectiveness and value of the assets that have been realised.

Alternative fee structures would either be on a time costs basis or a percentage of the gross value of the property realised for the benefit of the estate. Time costs may lead to costs not being proportionate to assets realised. A percentage based fee may lead to the fee being higher than under a fixed (set) fee.

The fixed (set) fee in this case is as follows:-

Limited to a fixed fee of £2,500 plus VAT and disbursements

EXPENSE CHARGES (Category 2)	Charge
Mileage	45 pence per mile
Meeting room hire, photocopying, postage	No charge
Document storage	No charge
General overheads	No charge

All amounts are stated net of VAT.

Policy

Expenses are expenses met by and later reimbursed to an office holder in connection with the appointment. There are Category 1 or direct expenses and Category 2 or indirect expenses.

Category 1 (Direct expenses)

These are payments to independent third parties where there is a specific expenditure directly related to the appointment. These include, but are not limited to, case advertising, bonding, searches and insurance. These can be paid without prior approval.

Category 2 (Indirect expenses)

These are payments to associates or which have an element of shared costs. With the exception of mileage Bevan Buckland LLP does not charge category 2 expenses. Mileage payments made for expenses relating to the use of private vehicles for business travel, which is directly attributable to the insolvency estate, are paid by Bevan Buckland LLP at the HMRC approved mileage rate prevailing at the time the cost was incurred. The current rate is 45p per mile. Category 2 expenses require prior approval in the same manner as an office holder's remuneration. Creditors will be asked to approve this cost.