

LIQ03

Notice of progress report in voluntary winding up



Companies House



1 Company details

Company number 0 4 0 2 6 2 6 8

Company name in full Excellent Food Company Yorkshire Limited

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

2 Liquidator's name

Full forename(s) Peter

Surname O'Hara

3 Liquidator's address

Building name/number Wesley House

Street Huddersfield Road

Post town Birstall, Batley

County/Region West Yorkshire

Postcode W F 1 7 9 E J

Country

4 Liquidator's name

Full forename(s)

Surname

① Other liquidator
Use this section to tell us about
another liquidator.

5 Liquidator's address

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 2	^d 7	^m 1	^m 1	^y 2	^y 0	^y 1	^y 9
To date	^d 2	^d 7	^m 1	^m 1	^y 2	^y 0	^y 2	^y 0

7 Progress report

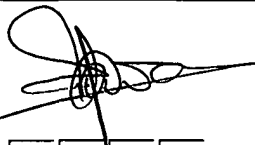
☒ The progress report is attached

8 Sign and date

Liquidator's signature

Signature

X



X

Signature date

^d 2	^d 7	^m 1	^m 1	^y 2	^y 0	^y 2	^y 0
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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 **Peter O'Hara**

Company name **O'Hara & Co**

Address
Wesley House
Huddersfield Road

Post town **Birstall, Batley**

County/Region **West Yorkshire**

Postcode **W F 1 7 9 E J**

Country

DX **insol@ohara.co.uk**

Telephone **01924 477449**



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

Excellent Food Company Yorkshire Limited
(In Liquidation)
Liquidator's Summary of Receipts & Payments

Statement of Affairs £		From 27/11/2019 To 27/11/2020 £	From 27/11/2019 To 27/11/2020 £
	SECURED ASSETS		
5,000.00	Plant & Machinery	5,000.00	5,000.00
1,000.00	Book Debts	NIL	NIL
		<u>5,000.00</u>	<u>5,000.00</u>
	SECURED CREDITORS		
(4,000.00)	Yorkshire Bank plc	NIL	NIL
		<u>NIL</u>	<u>NIL</u>
	ASSET REALISATIONS		
	Bank Interest Gross	4.40	4.40
	Business Rates Refund	174.00	174.00
	Cash at Bank	250.00	250.00
	Refund from Supplier	630.40	630.40
4,763.38	VAT Refund	4,763.38	4,763.38
		<u>5,822.18</u>	<u>5,822.18</u>
	COST OF REALISATIONS		
	Agents/Valuers Fees	722.90	722.90
	Specific Bond	44.00	44.00
	Statement of Affairs Fee	4,000.00	4,000.00
	Statutory Advertising	233.25	233.25
		<u>(5,000.15)</u>	<u>(5,000.15)</u>
	PREFERENTIAL CREDITORS		
(3,448.71)	Employee Arrears/Hol Pay	NIL	NIL
		<u>NIL</u>	<u>NIL</u>
	UNSECURED CREDITORS		
(6,022.46)	Banks/Institutions	NIL	NIL
(10,600.00)	Directors	NIL	NIL
(18,759.50)	Employees	NIL	NIL
(1,446.00)	HM Revenue & Customs (PAYE/NIC)	NIL	NIL
(67,666.28)	Trade & Expense Creditors	NIL	NIL
		<u>NIL</u>	<u>NIL</u>
	DISTRIBUTIONS		
(2.00)	Ordinary Shareholders	NIL	NIL
		<u>NIL</u>	<u>NIL</u>
<u>(101,181.57)</u>		<u>5,822.03</u>	<u>5,822.03</u>
	REPRESENTED BY		
	Bank 1 Current		5,830.80
	Vat Payable		(1,000.00)
	Vat Receivable		991.23
			<u>5,822.03</u>


Peter O'Hara
Liquidator

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- 1 Introduction
- 2 Details of Appointment
- 3 Asset Realisations
- 4 Outcome to Creditors
- 5 Investigations
- 6 Payments
- 7 Conclusion

APPENDICES

- A Account of Supervisor's Receipts and Payments during the case from 27 November 2019 to 26 November 2020.
- B Summary of Supervisor's Time Costs during the case from 27 November 2019 to 26 November 2020.
- C An extract from the Insolvency (England and Wales) Rules 2016 relating to creditors' rights to request additional information from the Joint Liquidators (Rule 18.9)
- D An extract from the Insolvency (England and Wales) Rules 2016 relating to creditors' rights to challenge the Joint Liquidators' remuneration or expenses if excessive (Rules 18.34, 18.36 and 18.37)
- E Notification in accordance with Rule 1.39 of the Insolvency (England and Wales) Rules 2016 relating to a creditor's right to opt out of receiving further documentation relating to the proceedings

EXCELLENT FOOD COMPANY YORKSHIRE LIMITED
("CREDITORS VOLUNTARY LIQUIDATION")

1. INTRODUCTION

I was appointed as Liquidator of Excellent Food Company Yorkshire Limited on 27 November 2019.

2. DETAILS OF APPOINTMENT

Name of Company: Excellent Food Company Yorkshire Limited

Liquidator: Peter O'Hara of O'Hara & Co

Date of appointment: 27 November 2019

Report period: 27 November 2019 to 26 November 2020

Authorising Body: Insolvency Practitioners Association
IP number 6371

3. ASSET REALISATIONS

3.1 Plant & Machinery

The director's statement of affairs indicated that the plant and machinery was estimated to realise £5,000. I can confirm that I have received £5,000 in respect of this.

3.2 Book Debts

The Statement of Affairs estimated that book debts would realise £1,000. Unfortunately we have been unsuccessful in collecting this debt.

3.3 Cash at Bank

I can confirm that I have received the credit balance from the Company's bank account in the sum of £250.

3.4 Various Refunds

During the Liquidation period, I have received a number of refunds which were due to the Company, these have been listed below:

- VAT refund - £4,763.38
- Business rates refund - £174
- Refund from supplier - £630.40

3.5 Bank Interest

Throughout the case, I can confirm that I have received £4.40 in relation to gross interest.

4. OUTCOME TO CREDITORS

4.1 Preferential Creditors

There are no preferential creditors in this matter.

4.2 Secured Creditors

There are no secured creditors in this matter.

4.3 Unsecured Creditors

It was estimated that 36 claims of the unsecured creditors would total £85,734.74. Since my appointment I have received 13 claims totalling £26,036.19 with 23 claims still outstanding.

There will be no distribution to this class of creditor.

5. AREAS OF INVESTIGATIONS

In accordance with the Company Directors Disqualification Act 1986, I have submitted a report on the conduct of the Directors of the Company to the Department of Business, Energy & Industrial Strategy. This is a confidential report and I am not able to disclose the contents within this circular to creditors.

I have conducted investigations into the Company's affairs in accordance with Statement of Insolvency Practice 2 (SIP2).

6. PAYMENTS

6.1 Statement of Affairs

A resolution was passed at the initial meeting of creditors in relation to my pre-appointment costs and is as follows:

"That the Liquidator draw £4,000 plus VAT plus disbursements, to cover the costs of convening the meeting."

This fee has been recovered in full and is outlined on the attached Receipt and Payments account (appendix A).

6.2 Liquidator's Remuneration and Expenses

As required by Statement of Insolvency Practice 9 ("SIP 9"), attached at Appendix B is a schedule detailing our costs incurred in this case during the period 27 November 2019 to 26 November 2020, from which you will note total £3,977.50 over 11.9 hours, at an average hourly charge-out rate of £334.24 per hour.

I have not drawn any remuneration against my time costs in this matter and anticipate doing so at the conclusion of my administration.

6.3 Category One Disbursements

SIP 9 defines "Category One Disbursements" as being expenses directly attributable to the insolvent estate, paid to an independent third party, which are recoverable from the insolvent estate (without further creditor approval).

The following disbursements have been incurred but not recovered from the case:

EXCELLENT FOOD COMPANY YORKSHIRE LIMITED
("CREDITORS VOLUNTARY LIQUIDATION")

	£
Bordereau	44.00
Statutory advertising	233.25
	<hr/> 277.25 <hr/>

6.4 Category Two Disbursements

SIP 9 defines "Category 2 Disbursements" as being expenditure incidental to the administration of the insolvent case, which includes an element of shared or allocated costs including payments to the Insolvency Practitioner's firm or connected parties.

Disbursements have been incurred in the sum of £45.00. I can confirm these have not yet been recovered from the case.

6.5 Other Payments

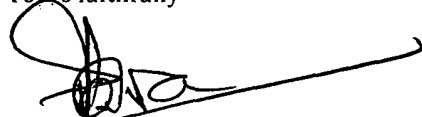
Agents/Valuers Fees

My Agents, C W Harrison & Son, were instructed to value and sell the assets of the Company. Their fees in doing so were £722.90 plus VAT as shown in the attached receipts and payments account.

7. CONCLUSION

I trust the above is self-explanatory; however, should you require any further information then please contact me.

Yours faithfully



Peter O'Hara
Liquidator

Peter O'Hara is authorised to act as an insolvency practitioner in the UK by the Insolvency Practitioners Association and is bound by the Insolvency Code of Ethics. When acting as Administrator, the affairs, business and property of the company are being managed by the Administrator who acts as agent of the company and contract without personal liability.

Account of Liquidators' Receipts and Payments
for the period from 27 November 2019 to 26 November 2020

Excellent Food Company Yorkshire Limited
(In Liquidation)
Liquidator's Summary of Receipts and Payments
To 26 November 2020

RECEIPTS	Statement of Affairs (£)	Total (£)
Plant & Machinery	5,000.00	5,000.00
Book Debts	1,000.00	0.00
VAT Refund	4,763.38	4,763.38
Business Rates Refund		174.00
Cash at Bank		250.00
Bank Interest Gross		4.40
Refund from Supplier		630.40
		<hr/>
		10,822.18
		<hr/>
PAYMENTS		
Yorkshire Bank plc	(4,000.00)	0.00
Specific Bond		44.00
Statement of Affairs Fee		4,000.00
Agents/Valuers Fees		722.90
Statutory Advertising		233.25
Employee Arrears/Hol Pay	(3,448.71)	0.00
Trade & Expense Creditors	(67,666.28)	0.00
Employees	(18,759.50)	0.00
Directors	(10,600.00)	0.00
Banks/Institutions	(6,022.46)	0.00
HM Revenue & Customs (PAYE/NIC)	(1,446.00)	0.00
Ordinary Shareholders	(2.00)	0.00
		<hr/>
		5,000.15
		<hr/>
Net Receipts/(Payments)		5,822.03
		<hr/>

MADE UP AS FOLLOWS

Bank 1 Current	5,830.80
VAT Receivable / (Payable)	(8.77)
	<hr/>
	5,822.03
	<hr/>

Peter O'Hara
Liquidator

Summary of Liquidators' Time Costs
during the case from 27 November 2019 to 26 November 2020

Time Entry - SIP9 Time & Cost Summary

E180 - Excellent Food Company Yorkshire Limited
All Post Appointment Project Codes
From: 27/11/2019 To: 26/11/2020

Classification of Work Function	Partner	Manager	Other Senior Professionals	Assistants & Support Staff	Total Hours	Time Cost (£)	Average Hourly Rate (£)
Administration & Planning	8.60	0.00	0.00	2.90	11.50	3,827.50	332.83
Case Specific Matters	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Creditors	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Investigations	0.40	0.00	0.00	0.00	0.40	150.00	375.00
Realisation of Assets	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Trading	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Total Hours	9.00	0.00	0.00	2.90	11.90	3,977.50	334.24
Total Fees Claimed						0.00	
Total Disbursements Claimed						0.00	

An Extract from the Insolvency (England and Wales) Rules 2016 Relating to Creditors' Rights to Request Additional Information from the Liquidator

1. The following may make a written request to the office-holder for further information about remuneration or expenses (other than pre-administration costs in an administration) set out in a progress report until rule 18.4(1)(b), (c) or (d) or a final report under rule 18.14:
 - a) A secured creditor;
 - b) An unsecured creditor with the concurrence of at least 5% in value of the unsecured creditors (including the creditor in question);
 - c) 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;
 - d) Any unsecured creditor with the permission of the court; or
 - e) Any member of the company in a members' voluntary winding up with the permission of the court.
2. A request, or an application to the court for permission, by such a person or persons must be made or filed with the court (as applicable) within 21 days of receipt of the report by the person, or by the last of them in the case of an application by more than one member or creditor.
3. The office-holder must, within 14 days of receipt of such a request, respond to the person or persons who requested the information by:
 - a) Providing all the information requested;
 - b) Providing some of the information requested; or
 - c) Declining to provide the information requested.
4. The office-holder may respond by providing only some of the information requested or decline to provide the information if:
 - a) The time or cost of preparation of the information would be excessive; or
 - b) Disclosure of the information would be prejudicial to the conduct of the proceedings;
 - c) Disclosure of the information might reasonably be expected to lead to violence against any person; or
 - d) The office-holder is subject to an obligation of confidentiality in relation to the information.
5. An office-holder who does not provide all the information or declines to provide the information must inform the person or persons who requested the information of the reasons for so doing.
6. A creditor, and a member of the company in a members' voluntary winding up, who need not be the same as the creditor or members who requested the information, may apply to the court within 21 days of:
 - a) The office-holder giving reasons for not providing all of the information requested; or
 - b) The expiry of the 14 days within which an office-holder must respond to a request.
7. The court may make such order as it thinks just on an application under paragraph (6).

An Extract from the Insolvency (England and Wales) Rules 2016 Relating to Office Holders' Remuneration

Rule 18.34

1. This rule applies to an application in an administration, a winding-up or a bankruptcy made by a person mentioned in paragraph (2) on the grounds that:
 - a) The remuneration charged by the office-holder is in all the circumstances excessive;
 - b) The basis fixed for the office-holder's remuneration under rules 18.16, 18.18, 18.19, 18.20 and 18.21 (as applicable) is inappropriate; or
 - c) The expenses incurred by the office-holder are in all the circumstances excessive.
2. The following may make such an application for one or more of the orders set out in rule 18.36 or 18.37 as applicable:
 - a) A secured creditor;
 - b) An unsecured creditor with either
 - i. The concurrence of at least 10% in value of the unsecured creditors (including that creditor); or
 - ii. The permission of the court; or
 - c) In a members' voluntary winding up:
 - i. 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
 - ii. A member of the company with the permission of the court.
3. The application by a creditor or member must be made no later than eight weeks after receipt by the applicant of the progress report under rule 18.3, or final report or account under rule 18.14 which first reports the charging of the remuneration or the incurring of the expenses in question ("the relevant report").

Rule 18.36

1. This rule applies to applications made with permission under rule 18.34.
2. Where the court has given permission, it must fix a venue for the application to be heard.
3. The applicant must, at least 14 days before the hearing, deliver to the office-holder a notice stating the venue and accompanied by a copy of the application and of any evidence on which the applicant intends to rely.
4. 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 office-holder is entitled to charge;
 - b) An order reducing any fixed 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 is not to be treated as expenses of the administration, winding up or bankruptcy;
 - e) An order for the payment of the amount of the excess of remuneration or expenses or such part of the excess as the court may specify by:
 - i. The administrator or liquidator of the administrator's or liquidator's personal representative to the company; or
 - ii. The trustee or the trustee's personal representative to such person as the court may specify as property comprised in the bankrupt's estate;
 - f) Any other order that it thinks just.

Notification in accordance with Rule 1.39 of the Insolvency (England and Wales) Rules 2016 relating to a creditor's right to opt out of receiving further documentation relating to the proceedings

1. A creditor may opt out of receiving further documents about the proceedings in this insolvency unless:
 - i. The Act requires a document to be delivered to all creditors without expressly excluding opted-out creditors;
 - ii. It is a notice relating to a change in the office holder or office holder's contact details;
 - iii. It is a notice of a dividend or proposed dividend or a notice which the court orders to be sent to all creditors or all creditors of a particular category to which the creditor belongs.
2. If a creditor wishes to opt out, it should do so in writing to Peter O'Hara at O'Hara & Co at the address at the top of this report.
3. Opting out will not affect the creditor's entitlement to receive dividends should any be paid to creditors.
4. Unless the Rules provide to the contrary opting-out will not affect any right the creditor may have to vote in a decision procedure or to participate in a deemed consent procedure in the proceedings, although the creditor will not receive notice of it.
5. A creditor who has opted out will be treated as having opted out in respect of any consecutive insolvency proceedings of a different kind in respect of the same company or individual.
6. A creditor who has opted out may at any time cease to be an opted out creditor by notice to that effect to Peter O'Hara at his last known address.