

Liquidator's Progress Report

S.192

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

To the Registrar of Companies

Company Number

05342050

Name of Company

Benda Limited T/A Millenium Café

I / We

Nedim Ailyan, 142-148 Main Road, Sidcup, Kent, DA14 6NZ

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

The Progress Report covers the period from 02/04/2014 to 01/04/2015

Signed

Date 18-5-15

Abbott Fielding Limited
142-148 Main Road
Sidcup
Kent
DA14 6NZ

Ref BEND001/NPA/RFD/LA

WEDNESDAY



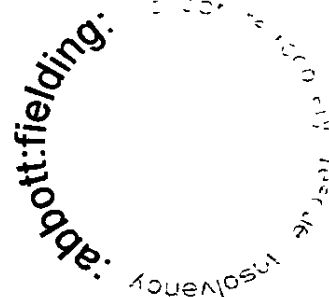
A48QV14G
A17 03/06/2015 #263
COMPANIES HOUSE

**Benda Limited T/A Millenium Café
(In Liquidation)
Liquidator's Abstract of Receipts & Payments**

Statement of Affairs	From 02/04/2014 To 01/04/2015
REPRESENTED BY	NIL
	NIL

Note

TO ALL KNOWN MEMBERS AND CREDITORS



When telephoning please ask for Lucy Azzopardi

27 May 2015

Our Ref npa/rfd/la bend001 cvl 12
Your Ref

Dear Sirs

BENDA LIMITED T/A MILLENIUM CAFÉ - IN LIQUIDATION

I refer to my appointment as liquidator on 2 April 2014. This is my report on the progress made in the liquidation for the period 2 April 2014 to 1 April 2015. It should be read in conjunction with my previous reports.

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 Liquidator's remuneration and expenses, within 21 days of 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 creditors (including the creditor in question), 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. Any secured creditor may make a similar application to court within the same time limit.

Should you have any queries regarding this matter please do not hesitate to contact Lucy Azzopardi who is dealing with this matter on my behalf.

Yours faithfully


Nedim Ailyan
Liquidator

Nedim Ailyan is licensed in the United Kingdom to act as an insolvency practitioner by the The Insolvency Practitioners Association

:abbott:fielding:

142/148 Main Road Sidcup Kent DA14 6NZ
Tel 020 8302 4344 Fax 020 8309 9178
info@abbottfielding.co.uk www.abbottfielding.co.uk

Insolvency Practitioners act as agents only and without personal liability

Abbott Fielding Limited registered in England No 05588036 Registered Office Lynwood House, Crofton Road Orpington, BR6 8QE

BENDA LIMITED T/A MILLENIUM CAFÉ- IN LIQUIDATION

LIQUIDATOR'S PROGRESS REPORT TO MEMBERS AND CREDITORS

I enclose for your information

- 1 A receipts and payments account for the period from 2 April 2014 to 1 April 2015
- 2 A summary of my firm's time costs from 2 April 2014 to 1 April 2015
- 3 Details of my firm's charge out rates and disbursement policy

STATUTORY INFORMATION

Company Name	Benda Limited T/A Millenium Café
Company Number	05342050
Current Registered Office	142/148 Main Road, Sidcup, Kent, DA14 6NZ
Former Registered Office	24 Wilton Drive, Romford, Essex, RM5 3TJ
Trading address	196 High Street, Enfield, Middlesex, EN3 4EZ
Office Holder(s) / Numbers	Nedim Ailyan (9072)
Liquidator's Date of Appointment	2 April 2014

LIQUIDATOR'S ACTIONS SINCE APPOINTMENT

Within the period covered by this report I have ensured that all my statutory requirements have been adhered to and all other duties in relation to the management of the case have been completed

As you will be aware, the company originally went into liquidation on 11 October 2012 and Michael Reeves of Free from Debts Limited ("the previous liquidator") was appointed liquidator on the same date. Mr Reeves was released from office on 28 December 2013 at a final creditors' meeting held on 12 December 2013 and the company was due to be dissolved on 3 April 2014.

Prior to the dissolution, HM Revenue & Customs ("HMRC") made an application to Court on 28 March 2014 for me to be appointed as liquidator in order to investigate the reasons for the failure of the company and to review the conduct of its director.

I was subsequently appointed liquidator of the company by a Court Order pursuant to section 108(1) of the Insolvency Act 1986 on 2 April 2014. The dissolution of the company was deferred until 2 October 2014.

As referred to in the director's Estimated Statement of Affairs ("ESoA") dated 10 October 2012, the company has no assets. The previous liquidator's final report stated that the only assets realised were the contents of the Millenium Café which were sold pre-appointment and the proceeds were utilised to pay the previous liquidator's costs for assisting to place the company into liquidation.

There were no other assets at the date of my appointment and to date I have not become aware of any other assets.

:abbott:fielding:

In order to assist me with my investigations, I instructed solicitors, Mills & Reeves LLP, who have been liaising with the previous liquidator to obtain information regarding the company and obtain the company's records

In order to continue with my investigations in respect of the above matters, my solicitor made an application to Court on 3 September 2014 to further defer the company's dissolution. The Court ordered that the dissolution of the company be deferred until 2 October 2015

My solicitors have attempted to contact the director on several occasions in order to set up a meeting to discuss the company's affairs, however, their letters have been returned. From my solicitor's enquiries, it is speculated that the director may have returned to Turkey. My investigations in this regard are ongoing

RECEIPTS AND PAYMENTS ACCOUNT

My Receipts and Payments Account for the period from 2 April 2014 to 1 April 2015 is attached

Any funds received into the liquidation will be held in an interest bearing estate bank account

ASSETS

As mentioned above, the director's ESoA showed that the company has no assets. The previous liquidator's final report stated the only assets were the contents of the Millenium Café which were sold pre-appointment and the proceeds were utilised to pay the previous liquidator's costs for assisting to place the company into liquidation

There were no other assets at the date of my appointment and to date I have not become aware of any other assets. My investigations in this regard are still ongoing

CREDITOR CLAIMS & DIVIDEND PROSPECTS

Prescribed Part

The provisions of section 176A of the Insolvency Act 1986 require a liquidator to set aside a percentage of a company's assets for the benefit of the unsecured creditors in cases where the company gave a 'qualifying floating charge' over its assets to a lender on or after 15 September 2003. This is known as the 'prescribed part of the net property'. A company's net property is that left after paying any preferential creditors, but before paying the lender who holds a floating charge. A liquidator is required to set aside

- 50% of the first £10,000 of the net property, and
- 20% of the remaining net property, upto a maximum of £600,000

The company does not have any qualifying floating charges and therefore the prescribed part does not apply in this case

Unsecured Creditors

Unsecured creditors' claims in the director's ESoA totalled £21,125 of which £19,340 was attributable to HM Revenue & Customs. To date, I have not yet received any claims from creditors. Should you wish to claim in the liquidation, I should be most grateful if you would complete and return the enclosed proof of debt form together with a detailed statement of account

:abbott:fielding:

Based on current information, it is uncertain whether there will be a dividend to unsecured creditors. Any dividend will wholly depend on the outcome of my investigations.

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 identified matters that justified further investigation; however, I am unable to provide any further comment at present, as investigations are ongoing at the time of this report and I would not wish to prejudice any subsequent investigations or proceedings.

Within six 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 him unfit to be concerned with the management of the company. I would confirm that my report has been submitted.

PRE-APPOINTMENT REMUNERATION

My pre-appointment costs of £44 relate to dealing with the submission of my consent to act in relation to my appointment.

My pre-appointment costs are as yet unpaid as insufficient realisations have been made to date.

At this stage, I do not intend to hold a meeting of creditors to agree my pre-appointment costs; however, in the event that assets are realised, I will hold a meeting to agree that these costs be paid. Such meeting will be required to be held within eighteen months of my appointment.

LIQUIDATOR'S REMUNERATION

My total costs to 1 April 2015 amount to £2,050 representing 9.10 hours at an average charge out rate of £225.27 per hour.

I have not been able to draw any remuneration in this matter.

At this stage, I do not intend to hold a meeting of creditors to agree the basis of my remuneration; however, in the event that assets are realised, I will hold a meeting to agree the basis of my remuneration. Such meeting will be required to be held within eighteen months of my appointment.

A schedule of my time costs incurred to date are attached.

:abbott:fielding:

A description of the routine work undertaken since my appointment as Liquidator is as follows

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 and electronic case details on IPS
- Review and storage
- Case bordereau
- Case planning and administration
- Preparing reports to members and creditors
- Convening and holding meetings of members and creditors

2 Cashiering

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

3 Creditors

- Dealing with creditor correspondence and telephone conversations
- Preparing reports to creditors
- Maintaining creditor information on IPS
- Reviewing and adjudicating on proofs of debt received from creditors

4 Investigations

- Review and storage of books and records
- Prepare a return pursuant to the Company Directors Disqualification Act
- Conduct investigations into suspicious transactions
- Review books and records to identify any transactions or actions a liquidator may take against a third party in order to recover funds for the benefit of creditors

5 Realisation of Assets

- Liaising with the company's bank regarding the company's bank account
- Liaising with the previous liquidator in order to establish whether the company has any assets and liaising with my solicitors in this regard
- Attempting to contact the company's director to establish if the company has any assets and liaising with my solicitors in this regard

A copy of creditors' guide to liquidators' fees can be obtained from Abbott Fielding or from our website at <http://www.abbottfielding.co.uk>

:abbott:fielding:

LIQUIDATOR'S EXPENSES

I have incurred expenses to 1 April 2015, of £6,888 32 I have not been able to draw any expenses in this matter

Category 1 Disbursements

Type of expense	This Period	
	Incurred	Paid
Bond and Insurance	36 00	
Searches	6 00	
Legal	6,841 32	
Postage		
Total	6,888.32	Nil

Solicitors

My solicitors, Mills & Reeve LLP have incurred fees and disbursements of £6,841 32 plus VAT as noted above Due to insufficient funds, no payment has been made against these costs Their fees relate to the time spent in dealing with the filing of paperwork regarding my appointment, the applications to Court for deferment of the company's dissolution and assisting with my investigations into the company's affairs The fees charged have been based on a time cost basis

The choice of professionals was based on my perception of their experience and ability to perform this type of work, the complexity and nature of the assignment and the basis of my fee arrangement with them The fees charged have been reviewed and I am satisfied that they are reasonable in the circumstances of this case

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 Liquidator's remuneration and expenses, within 21 days of 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 creditors (including the creditor in question), 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 Any secured creditor may make a similar application to court within the same time limit

SUMMARY


I am required to provide a further report on the progress of the liquidation within two months of the next anniversary unless I have concluded matters prior to this, in which case I will provide all creditors with my final progress report ahead of convening the final meetings of members and creditors

:abbott:fielding:

In accordance with the Court Order, the dissolution of the company is deferred until 2 October 2015. I expect that the liquidation will remain open at least until the dissolution date in order for me to conclude my ongoing investigations. If required, I will make a further application to Court for a further deferment of the company's dissolution until my investigations have been fully resolved. Once resolved the liquidation will be finalised and my files closed.

Should you have any queries regarding this matter please do not hesitate to contact Lucy Azzopardi who is dealing with this matter on my behalf.

Yours faithfully



Nedim Ailyan
Liquidator

Nedim Ailyan is licensed in the United Kingdom to act as an insolvency practitioner by the The Insolvency Practitioners Association

:abbott:fielding:

**Benda Limited T/A Millenium Café
(In Liquidation)**

**Liquidator's Abstract Of Receipts And Payments
To 01 April 2015**

RECEIPTS	Statement of Affairs (£)	Total (£)
		0 00
PAYMENTS		
		0 00
Net Receipts/(Payments)		0 00
MADE UP AS FOLLOWS		0 00

SIP 9 - Time & Cost Summary

Period 02/04/14 01/04/15

Time Summary

Hours						Time Cost (£)	Average hourly rate (£)
Classification of work function	Partner	Manager	Other Senior Professionals	Assistants & Support Staff	Total Hours		
Administration & planning	0 00	0 00	0 00	3 30	3 30	726 00	220 00
Investigations	0 40	0 00	0 00	5 40	5 80	1,324 00	228 28
Realisations 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
Creditors	0 00	0 00	0 00	0 00	0 00	0 00	0 00
Case specific matters	0 00	0 00	0 00	0 00	0 00	0 00	0 00
Total Hours	0 40	0 00	0 00	8 70	9 10	2,050 00	225 27
Total Fees Claimed						0 00	

PROOF OF DEBT - GENERAL FORM

Benda Limited T/A Millenium Café		
Date of resolution for voluntary winding up 2 April 2014		
1	Name of Creditor (If a company please also give company registration number)	
2	Address of Creditor for correspondence	
3	Total amount of claim, including any Value Added Tax and outstanding uncapitalised interest as at the date the company went into liquidation	
4	Details of any documents by reference to which the debt can be substantiated [Note there is no need to attach them now but the liquidator may call for any document or evidence to substantiate the claim at his discretion as may the chairman or convenor of any meeting]	
5	If amount in 3 above includes outstanding uncapitalised interest please state amount	£
6	Particulars of how and when debt incurred (If you need more space append a continuation sheet to this form)	
7	Particulars of any security held, the value of the security, and the date it was given	
8	Particulars of any reservation of title claimed in respect of goods supplied to which the claim relates	
9	Signature of creditor or person authorised to act on his behalf _____ Date _____ Name in BLOCK LETTERS Position with or in relation to creditor _____	
For office use only		
Admitted to vote for		Admitted for dividend for
£		£
Date		Date

Abbott Fielding Limited

Time costs are calculated using 6 minute units. Time spent by support and secretarial staff for carrying out shorter tasks, such as typing or dealing with post, is not charged to cases but is carried as an overhead of the firm. Only where a significant amount of time is spent at one time on a case is a charge made for support staff.

Hourly Charge-out Rates

	Period from 1 January 2014	Period from 1 February 2015
Partners	£335	£345
Managers	£250 - 285	£260 - 295
Administrators	£220	£230
Support Staff	£160	£170

Disbursements recovered by Abbott Fielding

Insolvency practitioners are required to divide the expenses incurred in an insolvency assignment into two categories. These are described below, together with examples of the type of expenses relating to each category.

CATEGORY 1

Category 1 Disbursements will generally comprise external supplies of incidental services specifically identifiable to the case. Typically for items such as identifiable telephone calls, postage, case advertising, invoiced travel and properly reimbursed expenses incurred by personnel in connection with the case. It will also include services specific to the case where these cannot practicably be provided internally, such as printing, room hire and document storage. Information relating to a specific Category 1 disbursements can be provided where reasonably requested.

CATEGORY 2

Category 2 Disbursements are those where costs are recovered which, whilst being in the nature of expenses or disbursements, include elements of shared or allocated costs. These are identified and subject to approval by those approving the Insolvency Practitioner's remuneration. Such expenses should be of an incidental nature and directly incurred on the case. Where Category 2 disbursements are drawn there will be a reasonable method of calculation and allocation, for example a comparison with the cost of external provision of the expenses. The basis for charging Category 2 disbursements will be disclosed to creditors and authorised by those responsible for approving the Insolvency Practitioner's remuneration. Abbott Fielding will not be seeking to recover Category 2 disbursements in this case.