

# AM08

## Notice of revision of administrator's proposals



Companies House

For further information, please refer to our guidance at [www.gov.uk/companieshouse](http://www.gov.uk/companieshouse)

### 1 Company details

Company number 06506979

Company name in full Smoke Club Limited t/a 'Cable' and 'Relay'

#### → Filling in this form

Please complete in typescript or in bold black capitals.

### 2 Court details

Court name High Court of Justice

Court number 4692 of 2016

### 3 Administrator's name

Full forename(s) Stephen Paul

Surname Grant

### 4 Administrator's address

Building name/number 2nd Floor Regis House

Street 45 King William Street

Post town London


County/Region

Postcode EC4R 9AN

Country

AM08

Notice of revision of administrator's proposals

<b>5 Administrator's name ①</b>		<b>① Other administrator</b> Use this section to tell us about another administrator.
Full forename(s)	Meghan	
Surname	Andrews	
<b>6 Administrator's address ②</b>		<b>② Other administrator</b> Use this section to tell us about another administrator.
Building name/number	2nd Floor Regis House	
Street	45 King William Street	
Post town		
County/Region	London	
Postcode	E C 4 R 9 A N	
Country		
<b>7 Date of revised proposals</b>		
Date	<div> <div>d</div> <div>0</div> <div>d</div> <div>8</div> <div>m</div> <div>0</div> <div>m</div> <div>3</div> <div>y</div> <div>2</div> <div>y</div> <div>0</div> <div>y</div> <div>2</div> <div>y</div> <div>4</div> </div>	
<b>8 Revised proposals</b>		
<input checked="" type="checkbox"/> I attach a copy of the revised proposals		
<b>9 Sign and date</b>		
Administrator's signature	Signature 	
Signature date	<div> <div>d</div> <div>1</div> <div>d</div> <div>1</div> <div>m</div> <div>0</div> <div>m</div> <div>4</div> <div>y</div> <div>2</div> <div>y</div> <div>0</div> <div>y</div> <div>2</div> <div>y</div> <div>4</div> </div>	

**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 **Lin Gartland**

Company name **Azets**

Address  
**2nd Floor, Regis House  
45 King William Street**

Post town **London**

County/Region

Postcode **E C 4 R 9 A N**

Country

DX

Telephone **0207 4031877**

**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)**

Smoke Club Limited t/a 'Cable' and 'Relay' - In Administration  
**("the Company")**

**Joint Administrators' Revised Proposals**

Issued: 8 March 2024

## **1. Introduction**

On 7 September 2020, Baldwins Holdings Limited which traded as Wilkins Kennedy, changed its name to Azets Holdings Limited, and now trades as Azets. Any references in this document to Azets should be read as a reference to Wilkins Kennedy, as applicable.

Stephen Paul Grant and Anthony Malcolm Cork, both of Azets, 2<sup>nd</sup> Floor Regis House, 45 King William Street, London, EC4R 9AN were appointed as Joint Administrators of the Company on 10 August 2016. The appointment was made by JSO Financial Services Limited in its capacity as a qualifying floating chargeholder. The Administration is registered in the High Court of Justice under reference number 004692 of 2016.

On 5 June 2020, Anthony Malcolm Cork was replaced by way of Court order as Joint Administrator by Meghan Andrews, also of Azets, following Mr Cork's departure from the firm.

The Joint Administrators are authorised to act jointly and severally in the Administration.

The Company's former trading address was 33 Bermondsey Street, London, SE1 3JW and it previously traded as "Cable" and "Relay". The former registered office of the Company was c/o Wise & Co, The Old Star, Church Street, Princes Risborough, HP27 9AA and has been changed to 2<sup>nd</sup> Floor Regis House, 45 King William Street, London, EC4R 9AN. The Company's registered number is 06506979.

The Administration is being handled by Azets at 2<sup>nd</sup> Floor Regis House, 45 King William Street, London, EC4R 9AN. The Joint Administrators' contact details are by phone on 0207 403 1877 or by email at [stephen.grant@azets.co.uk](mailto:stephen.grant@azets.co.uk).

The EC Regulation on Insolvency Proceedings 2000 applies to the Administration. The proceedings are main proceedings as defined by Article 3 of the Regulation. The Company is based in the United Kingdom.

Information about the way that we will use and store personal data on insolvency appointments can be found at <https://www.azets.co.uk/about-us/privacy-cookie-policy/>. If you are unable to download this, please contact us and a hard copy will be provided to you.

## **2. Proposals – Approved**

The Joint Administrators must perform their functions with the objective of:-

- a) Rescuing the Company as a going concern; or
- b) Achieving a better result for the Company's creditors as a whole than would be likely if the Company were wound up (without first being in Administration); or
- c) Realising property in order to make a distribution to one or more secured or preferential creditors.

On 4 October 2016 the Joint Administrators (at that time) submitted their proposals for achieving the objective of the Administration, to the creditors and these proposals were approved by the creditors, without modification on 19 October 2016.

The approved proposals were as follows:-

a) That the Joint Administrators continue to manage the business, affairs and property of the Company in order to achieve the purpose of the Administration. In particular that they:

- (i) continue to review the asset position of the Company and ensure that there are no assets available to be realised in addition to those already identified;
- (ii) sell any of the Company's unsold assets at such time(s) on such terms as considered appropriate;
- (iii) investigate and, if appropriate, pursue any claims that the Company may have against any person, firm or Company whether in contract or otherwise, including any officer or former officer of the Company or any person, firm or company which supplies or has supplied goods or services to the Company;
- (iv) monitor the settlement of the Company's liabilities if appropriate; and
- (v) do all such things and generally exercise all their powers as Joint Administrators as they in their discretion consider desirable or expedient in order to achieve the purpose of the Administration or protect and preserve the assets of the Company or maximise the realisations of those assets, or of any purpose incidental to these proposals.

(b) That the Administration will end by:

- (i) the filing of the relevant notice to the Registrar of Companies that the purpose of the Administration has been achieved, upon filing of which, the Administration will end and the Company will become active; or failing that
- (ii) placing the Company into Creditors' Voluntary Liquidation, and propose that Stephen Paul Grant and Anthony Malcolm Cork are appointed the Joint Liquidators of the Company, and that they will act jointly and severally in their duties. Creditors may nominate a different person(s) as the proposed Liquidator(s), but you must make the nomination(s) at any time after you receive these proposals, but before they are approved. Information about the approval of the proposals is set out at section 13; or
- (iii) alternatively, if there are no funds for distribution to unsecured creditors but it is believed that further investigations are required, the Administration will end by the presentation of a winding-up petition to the court for the compulsory liquidation of the Company and propose that Stephen Paul Grant and Anthony Malcolm Cork are appointed the Joint Liquidators of the Company by the court.

(c) The Joint Administrators are remunerated on a fixed fee basis at the rate of £10,000.00 plus VAT with an additional £1,500.00 plus VAT payable for each additional year or part year that the Administration remains open after the initial 12 months.

(d) The Joint Administrators be authorised to draw category 2 expenses as outlined in Appendix IV of these proposals.

### **3. Revised Proposals**

Under Paragraph 54 of Schedule B1 of the Insolvency Act 1986, the Joint Administrators are notifying creditors of a proposed revision to the proposals as approved.

The proposed revision to the proposals is as follows:-

“That the Administration will end by placing the Company into Creditors’ Voluntary Liquidation, and that Stephen Paul Grant, Meghan Andrews and Duncan Swift be appointed as Joint Liquidators of the Company, and that they will act jointly and severally in their duties.”

Creditors may nominate a different person(s) as the proposed Liquidator(s) but must make the nomination at any time after receiving these revised proposals, but before they are approved.

Please be advised that the proposed appointment of Duncan Swift of Azets, Salt Quay House, 6 N E Quay, Plymouth, PL4 0HP is for the purposes of his undertaking the adjudication of the creditors’ claims in the Liquidation, in order to declare a dividend to the creditors of the Company.

The Joint Administrators do not consider that the revised proposals will have a significant impact on the conduct of the Administration or on any class of creditor of the Company. The revision to the proposals is being made as a result of the specific wording of the original proposals regarding the appointment of Stephen Paul Grant and Anthony Malcolm Cork as Joint Liquidators of the Company.

### **4. Receipts and Payments**

A summary of the receipts and payments in the Administration is enclosed for your information.

### **5. Approval of the Revised Proposals**

The Joint Administrators are seeking a decision of creditors on the approval of the revised proposals by deemed consent. A notice providing further information about this procedure is enclosed.

Unless 10% in value of the Company’s creditors object to the approval of the revised proposals via the deemed consent procedure by 25 March 2024 then the creditors will be treated as having made the proposed decision to approve the revised proposals.



**Stephen Paul Grant**  
**Joint Administrator**

## RECEIPTS AND PAYMENTS ACCOUNT FOR ADMINISTRATION



Smoke Club Limited t/a 'Cable' and 'Relay'  
(In Administration)  
Joint Administrators' Summary of Receipts and Payments

RECEIPTS	Statement of Affairs (£)	From 10/08/2016 To 09/02/2024 (£)	From 10/02/2024 To 08/03/2024 (£)	Total (£)
WIP - Recoverable Professional Fees	NIL	0.00	0.00	0.00
Network Rail Settlement		12,120,000.00	0.00	12,120,000.00
Other Refunds		117.24	0.00	117.24
Cash at Bank		2,156.73	0.00	2,156.73
Funding Agreement - RAD		313,161.34	0.00	313,161.34
Bank Interest Gross		72,626.43	0.00	72,626.43
Bank Interest - WSM (Solicitors) LLP		54,998.72	0.00	54,998.72
Funding Agreement - KFL		521,639.88	0.00	521,639.88
		13,084,700.34	0.00	13,084,700.34
PAYMENTS				
Office Holders' Fees		139,684.95	0.00	139,684.95
Office Holders' Expenses		1,553.08	0.00	1,553.08
Professional Fees - Admin		3,500.00	0.00	3,500.00
Legal Fees and Expenses - Admin		99,155.24	7,000.00	106,155.24
Funds Payable to KFL under LFA		5,100,000.00	0.00	5,100,000.00
Legal Fees and Expenses - NR		253,750.00	0.00	253,750.00
Professional Fees and Expenses - NR		38,550.00	0.00	38,550.00
Legal Fees & Expenses - RAD		252,962.25	0.00	252,962.25
Professional Fees - RAD		3,500.00	0.00	3,500.00
Legal Fees & Expenses - KFL		304,803.84	0.00	304,803.84
Professional Fees - KFL		113,890.00	0.00	113,890.00
VAT Irrecoverable		965.00	0.00	965.00
Refund of VAT- RAD		48,435.79	0.00	48,435.79
Refund of VAT - KFL		60,000.00	0.00	60,000.00
Refund of Costs - RAD		264,725.55	0.00	264,725.55
Refunds of Costs - KFL		461,639.88	0.00	461,639.88
Funds Held by WSM Solicitors LLP		790,004.64	0.00	790,004.64
Floating Charge Creditor	(3,131,230.00)	0.00	0.00	0.00
Trade & Expense Creditors	(329,504.79)	0.00	0.00	0.00
		7,937,120.22	7,000.00	7,944,120.22
Net Receipts/(Payments)		5,147,580.12	(7,000.00)	5,140,580.12
MADE UP AS FOLLOWS				
Bank 1 Current - Metro Bank plc		75,888.96	(8,400.00)	67,488.96
Bank 1 Current - RBS		70,764.86	0.00	70,764.86
Treasury Reserve - RBS		4,500,000.00	0.00	4,500,000.00
Bank 1 Current - Arbutnot Latham		500,000.00	0.00	500,000.00
VAT Receivable / (Payable)		926.30	1,400.00	2,326.30
		5,147,580.12	(7,000.00)	5,140,580.12

## **NOTICE OF DECISION BY DEEMED CONSENT**

## NOTICE OF A DECISION BEING SOUGHT TO BE MADE BY THE DEEMED CONSENT PROCEDURE

### SMOKE CLUB LIMITED T/A 'CABLE' AND 'RELAY' - IN ADMINISTRATION ("THE COMPANY")

**REGISTERED NUMBER - 06506979**

This notice is given pursuant to s246ZF the Insolvency Act 1986 and Rule 15.7 of Part 15 of the Insolvency (England and Wales) Rules 2016 ("the Rules").

<b>Court details</b>	
<b>Court Name</b>	High Court of Justice, Chancery Division
<b>Court Number</b>	4692 of 2016
<b>Office Holder details</b>	
<b>Administrators' Name</b>	Stephen Paul Grant and Meghan Andrews
<b>Administrators' Firm Name</b>	Azets
<b>Date of Appointment of Administrators</b>	Stephen Grant - 10 August 2016 Meghan Andrews – 5 June 2020

### THE PROPOSED DECISIONS

The following decisions are proposed by the Joint Administrators ("the Convener") to be made by the deemed consent procedure:

1. That the Joint Administrators' revised proposals dated 8 March 2024 be approved.
2. That a creditors' committee is not formed..

In the absence of 10% in value of the Company's creditors ("the Threshold") objecting to the Proposed Decisions by no later than 25 March 2024 ("the Decision Date"), creditors will be treated as having made the Proposed Decisions.

#### *Procedure for Objecting*

In order to object to the Proposed Decisions, a creditor must have delivered a notice in writing of their objection, together with a proof in respect of their claim (unless one has already been submitted) to the Convener, whose contact details are below, by no later than the Decision Date, failing which their objection will be disregarded.

It is the Convener's responsibility to aggregate any objections to determine if the Threshold is met for the Proposed Decisions to be taken as not having been made. A creditor may appeal the decision of the Convener on the aggregation of objections, however such an appeal may not be made later than 21 days after the Decision Date.

Where the Threshold for objecting to the approval of the Joint Administrators' revised proposals via deemed consent is met, the deemed consent procedure will terminate without a decision being made. If a decision is sought again on the same matter, it will be sought by a decision procedure as laid down by insolvency legislation.

### *Creditors' Committee*

Insolvency legislation also requires that where a decision is sought from creditors, they should be invited to decide whether a creditors' committee should be established. Creditors have previously been invited to form a creditors' committee and declined to do so. Therefore, having considered the formation of a creditors' committee previously, should any creditor now wish to object to the decision proposed that a creditors' committee will not be formed, please also provide any nominations for membership of such a committee with your notice objecting to the Convener, by no later than the Decision Date.

Nominations will only be accepted if the Joint Administrators are satisfied as to the nominee's eligibility to be a member of such committee under Rule 17.4 of the Rules and providing sufficient support for the formation of a creditors' committee is received.

### *Creditors with a Small Debt*

An office holder may, depending on the circumstances of a case, decide to treat a 'small debt' of the Company (meaning a debt not exceeding £1,000 inclusive of VAT) as having proved, without the creditor having to submit a proof in respect of their claim. Where this is intended, notice will be given by the office holder to the affected creditors. Any creditor who has received such a notice, must still deliver a proof in respect of their claim (unless one has already been submitted) by no later than the Decision Date if they wish to object to the Proposed Decisions.

### *Creditors who have Opted Out of Receiving Notices*

Any creditor who has opted out of receiving notices but still wishes to vote on the Proposed Decisions is entitled to do so. However, they must have delivered a proof in respect of their claim (unless one has already been submitted) with the notice in writing of their objection to the Proposed Decisions to the Convener whose contact details are below, by no later than the Decision Date, failing which their objection will be disregarded.

### *Request for a Physical Meeting*

Creditors who meet certain thresholds prescribed by the Insolvency Act 1986, namely 10% in value of creditors, 10% in number of creditors or 10 creditors, may require a physical meeting to be held to consider the Proposed Decision. However, such a request must be made in writing to the Convener within 5 business days from 8 March 2024.

In order that the Convener can determine whether a threshold has been met, any such request must also be accompanied by a proof (unless one has already been submitted).

### *Contact Details*

Any documents required to be delivered to the Convener pursuant to this notice can be sent by post to Azets, 2nd Floor, Regis House, 45 King William Street, London, EC4R 9AN or alternatively by email to [stephen.grant@azets.co.uk](mailto:stephen.grant@azets.co.uk). Any person who requires further information may contact Stephen Grant by telephone on 0207 403 1877 or alternatively by e-mail at [stephen.grant@azets.co.uk](mailto:stephen.grant@azets.co.uk).

Dated: 8 March 2024

Signed:   
\_\_\_\_\_  
**Stephen Grant**  
**Joint Administrator**