

# Liquidator's Progress Report

Pursuant to Sections 92A, 104A and 192 of the  
Insolvency Act 1986

# S.192

To the Registrar of Companies

Company Number

03440355

Name of Company

(a) Insert full name of  
company

(a) Harmony Pub Company Limited

(b) Insert full name(s)  
and address(es)

I/We, (b) Colin Peter Dempster and Derek Neil Hyslop of Ernst & Young, Ten George Street,  
Edinburgh, EH2 2DZ

the liquidator(s) of the company attach a copy of our Progress Report under section 192 of  
the Insolvency Act 1986

The Progress Report covers the period from 19 May 2014

to 18 May 2015

Signed

Date

17/7/15

Presenter's name,  
address and reference  
(if any)

MONDAY



\*S4CIZDND\*

SCT

27/07/2015

#236

COMPANIES HOUSE

Harmony Acquisition Company Limited  
150 Aldersgate Street  
London  
EC14 4EJ

17 July 2015

Ref: DNH/CFR/SC/FP's  
Direct line 0141 226 9545  
Fax 0131 226 9003  
Sanjay Chita  
Email crobertson3@uk ey.com

Dear Sir or Madam

**Harmony Pub Company Limited (In Members' Voluntary Liquidation) ("the Company")**

Colin Peter Dempster and Derek Neil Hyslop were appointed as joint liquidators of the company on 19 May 2014. I now write to provide you with our report on the progress of the liquidation for the period from 19 May 2014 to 18 May 2015.

In accordance with the provisions of the Insolvency Rules 1986 we are required to provide certain information about the company and the liquidators. The information can be found in Appendix A of this report. A copy of our receipts and payments account for the period from 19 May 2014 to 18 May 2015 is at Appendix B. Set out below are my comments on the conduct of the liquidation in the period to 28 May 2015.

**Progress during the period of the report**

As you are aware, on the time of the liquidation, the Company's net assets consisted of an intergroup balance due to the Company by Admiral Taverns (Chester) Limited of £4.

The Company had no known external creditors at the date of liquidation. Notice was advertised in the London Gazette and the Times for any persons claiming to be creditors of the Company to submit claims by 28 June 2014. No claims were received.

Once the period for creditors to make claims against the Company had expired and following instructions received from the member of the Company, the liquidators made a distribution in specie of the intergroup receivable of £4 to the member on 30 June 2014.

During the liquidation, the liquidators have submitted all statutory filings and the liquidators understand that Admiral Taverns submitted the Company's final tax return for the period to 18 May 2014 in March 2015.

Following the submission of the Company's final tax return, it is customary in a liquidation to seek confirmation from HM Revenue & Customs that they have no claim in respect of corporation tax and no objection to concluding the liquidation. HM Revenue & Customs have provided the Joint Liquidators with confirmation that the Company has no outstanding corporation tax matters but have yet to provide full tax clearance to allow the liquidators to conclude the liquidation.

The liquidators have been regularly pursuing HMRC for full tax clearance to close the liquidation and, once this has been received, the liquidators will take steps to conclude the liquidation.

### Joint Liquidators' Remuneration

The resolutions of the Company passed on 19 May 2014, resolved that the liquidators' remuneration would be determined on the basis of time spent by the liquidators and their staff in attending to matters prior to and during the winding-up and that they be authorised to draw such fees on a monthly basis or at longer intervals

In accordance with Statement of Insolvency Practice 9, the liquidators can provide a summary of the time spent and average charge-out rates of the staff involved in the liquidations of Harmony Pub Company Limited, Harmony Pub Estate A Limited, Harmony Pub Company Trading Limited, Harmony Pub Estate B Limited, Harmony Pub Estate C Limited, Admiral Taverns Coventry Limited, Admiral Taverns (58) Limited and Lariten Limited (together 'the Companies'), as well as a summary of tasks undertaken since the Companies were placed into liquidation. A copy of the text of "A creditors' guide to liquidators' fees", which also applies to members in a members' voluntary liquidation, issued by the Association of Business Recovery Professionals, and a summary of our policy in relation to charging time and disbursements can also be provided on request

The liquidators have incurred time costs of £50,534 in respect of the liquidations of the Companies against costs recovered of £22,220 in accordance with the liquidators' engagement agreement dated 30 April 2014. Joint Liquidators' fees have been paid by Admiral Taverns (Chester) limited in accordance with the engagement letter

### Joint liquidators' statement of expenses incurred

During the period covered by this report, we have incurred statutory expenses totalling £1,178.69 plus VAT. The expenses can be summarised as follows:

Type of expense	Incurred	Paid	Outstanding
Liquidators' insurance bond	£270	£270	£nil
Statutory advertising	£908.69	£908.69	£nil
Total	£1,178.69	£1,178.69	£nil

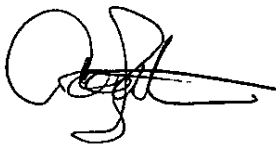
In accordance with the liquidators' engagement agreement, the statutory expenses were met by Admiral Taverns (Chester) Limited

### Members' rights to further information about, and challenge, remuneration and expenses

In certain circumstances, members are entitled to request further information about our remuneration or expenses, or to apply to court if members consider the costs to be excessive. Further information is provided in Appendix C

Should you require any further information, please do not hesitate to contact Sanjay Chita me on 0141 226 9545

Yours faithfully  
for Harmony Pub Company Limited

A handwritten signature in black ink, appearing to be 'C F Robertson', written over a horizontal line.

C F Robertson  
For D N Hyslop  
Joint Liquidator

D N Hyslop is licensed in the United Kingdom to act as an insolvency practitioner by The Insolvency Practitioners Association and C P Dempster is licensed in the United Kingdom to act as an insolvency practitioner by The Institute of Chartered Accountants of Scotland

We may collect, use, transfer, store or otherwise process (collectively, "Process") information that can be linked to specific individuals ("Personal Data") We may Process Personal Data in various jurisdictions in accordance with applicable law and professional regulations including (without limitation) the Data Protection Act 1998

## **Harmony Pub Company Limited (In Members' Voluntary Liquidation)**

### **Information about the company and the liquidators**

Registered office address of the company	Harmony Pub Company Limited
Registered number	03440355
Full names of the liquidators	D N Hyslop and C P Dempster
Liquidators' address(es)	Ernst & Young LLP Ten George Street, Edinburgh, EH2 2DZ
Date of appointment of the joint liquidators	19 May 2014
Details of any changes of liquidator	None

## Harmony Pub Company Limited (In Members' Voluntary Liquidation)

Joint liquidators' receipts and payments account for the period from 19 May 2014 to 18 May 2015

Declaration of Solvency Estimated to Realise Values £		Total £
Receipts		
473 324	Intergroup receivable	4
		<hr/>
		4
Payments		
	Liquidators' distribution in specie	4
		<hr/>
		4
Balance at bank at 18 May 2015		<hr/>
		0

### Notes

- 1 Receipts and payments are stated net of VAT
- 2 The Joint Liquidators' remuneration has been paid by Admiral Taverns (Chester) Limited
- 3 The Declaration of Solvency is not reflective of the Company's position at the date of liquidation, as certain intercompany balances were waived by agreement of the members prior to the Company entering liquidation
- 4 On 30 June 2014, the liquidators distribute in specie the intergroup receivable, being the only assets of the Company at liquidation, of £4 to the member

**Members' rights to request further information about remuneration or expenses or to challenge a liquidator's remuneration – Rules 4.49E and 4.148C of the Insolvency Rules 1986 (as amended)**

**4 49E Creditors' and members' request for further information**

**(1) If—**

(a) within the period mentioned in paragraph (2)—

(i) a secured creditor, or

(ii) an unsecured creditor with the concurrence of at least 5% in value of the unsecured creditors (including the creditor in question), or

(iii) members of the company in a members' voluntary winding up with at least 5% of the total voting rights of all the members having the right to vote at general meetings of the company, or

(b) with the permission of the court upon an application made within the period mentioned in paragraph (2)—

(i) any unsecured creditor, or

(ii) any member of the company in a members' voluntary winding up,

makes a request in writing to the liquidator for further information about remuneration or expenses set out in a progress report in accordance with Rule 4 49B(1)(e) or (f) (including by virtue of Rule 4 49C(5)) or in a draft report under Rule 4 49D, the liquidator must, within 14 days of receipt of the request, comply with paragraph (3) except to the extent that the request is in respect of matter in a draft report under Rule 4 49D or a progress report required by Rule 4 108 which (in either case) was previously included in a progress report not required by Rule 4 108

**(2) The period referred to in paragraph (1)(a) and (b) is—**

(a) 7 business days of receipt (by the last of them in the case of an application by more than one member) of the progress report where it is required by Rule 4 108, and

(b) 21 days of receipt (by the last of them in the case of an application by more than one member) of the report or draft report in any other case

**(3) The liquidator complies with this paragraph by either—**

(a) providing all of the information asked for, or

(b) so far as the liquidator considers that—

(i) the time or cost of preparation of the information would be excessive, or

(ii) disclosure of the information would be prejudicial to the conduct of the liquidation or might reasonably be expected to lead to violence against any person, or

(iii) the liquidator is subject to an obligation of confidentiality in respect of the information, giving reasons for not providing all of the information

**(4) Any creditor, and any member of the company in a members' voluntary winding up, who need not be the same as the creditors or members who asked for the information, may apply to the court within 21 days of—**

(a) the giving by the liquidator of reasons for not providing all of the information asked for, or

(b) the expiry of the 14 days provided for in paragraph (1),

and the court may make such order as it thinks just

**(5) Without prejudice to the generality of paragraph (4), the order of the court under that paragraph may extend the period of 8 weeks or, as the case may be, 4 weeks provided for in Rule 4 131(1B) or 4 148C(2) by such further period as the court thinks just**

**(6) This Rule does not apply where the liquidator is the official receiver**

#### **4 148C Members' claim that remuneration is excessive**

- (1) Members of the company with at least 10% of the total voting rights of all the members having the right to vote at general meetings of the company, or any member with the permission of the court, may apply to the court for one or more of the orders in paragraph (6) on the grounds that—
  - (a) the remuneration charged by the liquidator,
  - (b) the basis fixed for the liquidator's remuneration under Rule 4 148A, or
  - (c) expenses incurred by the liquidator,is or are, in all the circumstances, excessive or, in the case of an application under sub-paragraph (b), inappropriate
- (2) Application must, subject to any order of the court under Rule 4 49E(5), be made no later than 8 weeks (or 4 weeks when the liquidator has resigned in accordance with Rule 4 142) after receipt by the applicant of the report or account which first reports the charging of the remuneration or the incurring of the expenses in question ("the relevant report")
- (3) The court may, if it thinks that no sufficient cause is shown for a reduction, dismiss the application, but it must not do so unless the applicant has had the opportunity to attend the court for a hearing of which the applicant has been given at least 5 business days' notice but which is without notice to any other party
- (4) If the application is not dismissed under paragraph (3), the court must fix a venue for it to be heard and give notice to the applicant accordingly
- (5) The applicant must at least 14 days before the hearing send to the liquidator a notice stating the venue and accompanied by a copy of the application and of any evidence which the applicant intends to adduce in support of it
- (6) If the court considers the application to be well-founded, it must make one or more of the following orders—
  - (a) an order reducing the amount of remuneration which the liquidator was entitled to charge,
  - (b) an order fixing the basis of remuneration at a reduced rate or amount,
  - (c) an order changing the basis of remuneration,
  - (d) an order that some or all of the remuneration or expenses in question be treated as not being expenses of the liquidation,
  - (e) an order that the liquidator or the liquidator's personal representative pay to the company the amount of the excess of remuneration or expenses or such part of the excess as the court may specify,and may make any other order that it thinks just, but an order under sub-paragraph (b) or (c) may be made only in respect of periods after the period covered by the relevant report
- (7) Unless the court orders otherwise, the costs of the application must be paid by the applicant and are not payable as an expense of the liquidation

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