

# LIQ03

## Notice of progress report in voluntary winding up



Companies House

TUESDAY



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A16

15/10/2019

#52

COMPANIES HOUSE

### 1 Company details

Company number 0 4 1 1 2 5 1 4

Company name in full The Watermark Group Limited

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

### 2 Liquidator's name

Full forename(s) Steve

Surname Markey

### 3 Liquidator's address

Building name/number Leonard Curtis

Street Leonard Curtis House

Elms Square, Bury New Road

Post town Whitefield

County/Region Greater Manchester

Postcode M 4 5 7 T A

Country

### 4 Liquidator's name ①

Full forename(s) Mark

Surname Colman

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

### 5 Liquidator's address ②

Building name/number Leonard Curtis

Street Leonard Curtis House

Elms Square, Bury New Road

Post town Whitefield

County/Region Greater Manchester

Postcode M 4 5 7 T A

Country

② Other liquidator  
Use this section to tell us about  
another liquidator.

LIQ03

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**6** Period of progress report

From date	d 2	d 2	m 0	m 8	y 2	y 0	y 1	y 8
To date	d 2	d 1	m 0	m 8	y 2	y 0	y 1	y 9

**7** Progress report

☒ The progress report is attached

**8** Sign and date

Liquidator's signature	Signature X		X					
Signature date	d 1	d 4	m 1	m 0	y 2	y 0	y 1	y 9

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 **Joshua Daly**

Company name **Leonard Curtis**

Address **Leonard Curtis House**

**Elms Square, Bury New Road**

**Whitefield**

Post town **Greater Manchester**

County/Region

Postcode **M 4 5 7 T A**

Country

DX

Telephone **0161 413 0930**

**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)



**LEONARD CURTIS**  
BUSINESS RESCUE & RECOVERY

**The Watermark Group Limited  
(In Members' Voluntary Liquidation)**

Company Number: 04112514

Former Registered Office and Trading Address: 9-15 Ribbleton Lane, Preston, Lancashire PR1 3EZ

**Joint Liquidators' Second Progress Report**  
prepared pursuant to Section 92A(1) of the Insolvency Act 1986 (as amended)  
and Rule 18.3 of the Insolvency (England and Wales) Rules 2016

**Report period**  
**22 August 2018 to 21 August 2019**

**14 October 2019**

Leonard Curtis  
Leonard Curtis House, Elms Square, Bury New Road, Whitefield  
Greater Manchester M45 7TA  
Tel: 0161 413 0930 Fax: 0161 413 0931  
recovery@leonardcurtis.co.uk  
Ref: K/40/JDA/T902D/1010

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- 3 Receipts and Payments Account
- 4 Payments to Creditors
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- 7 Matters Still to be Dealt With
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## APPENDICES

- A Account of Joint Liquidators' Receipts and Payments from 22 August 2018 to 21 August 2019
- B Summary of Joint Liquidators' Expenses from 22 August 2017 to 21 August 2019
- C Leonard Curtis Policy Regarding Fees, Expenses and Disbursements
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## TO ALL MEMBERS AND THE REGISTRAR OF COMPANIES

### 1 INTRODUCTION

- 1.1 Steve Markey and Mark Colman were appointed Joint Liquidators of The Watermark Group Limited ("the Company") by the members on 22 August 2017.
- 1.2 Steve Markey and Mark Colman are authorised to act as insolvency practitioners in the UK by the Institute of Chartered Accountants in England and Wales
- 1.3 There has been no change in office holder since the date of Liquidation.
- 1.4 This report provides an update on the conduct of the Liquidation for the period from 22 August 2018 to 21 August 2019, as required by Section 92A(1) of the Insolvency Act 1986 (as amended) and Rule 18.3 of the Insolvency (England and Wales) Rules 2016 (as amended) ("the Rules"). It shows how the Liquidation has been conducted and the Company's property disposed of, the outcome for members and other information that the Joint Liquidators are required to disclose and should be read in conjunction with the previous progress report dated 9 October 2018.
- 1.5 All figures are stated net of VAT.

### 2 CONDUCT OF THE LIQUIDATION

- 2.1 The Company's registered office was changed to Leonard Curtis House, Elms Square, Bury New Road, Whitefield, Greater Manchester M45 7TA on 11 September 2017.

#### **Assets Realised**

##### *VAT on Sale of Property*

- 2.2 During the reporting period, the Joint Liquidators were informed by HM Revenue & Customs ("HMRC") that VAT remaining outstanding on the sale of a property, owned by the Company. The sale took place prior to the Liquidation. Subsequently, the purchaser of the property paid £164,000 into the Liquidation which was forwarded to HMRC.

#### **Assets Still to be Realised**

- 2.3 There are no assets remaining to be realised.

### 3 RECEIPTS AND PAYMENTS ACCOUNT

- 3.1 A summary of the Joint Liquidators' receipts and payments for the entire period of the Liquidation, including the period from 22 August 2018 to 21 August 2019, is attached at Appendix A.

### 4 PAYMENTS TO CREDITORS

- 4.1 As detailed in the declaration of solvency, liabilities were estimated to total £7,016.
- 4.2 A notice for creditors to submit claims was advertised on 22 August 2017.

- 4.3 Creditor claims totalling £4,906 were paid in full, together with statutory interest of £35. A further claim was received during the Liquidation from HMRC, in respect of VAT payable on the sale of the Company's property. The liability of £164,000 was paid in full. The Joint Liquidators and the Company's advisor are currently liaising with HMRC regarding any statutory interest that may be due on their claim.

## 5 DISTRIBUTIONS TO MEMBERS

- 5.1 The Company's share capital consists of 92 ordinary £1 shares and distributions to the members have been made as follows:

Date	Dividend	Type	£	£ / Share
1 September 2017	First Interim	Cash	482,030	5,239
19 December 2017	Second Interim	Cash	4,516	49
			<u>486,546</u>	<u>5,288</u>

## 6 JOINT LIQUIDATORS' REMUNERATION, EXPENSES AND DISBURSEMENTS, AND MEMBERS' RIGHTS

### Remuneration

- 6.1 On 22 August 2017, the members resolved that the Joint Liquidators' remuneration be payable as a set amount of £3,000.
- 6.2 The full amount of £3,000 has been drawn.

### Expenses and Disbursements

- 6.3 A summary of the Joint Liquidators' expenses from 22 August 2017 to 21 August 2019 is attached at Appendix B. To assist members' understanding of this information, it has been separated into the following two categories:
- *Standard Expenses*: this category includes expenses payable by virtue of the nature of the Liquidation process and / or payable in order to comply with legal or regulatory requirements.
  - *Case Specific Expenses*: this category includes expenses likely to be payable by the Joint Liquidators in carrying out their duties in dealing with issues arising in this particular Liquidation. Included within this category are costs that are directly referable to the Liquidation but are not paid to an independent third party (and which may include an element of allocated costs). These are known as 'category 2 disbursements' and they may not be drawn without creditor approval.
- 6.4 Authority to take category 2 disbursements was approved by members on 22 August 2017.
- 6.5 Attached at Appendix C is additional information in relation to the firm's policy on staffing, the use of subcontractors, disbursements and details of current charge-out rates by staff grade.
- 6.6 During the Liquidation, the following professional advisors and / or subcontractors have been used:

Name of Professional Advisor	Service Provided	Basis of Fees
MJH Accountants	Submission of tax returns	Fixed fee

## **Members' Rights**

- 6.7 Under Rule 18.9 of the Rules, within 21 days of receipt of this report, members with either at least five per cent of the total voting rights of all the members having the right to vote at general meetings of the Company, or with the permission of the court, may request in writing that the Joint Liquidators provide further information about their remuneration or expenses which have been itemised in this report.
- 6.8 Under Rule 18.34 of the Rules, members with at least 10 per cent of the total voting rights of all the members having the right to vote at general meetings of the Company, or with the permission of the court, may within eight weeks of receipt of the progress report that first reports the fee basis, the charging of the remuneration or the incurring of the expenses in question, make an application to court on the grounds that, in all the circumstances, the basis fixed for the Joint Liquidators' remuneration is inappropriate and/or the remuneration charged or the expenses incurred by the Joint Liquidators, as set out in the progress report, are excessive.
- 6.9 Unless the court orders otherwise, the costs of the application shall be paid by the applicant and are not payable as an expense of the Liquidation.
- 6.10 Further guidance may be found in "A Guide to Liquidators' Fees" which may be downloaded from [www.r3.org.uk/what-we-do/publications/professional/fees](http://www.r3.org.uk/what-we-do/publications/professional/fees). If you would prefer this to be sent to you in hard copy form, please contact Joshua Daly of this office on 0161 413 0930.

## **7 MATTERS STILL TO BE DEALT WITH**

- 7.1 Matters still to be dealt with before conclusion of the Liquidation include the following:
- Deal with any potential statutory interest on HMRC's claim.
  - Obtain clearance from HMRC to close the case.
  - A final distribution to the members.

## **8 OTHER MATTERS**

### **Data Protection**

- 8.1 When submitting details of your claim in the Liquidation, you may disclose personal data to the Joint Liquidators or their staff. 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. The Joint Liquidators act as Data Controller in respect of personal data obtained in relation to this Liquidation and are therefore responsible for complying with Data Protection Law in respect of any personal data they process. Leonard Curtis' privacy notice, which is attached at Appendix D, explains how your personal data is processed. Terms used in this clause bear the same meanings as are ascribed to them in Data Protection Law.
- 8.2 The Joint Liquidators are bound by the Insolvency Code of Ethics, which can be found at:  
<https://www.gov.uk/government/publications/insolvency-practitioner-code-of-ethics>



Yours faithfully

**STEVE MARKEY**  
**JOINT LIQUIDATOR**

Steve Markey and Mark Colman are authorised to act as insolvency practitioners in the UK by the Institute of Chartered Accountants in England and Wales under office holder numbers 14912 and 9721, respectively

## APPENDIX A

## SUMMARY OF JOINT LIQUIDATORS' RECEIPTS AND PAYMENTS FROM 22 AUGUST 2018 TO 21 AUGUST 2019

	Estimated to Realise £	As at 21 August 2018 £	Movements in the Period £	As at 21 August 2019 £
<b>RECEIPTS</b>				
Balance at Bank	498,602	498,597.43	-	498,597.43
PAYE Refund	246	276.53	-	276.53
VAT Refund	281	-	-	-
	<b>499,129</b>	<b>498,873.96</b>	-	<b>498,873.96</b>
VAT on Sale of Property		-	164,000.00	164,000.00
Bank Interest		2.40	-	2.40
		<b>498,876.36</b>	<b>164,000.00</b>	<b>662,876.36</b>
<b>PAYMENTS</b>				
Professional Fees		2,398.75	-	2,398.75
Statutory Advertising		249.07	-	249.07
Software Licence Fee		87.00	-	87.00
Bordereau Fee		200.00	-	200.00
Bank Charges		22.50	-	22.50
Joint Liquidators' Remuneration		3,000.00	-	3,000.00
<b>TOTAL COSTS AND CHARGES PAID</b>		<b>5,957.32</b>	-	<b>5,957.32</b>
<b>DISTRIBUTIONS</b>				
First Interim (Cash) - £5,239./share - 1 September 2017		482,030.37	-	482,030.37
Second Interim (Cash) - £49.10/Share - 19 December 2017		4,516.78	-	4,516.78
HMRC VAT - 100p/£ paid on 21 February 2019		-	164,000.00	164,000.00
HMRC Corporation Tax - 100p/£ - 29 September 2017		4,906.00	-	4,906.00
Statutory Interest		35.48	-	35.48
		<b>491,488.63</b>	<b>164,000.00</b>	<b>655,488.63</b>
<b>BALANCE</b>		<b>1,430.41</b>	-	<b>1,430.41</b>
<b>MADE UP AS FOLLOWS</b>				
Balance at Bank		1,430.41	-	1,430.41
		<b>1,430.41</b>	-	<b>1,430.41</b>

## SUMMARY OF JOINT LIQUIDATORS' EXPENSES FROM 22 AUGUST 2017 TO 21 AUGUST 2018

## Standard Expenses

Type	Charged by	Description	Total Amount Incurred to Date £	Amount Incurred in This Period £	Amount Paid £	Amount Unpaid £
Bond Fee	AUA Insolvency Risk Specialists	Insurance bond	200.00	-	200.00	-
Software Licence Fee	Pelstar	Case management system licence fee	87.00	-	87.00	-
Statutory Advertising	Courts Advertising	Advertising	249.07	-	249.07	-
		<b>Total standard expenses</b>	<b>536.07</b>	<b>-</b>	<b>536.07</b>	<b>-</b>

## Case Specific Expenses

Type	Charged by	Description	Total Amount Incurred to Date £	Amount Incurred in This Period £	Amount Paid £	Amount Unpaid £
Professional Fees	MJH Accountants	Accountancy and tax advice	2,398.75	-	2,398.75	-
Bank Charges	AIB	CHAPS Fee	22.50	-	22.50	-
		<b>Total case specific expenses</b>	<b>2,421.25</b>	<b>-</b>	<b>2,421.25</b>	<b>-</b>

**LEONARD CURTIS POLICY REGARDING FEES, EXPENSES AND DISBURSEMENTS**

The following Leonard Curtis policy information is considered to be relevant to creditors:

**Staff Allocation and Charge Out Rates**

We take an objective and practical approach to each assignment which includes active director involvement from the outset. Other members of staff will be assigned on the basis of experience and specific skills to match the needs of the case. Time spent by secretarial and other support staff on specific case related matters, e.g. report despatching, is not charged.

Where it has been agreed by resolution that the office holders' remuneration will be calculated by reference to the time properly given by the office holders and their staff in attending to matters as set out in a fees estimate, then such remuneration will be calculated in units of 6 minutes at the standard hourly rates given below. In cases of exceptional complexity or risk, the insolvency practitioner reserves the right to obtain authority from the appropriate body of creditors that their remuneration on such time shall be charged at the higher complex rate given below.

The following hourly charge out rates apply to all assignments undertaken by Leonard Curtis:

<b>6 Jan 2014 onwards</b>	Standard	Complex	<b>1 Aug 2019 onwards</b>	Standard	Complex
	£	£		£	£
Director	450	562	Director	525	656
Senior Manager	410	512	Senior Manager	445	556
Manager 1	365	456	Manager 1	395	494
Manager 2	320	400	Manager 2	345	431
Administrator 1	260	325	Administrator 1	280	350
Administrator 2	230	287	Administrator 2	250	313
Administrator 3	210	262	Administrator 3	230	288
Administrator 4	150	187	Administrator 4	165	206
Support	0	0	Support	0	0

Office holders' remuneration may include costs incurred by the firm's in-house legal team, who may be used for non-contentious matters pertaining to the insolvency appointment.

**Subcontractors**

Where we subcontract out work that could otherwise be carried out by the office holder or his/her staff, this will be drawn to the attention of creditors in any report which incorporates a request for approval of the basis upon which remuneration may be charged. An explanation of why the work has been subcontracted out will also be provided.

**Professional Advisors**

Details of any professional advisor(s) used will be given in reports to creditors. Unless otherwise indicated the fee arrangement for each is based on hourly charge out rates, which are reviewed on a regular basis, together with the recovery of relevant disbursements.

The choice of professional advisors is based around a number of factors including, but not restricted to, their expertise in a particular field, the complexity or otherwise of the assignment and their geographic location.

**Expenses**

We are required to provide creditors with an estimate of the expenses we expect to be incurred in respect of an assignment and report back to them on actual expenses incurred and paid in our periodic progress reports. There are two broad categories of expenses: standard expenses and case specific expenses. These are explained in more detail below:

- a) Standard Expenses – this category includes expenses which are payable in order to comply with legal or regulatory requirements and therefore will generally be incurred on every case. They will include:

## The Watermark Group Limited – In Members' Voluntary Liquidation

Type	Description	Amount																								
AML checks	Electronic client verification in compliance with the Money Laundering, Terrorist Financing and Transfer of Funds (Information on the Payer) Regulations 2017	£5.00 plus VAT per search																								
Bond / Bordereau fee	Insurance bond to protect the insolvent entity against and losses suffered as a result of the fraud or dishonesty of the IP	£10.00 to £1,200.00 dependent on value of assets within case																								
Company searches	Extraction of company information from Companies House	£1.00 per document unless document can be accessed via the free service																								
Document hosting	Hosting of documents for creditors/shareholders. Cost per upload, plus VAT.	<table><tr><th>Type</th><th>First 100</th><th>Every addtl 10</th></tr><tr><td>ADM</td><td>£14.00</td><td>£1.40</td></tr><tr><td>CVL</td><td>£7.00</td><td>£0.70</td></tr><tr><td>MVL</td><td>£7.00</td><td>£0.70</td></tr><tr><td>CPL</td><td>£7.00</td><td>£0.70</td></tr><tr><td>CVA</td><td>£10.00</td><td>£1.00</td></tr><tr><td>BKY</td><td>£10.00</td><td>£1.00</td></tr><tr><td>IVA</td><td colspan="2">£10 p.a. or £25 for life of case</td></tr></table>	Type	First 100	Every addtl 10	ADM	£14.00	£1.40	CVL	£7.00	£0.70	MVL	£7.00	£0.70	CPL	£7.00	£0.70	CVA	£10.00	£1.00	BKY	£10.00	£1.00	IVA	£10 p.a. or £25 for life of case	
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BKY	£10.00	£1.00																								
IVA	£10 p.a. or £25 for life of case																									
Post re-direction	Redirection of post from Company's premises to office-holders' address	0-3 months £204.00 3-6 months £303.00 6-12 months £490.00																								
Software Licence fee	Payable to software provider for use of case management system	£87.00 plus VAT per case																								
Statutory advertising	Advertising of appointment, notice of meetings etc. - London Gazette - Other	£85.95 plus VAT per advert Dependent upon advert and publication																								
Storage costs	Costs of storage of case books and records	£5.07 plus VAT per box per annum plus handling charges																								

- b) Case-specific expenses – this category includes expenses (other than office-holders' fees) which are likely to be payable on every case but which will vary depending upon the nature and complexity of the case and the assets to be realised. They will include:

Type	Description	Amount
Agents' fees	Costs of appointed agents in valuing and realising assets	Time costs plus disbursements plus VAT
Debt Collection fees	Costs of appointed debt collectors in realising debts	Generally agreed as a % of realisations plus disbursements plus VAT
Legal fees	Costs of externally appointed solicitors. Will generally comprise advice on validity of appointment, drafting of sale contracts, advice on retention of title issues and advice on any reviewable transactions.	Time costs plus disbursements plus VAT
Other disbursements	See <b>disbursements</b> section below	See <b>disbursements</b> section below

### Disbursements

Included within both of the above categories of expenses are disbursements, being amounts paid firstly by Leonard Curtis on behalf of the insolvent entity and then recovered from the entity at a later stage. These are described as Category 1 and Category 2 disbursements.

- a) Category 1 disbursements: These are costs where there is specific expenditure directly referable both to the appointment in question and a payment to an independent third party. These may include, for example, advertising, room hire, storage, postage, telephone charges, travel expenses (excl. mileage), and equivalent costs reimbursed to the office holder or his or her staff. Category 1 disbursements may be drawn without prior approval.
- b) Category 2 disbursements: These are costs that are directly referable to the appointment in question but not to a payment to an independent third party. They may include shared or allocated costs that can be allocated to the appointment on a proper and reasonable basis, for example, business mileage. In the event of charging for category 2 disbursements the following items of expenditure are recharged on this basis and are believed to be in line with the cost of external provision:

Internal photocopying	10p per copy
General stationery, postage, telephone etc	£100 per 100 creditors/ members or part thereof
Storage of office files (6 years)	£81.25 per box
Business mileage	45p per mile

Category 2 disbursements may be drawn if they have been approved in the same manner as an office holder's remuneration.

**LEONARD CURTIS  
PRIVACY NOTICE FOR CREDITORS**

**Information we collect and hold about you**

By requesting details of your claim in this insolvency, we may collect Personal Data from you, particularly if you are a consumer creditor, a sole trader or are lodging a claim in your personal capacity.

Personal Data is information relating to a living individual. Whenever Personal Data is processed, collected, recorded, stored or disposed of it must be done within the terms of the General Data Protection Regulation ("the GDPR"). Examples of Personal Data include but may not be limited to your name, address, telephone number and email contact details.

If you do not provide us with the information we require, this may adversely affect our ability to deal with your claim, but we would ask you not to submit more Personal Data than we request from you.

**Legal justification for processing your Personal Data**

The processing of your Personal Data by us is necessary to enable us to comply with legal obligations under the Insolvency Act 1986 and associated legislation which we are subject to as Insolvency Practitioners.

**How we use your information**

All information you supply to us is required to enable us to comply with our duties under the Insolvency Act 1986 and associated legislation. It will be used to enable us to assess the extent of the insolvent entity's liabilities, to allow you to vote on any decision procedures, to enable us to communicate with you, to process your claim and to pay any dividends which may be due to you from the insolvent estate.

**Who we share your information with**

We may be required to share some of your Personal Data with other creditors. The data which will be shared with other creditors will be limited to that specifically required to be disclosed under insolvency legislation.

We may share some of your information with our Data Processors. Data Processors include solicitors, accountants and employment law specialists who assist us with our duties where required. We will only share your information with our Data Processors if we require their specialist advice. All of our Data Processors are subject to written contracts with us to ensure that your Personal Data is processed only in accordance with the GDPR.

**How long will we hold your Personal Data for?**

We will need to hold your Personal Data for a period of time after the insolvency has been concluded. This is to enable us to deal with any queries which might arise. Our Records Management Policy requires us to destroy our physical files 6 years after closure of the case. Electronic data files will be removed from our Case Management System 6 years after conclusion of the case but may be held on our server for a longer period of time but with restricted access.

**Your rights in respect of your Personal Data**

You have the right to request access to your Personal Data and to require it to be corrected or erased. You also have the right to request a restriction in the way we process your Personal Data or to object to its processing. You should be aware however that we may not be able to comply with your request if this would affect our ability to comply with our legal obligations.

You have the right to Data Portability. This is a right to have the Personal Data we hold about you to be provided to you in a commonly used and machine-readable format so that you can transfer that Data to another organisation in a way that is not too onerous to upload the Data.

**Your right to complain**

You have the right to be confident that we are handling your Personal Data responsibly and in line with good practice. If you have a concern about the way we are handling your Personal Data you should contact our Privacy Manager in the first instance.

## **The Watermark Group Limited – In Members' Voluntary Liquidation**

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If you are unable to resolve your concerns with us, you have the right to complain to the Information Commissioners' Office. The Information Commissioner can be contacted at Wycliffe House, Water Lane, Wilmslow, Cheshire SK6 5AF or on 0303 123 1113.

### **Contacting us**

If you have any questions relating to the processing of your Personal Data, please write to our Privacy Manager at Leonard Curtis, 5<sup>th</sup> Floor, Grove House, 248A Marylebone Road, London NW1 6BB Alternatively our Privacy Manager can be contacted by telephone on 0207 535 7000 or by email: [privacy@leonardcurtis.co.uk](mailto:privacy@leonardcurtis.co.uk).

**Data Controller: LEONARD CURTIS**