

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	5	7	4	0	1	7	7
Company name in full	Tewkesbury Limited							

→ Filling in this form

Please complete in typescript or in
bold black capitals.

2 Liquidator's name

Full forename(s)	Charles Graham John
Surname	King

3 Liquidator's address

Building name/number	1 Bridgewater Place
Street	Water Lane
Post town	Leeds
County/Region	West Yorkshire
Postcode	L S 1 1 5 Q R
Country	United Kingdom

4 Liquidator's name ①

Full forename(s)	Robert Hunter
Surname	Kelly

① Other liquidator

Use this section to tell us about
another liquidator.

5 Liquidator's address ②

Building name/number	1 Bridgewater Place
Street	Water Lane
Post town	Leeds
County/Region	West Yorkshire
Postcode	L S 1 1 5 Q R
Country	United Kingdom

② Other liquidator

Use this section to tell us about
another liquidator.

LIQ03

Notice of progress report in voluntary winding up

6	Period of progress report															
From date	d	0	d	8	m	0	m	7	y	2	y	0	y	2	y	0
To date	d	0	d	7	m	0	m	7	y	2	y	0	y	2	y	1
7	Progress report															
☒ The progress report is attached																
8	Sign and date															
Liquidator's signature	Signature 															
Signature date	d	0	d	1	m	0	m	9	y	2	y	0	y	2	y	1

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 Mark Chapman

Company name Ernst & Young LLP

Address 1 Bridgewater Place, Water Lane

Post town Leeds

County/Region West Yorkshire

Postcode L S 1 1 5 Q R

Country United Kingdom

DX

Telephone +44 113 298 2602



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

TO ALL MEMBERS AND ALL CREDITORS
WHO ARE NOT OPTED OUT

1 September 2021

Ref: TEWK01
Mark Chapman
Direct line: +44 113 298 2602
Email: mark.chapman@parthenon.ey.com

Tewkesbury Limited (in Creditors' Voluntary Liquidation) ("the Company")

Dear Sir or Madam

Robert Hunter Kelly and I were appointed as Joint Liquidators of the Company on 8 July 2020. I now write to provide you with our report on the progress of the liquidation for the period from 8 July 2020 to 7 July 2021.

At Appendix A of this report we provide information about the Company and the Liquidators. A copy of our receipts and payments account for the period from 8 July 2020 to 7 July 2021 is at Appendix B.

Progress during the period of the report

Assets

The directors' statement of affairs showed the Company as having no realisable assets as at the date of liquidation.

The statement of affairs included an intercompany receivable balance with a book value of £198,000 and an unknown estimated to realise value due to the Company from OfficeTeam 2 Group Limited ("OT2GL"), which was placed into Liquidation on 8 July 2020. On further review of the Company's records, the Joint Liquidators identified that the receivable balance was in the sum of £804,201.

Following the appointment of the Joint Liquidators to the Company, a claim for £804,201 was submitted in the Liquidation of OT2GL in respect of the intercompany receivable balance. There have been no realisations in relation to this amount to date and the recoverability of the same is uncertain.

Total asset realisations in the liquidation to date are therefore £Nil.

Liabilities

Secured Creditors

The directors' statement of affairs showed the Company as owing the sum of £16.8m to the secured creditors, Lloyds Bank Plc ("LBG") and BECAP 12 GP Limited ("BECAP") in respect of debentures registered against the Company and other Spicers-OfficeTeam Group companies ("the Group") under the terms of cross guarantees.

LBG has submitted a final claim and BECAP has submitted an interim claim in respect of their respective security in the Administrations of connected group companies, Spicers Limited ("Spicers") and OfficeTeam Limited and the liquidation of The Spicers-OfficeTeam Group Limited.

It is our understanding that LBG has been paid in full from the Administration of Spicers and BECAP has been repaid to the extent of the interim claim that has been submitted. A further claim is expected from BECAP which will need to be settled before the secured creditors are repaid in full.

As a consequence of the cross guarantee provided by the Company to the secured creditors, we are investigating whether subrogated secured claims may arise from Spicers or any other group company.

Unsecured Creditors

The directors' statement of affairs showed the Company as not owing any amounts to unsecured creditors.

A notice was advertised in the London Gazette for any persons claiming to be creditors of the Company to submit their claims by 21 August 2020.

No claims have been received from unsecured creditors.

Agreement of tax position

It is customary in a liquidation to seek confirmation from the relevant Crown authorities that they have no claim in respect of taxation matters for the post liquidation period and no objection to the conclusion of the liquidation.

HM Revenue & Customs ("HMRC") were notified of the Joint Liquidators' appointment together with our notice of intention to conclude the liquidation in due course. HMRC have not objected to our intention to conclude the liquidation once the winding up has been completed.

Work which remains to be done

As noted above, a claim for £804,201 has been submitted in the Liquidation of OT2GL in respect of an intercompany balance owed to the Company. The timing and quantum of any potential realisations in relation to this amount are unknown and the liquidation will remain open until the position is confirmed.

Joint Liquidators' remuneration

Our remuneration was fixed on a time-cost basis as a fixed sum of £30,000 plus VAT by a resolution of the creditors on 9 July 2020.

During the period covered by this report, we have charged remuneration of £13,379.24 plus VAT. No amounts have been paid in this respect.

At Appendix C to this report there is an analysis of the time spent, an explanation of the work done and a comparison with the fee estimate dated 2 July 2020.

The Liquidators' remuneration is not expected to exceed the amount provided for in the fee estimate.

Joint Liquidators' statement of expenses incurred

During the period covered by this report, we have incurred expenses totalling £179.33 plus VAT. The expenses can be summarised as follows:

Type of Expense	Per Estimate Dated 2 July 2020	Paid in Period	Outstanding	Total
Category 1 expenses				
Statutory advertising	105.33	-	105.33	105.33
Statutory bonding	24.00	-	24.00	24.00
Storage costs	50.00	-	50.00	50.00
Total	179.33	-	179.33	179.33

The Liquidators' expenses are not expected to exceed the amount provided for in the estimate provided to creditors dated 2 July 2020.

Creditors' rights to further information about, and challenge, remuneration and expenses

The statutory provisions relating to remuneration are set out in Chapter 4 of Part 18 of the Rules. Further information is given in the Association of Business Recovery Professionals' publication 'A Creditors' Guide to Liquidators' Fees', a copy of which may be accessed from the web site of the Institute of Chartered Accountants in England and Wales at <https://www.icaew.com/en/technical/insolvency/creditors-guides> or is available in hard copy upon written request to the Joint Liquidators.

In certain circumstances, creditors are entitled to request further information about our remuneration or expenses, or to apply to court if they consider the costs to be excessive (Rules 18.9 and 18.34 of the Rules). Further information is provided in 'A Creditors' Guide to Liquidators' Fees' referred to above.

Investigations

The Joint Liquidators have undertaken an investigation into the Company's affairs following their appointment pursuant to Statement of Insolvency Practice Number 2 (Investigations by Office Holders) and the Company Directors Disqualification Act 1986.

We have submitted our confidential return on the conduct of the all persons who have been directors, shadow or de-facto directors of the Company during the three years prior to our appointment to the Insolvency Service.

The Joint Liquidators can advise that no investigations are continuing in this respect and no third-party funding has been provided.

Other matters

We will report to all creditors again in 12 months' time or at the conclusion of the liquidation, whichever is sooner.

Should you wish to discuss any matters arising from this report, please do not hesitate to contact Mark Chapman on the direct line number shown above.

Yours faithfully
for the Company



Charles King
Joint Liquidator

C G J King is licensed in the United Kingdom to act as an insolvency practitioner by the Institute of Chartered Accountants in England and Wales. R H Kelly is licensed in the United Kingdom to act as an insolvency practitioner by the Institute of Chartered Accountants of Scotland.

The Joint Liquidators may act as data controllers of personal data as defined by the UK General Data Protection Regulation (as incorporated in the Data Protection Act 2018), depending upon the specific processing activities undertaken. Ernst & Young LLP and/or the Company may act as a data processor on the instructions of the Joint Liquidators. Personal data will be kept secure and processed only for matters relating to the Joint Liquidator's appointment. The Office Holder Data Privacy Notice can be found at www.ey.com/uk/officeholderprivacy

Tewkesbury Limited (in Creditors' Voluntary Liquidation) ("the Company")

Information about the Company and the Liquidators

Registered office address of the Company:	1 Bridgewater Place, Water Lane, Leeds, LS11 5QR
Registered number:	05740177
Date of appointment of the Joint Liquidators:	8 July 2020
Details of any changes of liquidator:	None
Full names of the liquidators:	Charles Graham John King and Robert Hunter Kelly
Office holder numbers:	8985 and 8582
Liquidators' address:	Ernst & Young LLP, 1 Bridgewater Place, Water Lane, Leeds, LS11 5QR
Telephone number:	+44 113 298 2602
Name of alternative person to contact with enquiries about the case:	Mark Chapman

Tewkesbury Limited (in Creditors' Voluntary Liquidation)
("the Company")

Joint Liquidators' receipts and payments account for the period from 8 July 2020 to 7 July 2021

Statement of affairs Estimated to Realise Values £		In this Report Period £	Cumulative Total £
	Receipts		
-		-	-
-		-	-
	Payments		
-		-	-
-		-	-
-	Balance at bank	-	-

Notes

1. Receipts and payments are stated net of VAT.

Tewkesbury Limited (in Creditors' Voluntary Liquidation) ("the Company")

Joint Liquidators' time costs for the period from 8 July 2020 to 7 July 2021

	Staff Grade							Total Hours	Total Cost £	Average Rate £
	Partner	Associate Partner	Director	Assistant Director	Manager	Executive	Analyst			
Administration & Planning	-	-	-	0.0	0.8	2.5	2.4	5.8	1,854.4	322.1
Creditors	-	0.0	1.6	-	0.9	0.2	0.3	3.1	1,919.8	618.3
Debtors	-	-	0.1	-	0.2	-	-	0.3	166.9	598.5
Employees	-	-	-	-	0.1	-	-	0.1	38.3	520.0
Immediate Tasks	-	-	1.3	-	0.3	2.4	0.2	4.2	2,128.7	506.8
Investigation & CDDA	-	0.1	1.0	-	0.6	3.2	2.4	7.3	2,967.5	407.1
Job Acceptance & Strategy	-	0.0	-	-	1.6	-	2.1	3.7	1,347.9	361.2
Legal Issues	-	0.1	-	-	0.2	-	-	0.3	192.5	641.6
Other Assets	-	-	-	-	0.6	-	-	0.6	325.7	520.0
Other Matters	-	-	-	-	0.7	0.0	0.3	1.0	427.8	427.8
Reporting	-	0.1	0.3	-	0.1	-	-	0.4	317.8	764.2
Property	-	-	-	-	-	-	-	-	-	-
Statutory Duties	-	0.0	-	-	0.1	2.7	0.8	3.7	1,248.2	340.7
VAT & Taxation	-	0.0	-	-	0.4	0.4	0.3	1.1	443.7	388.5
Total Hours	-	0.4	4.3	0.0	6.5	11.5	8.9	31.6		
Time Costs (£)	-	376.29	3,325.26	28.63	3,394.47	4,231.84	2,022.74		13,379.24	
Average Hourly Rate (£)	-	905.0	780.0	680.0	520.1	368.7	228.4		423.6	

Comparison with fee estimate dated 2 July 2020

	Per Fee Estimate			Actual in this report period		
	Total hours	Total costs (£)	Average rate (£)	Total hours	Total costs (£)	Average rate (£)
Administration & Planning	8.0	3,115.0	389	5.8	1,854.4	322.1
Creditors	8.0	3,900.0	488	3.1	1,919.8	618.3
Debtors	-	-	-	0.3	166.9	598.5
Employees	-	-	-	0.1	38.3	520.0
Immediate Tasks	11.0	3,710.0	337	4.2	2,128.7	506.8
Investigation & CDDA	14.0	5,515.0	394	7.3	2,967.5	407.1
Job Acceptance & Strategy	4.0	1,845.0	461	3.7	1,347.9	361.2
Legal Issues	-	-	-	0.3	192.5	641.6
Other Assets	-	-	-	0.6	325.7	520.0
Other Matters	4.0	1,845.0	461	1.0	427.8	427.8
Reporting	13.0	5,650.0	435	0.4	317.8	764.2
Property	-	-	-	-	-	-
Statutory Duties	11.0	4,050.0	368	3.7	1,248.2	340.7
VAT & Taxation	3.0	1,335.0	445	1.1	443.7	388.5
Total	76.0	30,965.00	407	31.6	13,379.24	423.6

Explanation of the work done

We have provided below a summary of the work that has been required in the liquidation to date:

- Administration & Planning –filing and maintaining the Joint Liquidators' records.
- Creditors – notifying creditors of the Joint Liquidators' appointment, advertising for creditor claims in the London Gazette.
- Debtors – making enquiries into the existence of intercompany balances due to the company from other group companies and whether realisations will be achievable for the benefit of the liquidation. Submitting intercompany creditor claims where applicable.
- Employees – making enquiries into the existence of any pension schemes linked to the Company.
- Immediate Tasks – time spent in completing immediate on appointment duties and filings as required by statute and professional practice.
- Investigations – completing the Joint Liquidators' statutory enquiries into the Company's affairs and the conduct of former directors, submitting a confidential report to the Secretary of State on the conduct of all former directors in the three-year period prior to insolvency.
- Job & Acceptance & Strategy – time spent in complying with EY's internal compliance and job acceptance procedures prior to accepting an appointment as required by statute and professional practice.
- Legal Issues – discussions with legal advisers regarding the potential for subrogated claims from the administration of Spicers Limited in the liquidation as a result of cross guarantees.
- Other Assets – review of the intercompany receivable/payable position between the Company and other group companies.
- Other Matters – case progression and strategy, internal review of case files.
- Reporting – preparing statutory annual progress reports to members and creditors.
- Statutory Duties –complying with statutory tasks throughout the duration of the liquidation, ensuring filings with Companies House are completed in a timely manner.
- VAT & Taxation – notifying HMRC of the commencement of the liquidation and working to agree the Company's tax position with HMRC.